

Visalia City Council Agenda

For the regular meeting of: MONDAY, December 7, 2009

Location: City Hall Council Chambers, 707 W. Acequia, Visalia CA 93291

Mayor: Bob Link
Vice Mayor: Amy Shuklian
Council Member: Warren Gubler
Council Member: Mike Lane
Council Member: Steve Nelsen

All items listed under the Consent Calendar are considered to be routine and will be enacted by one motion. If anyone desires discussion on any item on the Consent Calendar, please contact the City Clerk who will then request that Council make the item part of the regular agenda.

3:00-4:00
p.m.

1. **TOUR OF WASTEWATER TREATMENT PLANT - 7579 Avenue 288, Visalia, CA**
WORK SESSION AND ACTION ITEMS (as described)
4:30 p.m.

4:30 p.m.

Public Comment on Work Session and Closed Session Items -

2. Receive interim financial report. **Receive public comment.**

The time listed for each work session item is an estimate of the time the Council will address that portion of the agenda. Members of the public should be aware that the estimated times may vary. Any items not completed prior to Closed Session may be continued to the evening session at the discretion of the Council.

ITEMS OF INTEREST

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION - Visalia Rescue Mission Representative

MOMENT OF SILENCE - In honor of Alejandro Ruiz, a Visalia native who received the Medal of Honor, the highest award for valor in action, from President Harry Truman. Mr. Ruiz recently passed away, he was 85 years old.

CITIZENS REQUESTS - This is the time for members of the public to comment on any matter within the jurisdiction of the Visalia City Council. This is also the public's opportunity to request that a Consent Calendar item be removed from that section and made a regular agenda item for discussion purposes. Comments related to Regular or Public Hearing Items listed on this agenda will be heard at the time the item is discussed or at the time the Public Hearing is opened for comment. The Council Members ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome. The Council cannot legally discuss or take official action on citizen request items that are introduced tonight.

In fairness to all who wish to speak tonight, each speaker from the public will be allowed three minutes (speaker timing lights mounted on the lectern will notify you with a flashing red light when your time has expired). Please begin your comments by stating and spelling your name and providing your street name and city.

3. INFORMATION ITEMS - (No action required)

- a) Receive Planning Commission Action Agenda for the meeting of November 23, 2009.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

4. CONSENT CALENDAR - Consent Calendar items are considered routine and will be enacted by a single vote of the Council with no discussion. For a Consent Calendar item to be discussed, or voted upon individually, it must be removed at the request of the Council.

- a) Authorization to read ordinances by title only.
- b) Authorization to file a Notice of Completion for Parcel Map 2006-23, located at the northeast corner of Packwood Avenue and Demaree Street.
- c) Approve a three year utility billing contract with CalWater to bill and collect the City's waste water and solid waste charges.
- d) Authorize the City Manager to execute the Reimbursement Agreement for Tentative Parcel Map No. 2006-05, American Industrial Park West, located east of Camp Drive and south of Goshen Avenue. APN: 073-090-075
- e) Award a construction contract and authorize the City Manager to execute an agreement for RFB No. 09-10-27 for Center Avenue Improvements, Conyer Street to Bridge Street Project No. 8016 in the amount of \$178,084.00, to the low bidder, Lockwood General Engineering Inc.
- f) Request authorization to award the contract for Jefferson Park Sidewalk Improvements located between Myrtle Street and Watson Avenue to Dunn's Sand Inc., and authorize the City Manager to execute a contract for renovations to the Anthony Community Center.
- g) Award the construction contract for the Ben Maddox Way/Highway 198 "overcrossing" to the low bidder (Emmett's Excavation) in the amount of \$4,801,446.98. The project number is 1111-720000-0-0-9242-2004.
- h) Approve a recommendation from the Parks and Recreation Commission to apply for "Proposition 84" Park Bond Act Monies to implement the East Downtown Parks Master Plan.
- i) Accept the Cash and Investment Report for the first quarter ending September 30, 2009 and approve resolution adopting the City of Visalia's annually updated Investment Policy and Delegating authority to invest funds for the City to the Administrative Services Director/Treasurer. **Resolution 2009-59 required.**
- j) Authorize submittal of a collaborative application for State Energy Program grant funds in the amount of \$6,000,000 to establish the Tulare-Kings Counties Comprehensive Residential Building Retrofit Program. **Resolution 2009-60 required.**

Convene jointly as the Redevelopment Agency and the Visalia City Council

5. RDA CONSENT CALENDAR

a. Authorization to enter into a new agreement (fifth) between the Community Redevelopment Agency of the City of Visalia and Habitat for Humanity of Tulare County, for use of Redevelopment Agency Low/Mod Housing Set-Aside funds, to provide for a loan up to two hundred fifty thousand dollars (\$250,000) for acquisition and pre-construction costs for affordable housing. **Resolution 2009-05 required.**

b. Authorize a "Land Use Agreement" between the Redevelopment Agency (RDA) and Proteus, Inc. for purposes of permitting a Community Garden on RDA-owned land. **Resolution 2009-06 required.**

Adjourn as the Redevelopment Agency and the Visalia City Council and remain seated as the Visalia City Council.

6. Introduction of Ordinance 2009-08 amending Section 12.52.020 and adding Chapter 9.34 "Aggressive Solicitation" to the Visalia Municipal Code authorizing the Police Department to have enforcement guidelines for specific aggressive behaviors associated with solicitation in public and introduction of amendment to Visalia Municipal Ordinance Section 8.40 to include camping in non-designated areas as a public nuisance. **Ordinance 2009-08 required.**

7. Authorize the submittal of a grant application to the Federal Emergency Management Agency (FEMA) in the amount of approximately \$1,900,000 for Fire Department staffing.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Buyer	Seller	APN Number	Address	Purpose	Closing Date	Project Manager
City of Visalia	Citibank as Trustee for WAMU	APN 098-070-017	401 N. Lovers Ln.	ROW Mill Creek Pkwy	11/17/09	Chris Young

CLOSED SESSION

8. Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Section 54956.9) City of Visalia Retirees v. City of Visalia TCSC #09-232173

Upcoming Council Meetings

- Monday, December 14, 2009, 4:00 p.m. Work Session; Special Meeting 7:00 p.m., Visalia Convention Center, 303 E. Acequia
- Monday, December 21, 2009, 4:00 p.m. Work Session; Regular Session 7:00 p.m., Council Chambers 707 W. Acequia
- Monday, January 11, 2010, 4:00 p.m. Work Session; Special Meeting 7:00 p.m., Convention Center, 303 E. Acequia

Note: Meeting dates/times are subject to change, check posted agenda for correct details.

In compliance with the American Disabilities Act, if you need special assistance to participate in meetings call (559) 713-4512 48-hours in advance of the meeting. For Hearing-Impaired - Call (559) 713-4900 (TDD) 48-hours in advance of the scheduled meeting time to request signing services.

Any written materials relating to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the Office of the City Clerk, 425 E. Oak Street, Visalia, CA 93291, during normal business hours.