

Regular Meeting Action Agenda

Visalia City Council



Mayor: Bob Link - present
Vice Mayor: Amy Shuklian - present
Council Member: Warren Gubler - present
Council Member: Steve Nelsen - present
Council Member: Don Sharp - present

Monday, August 1, 2011

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

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

Regular Session 7:00 p.m.

4:00 p.m.

[Track 1](#)

BADGE PINNING CEREMONY - Lieutenant Brian Winter and Sergeant Mark Feller

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 2](#)

Kelly Hauert, Downtown Alliance, informed Council that the downtown board recently won awards for their Friday night concert series, website, and promotional posters.

WORK SESSION AND ACTION ITEMS (as described)

[Track 3](#)

1. LAFCO update regarding City Municipal Service Review (MSR) reports

Michael Olmos, Assistant City Manager, introduced Ben Giuliani, LAFCO Executive Officer. Mr. Giuliani discussed Municipal Service Reviews and responded to Council comments and questions. No action taken, information only.

[Track 4](#)

SN/AS 5-0
Item 2
approved
accepted as
submitted

2. Review the draft Multi-Hazard Mitigation Plan for future adoption.

Fire Chief Mark Nelson, Karl Kassner, Fire Dept., Amber Smith, Tulare County Emergency Services Manager, and Doug Damko, Engineering division, discussed the draft plan and responded to Council questions about plan, Board of Supervisors approval timelines, and the possibility that the plan will enhance the community's rating for flood insurance.

[Track 5](#)

WG/SN 5-0
Item 3
approved as
submitted

3. Downtown Street Light upgrade status report and authorization to issue a Request for Proposals (RFP) to hire an engineering firm to survey the street light system downtown, design a new lighting system and prepare phased construction bid documents for construction in phases. Also authorize the Mayor to send a letter to the downtown Property Owners Association requesting them to participate in funding the upgrades to the street light system.

Adam Ennis, Assistant Community Development Director, presented the report and

responded to Council questions regarding whether the Downtown Property Owners Association will share in costs of the design. Steve Salomon, City Manager, discussed that grants will be pursued, but indicated the project may need a General Fund commitment.

Sam Sciacca, a member of the Downtown Alliance, indicated that the POA will contribute to the downtown street lighting and discussed water issues for downtown 2nd story renovations.

[Track 6](#)

SN/DS 5-0
Item 4
approved as amended to add that the City will work with the SPCA to find a new location for pet adoptions.

4. Update on Animal Control Facility design.

Mario Cifuentez, Animal Control Liaison, presented the update and responded to Council questions regarding costs.

Tammy Crawford, SPCA Board, asked Council to revisit potential locations for the new facility.

Vice-Mayor Shuklian asked for quarterly updates from staff regarding the proposed new facility.

5. Presentation - Analyzing the City's General Fund

Eric Frost and Renee Nagel gave the presentation and responded to Council comments and questions.

[Track 7](#)

SN/DS 5-0
Item 5
approved as submitted

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 8](#)

5:50 p.m.
Adjourn to
Closed
Session

Police Chief Colleen Mestas introduced Police Officer Mike Short. Officer Short is recovering from an injury received during training. Officer Short thanked the department and the council for their help during this time.

CLOSED SESSION (immediately following Work Session)

- 6. Conference with Labor Negotiators (GC 54957.6)
Agency representatives: Steve Salomon, Eric Frost, Mark Nelson
Employee organization: Group G
- 7. Conference with Legal Counsel – Existing Litigation (G.C. 54956.9)
Name of Case: Palomino v. COV - TCSC # 10-238916
- 8. Conference with Legal Counsel- Anticipated Litigation Significant exposure to litigation pursuant to subdivision (b) of (G.C. 54956.9) – 2 potential cases
- 9. Conference with Labor Negotiators (GC 54957.6)
Agency representatives: Steve Salomon, Eric Frost, Diane Davis
Employee organization: Group M

7:00 p.m. CALL TO ORDER REGULAR SESSION

[Track 9](#) PLEDGE OF ALLEGIANCE

INVOCATION – Sister Amber Haueter, Church of Jesus Christ of Latter Day Saints

SPECIAL PRESENTATIONS/RECOGNITION

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.

Peter Salerno, S. Church, regarding stop signs and/or speed bumps on S. Church.
Sam Sciacca, S. Burke, invitation to annual downtown sidewalk sale August 4-6.

[Track 10](#)

SN/AS 5-0
approve
balance of
consent
calendar as
submitted

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 pulled for separate discussion: Item 10g (Shuklian) and Item 10q (Sharp).

- a. Authorization to read ordinances by title only.
- b. Adopt Resolution determining unpaid assessments, providing for bond issuance and guaranteeing purchase of bonds for Orchard Walk East and West Undergrounding Utilities Assessment District. **Resolution 2011-39 required.**
- c. Authorization to develop and implement “HAP – Health Awareness Program” a city wellness program at a cost not to exceed \$10,000.
- d. Authorize the Mayor to send letters to appropriate federal legislators in support of the PACE Assessment Protection Act of 2011 (HR 2599).
- e. Authorization to record the final parcel map of Tentative Parcel Map No. 2006-19, located at 5828 West Hurley Avenue (2 Lots). (APN: 085-530-007).
- f. Second reading and adoption of Ordinance No. 2011-11 authorizing the Grant of Easement of Southern California Edison Company for a non-exclusive easement in gross for the conveyance and distribution of electricity across a portion of City owned property (APN#073-160-001) and authorize the City Manager to execute the grant of easement. The easement will enable the Southern California Edison Company to provide power to the new Perfection Pet Food addition southeast of the Goshen Basin Site and provide a source of electricity to the adjacent properties, including the Goshen Basin site. The Goshen

Basin is located on the south side of Goshen Avenue and east of Camp Drive. **Ordinance 2011-11 required.**

DS/WG 5-0
Item 10g
approved as
submitted

- g. Second reading and adoption of Ordinance No. 2011-10 for Zone Text Amendment No. 2011-09: a request by the City of Visalia to revoke and repeal Chapter 5.66 from Title 5 and Chapter 17.64 from Title 17 of the Visalia Municipal Code pertaining to Medical Marijuana Business Permitting and Zoning, and amend Title 8 Chapter 8.64 of the Visalia Municipal Code to establish regulations governing the cultivation and consumption of medical marijuana for personal use. **Ordinance 2011-10 required.**

Michael Olmos, Assistant City Manager and City Attorney Alex Peltzer responded to Vice Mayor Shuklian's questions regarding specific wording in the ordinance.

- h. Acceptance of City owned property into the public street system along the south side of the alley located between Acequia Avenue and Main Street in the block between Locust Street and Court Street. **Resolution 2011-40 required.**
- i. Authorize the Mayor to send letters to appropriate state legislators expressing opposition for California Assembly Bills 46 and 781, oppose Senate Bill 263, continue to monitor SB 46 and oppose SB 244 and 293 unless amended.
- j. Authorization to file a Notice of Completion for the renovation of the restrooms at the Anthony Community Center located at 345 N. Jacob St., at a final cost of \$78,175.60.
- k. Authorization to initiate a General Plan and Zoning Map Amendment to change the General Plan Land Use and Zoning designations from Residential Low Density to Quasi Public and Convenience Commercial and initiate a corresponding parcel map on APN 103-120-004 located at 3709 East Houston Avenue.
- l. Approve Resolution adopting the City of Visalia's annually Investment Policy and Delegating authority to invest funds for the City to the Administrative Services Director/Treasurer for fiscal year 2011/12. **Resolution 2011-41 required.**
- m. Authorize the recordation of the final map for Pheasant Ridge Unit 3D, located east of Denton Street at Wren Avenue (12 lots) and the annexation of Pheasant Ridge 3D and 3 lots of Pheasant Ridge 3C into Landscape and Lighting Assessment District 05-19, Pheasant Ridge (**Resolutions 2011-42 and 2011-43 required**)
- n. Accept the City of Visalia Cash and Investment Report for the fourth quarter ending June 30, 2011.
- o. Authorize the City Manager to execute the Reimbursement Agreement for Pheasant Ridge Unit 3B located on the west side of Roeben Street south of Riggan Avenue.
- p. *Item removed at the request of staff*
- q. Update of efforts by a temporary ad hoc group addressing Downtown infrastructure needs and a strategy for implementation of infrastructure upgrades.

DS/AS 5-0
Item 10q
approved as
submitted

Councilmember Sharp complimented staff on a workable solution. Adam Ennis, Assistant Community Development Director, responded to Council comments. Sam Sciacca made public comments regarding water issues in the downtown.

[Track 11](#)

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/DS 5-0
Item 11
approved as
submitted

- 11. **PUBLIC HEARING** – Amendment to Pre-Annexation Agreement for Annexation 2004-11 (Caldwell-Ben Maddox): A request by Diamond Oaks LLC, to amend terms of the pre-annexation agreement as it relates to 56.9 acres of the property located at the southwest corner of East Caldwell Avenue and the logical extension of Ben Maddox alignment.
Resolution 2011-44 required.

Paul Bernal, presented the staff recommendation. Mayor Link opened the public hearing at 7:30 p.m. and the following person spoke: Darlene Mata, representing the property owners in agreement with staff recommendation. The public hearing was closed at 7:32 p.m.

[Track 12](#)

SN/DS 5-0
Item 12
approved as
submitted

- 12. Request to place on the tax rolls two assessments: \$2,067.03 for weed abatement at 1304 S. Santa Fe and \$330 for failure to conserve water at 314 N. Bennett Circle.

Mayor Link asked for public comments – there were none.

- 13. Recommendation from the Council sub-committee on the City’s Election process to appoint a Task Force to investigate and report to the Visalia City Council regarding possible changes to the City’s Council member election process.

City Manager Steve Salomon presented the staff recommendation and responded to Council comments and questions. There were no public comments.

[Track 13](#)

DS/AS 5-0
Item 13
approved as
submitted

CLOSED SESSION REPORT (if any) - none

Upcoming Council Meetings

- Monday, August 15, 2011, 4:00 Work Session, 7:00 p.m. Regular Session - City Hall Council Chambers 707 W. Acequia
- Tuesday, September 6, 2011, 4:00 Work Session, 7:00 p.m. Regular Session – Visalia Convention Center, 303 E. Acequia
- Monday, September 19, 2011, 4:00 Work Session, 7:00 p.m. Regular Session - City Hall Council Chambers 707 W. Acequia

Meeting
adjourned
7:40 p.m.

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