

Visalia City Council Action Agenda

For the Special meeting of: Monday, June 25, 2007

Location: Convention Center - 303 E. Acequia, Visalia

Mayor: Jesus J. Gamboa
Vice Mayor: Greg Kirkpatrick
Council Member: Greg Collins
Council Member: Donald K. Landers
Council Member: Bob Link

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 Items -

Track 1 & 2
Item #1
No Action
Taken

1. Mayor's verbal report and slides regarding visit to Sister City Putignano, Italy

Mayor Gamboa presented a PowerPoint reviewing his trip to Putignano, Italy.

Track 3
Item #2
GK/GC
Approved
with
amendments
3-2
Landers (No)
Gamboa (No)

2. Consideration of a Pre-Annexation Development Agreement associated with Annexation No. 2007-01 (Vargas), a request to annex 480 acres of Heavy Industrial Land on Plaza Drive north of Riggins Avenue.

Brandon Smith presented a PowerPoint slide presentation that provides an overview of the report. Questions & comments made by Council addressed by staff. Approved with amendments.

Track 4
Item #3
DL/BL
Approved
5-0

3. Update, recommendations and Council authorization for: Site Selection for a new SPCA facility; distribution of an RFP for a new SPCA facility design; Council authorization of FY 2007-08 contract for Animal Control Services with Valley Oak SPCA in the amount of \$383,771; and transfer of dispatching services from Valley Oak SPCA to the City Police Department and approving an increase in the Police Department budget of \$29,500.

Assistant City Manager Carol Cairns and the SPCA staff provided an overview of the report. Questions & comments were made by Council and addressed by staff. Council requested a RFP for the design and different components to be added over the years. Council requested staff to move quickly on the new proposed facility. Approved as recommended.

Track 5 & 10
Item #4 A, B,
and D
GK/BL
5-0 Approved

4. Budgetary Items

A. Review and approve action on the 2007/08 Budget

B. City Managers Annual Recertification of the Measure T Plan.

C. Pension Obligation Bonds

D. Approval of **Resolution 2007-50** adopting the 2007-08 appropriations limit for the City of Visalia's General Fund.

Item #4 C
DL/GK
5-0
Approved

Administrative Services Director Eric Frost introduced Gus Aiello Finance Manager who presented a PowerPoint slide presentation that provided an overview of the report. Questions & comments made by Council addressed by staff. Item 4 A,B, D Approved as recommended.

Gus Aiello presented item 4 c at the end of the Council's agenda and was approved as recommend on a separate vote.

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

Adjourned to
Closed
Session

None

CLOSED SESSION

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

5. Conference with Labor Negotiators (G.C. §54957.6a)
Agency Designated Representatives: Eric Frost, Jim Harbottle, Janice Avila
Employee organization: Bargaining units Groups B and E
6. Conference with Real Property Negotiator
Property: Portions of City-owned property known as APN 118-020-036, -37 and 119-010-021 located west of Highway 99, south of Avenue 288, east of Road 68, and north of Avenue 280.
Under Negotiation: Terms and Conditions of Purchase and Sale Agreement regarding potential Conservation Easement
Negotiating Parties: Steve Salomon, Michael Olmos, Colleen Carlson, North Visalia Investments, LLC or assignee
7. Conference with Real Property Negotiator
Property: 819 W. Acequia (APN 093-201-004)
Under Negotiation: Authority to negotiate terms and conditions of purchase
Negotiating Parties: Steve Salomon, Michael Olmos, Colleen Carlson, Thomas Gaebe, Jonathan Graves & Douglas Lawrence

Reconvene to
Regular
Session

REGULAR SESSION

7:00 p.m.

Track 6
Regular
Session
No Action
Taken

PLEDGE OF ALLEGIANCE - Vice Mayor Greg Kirkpatrick

INVOCATION - Chaplain Kent Mishler, Kaweah Delta Hospital

SPECIAL PRESENTATIONS/RECOGNITION - Recognition of Tony and Mary Salierno, Provident Mortgage

Bruce McDermott and Thora Guthrie from the Park and Recreation Foundation recognized Tony and Mary Salierno for all the time and effort they have contributed to enhance the Community. A hand blown glass art piece from a local artist was given to the Saliernos as a memento of the Community's appreciation.

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 address.

Track 7
Item #8

None

Balance of
Consent
Calendar
Approved
DL/GK 5-0

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Councilmember Landers pulled 4 k for a separate vote. Mayor Gamboa pulled 4 b per request by staff.

8. 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) Second reading of Ordinance No. 2007-10 authorizing the City Manager to execute a new 40-year Lease Agreement with the Faria & Sons Family Limited Partnership for approximately 90 acres of farmland at the Visalia Municipal Airport.

Item 4b removed by staff and placed on the July 16, 2007 agenda.
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c) Authorization for the City Manager to execute an agreement with COS that provides for participation in the Federal Work Study Program for 2007-08.

d) *Item removed at the request of staff*

e) Authorization for the City Manager to sign an agreement with Visalia Mountain Transit, Inc., a subsidiary of MV Transportation, for the purpose of operating the Sequoia Shuttle, for \$52.22 per vehicle service hour or a total of \$514,133 for 2007.

f) Authorize the City Manager to execute the amendment to the Agreement with Visalia Unified School District to modify the administrative fee portion for collecting School Facilities Fees paid to the City of Visalia from 2% statutory to 1% statutory effective July 1, 2007.

g) Authorization to enter into an agreement with Visalia Unified School District for after school enrichment program services.

h) Authorization for the City Manager to sign a contract with the Visalia Convention and Visitors Bureau to provide convention and tourism sales and marketing services for one year for \$239,000.

i) Approve the recommended appointment of Richard Garcia to the Bicycle, Pedestrian and Waterway Trails Committee as recommended by the Citizens Advisory Committee

j) Adopt Resolution 2007-56 requesting Allocation of Proposition 1B funds as outlined in SB 286 (Lowenthal and Dutton). **Resolution 2007-56 required.**

Item #8 k
GK/BL
4-1
Landers - No
Approved

- k) Adopt Resolution No. 2007-57 denying the appeal of Tentative Parcel Map No. 2007-04 and upholding the Planning Commissions approval. (APN: 089-030-035). **Resolution 2007-57 required.**

Council member Don Landers requested a separate vote for this item. Approved 4 -1 Landers - No.

- l) Authorization to record final map for Woodside Sousa Property Unit No. 1 , located at the southeast corner of Walnut Avenue and McAuliff Street (129 lots) and the Formation of Landscape and Lighting District Nos. 07-11 and 07-11-PARK, Sousa Property (APN 127-030-026). **Resolution No. 2007-58, 2007-59, 2007-60 and 2007-61 required.**

- m) Request authorization to file a Notice of Completion for The Ashley Grove No. 9, containing 53 multi- family lots (208 units), located at the Southeast corner of Riggins Avenue and County Center Street.

- n) Introduction of **Ordinance 2007-12** pursuant to New California Health and Safety Code Section 33342.7 Adopting Description of the Agency's Property Acquisition Program through Eminent Domain.

Track 8
Item #9
GC/GK
3-2
Link - No,
Landers - No,
Approved as
amended

9. **Public Hearing** An appeal by Adolfo Ramirez (applicant-owner of B.C. Recycling) of the Planning Commission's approvals to revoke Conditional Use Permit No. 99-03, for a small collection and light processing recycling facility located at 1538 North Dinuba Boulevard (APN: 091-161-052) and to revoke Conditional Use Permit No. 2003-09, for a small collection and light processing recycling facility located at 1043 East Houston Avenue (APN: 094-140-036). **Resolution 2007-62 and Resolution 2007-63 required.**

Tim Burns introduced item & provided significant background on the item. Public Hearing Opened: Attorney Ronald Solomon representing the appellant addressed Council regarding the compliance of the citations. Consultants Christopher Rehke , Jesus Gutierrez and Adolfo Ramirez Jr. requested Council not to close the two businesses. Several citizens (Billy Hought, Susan Borba, Amy Shuklian, Police Chief Bob Carden, Bob Blakely, Dan Casada, and Vanessa Casada) spoke against the BC Recycling regarding the business operation. Complaints included from the loud noise and the non-compliance with the State and Federal laws. Tulare County Sheriff's Sergeant Tom Zigley and Detective Dale Cullum gave an update of their communications with BC Recycling regarding the non-compliance issues. Public Hearing Closed. The Council discussed the matter at length. The appeal was denied for the Dinuba Blvd. and the appeal for the Houston Avenue business was approved with the conditions addressed in Alternative 1 in the staff report with changes to #7.

Track 9
Item #10
GK/BL
5-0
Approved

10. Introduction of **Ordinance No.2007-13** approving the Citizens Advisory Committee (CAC) recommendation to adjust the monthly compensation to City Council members to \$800, eliminating the stipend, and implementing an automatic inflation factor that compounds annually for future compensation increases.

Approved 5 -0.

Meeting
Adjourned

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Litigation Settlement - One matter

City Attorney Alex Peltzer reported on the Hettick vs COV has been settled.

SUBMITTED BY: Susie Alter, Executive Assistant on behalf of Leslie Caviglia, Deputy City Mgr.

