

# Visalia City Council Action Agenda

For the regular meeting of: MONDAY, March 16, 2009

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

Mayor: Jesus J. Gamboa - *present*  
Vice Mayor: Bob Link - *present*  
Council Member: Greg Collins - *present*  
Council Member: Donald K. Landers - *present @ 4:20 p.m.*  
Council Member: Amy Shuklian - *present*

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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.

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## Track 1

### **WORK SESSION AND ACTION ITEMS (as described) 4:00 p.m.**

*Items 1 and 2 were taken in reverse order*

1. Progress Report on Groundwater Elevation Model, and the Visalia specific scenarios that are being evaluated through the model.

## Track 2

Item 1  
Information  
only - no  
action taken

Andrew Benelli, Public Works Director, discussed four scenarios for future growth and water demand management that have been developed, based on the Urban Water Management Plan and recommendations from the city's water consultant, Dick Moss.

Bob Keenan, HBA, discussed the availability of systems that reuse gray water. Keenan also noted that in 2011 residential fire sprinklers will be mandated.

## Track 1

2. Report on current Statewide and local drought conditions, local water conservation measures currently underway and being developed and researched, and groundwater recharge activities.

Item 2  
Information  
only - no  
action taken

Leslie Caviglia, Deputy City Manager reviewed the water conservation measures and groundwater recharge activities in lieu of the statewide drought emergency. Stage 3 conservation measures are in effect. The Visalia Environmental Committee will report to Council on implementing Stage 4 measures at an upcoming session. Council discussed current conservation measures and the relationship with CalWater to develop an effective Urban Water Management Plan.

Phil Mirwald, CalWater, discussed conservation efforts and the involvement of the City in the Urban Water management Plan that is being developed for the Visalia district.

## Track 3

3. Authorization to retain Provost and Prichard to prepare an effluent reuse study.

Item 3  
BL/AS 5-0  
approved as  
submitted

Jim Ross, Public Works Manager, discussed options for reusing the effluent from the treatment plant.

Motion carried to retain Provost and Prichard to prepare Effluent Reuse Study.

**Track 4**

Item 4  
BL/DL 5-0  
approved as  
submitted

- 4. Update on Water Conservation Plant upgrade project and authorization to begin negotiations with Parsons Water and Infrastructure Inc. to confirm the scope of work and to negotiate an appropriate fee to design the project.

Jim Ross, Public Works Manager, reviewed the processes of the review committee to recommend negotiations with engineering firm of Parsons from Pasadena for the design of the water conservation plant improvements.

Surendra Thakral, Senior Vice President for Parsons, answered Council questions regarding the approximate number of hours the project will take and who will work on the product.

Dick Moss, Provost & Prichard, addressed Council and expressed his interest in working with Parsons and playing a major role with the pipeline design.

**Track 5**

Item 5  
BL/GC 5-0  
Incorporate  
Council  
comments  
and authorize  
Master Plan  
process move  
forward

- 5. Review and comment on a Concept Master Plan for the "Packwood Apartment Complex", and authorize initiation of its formal processing.

Fred Brusuelas, Community Development Assistant Director; and Paul Bernal, Associate Planner, reviewed the request of West Coast construction for a multi-family development on 10.41 acres on the SE corner of Cameron and Stonebrook Street. The project requires a General Plan Text Amendment, General Plan Amendment, Change of Zone, and Conditional Use Permit. Council discussed the project and the concept of considering fee credit for development impact fees.

Bill Morgan, developer, explained the project and presented pictures of similar designs done in Irvine, CA.

Motion carried to authorize the Packwood Creek Apartment Master Plan process to move forward.

Motion failed to prepare a draft fee incentive policy for three story high density residential projects.

BL/ AS 2-3  
(failed) re fee  
credit for  
development  
impact fees  
(Gamboa,  
Landers,  
Collins = No)

*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)**

- 6. Conference With Real Property Negotiators (G.C.§54956.8)  
Property: APN 119-010-21, 119-010-118, 119-020-36, 118-020-037  
Negotiating Parties: Steve Salomon, Michael Olmos, State of California  
Under Negotiation: Price, terms and conditions of potential sale
- 7. Conference with Labor Negotiators (GC 54957.6)  
Agency Designated Representatives: Eric Frost, Steve Salomon, Janice Avila  
Employee Organization: All Employee Groups

8. Conference with Real Property Negotiators (GC 54956.8)  
Property: (APN 085-010-096)  
Negotiators: Steve Salomon, Mike Olmos, Sam Sciacca  
Under Negotiation: Terms and conditions of potential lease agreement
9. Conference with Real Property Negotiators (GC 54956.8)  
Property: Oval Park Service Center (APN 094-036-001)  
Negotiators: Steve Salomon, Ricardo Noguera, Tulare/Kings Hispanic Chamber of Commerce  
Under Negotiation: Terms and conditions of potential lease agreement
10. Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: two potential cases

Track 6

## **REGULAR SESSION**

**7:00 p.m.**

### **PLEDGE OF ALLEGIANCE**

**INVOCATION** – Rev. Msgr. Raymond Dreiling, St. Mary’s Catholic Church

### **SPECIAL PRESENTATIONS/RECOGNITION**

“Award of Excellence” presented to the City of Visalia by the California Parks & Recreation Society (CPRS) for the City’s LOOP Bus Program. Presentation by Jeannie Greenwood, Recreation Manager, Robert Mijeras, Commissioner, and Amy Shuklian, Councilmember.

Local historian Terry L. Ommen presents Council with his new book “Then and Now.”

Track 7

**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.

Morrie Trent, resident of Visalia Mobile Estates, addressed council regarding a proposed amendment to his lease by Visalia Mobile Estates. Mayor Gamboa referred Mr. Trent to speak with Ricardo Noguera, Director Housing & Economic Development.

Jan Chubbuck and Mark Keller addressed the council regarding street conditions at Akers and Tommy on Hurley Avenue. They presented pictures of the street to the Council and were referred to speak with Andrew Benelli, Public Works Director.

Dale Simmons, Mountain Street, addressed council regarding 1) closing Giddings to car traffic from north of the stadium to north of the existing pedestrian bridge; 2) Consolidation of Youth

Volunteer Programs, 3) Bicycle helmet availability; 4) Support for two new members to the Visalia Environmental Committee. Mayor Gamboa referred Ms. Simmons to the Recreation Department for her ideas concerning youth programs and indicated the matter regarding closing Giddings Street will be discussed by city management and VUSD management staff.

Bill Huott, invited the Council to attend a meeting at the Convention Center on March 17, 5:30 p.m. to discuss traffic study on Oval Park area.

11. INFORMATION ITEMS - (No action required)

- a) Receive Planning Commission Action Agenda for the meeting of March 9, 2009.

Track 8

**CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION**

Council member Collins asked that items 12b, 12L, and 12o be pulled for further discussion. Council member Link requested item 12f be pulled for further discussion. Mayor Gamboa requested items 12g and 12k and 12i be pulled for further discussion.

DL/AS 5-0  
approve  
balance of  
consent  
calendar

12. 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) Accept the Cash and Investment Report for the second quarter ending December 31, 2008 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 2009-08 required.**

DL/BL 5-0  
Item 12b  
approved as  
submitted

Council member Collins asked about the City's investment in commercial paper. Eric Frost, Administrative Services Manager responded.

- c) Authorization for the City Manager to accept and appropriate a grant award for \$4,247 from the Office of Homeland Security, Homeland Security Grant Program
- d) Authorize the City Manager to approve the reimbursement for the arterial and collector street improvements installed with the South Cameron Creek Unit No. 1 Subdivision. In addition, request the approval for the reimbursement of the City's share of West Street improvements fronting the South Cameron Creek storm drain basin as constructed with the South Cameron Creek Union No. 1 Subdivision.
- e) Authorize the City Manager to execute the amended reimbursement agreement for South Cameron Creek Unit No. 2 and approve the reimbursement for the enhanced landscaping improvements of the South Cameron Creek Unit No. 2 storm drain basin as constructed by McMillin Homes and City Council authorization for additional funding for this reimbursement from the Storm Sewer Construction Fund.
- f) Authorize Engineering Staff to apply for Safe Routes to School Program grant and authorize the Assistant Community Development Director (City Engineer) to sign the necessary applications for the Safe Routes to School Program.

DL/AS 5-0  
Item 12f  
approved as  
amended to  
include 3<sup>rd</sup>  
project area  
on Linwood

Council member Link commented that the area west of Linwood from Walnut to Whitendale is a dangerous area for students walking to and from school. Chris Young, Assistant Community Development Director indicated that this area will be added as a third grant application.

JG/DL 5-0  
Item 12g  
approved as  
submitted

- g) Authorization to award contract for the renovation of Village Park and the Wittman Center in northern Visalia (on Pearl Street) for the bid amount of \$190,800 to Dale Atkins Construction of Visalia in accordance with bid specifications RFB 08-09-18.

Mayor Gamboa thanked staff for their work on the renovation and gave a brief history of the center.

- h) Approval of Citizen Advisory Committee's (CAC) recommended Public Opinion Survey.
- i) Approval to appoint Brian Newton and Kimball Loeb to the Visalia Environmental Committee.

DL/BL 5-0  
Item 12i  
approved as  
amended

Leslie Caviglia, Deputy City Manager, indicated an error in the terms for the appointment. The correct term will be effective immediately and ending December 2010.

- j) Authorization to purchase of one (1) automated yard waste truck from Ruckstell Inc. for \$293,713 without competitive bids.

- k) Approval to award a construction contract for the Ferguson Avenue Extension Project to the low bidder R.J. Berry Jr. Inc, in the amount of \$464,002.75 (Project # 1131/8060).

JG/DL 5-0  
Item 12k  
approved as  
submitted

Mayor Gamboa commented on the project and that it opens up circulation.

- l) Authorize the Mayor to sign an amended contract with the City Manager for the 08/09 and 09/10 fiscal years deleting the salary increase scheduled for July 2009.

DL/AS 5-0  
Item 12l  
approved as  
submitted

Council member Collins recognized the City Manager and Mayor for their concern of the economy and asked Council to consider this for their future potential salary increases.

*Authorize the recordation of the following final parcel maps:*

- m) Tentative Parcel Map 2007-12, located in the SE corner of Walnut Avenue and Garden Street (3 lots). APN 123-063-016.

- n) Tentative Parcel Map No. 2006-26, located on the northwest corner of Tommy Street and Hurley Avenue (2 lots), and authorize the City Manager to execute the Subdivision Improvement Agreement. (APN: 085-530-009)

- o) Tentative Parcel Map No. 2008-17, located at 1212 N. Plaza Drive (2 Lots), and authorize the City Manager to execute the Subdivision Improvement Agreement. (APN: 081-110-028).

DL/GC 5-0  
Item 12o  
approved as  
submitted

Chris Young, Assistant Community Development Director responded to Council member Collins questions regarding frontage on a public road-way.

*Convene jointly as the Redevelopment Agency and the Visalia City Council*

## Track 9

### **RDA CONSENT CALENDAR**

13. Approve Resolution authorizing investment of monies in the Local Agency Investment Fund (LAIF) by delegated authorities for the Redevelopment Agency of the City of Visalia. **RDA Resolution 2009-02 required.**

DL/BL 5-0  
Item 13  
approved as  
submitted

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

**Track 10**

BL/DL 4-1  
(Shuklian-no)  
Item 14  
approved as  
amended

14. Authorize the Mayor to sign a letter on behalf of the City Council requesting that the Tulare County Board of Supervisors deny Tulare County Change of Zone No. PZ 08-010 at Tagus Ranch in the Visalia Urban Development Boundary.

Dr. Sarjit Malli, landowner, explained his reasons for requesting the Change of Zone to the Tulare County Board of Supervisors. Council discussed with Dr. Malli the option of putting the property in a land trust ensuring that the property will not be developed but will remain in agricultural use.

Motion carried 4-1 to authorize the Mayor to send a letter to the Board of Supervisors recommending denial of County Change of Zone PZ 08-010 and the City of Visalia will withdraw its opposition to the zone change if the property owner first places the property into an Agricultural Easement, binding in perpetuity, with a recognized farmland trust entity.

**Track 11**

Item 15  
information  
and  
discussion  
only - no  
action taken

15. Review Mid-Year Financial Report.

Eric Frost, Administrative Services Director, presented an in-depth review of the City's Mid-Year Financial Report and asked Council to consider options to offset a \$4.2 million shortfall in the 2009/2010 budget. A public hearing will be held April 6, 2009 at 7:00 p.m.

**REPORT ON ACTIONS TAKEN IN CLOSED SESSION - none**

**REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS - none**

**Upcoming Council Meetings**

- ~~Thursday, March 19, 2009, 5:00 p.m. Joint Meeting with the Board of Supervisors, Convention Center, 303 E. Acequia, Visalia (To be rescheduled)~~
- Monday, March 30, 2009, 5:00 p.m. Joint Meeting with the Parks & Recreation Commission, Convention Center, 303 E. Acequia.
- Monday, April 6, 2009, Work Session 4:00 p.m.; Regular Meeting 7:00 p.m., Council Chambers 707 W. Acequia
- Monday, April 20, 2009, Work Session 4:00 p.m.; Regular Meeting 7:00 p.m., Council Chambers 707 W. 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.*

Submitted by Donjia Huffmon, Chief Deputy City Clerk

Meeting  
adjourned  
9:15 p.m.