

Regular Meeting Action Agenda

Visalia City Council



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

Monday, April 18, 2011

Location: Visalia Convention Center, 303 E. Acequia, Visalia CA 93291

Work Session 4:00 ; Closed Session 6:00 p.m. (or immediately following Work Session)

Regular Session 7:00 p.m.

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

PUBLIC COMMENTS - *This is the time for citizens to comment on subject matters that are not on the agenda that are within the jurisdiction of the Visalia City Council. Each speaker will be allowed three minutes (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.*

[Track 1](#)

Ruth Caesar discussed her concerns about the artwork on the Santa Fe Bridge and the artwork proposed for the Plaza Park bridge. Mayor Link responded and discussed the public participation process

[Track 2](#)

[Track 3](#)

[Track 4](#)

Item 1 - No action taken. Reschedule for a future meeting

1. Retiree Healthcare Funding Policy. **Resolution 2011-17 required.**

Eric Frost, Administrative Services Director, presented the background and staff proposal which would continue to give retirees access to healthcare but at full cost after a four-year phase out process.

The following persons addressed the Council:

Tammy Price, Road 196, requested longer phase out period; Debbie Braley, Acequia, concern about the word "subsidy" used in the newspaper and staff report; Mike Stow options that would allow retirees a longer opportunity to plan; Jim Thompson, N. Cottonwood St., need a longer phase-out period; Mario Cifuentez, W. Whitendale, representing Group E, requesting a longer phase out period for long term employees; Ed Lynn, representing Group A, requesting a longer phase out period and encouraging employee groups to work together for a solution; Bruce McDermott, deal with the issue in a more benevolent manner; Mike McGee in favor of a longer phase out period; Bob Braley, Acequia, benefits for those that were hurt on the job and have less than 15 years service; Mike Stow considerations for disabled and survivors insurance; Jim Thompson annual increases not part of consideration.

No vote was taken on the proposal, Council members agreed to give staff time to come up with options for retirees, and also agreed on the following: Full cost of the retiree health care will be determined on a three-tier basis of single, two party and family; Exceptions should be made for those retirees with a lesser income, and; the City's contribution will be phased out.

[Track 5](#)

Item 2 – information only.

- 2. Update and presentation from Phil Mirwald regarding California Water Service Company.

Phil Mirwald, CalWater gave the update and PowerPoint presentation and responded to Council questions. No action taken, information only.

- 3. *Item removed at the request of staff.*

[Track 6](#)

SN/AS 5-0 Item 4 approved as recommended

- 4. Adoption of the Neighborhood Traffic Management Program (NTMP) Policy and consider program funding in an amount not to exceed \$50,000 to be funded out of the Gas Tax Fund.

Chris Young, Community Development Director, presented the recommendation to fund the NTMP from the Gas Tax Fund on a yearly basis of not to exceed \$50,000 on a first come/first serve basis.

Peter Salerno, S. Church, addressed the Council and indicated his support of the program and suggested a lower traffic count for traffic calming measures.

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 - none

Adjourn to closed session 6:15 p.m.

CLOSED SESSION (or immediately following Work Session)

- 5. Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to subdivision (c) of Section 54956.9: two potential cases

7:00 p.m.

CALL TO ORDER REGULAR SESSION

[Track 7](#)

PLEDGE OF ALLEGIANCE

INVOCATION – Dr. Majzoubi, Baha’i Faith

SPECIAL PRESENTATIONS/RECOGNITION

- Proclaim April 27, 2011 as Veteran’s Opportunity Day

Councilmember Warren Gubler presented the Proclamation to Raymond Correria.

PUBLIC COMMENTS - *This is the time for citizens to comment on subject matters that are not on the agenda that are within the jurisdiction of the Visalia City Council.*

This is also the time for citizens to comment on items listed on the Consent Calendar or to request an item from the Consent Calendar be pulled for discussion purposes. Comments related to Regular or Public Hearing Items that are listed on this agenda will be heard at the time that item is discussed or at the time the Public Hearing is opened for comment.

In fairness to all who wish to speak tonight, each speaker from the public will be allowed three minutes (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.

The following persons addressed the Council during public comments: Bill Callahan, N.

Central, regarding ongoing construction issues on N. Ferguson; Peter Salerno, S. Church, regarding the need to retain public safety officers and speeding on S. Church Street; Sheila West, Cedar Ct., need to reexamine the requirements and assessments methods for oak tree removal; Glen Morris, Santa Fe, remarked on grant for Plaza Drive and the grant for Imagine U and thanked the City for their support and leadership.

Track 8

SN/AS 5-0
Balance of
consent
calendar
approved as
recommended

6. **CONSENT CALENDAR** - *Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.*

The following items were removed from the consent calendar for separate discussion and action: Item 6b (Shuklian); Item 6h (Lane)

- a) Authorization to read ordinances by title only.
- b) Authorize purchase of an Agenda Management System, appropriate licenses and e-readers from LR Hines at a cost not to exceed \$100,000 to be paid with funds from the Energy Efficiency and Conservation Block Grant (EECBG).

AS/WG 5-0
Item 6b
approved as
recommended

Donjia Huffmon, Chief Deputy City Clerk, responded to Councilmember Shuklian's questions regarding the hardware and timeline of the project.

- c) Authorization to file a Notice of Completion for the construction of the Jefferson Park, Phase II park improvement project located at South Watson Street and Myrtle Avenue in southeast Visalia, Project No. 1811-61623-720000-0-8194, at a final construction cost of \$49,657.20
- d) Second reading and adoption of Ordinance 2011-06 to remove local amendments regarding fire sprinklers in non-residential buildings and apply fire sprinkler standards contained in the 2010 or most recently adopted California Fire Code. **Ordinance 2011-06 required.**
- e) Second reading and adoption of Ordinance 2011-07 for Zoning Text Amendment 2011-05: A request by the City of Visalia to revoke the portion of previously-adopted Zoning Text Amendment No. 2010-10B wherein the Zoning Use Matrix (VMC 17.18.050) was changed to allow supermarkets/grocery stores 30,000 square feet or smaller in the C-R (Regional Retail Commercial) Zone as a Permitted Use. **Ordinance 2011-07 required.**
- f) Authorization to declare the conversion of Willis Street, between Noble Avenue and Kaweah Avenue, to one-way traffic (in the south bound direction only). **Resolution 2011-15 required.**
- g) Accept the Preliminary Engineer's Report, notice of reimbursement, set a public hearing for June 6, 2011 and authorize the filing of the Proposed Boundaries Assessment District Map for Assessment District 2011-1 "Orchard Walk East/West Utility Undergrounding Assessment District". **Resolution No. 2011-16 required.**

Track 9

ML/SN 5-0
Item 6h
approved as
recommended

- h) Award contract for the purchase of one (1) Kenworth ten-yard dump truck to Pape Trucks, Inc. of Fresno in the amount of \$111,479.01 for the Water Conservation Plant.

Councilmember Lane commented on the policy for accepting the bid as it pertains to local vendors.

Track 10

Convene jointly as the Visalia City Council and Visalia Redevelopment Agency Board:

7. CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

ML/SN 5-0
Item 7a
approved as
recommended

- a. Authorize contract for \$22,400 for downtown parking structure studies by WRNS Studio with costs to be appropriated from the Central Redevelopment Fund and the Downtown Parking Fund.

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

REGULAR ITEMS AND PUBLIC HEARINGS - *Comments related to Regular Items and Public Hearing Items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Mayor.*

Track 11

AS/SN 4-1
(Gubler No)
Item 8
approved as
recommended

- 8. Update on the bike lanes on Mineral King and Noble Avenues between Mooney Boulevard and Akers Street. (Project No. 1611-00000-720000-0-8052)

Adam Ennis, Assistant Director of Engineering, presented the history of the bike plans in this area which date back to 2006 and responded to Council comments and questions.

The following persons made public comments: Michael Tellian, discussed that there is too much traffic on Mineral King and Noble for bike lanes and suggested allowing parking at certain times of the day; Joshua Hickey, Denton Ct., consider the greater Visalia community interests; Laurie Reeves, on behalf her father Roy Claiburne, in favor of bike lanes on Mineral King and Noble; Herb Simmons, Mountain St., in support of the bike plan; Debbie Bowen, W. Seiger, in support of bike lanes; Carol Enns, S. Central, supportive of bike lanes; Ed Evans, Re-Max Realty, urged the Council to make a commitment to commerce in the community and oppose bike lanes on these streets; Barry Smith, W. Noble, opposed to bike lanes and suggested shared parking during certain times; Bill Balsley, S. Sol, in support of the bike lanes; Bob Brown, in support of the bike lanes which are east/west connectors; David Shelburn, W. Howard, in support of the bike plan; Richard Garcia, LaSalle, in support of bike lanes and east/west connectors; Dale Simmons, in support of bike lanes; David Jerritt, Pipkin Agency, in support of shared use; Rocky Pipkin, regarding city liability for accidents and in opposition to bike lanes; Margaret Balsley, S. Sol, need to plan for bicycle traffic.

Councilmember Gubler commented that the roads are not designed for cars and bicycles and that he supports shared usage.

Track 12

WG/SN 5-0
Item 9
approved as
recommended

- 9. **PUBLIC HEARING** of 2011/2012 Action Plan for the use of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and HOME Investment Partnership Funds administered by the City of Visalia’s Housing and Economic Development Department; and Public Hearing of 2nd Amendment to 2010/11 Action Plan, and 3rd Amendment to the 2009/10 Action Plan.

Mayor Link opened the public hearing at 8:45 p.m. There were no public comments and the hearing was closed.

Item 10 –
information
only no action
taken

- 10. Status report on Tulare County Economic Development Corporation (TCEDC).

City Manager Steve Salomon presented a status report on the Tulare County Economic Development Corporation and the City’s work with other organizations to urge TCEDC to make improvements in their performance and accountability.

The following persons spoke: Paul Saldana, TCEDC; Phil Cox, Tulare County Board of Supervisors; Glenn Morris, Chamber of Commerce; Suzi Picasso, TCEDC.

There was no action taken, information only.

Closed Session Report: -

Ken Richardson, City Attorney’s Office, reported the following actions are final.

Buyer	Seller	APN Number	Address	Purpose	Closing Date	Project Manager
City of Visalia	Bennett, Stanley & Tamra	081-130-013 (portion)	Plaza/Rd 80	Right of Way	3/29/11	Fred Lampe
City of Visalia	Bennett, Stanley & Tamra	081-160-011	Plaza/Rd 80	Right of Way	3/29/11	Fred Lampe

Ken Richardson, City Attorney’s Office reported the Council has approved, in closed session, a settlement agreement in the Citizens for Responsible Planning v. City of Visalia Case TC 10-240450. A copy of the settlement agreement is available from the City Clerk’s Office.

9:15 p.m.
Meeting
Adjourned

Upcoming Council Meetings

- Monday, April 25, 2011, 5:00 p.m. Joint Meeting with Parks and Recreation Commission, Convention Center, 303 E. Acequia.
- Monday, May 2, 2011, 4:00 Work Session, 7:00 p.m. Regular Session - City Hall Council Chambers 707 W. Acequia
- Monday, May 16, 2011, 4:00 Work Session, 7:00 p.m. Regular Session - City Hall 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