

# 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 15, 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.

### **BADGE PINNING CEREMONY AND INTRODUCTION OF NEW EMPLOYEE**

Janie Ortiz, Police Officer

[Track 1](#)

**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](#)

None

[Track 3](#)

### **WORK SESSION AND ACTION ITEMS (as described)**

Item 1 - no action taken information only

1. Visalia Police Department 2011 Update of Gang Related Violence and Current Gang Suppression Efforts/Activities.

Lt. Jeff McIntosh reported on 2011 gang related violence and gang suppression efforts. The Police Department is joining forces with other local and state agencies by forming a task force TARGET (Tulare County Agencies Regional Gang Enforcement Team) which will include members of the California Bureau of Narcotics Enforcement, California Department of Firearms, Visalia Police Department, Tulare County Sheriff's Office, Tulare Police Department, Porterville Police Department, California Highway Patrol, and California Department of Corrections.

[Track 4](#)

Item 2 - no action taken information only

2. Information Services technology update

Michael Allen, Information Services Manager, introduced IT division staff and reported how IT functions for the City and reviewed recently completed projects.

[Track 5](#)

AS/SN 4-0 (Sharp Absent) Item

3. Request Council approval for staff to organize a public meeting informing residents who are not in the FEMA Preferred Rate Program about private flood insurance availability (to provide information and answer questions) and to update Council on FEMA related issues.

Councilmember Don Sharp recused himself from this item, left the dais, and did not take part in the discussion or vote due to conflict of interest with his personal business.

3 approved as submitted.

Jason Huckleberry, Engineering Services Manager, discussed private flood insurance options and reported that in some cases residents in the flood zone can benefit from this option.

Chris Young, Director Community Development, discussed the Community Rating System, levees, the National Flood Insurance Program and responded to Council questions.

Michael Olmos, Assistant City Manager, responded to Council questions about collaboration and outreach to other cities.

**ITEMS OF INTEREST**

[Track 6](#)

Mayor Bob Link and Vice Mayor Shuklian discussed the Cal Ripkin tournament that is being held in Visalia this year.

Councilmember Gubler discussed National Night Out.

Adjourn to closed session 5:20 p.m.

**CLOSED SESSION (immediately following Work Session)**

- 4. Conference with Real Property Negotiator (G.C. 54956.8)  
 Property : Six parcels with approximately 93.5 acres north of Mineral King and west of Road 152 (APNS 103-510-002, 103-510-003, 103,510-007, 103-510-008, 103-510-009, and a portion of 103-110-021  
 Under Negotiation: Authority to negotiate price, terms and conditions  
 Negotiating parties: Steve Salomon, Alex Peltzer, Kim Loeb, Brian Blain
- 5. Conference with Real Property Negotiator (G.C. 54956.8)  
 Property: Portion of APN 093-202-002 (NE corner of Stevenson St. and Mineral King Ave.)  
 Under Negotiation: Authority to negotiate price, terms and conditions  
 Negotiating parties: Steve Salomon, Michael Olmos, Vince Elizondo, Dun Hutton for Rotary Respite House Organizing Team
- 6. Conference with Real Property Negotiator (G.C. 54956.8)  
 Property : Portion of APN: APN 08-020-076  
 Under Negotiation: Consideration and approval of appraisals; Authority to negotiate price, terms, and conditions of potential purchase  
 Negotiating parties for Landowners: Old Towne Condominiums and its representatives Robert Mochizuki, Lisa Mochizuki, Jeff Levinson, and Harvey May  
 Negotiating Parties for City: Steve Salomon, Adam Ennis, Fred Lampe, Alex M. Peltzer, James Koontz
- 7. Conference with Real Property Negotiator (G.C. 54956.8)  
 Property: Portions of APNS 0897-010-038 & 071  
 Under Negotiation: Authority to negotiate price, terms and conditions of purchase  
 Negotiating parties for City: Steve Salomon, Alex Peltzer, Mark Nelson,  
 Negotiating Parties for Property Owners: Sierra Village, Inc.
- 7a. Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Section 54956.9)  
 Name of Case: McGee v. City of Visalia, TCSC# **10-237119**

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

[Track 7](#)

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Mayor Bob Link

Special mention was made for Janet Robertson’s speedy recovery.

**SPECIAL PRESENTATIONS/RECOGNITION**

Recognition of Police K9 “Timber”

Chief Mestas recognized the early and honorable retirement of Police K9 Timber after 5 years on patrol.

Mayor Bob Link gave special mention regarding the CalRipkin Tournament that is taking place in Visalia.

[Track 8](#)

**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 spoke:

Jackson Taylor, S. Lynwood, regarding the grand opening of Engage 360 a community outreach energy efficiency office on August 23 at 4:00 p.m., 2380 W. Whitendale

Peter Salerno, S. Church, regarding stop signs on Church and removing bike racks on Main Street.

Bill Callahan, Central, regarding construction at Ferguson and Mooney and concerns of poor compaction on the part of the original contractor. Mayor Link directed staff to report back to Council on Mr. Callahan’s concerns.

Bill Balsley, S. Sewell, regarding the need to revise Ordinance 1044.10 regarding bicycles and bicycle licensing. Mayor Link asked the City Attorney to review the ordinance.

Jim McElvey, Fresno attorney, representing Derrel’s Mini Storage, and their project on Demaree.

[Track 9](#)

**8. 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 motion: Item 8c(Sharp); Item 8e(Shuklian); 8i(Shuklian); 8m(Link); 8s(Link); 8t(Gubler); 8v(Nelsen).

DS/AS 5-0  
Balance of  
consent  
calendar  
approved as  
submitted

- a. Authorization to read ordinances by title only.
- b. Appointment of Dolores Taylor to the Transit Advisory Committee
- c. Adoption of “Connecting the Dots: A Proactive Approach to Addressing Homelessness” Kings/Tulare Counties Continuum of Care on Homelessness 10-year Plan. **Resolution 2011-46 required.**

DS/AS 5-0  
Item 8c  
approved as  
submitted

Ricardo Noguera, Housing & Economic Development Director, and Betsy McGovern, Continuum of Care discussed the Plan and responded to Council questions.

- d. Award Contract for Landscape Maintenance of Various Street Medians and Roadsides to Westscapes, Incorporated per specifications of RFB 10-11-76.
- e. Authorization to file a Notice of Completion for work contracted with KRC-HTL Corporation dba Formost Construction Company for the 18-hole irrigation replacement project at Valley Oaks Golf Course located at 1800 South Plaza Drive, Visalia. Project No. 4211-00000-720000-0-8064 for a final contract amount of \$937,125.25.

AS/SN 5-0  
Item 8e  
approved as  
submitted

Vice Mayor Shuklian commented about the asset of the project to the golf course and that the project came in under budget.

- f. Acceptance of a portion of a 20-acre City owned property into the public street system for McAuliff Street, Mill Creek Parkway, Race Avenue and Douglas Avenue. (APN 103-320-011). **Resolution 2011-47 required.**
- g. Accept a \$15,000 donation from the Putignano Sister City Committee towards the renovation of the rock roof of the Trulli Building in Memorial Park.
- h. Award contract for the purchase of one Vac-Con Model V312LHAE-0/1000 Combination Sewer and Storm drain cleaner truck to Vac-Con Inc. of Green Cove Springs, Florida in the amount of \$377,402.74 for the Wastewater Collections Division.
- i. Approve reappointment of Adam Peck to serve on the Planning Commission for a 2-year term ending June 2013.

AS/WG 5-0  
Item 8i  
approved as  
submitted

Vice Mayor Shuklian requested that a full recruitment be conducted for future reappointments.

- j. Authorize the Amendment of Landscape and Lighting Assessment District No. 04-05, “Sierra Point Villas” to reduce the number of lots from 48 to 43. **Resolutions 2011-48 and 2011-49 required.** (APN: 103-340-094, 098-126, 142-154)
- k. Authorize the Amendment of Landscape and Lighting District No. 08-05 “Orchard Walk East” to increase the lots from 6 to 10. **Resolutions 2011-50 and 2011-51 required.** (APN: 078-120-030 & 032, 079-310-009, 010, 011, 013, 015 to 020)
- l. Authorize the Amendment of Landscape and Lighting Assessment District No. 96-01 “Sequoia Glen” to add four new lots and eliminate 6 lots for a net reduction from 196 to 194 lots. **Resolutions 2011-52 and 2011-53 required.** (APN: 126-120-050, 126-560-060, 126-640-074, 126-590-001-003, 006-010, 126-520-006-063, 069-076, 126-510-001-038, 040-054, 056-069, 071-079, 084-089, 126-700-001-011, 013, 015-041, 043-048)

BL/SN 5-0  
Item 8m  
approved as  
submitted

- m. Approval of a construction change order for the “Walnut Avenue Street Widening Project to Witbro Inc., (Seal Rite Paving) in the amount of \$420,000 for Project No. 1241-9270/RFB 10-11-33.

Adam Ennis, Assistant Community Development Director responded to Council questions and comments.

- n. Authorize staff to execute a Microsoft Enterprise Agreement (EA) with Microsoft for Server software based on the Riverside County Enterprise Agreement 01E6933, a competitively bid, cooperative agreement at an annual cost of \$27,851.58 for five years. Compucom will be designated as the reseller for this agreement.
- o. Appoint Council Member Nelsen as an alternate member to TCAG (Tulare County Association of Governments).
- p. Authorization to submit a grant application in the amount of \$200,000 to the California Department of Transportation to fund the operations of the Sequoia Shuttle service and approve funds to be appropriated when grant is awarded. **Resolution 2011-56 required.**
- q. Approve Appointments of Bob Grieb, William Martin and Georgina Valencia to the Historic Preservation Advisory Committee.
- r. Authorize the Amendment of Landscape and Lighting Assessment District No. 03-18 “Oakwest No. 5” to add riparian landscaping already approved by District property owners. **Resolutions 2011-57 and 2011-58 required.** (APN: 085-590-001-044, 085-600-001-039, 085-610-002-016, 085-620-001-028.

DS/WG 5-0  
Item 8s  
remove from  
agenda and  
postpone  
action to a  
later date

- s. Authorize the Amendment of Landscape and Lighting District No. 06-10 “American Industrial West” to reduce the number of lots from 46 to 44. **Resolutions 2011-59 and 2011-60 required.** (APN: 073-160-029 & 030, 073-190-002 to 009, 073-200-004 to 016, 073-210-001 to 010, 073-220-003 to 015)

Mayor Link asked Council to postpone action on this item as requested by staff.

WG/DS 5-0  
Item 8t  
approved as  
submitted

- t. Award a construction contract and authorize the City Manager to execute an agreement for RFB 10-11-66, Creekside Park and Storm Basin Improvements in the amount of \$1,713,400 to the low bidder, Construction Development Systems (CDS) of Fresno, and authorize an additional appropriation of \$187,300 from the Storm Sewer Construction Fund (1221) and \$152,700 from the Park & Recreational Facilities Fund (1211) for the project No. 3011-00000-720000-0-9413.

Vince Elizondo responded to Council questions regarding the bidding process.

SN/AS 5-0  
Item 8v  
approved as  
submitted

- u. Request authorization to file a Notice of Completion for project No. 3011-00000-720000-0-8190, the Transit Center expansion located at 404 E. Center Street.
- v. Authorization to develop alternative options and designs for the existing BMX racing area (1.8 acres) at Riverway Sports Park as recommended by the Parks and Recreation Commission.

Jeannie Greenwood and Vince Elizondo responded to Council questions regarding future plans and funding. Vice Mayor Shuklian commented on Parks and Recreation Foundation monies and her request for a dog park.

- w. Authorize the Mayor to send letters to support legislative initiatives at the State and Federal level that eliminate sales tax exemptions for on-line retailers.
- x. Plaza Drive Widening (Airport Drive to Goshen Avenue) and 198 Interchange Improvements Project. Project update and request for approval of architectural review process for project.

Track 10

**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.*

DS/AS 5-0  
Item 9  
approved as  
submitted

- 9. **HEARING** - A hearing to consider and adopt a Resolution of Necessity on a portion of the following property: APN: 081-020-076 (located next to the offramp from Highway 198 East to Plaza Drive - no current address). **Resolution 2011-61 required.**

Jim Koontz, City Attorney’s Office, presented the recommendation. Mayor Link opened the public hearing at 7:46 p.m. There were no public comments and the hearing was closed.

Track 11

DS/AS 5-0  
Certify Neg  
Dec (Reso  
2011-54)

- 10. **PUBLIC HEARING - for property located at 1700 W. Caldwell Avenue (APN: 122-290-025)**
  - a. Certification of Negative Declaration No. 2011-43. **Resolution 2011-54 required.**
  - b. General Plan Amendment No. 2011-10: A request by Hadley-Marcom Funeral Chapel to change the General Plan land use designation from Regional Retail to Professional/ Administrative Office. **Resolution 2011-55 required.**
  - c. Change of Zone No. 2011-11: A request by Hadley-Marcom Funeral Chapel to change the Zoning from Planned Regional Retail (CR) to Planned Professional/ Administrative Office (PA). **1st reading of Ordinance 2011-12 required.**

SN/AS 5-0  
approve GPA  
(Reso 2011-  
55)

SN/DS 5-0  
approve 1st  
reading of  
Ord 2011-12

Andrew Chamberlain, Senior Planner, presented the staff recommendation. Mayor Link opened the public hearing at 7:50 p.m. and the following comment was received: Darlene Mata, representing the applicants and in support of the item was available to answer questions. The public hearing was closed at 7:52 p.m.

Track 12

DS/AS 5-0  
Item 11  
approved as  
submitted (1st  
reading  
approved)

- 11. First reading of Ordinance to comply with the Voluntary Alternative Redevelopment Program pursuant to Part 1.9 of Division 24 of the California Health and Safety Code, as provided in AB 1x27n in order to permit the continued existence and operation of the Redevelopment Agency of the City of Visalia under threat of dissolution. **Ordinance 2011--13 required. (Requires 4/5 votes)**

Ricardo Noguera, Housing and Economic Development Director, presented the recommendation and responded to Council questions. Betsy Murphy, Habitat for Humanity, spoke in favor of the Redevelopment Agency. Bill Balsley, expressed concern about rushing the effective date of the Ordinance. City Manager Salomon responded to the question of urgency. Alex Peltzer, City Attorney, responded to question on urgency and process of approving the Ordinance.

Track 13

AS/SN 5-0  
extend  
application  
period to  
8/31/11 at  
noon.

12. Recommendations regarding appointments to the Election Process Task Force.

Leslie Caviglia, Deputy City Manager reported 14 applications were received by the deadline, one came in after the deadline, and an e-mail was received from another who is interested in applying for the task force.

Council discussed extending the deadline and the need for more public outreach

**CLOSED SESSION REPORT (if any) - none**

**Upcoming Council Meetings**

8:15 p.m.  
Meeting  
Adjourned

- 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
- Monday, October 3, 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.*

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*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, CMC, Chief Deputy City Clerk

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