

Visalia City Council Agenda

For the regular meeting of: MONDAY, December 21, 2009

Location: 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.

WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.

Public Comment on Work Session and Closed Session Items -

4:00 p.m.

1. Water Conservation Plant project update and authorization to proceed with upgrade design based on the Membrane Bio-Reactor (MBR) alternative, and authorization to proceed as necessary to secure financing through the State Revolving Fund program. **Receive public comment.**

5:00 p.m.

2. Authorization to hire Dyett & Bhatia planning consultants for preparation of a General Plan Update and Program Environmental Impact Report (EIR). **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

CLOSED SESSION

6:00 p.m. (Or, immediately following Work Session)

3. Conference with Labor Negotiators (G.C. Section 54957.6)
Agency designated representatives: Steve Salomon, Eric Frost
Employee Organization: All employee groups
4. Conference with Legal Counsel - Anticipated Litigation
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: one potential case

5. Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: one potential case

6. Conference with Real Property Negotiators (G.C. Section 54956.8)
Property: 300 E. Oak St.,
Under Negotiation: Potential acquisition
Negotiating Parties for City: Steve Salomon, Mike Olmos, Ricardo Noguera
Negotiating Parties for Landowner: Scott Ellis, Realtor

7. Conference with Real Property Negotiators (G.C. §54956.8)
Property: 1968 S. Lovers Lane
Lessor: Cal Fire
Lessee: City of Visalia
Under Negotiation: Price, terms and conditions of potential lease
Negotiating Parties: Steve Salomon, Mark Nelson

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Paul Gendron, Work Force Chaplaincy

SPECIAL PRESENTATIONS/RECOGNITION – Present Resolution of Commendation to Valley Voice recognizing its 30th Anniversary

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.

8. **INFORMATION ITEMS** – (No action required)
 - a) Receive Planning Commission Action Agenda for the meeting of December 14, 2009.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

9. 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 bid the public improvements for the Island Annexation Sewer (Birdland) which is located West of Giddings Avenue, between Sunnyview Avenue and Wren Drive, without the requirement for the payment of prevailing wages pursuant to Resolution #83-02 (Project No. 4311-00000-720000-0-9783).
 - c) Second Reading and adoption of Ordinance No. 2009-06 for Change of Zone No. 2008-03 and Conditional Zoning Agreement 2009-01: A request to change the zoning designations from R-1-6 (Single-Family Residence) and R-M-3 (Multi-family Residential) to P-C-SO (Planned Shopping/Office Commercial) , P-PA (Planned Professional/ Administrative Office), and R-M-3 (Multi-family Residential) on 19.93 acres located on the southwest corner of Demaree Street and Houston Avenue. **Ordinance 2009-06 required.**
 - d) Second reading and adoption of Ordinance 2009-08 amending Visalia Municipal Code Sections 12.52.020, 8.40.020 and 8.40.030 to include camping in non-designated areas as a public nuisance; 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. **Ordinance 2009-08 required**
 - e) Second reading and adoption of Ordinance 2009-10 for sale of City property located at the east side of McAuliff Street at Mill Creek Parkway/Race Street (Portion of APN 103-320-11) to California Water Service. *4/5th vote required. Ordinance 2009-10 required.*
 - f) Award contract to RCC Consultants to conduct a county-wide Consolidated Dispatch Implementation Study for the amount of \$79,250.
 - g) Award a construction contract and authorize the City Manager to execute an agreement for RFB No. 09-10-09 for the Mooney Blvd. Storm Drain Pipeline and Lift Station Upgrade Project (Project No. 3011-9939) in the amount of (\$320,428.76) to the low bidder, Mark Hoffman General Engineering, Inc.
 - h) Appointments to the following Committees and Commissions as recommended by the Citizens Advisory Committee, in accordance with Council approved City policy, for the Planning Commission, the Transit Advisory Committee, the Citizen's Advisory Committee, the Environmental Committee, and Waterways and Trails Committee
 - i) Approve Mayor's recommendations for City Council representatives to various boards/committees/task forces for 2009-11.
 - j) Award contract for the purchase of nine (9) new marked Police patrol vehicles to Surroz Motors Inc. in the amount of \$388,122.33.
 - k) Approve implementation of the State Model Water Efficient Landscape Ordinance beginning January 1, 2010 and develop a local ordinance in 2010.

Convene jointly as the Visalia Public Finance Authority (VPFA) and the Visalia City Council

10. VPFA CONSENT CALENDAR

- a. Annual status report for the Visalia Public Finance Authority (VPFA) and appointment of VPFA directors and officers.

Adjourn as the Visalia Public Finance Authority (VPFA) and the Visalia City Council and remain seated as the Visalia City Council.

11. Consideration of a second amendment to the Measure R Sales Tax Expenditure Plan.
Resolution 2009-62 required.

12. Review and approve Visalia Water Management Committee 2010 Annual Plan.

13. Approval of recommendations from the Mayor to improve citizen involvement in the local government process by generally moving the City Council meetings to the Convention Center beginning in January 2010, and increasing the time limit for public comment to a maximum of five minutes.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

- Monday, January 11, 2010, 4:00 p.m. Work Session; Special Meeting 7:00 p.m., Convention Center, 303 E. Acequia
- Tuesday, January 19, 2010, 4:00 p.m. Work Session; Regular Session 7:00 p.m., Council Chambers 707 W. Acequia
- Monday, January 25, 2010, 6:00 p.m. Jt. Meeting with Kaweah Delta Health Care District, 400 W. Mineral King, Blue Room Conference Room

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.