



# Visalia City Council Agenda

For the special meeting of: Monday, May 8, 2006

Location: Visalia Convention Center

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

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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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## **WORK SESSION AND ACTION ITEMS (as described) 5:30 p.m. (Or, immediately following Adjourned Regular Meeting)**

### **Public Comment**

1. Tulare County Economic Development Work Program Presentation by Paul Saldana.
2. Item removed from Agenda.

## **CONSENT CALENDAR (Or, immediately following Work Session) 6:00 p.m.**

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.

3. City Council Authorization to Send Letters to the Appropriate Federal Legislators and Committees Opposing the Communications Promotion and Enhancement Act of 2006 ("COPE") and to State Legislators, Committees and the League of California Cities, opposing AB 2987 (Nunez) Cable and Video Service and SB 1627 (Kehoe) Wireless Telecommunications Facilities.
4. Authorization to approve the recommended appointments of Vicki Stasch, Lindsay Bailey, Brian Kempf, Alan George, Robert Brown, George Pilling, Manuel Toste, Mike Flynn, Walter Van Groningen, Mark Fulmer, Carla Calhoun, Russ Desch, Barbara Desch, Herb Simmons, Dominique Niccoli to the Bicycle, Pedestrian, Waterway Trails Committee as recommended by the Citizens Advisory Committee.
5. Authorization to appoint Greg Collins to serve as the City Representative on the Property Based Improvement District Board and Steve Salomon to serve as the alternate.

**CLOSED SESSION**

**6:30 p.m. (Or, immediately following Consent Calendar)**

6. Conference with Legal Counsel – Anticipated Litigation (1)  
(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 GC)
  
7. Conference with Real Property Negotiators  
Property: 29,523 sq. ft. parcel located at 212 N. Tipton, APN 094-240-037 & 9,841 sq. ft. parcel located at 220 N. Tipton, APN 094-240-032  
Under Negotiation: Price, terms, conditions of potential purchase and sale agreement  
Negotiators: Steve Salomon, Michael Olmos, Colleen Carlson, Ken Kugler representing Duval L & Margaret A. Kugler

**Upcoming Council Meetings**

Monday, May 15, 2006

Monday, May 22, 2006 – Special Meeting Visalia Convention Center

Work Session 4:00 p.m.

Regular Session 7:00 p.m.

City Hall Council Chambers

707 West Acequia Avenue

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.

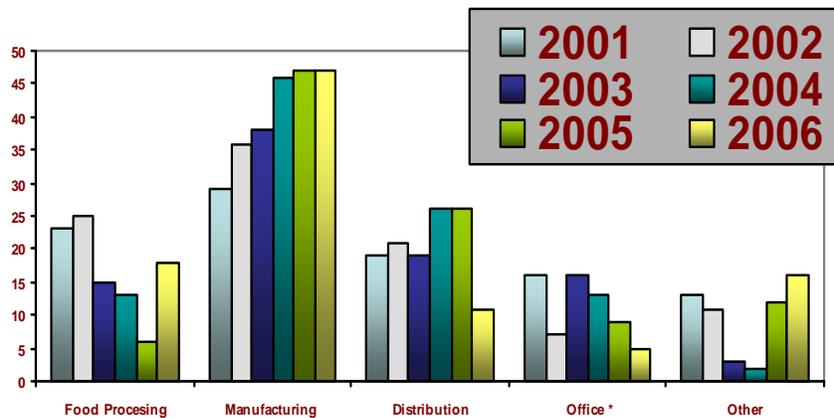


## Presentation Background Information

This information supplements the presentation by the EDC staff on current trends and future economic development activity in Tulare County.

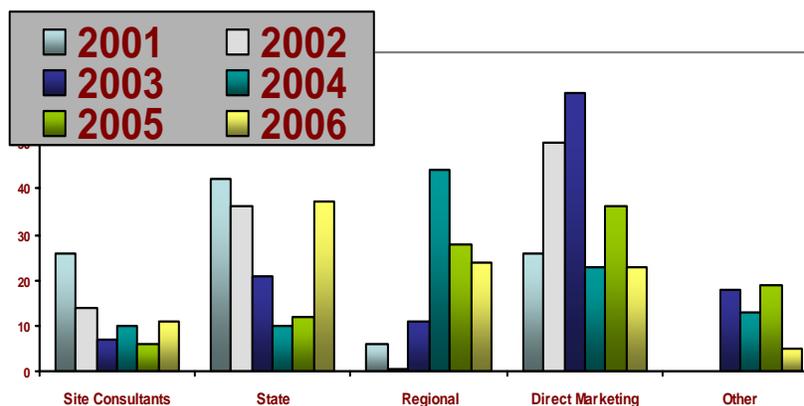
### Business Recruitment

The Economic Development Corporation serves as the lead entity for business recruitment for the cities and communities of Tulare County. As of April 30, 2006, the EDC has received a total of **38 new prospect** companies interested in a Tulare County location and is currently managing **46 site location projects**. Manufacturing and food processing consist of the largest share of prospect activity



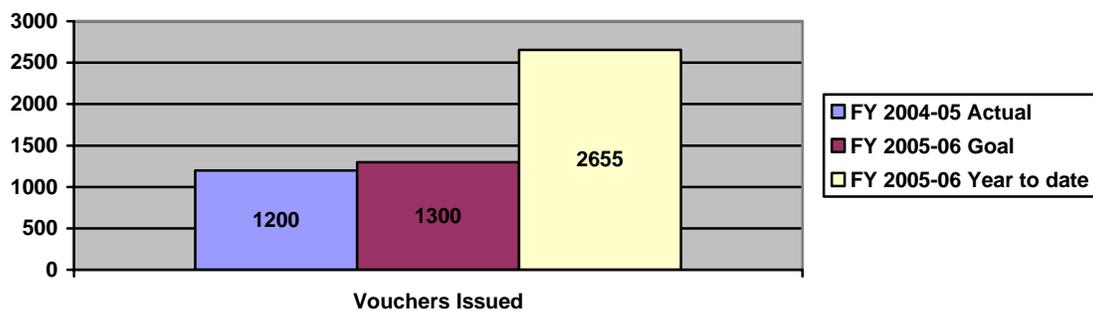
Eight company locations have been announced this fiscal year, the largest being the location of **VF Outdoor in Visalia**.

The EDC is the lead entity for projects originated by the State's Business Investment Services Unit and the Central California Economic Development Council, a 6-county regional marketing effort. To date, the EDC has **responded to 165 inquiries** for information about locating in Tulare County. In FY 2006, the EDC has experienced a balance among direct marketing activities and other sources of prospects.



## *Business Development, Assistance & Incentives*

The Economic Development Corporation is the designated entity to manage the countywide **Business Incentive Zone (BIZ)**, created by a Joint Powers Agreement between the County and its eight incorporated cities. The EDC assists in the coordination of business retention efforts and marketing the BIZ to local and new businesses. Approximately 520 business contacts have been made to date, resulting in 31 referrals for business assistance and seven expansion projects, like Weyerhaeuser which announced a 100,000 square foot expansion of their Exeter facility. Sixteen new employers are using the BIZ incentives so far this fiscal year. The hiring tax credit, the most widely used of the BIZ incentives, is increasing, with more than 2,600 hiring vouchers being issued this year, more than double that of last year.



The EDC hosted the first annual **Entrepreneurship Recognition** event, recognizing local companies who have demonstrated innovation, creativity and an entrepreneurial spirit. Part of the recognition included the establishment of the **Entrepreneur Hall of Fame** and a high school scholarship program recognizing a local student entrepreneur.

## *Marketing the Region*

The EDC has led the regional business recruitment marketing efforts the past two years and under the EDC's leadership, garnered the top State award for economic development marketing. The EDC became the lead entity for the **California State Fair Exhibit** in 2005, receiving the second most awards and recognitions at the Fair, including a Gold Ribbon. The animated exhibit combined tourism, business recruitment and quality of life in the marketing theme.



In 2005, the EDC entered into a partnership with the **Sequoia Regional Visitors Council** to implement a new regional marketing program aimed at complimenting individual community visitor and convention recruitment efforts. The EDC acquired an episode of the **"Taste of California"**, promoting the tourism sites and venues of the county in 95 countries and in 10 languages. The 30 minute episode, being unveiled locally later this month, is also available on the

Travel Channel and soon in in-flight viewing on major airlines. The EDC also coordinates the official “Visitors Center” at World Ag Expo, hosts the virtual visitors center on its website and has coordinated media visits and interviews for tourist related publications.

### ***Education & Workforce Development***

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The EDC plays host to a regional Leadership Summit every other year to determine the issues and priorities of the area’s community, business and political leaders. ***Workforce development and education*** have consistently ranked as the number one issue that will challenge the future economic competitiveness of the county. The EDC worked with local government leaders, education representatives and concerned private sector leaders to form the ***Institute for Higher Education***. The goal of the Institute is to increase higher education opportunities to a broad segment of Tulare County’s population. Strategies include advocating and support for legislative and educational initiatives, such as increased presence by California State University, Fresno; assessing the needs of local businesses and assist in the marketing of existing programs and services.



### ***Organizational Development***

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The Tulare County EDC received status as an ***Accredited Economic Development Organization*** by the International Economic Development Council in 2001 and was reaccredited in 2004, the only EDC in Central California to have achieved this status. Our philosophy is that we must maintain a professional, leading edge economic development program that creates best practices, is entrepreneurial, innovative and smart. EDC staff have leadership positions in statewide associations and activities, including the California Association for Local Economic Development and California Enterprise Zone Association. The result of the EDC’s commitment and leadership in the field of economic development have earned Tulare County ***more than 12 state and national awards and recognitions in the last 5 years.***

### ***The Future***

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Our future challenge is to enhance and expand the successes in building a prosperous economic future. These new options are built on providing a clear regional identity, better opportunities for future generations, broader jobs choices and a vibrant business climate.

The EDC is currently developing a multi-year economic development strategy to continue successes and expand these new partnerships.

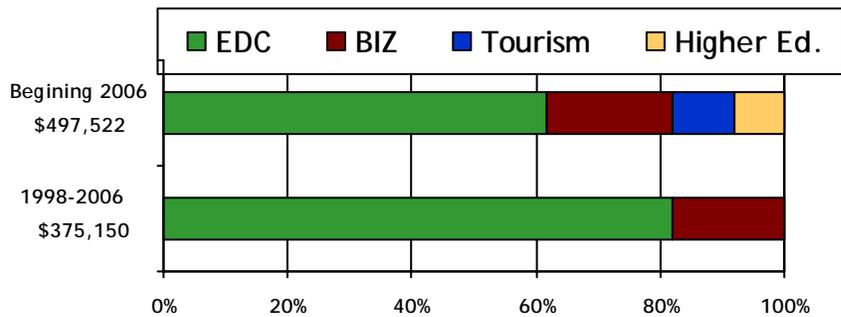
- ***Expand business recruitment*** efforts, including the identification and targeting of emerging industries, like energy technologies, food and agri-technology, and

precision manufacturing. The enhanced program will include an increase in direct visitation to companies and decision makers and participation in these industry sectors.

- Provide leadership to *increase educational attainment* in the county through an increase in higher education opportunities, like the expansion of CSU Fresno, identify and advocate business workforce and education needs and continue coordination of countywide efforts to deliver educational opportunities to all parts of the county.
- Development and implementation of a *marketing and branding campaign* that incorporates business, visitor and talent recruitment. This would include a comprehensive marketing strategy that complements existing marketing efforts, such as media familiarization, advertising and technology related marketing.
- Implementation of strategies to expand the *climate of entrepreneurship* in the county, including targeting high growth firms, increasing financial capital and helping to locate research and development facilities.

### Financial Overview

Since the mid 1990's, the public sector portion of the EDC budget has been fixed at \$307,500 per year. The BIZ budget has also remained at its 1998 level of \$67,650. Beginning in FY 2006-07, the EDC budget is proposed to remain at the same level, the BIZ portion is being increased to the \$100,000 level contained in the joint powers agreement and new funding is being requested for the countywide tourism (\$50,000) and higher education (\$40,000) initiatives. **The total public sector funding proposed beginning in FY 2006-07 is \$497,522.**



The EDC Board is also embarking on a private sector fundraising effort aimed at increasing the private sector contributions *from \$150,000 to \$500,000*, creating a total investment in economic development of \$1 million annually.

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** April 17, 2006

**Agenda Item Number (Assigned by City Clerk):** 3

**Agenda Item Wording:** City Council Authorization to Send Letters to the Appropriate Federal Legislators and Committees Opposing the Communications Promotion and Enhancement Act of 2006 ("COPE") and to State Legislators, Committees and the League of California Cities, opposing AB 2987 (Nunez) Cable and Video Service and SB 1627 (Kehoe) Wireless Telecommunications Facilities.

**Deadline for Action:**

April 17, 2006

**Submitting Department:**

Administration

**Contact Name and Phone Number:** Carol L. Cairns, Assistant City Manager 713-4324

**For action by:**

- City Council
- Redev. Agency Bd.
- Cap. Impr. Corp.
- VPFA

**For placement on which agenda:**

- Work Session
- Closed Session
- Regular Session:
- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): \_\_\_\_\_

**Department Recommendation and Summary:**

Staff request authority to send letters to the appropriate state legislators and committees to oppose AB 2987 (Nunez) Cable and Video Service and SB 1627 (Kehoe) Wireless Telecommunications Facilities and to any federal legislators and committees to oppose the Communications Promotions and Enhancement Act of 2006 ("COPE").

Existing law provides that any city, county or city and county may authorize by franchise or license the construction and operation of a community antenna television system and prescribe rules and regulations to protect the subscribers. Existing law provides that cable and video service providers comply with specified customer service standards and performance standards. These bills would establish a procedure for state-issued authorizations for the provision of cable service or video service that would be administered by the Department of Corporations. The department would be the sole franchising authority of state-issued authorizations to provide cable or video services. These bills would require any person who seeks to provide cable service or video service in this state to file an application with the department for a state-issued authorization. Current franchise holders would be eligible to apply for state-issued authorizations on the expiration of their current franchise agreements. Cities, counties, or cities and counties would receive fees for cable or video services provided within their jurisdictions, based on gross revenues, pursuant to specified procedures. These bills would require these local agencies to permit the installation of networks by holders of state-issued authorizations and would preclude enforcement of standards by the local agencies.

The challenge for local governments is to retain the current or equivalent revenues stream, protect the management of the local right-of-way, ensure that our citizens have access to the

communications services going into local communities and that local businesses have the communications infrastructure to support robust economic activity.

**Prior Council/Board Actions:**

n/a

**Committee/Commission Review and Actions:**

n/a

**Alternatives:**

No action

**Attachments:**

League of California Update

Legislative summary

Sample letters

Primer on Cable Franchise

Western Cities Article on Telecommunications

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I authorize city staff to send letters of opposition to SB 1627 (Kehoe) and AB 2987 (Nunez) and to federal legislators and committees opposing existing telecommunications reform legislation.

**Financial Impact**

**Funding Source:**

Account Number: \_\_\_\_\_ (Call Finance for assistance)

**Budget Recap:**

Total Estimated cost: \$	New Revenue: \$
Amount Budgeted: \$	Lost Revenue: \$
New funding required: \$	New Personnel: \$
Council Policy Change: Yes_____ No_____	

Copies of this report have been provided to:

**Environmental Assessment Status**

**CEQA Review:**

Required? Yes No

Review and Action: Prior:  
Required:

**NEPA Review:**

Required? Yes No

Review and Action: Prior:  
Required:

**Review and Approval - As needed:**

**Department Head Review (Signature):**

**Risk Management Review (Signature):**

**City Attorney Review (Signature):**

**Administrative Services Finance Review (Signature):**

Others:

## City of Visalia Agenda Item Transmittal

**Meeting Date:** May 8, 2006

**Agenda Item Number (Assigned by City Clerk):** 4

**Agenda Item Wording:** Approve the recommended appointments of Vicki Stasch, Lindsay Bailey, Brian Kempf, Alan George, Robert Brown, George Pilling, Manuel Toste, Mike Flynn, Walter Van Groningen, Mark Fulmer, Carla Calhoun, Russ Desch, Barbara Desch, Herb Simmons, Dominique Niccoli to the Bicycle, Pedestrian and Waterway Trails Committee as recommended by the Citizens Advisory Committee.

**Deadline for Action:** None

**Submitting Department:** Parks and Recreation

**Contact Name and Phone Number:** Paul Shepard, Staff Rep  
713-4209

For action by:

- City Council
- Redev. Agency Bd.
- Cap. Impr. Corp.
- VPFA

For placement on which agenda:

- Work Session
- Closed Session
- Regular Session:
  - Consent Calendar
  - Regular Item
  - Public Hearing

Est. Time (Min.): \_\_\_\_\_

### Department Recommendation and

**Summary:** Recommended that the City Council approve the appointments of Vicki Stasch, Lindsay Bailey, Brian Kempf, Alan George, Robert Brown, George Pilling, Manuel Toste, Mike Flynn, Walter Van Groningen, Mark Fulmer, Carla Calhoun, Russ Desch, Barbara Desch, Herb Simmons, and Dominique Niccoli to the Bicycle, Pedestrian and Waterway Trails Committee.

### **BACKGROUND:**

This group was formed in 2001 as the Waterways and Trails Task Force. With the February 21, 2006 Council approval of the Bikeway Plan Update, Council authorized that this group become a committee. In the past the Task Force has organized several special events, reviewed and advised on the draft Bikeway Plan Update, and conducted several waterway landscaping and cleanup days.

The following are guidelines for committee appointments:

- A. Each committee is responsible for contacting their applicants to invite them to a future committee meeting. The committee can either interview them during this meeting or set up a sub-committee to screen/interview the applicants. The key point to remember is that all applicants need to be considered for the vacancies in some manner. The committees evaluate the knowledge, skills and abilities of each applicant. They also consider the demographics of their membership and whenever possible, try to make their committee more representative of the community through the applicants that they recommend.
- B. The Citizens Advisory Committee has been charged by the City Council to review the committee recommendations to insure that all applicants had an equal opportunity to be considered for the vacancies for each committee. The staff representative or Chairperson from each committee with vacancies attends this meeting to explain their review process. The members of the Citizens Advisory Committee ask any questions

during the meeting that they need to make sure equal consideration and opportunity was given to all applicants.

- C. The Citizens Advisory Committee then makes a formal recommendation to the City Council to formally appoint the recommended applicants to the committees.
- D. Once approved by the City Council, the new committee members are notified and begin serving as official members of the committee they are appointed to.

**Prior Council/Board Actions:** On February 21, 2006 the City Council authorized the formation of the subject committee.

**Committee/Commission Review and Actions:** The Citizens Advisory Committee met on May 3, 2006, to review the applications of the proposed committee members. The Citizens Advisory Committee recommends that the Visalia City Council formally appoint the applicants listed above.

**Alternatives:** Any of these positions could remain vacant.

**Attachments:** Applications of the individuals desiring to serve on the committee.

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):** I move that the City Council approve the recommended appointments to the Bicycle, Pedestrian and Waterway Trails Committee.

***Financial Impact***

**Funding Source:**

Account Number: \_\_\_\_\_ (Call Finance for assistance)

**Budget Recap:**

Total Estimated cost: \$	New Revenue: \$
Amount Budgeted: \$	Lost Revenue: \$
New funding required: \$	New Personnel: \$
Council Policy Change: Yes ___ No ___	

Copies of this report have been provided to:

<b><i>Environmental Assessment Status</i></b>			
<b>CEQA Review:</b>			
Required?	Yes		No
Review and Action:		Prior:	
		Required:	
<b>NEPA Review:</b>			
Required?	Yes		No
Review and Action:		Prior:	
		Required:	

<b><u>Review and Approval - As needed:</u></b>
<b>Department Head Review (Signature):</b>
<b>Risk Management Review (Signature):</b>
<b>City Attorney Review (Signature):</b>
<b>Administrative Services Finance Review (Signature):</b>
<b>Others:</b>

**City of Visalia  
Agenda Item Transmittal**

**Meeting Date:** May 8, 2006

**Agenda Item Number (Assigned by City Clerk):** 5

**Agenda Item Wording:** Appointment of Greg Collins to serve as the City Representative on the Property Based Improvement District Board and Steve Salomon to serve as the alternate.

**Deadline for Action:** N/A

**Submitting Department:** Administration

**Contact Name and Phone Number:** Leslie Caviglia, 713-4317

For action by:

City Council  
 Redev. Agency Bd.  
 Cap. Impr. Corp.  
 VPFA

For placement on which agenda:

Work Session  
 Closed Session  
Regular Session:  
 Consent Calendar  
 Regular Item  
 Public Hearing

Est. Time (Min.): \_\_\_\_\_

**Department Recommendation::** It is recommended that Council Member Greg Collins be appointed to serve as the City's representative on the Property Based Improvement District (PBID) Board of Directors and Steve Salomon to serve as alternate.

**Summary:** City Manager Steve Salomon has served as the City's representative for several years, primarily because a Council Member had not expressed interest in serving in that capacity, and due to the nature of the PBID work during the District's inception, the City Manager was often able to offer specialized assistance.

Now that the District has been in existence for 8 years, and the initial operating matters have been established, and since a Council Member is specifically interested in serving on the Board, it is appropriate to change the City's representation at this time.

If approved, the change would be made immediately and Council Member Collins would be a full voting member at the PBID Board's next meeting, which is scheduled for Friday, May 26.

**Prior Council/Board Actions:**

**Committee/Commission Review and Actions:**

**Alternatives:**

**Attachments:**

**City Manager Recommendation:**

**Recommended Motion (and Alternative Motions if expected):**

I move to approve Greg Collins as the City's representative on the PBID Board of Directors and Steve Salomon as the alternate.

***Financial Impact***

**Funding Source:**

Account Number: \_\_\_\_\_ (Call Finance for assistance)

**Budget Recap:**

Total Estimated cost: \$	New Revenue: \$
Amount Budgeted: \$	Lost Revenue:\$
New funding required:\$	New Personnel: \$
Council Policy Change: Yes____ No____	

Copies of this report have been provided to:

***Environmental Assessment Status***

**CEQA Review:**

Required? Yes No  
Review and Action: Prior:  
Required:

**NEPA Review:**

Required? Yes No  
Review and Action: Prior:  
Required:

**Tracking Information:** *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

**Review and Approval - As needed:**

**Department Head Review (Signature):**

**Risk Management Review (Signature):**

**City Attorney Review (Signature):**

**Administrative Services Finance Review (Signature):**

**Others:**