

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, May 2, 2011

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

Work Session 5:00 p.m.; Closed Session 6:00 p.m. (or immediately following Work Session)
Regular Session 7:00 p.m.

5:00 p.m.

SWEARING-IN CEREMONY – Firefighter Paramedics

Brandon De La Cruz, Mike Herlihy, Jacob Huffman, Chris Okland

[Track 1](#)

WORK SESSION AND ACTION ITEMS (as described)

[Track 2](#)

WG/AS 5-0
Item 1
approved as
recommended

1. Amend the Plaza Drive Project Report and Design agreement with TRC to include additional scope required to complete the work. The current fees are \$1,945,933.00. Scope additions total \$884,359.00. The total amended contract would be \$2,830,283.00.

Fred Lampe Project Manager and Adam Ennis Director of Engineering discussed the project benefits, milestones and construction deadlines as well as the original scope of the project and the scope of the project today and funding sources.

[Track 3](#)

SN/AS 5-0
Item 2
approved as
recommended

2. Introduction and first reading of Ordinance 2011-08, to amend Chapter 13.08 of the Municipal Code, Sewer Service System, and invitation for public comment on the Local Wastewater Discharge Limits Study.

Jim Ross Public Works Manager, Grant Knight Quality Control, and Brian Shoner from Provost and Pritchard gave an overview of the pretreatment program and reviewed changes that are needed in the Ordinance as required by the California State Water Resources Control Board. Councilmember Nelsen had questions regarding compliance issues and the fine schedule and Ross responded. The first reading of the proposed ordinance was approved as recommended.

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

[Track 4](#)

Mayor Link discussed the Letter Carriers Food Drive on Saturday May 14, 2011 and the possibility of a challenge by the City of Porterville.

City Manager Steve Salomon discussed a movie that is being filmed in Visalia entitled "Lost on Purpose".

6:00 p.m. CLOSED SESSION (immediately following Work Session)

3. Conference with Legal Counsel – Existing Litigation (G.C. 54956.9)
Name of Case: Solis v. City of Visalia -TCSC 09-232070
4. Conference with Legal Counsel – Existing Litigation (G.C. 54956.9)
Name of Case: Kevin Long and Teamsters Joint Council 7 v. City of Visalia -TCSC 10-240546
5. Conference with Legal Counsel– Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of (G.C. 54956.9) – two potential cases
6. Conference with Real Property Negotiator (G.C. 54956.8)
Property : To be determined
Under Negotiation: Potential sites for groundwater recharge facilities and authority to negotiate price terms and conditions of acquisition of selected properties
Negotiating parties: Steve Salomon, Andrew Benelli, Kim Loeb
7. Conference with Real Property Negotiator (G.C. 54956.8)
Property : Recycled water from Water Conservation Plant
Under Negotiation: Price, terms and conditions of potential sale or exchange
Negotiating parties: Steve Salomon, Andrew Benelli, Kim Loeb, Paul Hendrix, Dennis Keller
8. Conference with Real Property Negotiators (G.C. 54956.8)
Property : 522 River Way (Stasio)
Agency Negotiator: Steve Salomon, Alex Peltzer, James Koontz, Vince Elizondo
Negotiating parties: Sandra L. Spens
Under negotiation: Price, terms and conditions of potential purchase
9. Conference with Labor Negotiators (GC 54957.6)
Agency representatives: Steve Salomon, Eric Frost, Diane Davis
Employee organizations: Groups A, B, E and M

7:10 p.m. CALL TO ORDER REGULAR SESSION

[Track 5](#)

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Donn Shelton, Grace Community Church

SPECIAL PRESENTATIONS/RECOGNITION

- Proclaim May 12, 2011 RED (Renew Energize Donate) Day in Visalia
- Proclaim May 2011 as Teen Pregnancy Prevention and Sexual Health Awareness Month

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.

[Track 6](#)

[Track 7](#)

Fred Davis spoke about the tennis courts at Plaza Park and which courts should receive added lines for younger players. Peter Salerno, Church St., discussed the need for speed bumps on N. Renaldi and S. Church Streets. John Aiken, S. Goddard St. discussed the need for resurfacing S. Goddard St. between Noble and Wescott. Irene Lapin, W. Feemster asked that Consent Item 10c be removed from the Consent Calendar for additional discussion. Dan Fox, Gran St., discussed youth instruction at the tennis courts at Plaza Park. Sam and Marlene Sciacca, W. Main St., invited everyone to the Downtown Expo on May 20th to benefit breast cancer research.

[Track 8](#)

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

10. **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 consideration and action: 10c(Lapin & Shuklian); 10d(Lane); 10f(Shuklian); 10g(Nelsen)

- a) Authorization to read ordinances by title only.
- b) Approve resolutions relating to the regular municipal election to be held Tuesday, November 8, 2011, requesting and consenting to consolidation of elections and setting specifications of the election order; and requesting the Tulare County Board of Supervisors permit the County Registrar of Voters to render specific services to the City of Visalia. **Resolutions 2011-18 and 2011-19 required.**
- c) Consideration of changes to the appointment list of the General Plan Update Review Committee (GPURC).

AS/WG Item
10c approved
as
recommended

Irene Lapin requested that any organization which has a designated representative on the GPURC should have its meetings open to the public. Vice-Mayor Shuklian discussed turnover on the committee and Paul Scheibel Planning Division responded.

ML/SN 5-0
Item 10d
approved as
amended (omit
action on AB
1220 at this
time)

- d) Authorize the Mayor to send letters to appropriate state legislators expressing support for California Assembly Bills 66 and 579 and letters of opposition for Assembly Bills 400, 646, 1354, 438, 1220 and Senate Bill 469.

Councilmember Lane expressed his support for AB 1220 and asked Council to omit any action on this Bill until a future meeting.

- e) *Item removed at the request of staff.*

AS/SN 5-0
Item f
approved as
recommended

- f) Approve the proposed funding and authorize the City Manager to award a construction contract up to \$350,000 to the low bidder and execute an agreement for the Mooney/Ferguson Intersection Repair Project.

Adam Ennis responded to Vice Mayor Shuklian's questions about the depressions in this area and if those are the fault of the contractor.

SN/AS 5-0
Item 10g
approved as
recommended

- g) Authorize hiring Mike Ramsey to facilitate outreach on major land use issues for the General Plan Update at a flat fee of \$7,500 to be paid out of salary savings in the current approved planning division budget.

Mike Olmos, Assistant City Manager, responded to Councilmember Nelsen’s questions about why the services are needed and the funding source.

- h) Authorization to submit comments to the 2011 Advisory Committee on Redistricting regarding criteria for establishing new Board of Supervisor Districts as part of Tulare County’s Redistricting process.

[Track 9](#)

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.*

AS/SN 5-0
Item 11
approved as
recommended

- 11. **PUBLIC HEARING** – Order closing and vacating the right of way on Laurel Avenue from Shady Street to Woodland Street. **Resolution No. 2011-20 required.**

Jason Huckleberry Engineering Services Manager reviewed the recommendation to vacate the right of way. Mayor Link opened the public hearing at 8:05 p.m. and the following person spoke in favor of the abandonment: Josh McDonnell, representing C.O.S. The public hearing was closed at 8:06 p.m.

ITEMS OF INTEREST

Councilmember Nelsen discussed the community work efforts that went on over the past weekend and thanked the Parks and Recreation staff, local churches and community groups for their hard work.

Councilmember Nelsen announced his community meeting on Thursday May 5 at 6:00 p.m. at the Lovers Lane Trailhead by the St. Johns River Trail. This informal meeting will give the citizens of Visalia a chance to meet with Council Member Nelsen to discuss recent steps the City has taken to deal with flood control issues related to the FEMA flood control maps.

8:06 p.m.
Adjourned to
closed session

CLOSED SESSION REPORT - none

Upcoming Council Meetings

- Monday, May 16, 2011, 4:00 Work Session, 7:00 p.m. Regular Session – Convention Center, 303 E. Acequia
- Monday, June 6, 2011, 4:00 Work Session, 7:00 p.m. Regular Session - City Hall Council Chambers 707 W. Acequia
- Monday, June 20, 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