

# 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

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Tuesday, September 6, 2011

**Visalia Convention Center, 303 E. 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.

[Track 1](#)

5:00 p.m.

**INTRODUCTIONS OF NEW EMPLOYEES** - Chris Crawford, Vaughn Melcher, and Mike Porter - Civil Engineers

Chris Young, Community Development Director, introduced the new Engineers. The positions are funded by grant opportunities.

**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.*

None

[Track 2](#)

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

Item 1 -  
Information  
only - no  
action taken

1. Review of the Draft 2010/2011 Program Year Consolidated Annual Performance and Evaluation Report (CAPER); and review the 4<sup>th</sup> Amendment to the 2009-10 Action Plan funds prior to the public hearing on September 19, 2011.

Ricardo Noguera, Housing & Economic Development Director, and Ruth Pena, Financial Analyst, reviewed the draft CAPER which is a federally mandated document that evaluates the City's overall progress and performance in meeting the priority activities identified in the Consolidated Plan. The report was presented as information and to receive comments.

[Track 3](#)

Item 2 -  
Information  
only - no  
action taken

2. Status report and update of Disability Advocacy Committee (DAC) goals and current projects and presentation of Barrier Awareness Day and 2011 Community Partner Award.

Chris Young introduced the Disability Advocacy Committee. Trilby Barton, committee member, gave an overview of the committee's roles and goals. The Committee will host the annual Barrier Awareness Day on 10/8/11 at Garden Street Plaza.

**ITEMS OF INTEREST**

Councilmember Sharp congratulated Wally Roeben and the Convention Center staff for their performance last year and for being “user friendly” to customers.

Vice Mayor Shuklian remarked that The Habit had their soft opening today with a good turnout.

5:40 p.m.  
Adjourned to  
Closed  
Session

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

- 3. Conference with Legal Counsel – Anticipated Litigation (Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9) – 1 potential case
- 4. Conference with Real Property Negotiators (G.C. 54956.8)  
Property: 727 E. Douglas  
Under Negotiation: Price, terms and conditions  
Negotiating parties: Steve Salomon, Leslie Caviglia, Cheryl Chrisman and Bill Whitlatch for Imagine U
- 5. No item

7:00 p.m.

**CALL TO ORDER REGULAR SESSION**

[Track 4](#)

**PLEDGE OF ALLEGIANCE**

The Visalia Police Department Honor Guard presented the colors and the salute was led by Pastor Bob Granier.

**INVOCATION** - Lester Moon, Executive Director Hands in the Community

**MEDAL OF VALOR CEREMONY** - Captain Perry Phipps, Officer Nathan Flaws, Officer Blake McEwen, Officer Josh Pena

Police Chief Colleen Mestas was joined by Sheriff Bill Wittman and Mrs. Clay Sannar in presenting the Medal of Valor to four officers. The officers received this prestigious award for their exceptional courage, extraordinary decisiveness and swift action in confronting and neutralizing an armed suspect who had shot Lay Bishop Clay Sannar at the Church of Latter Day Saints last year.

**SPECIAL RECOGNITION** - Recognition of Cal Ripken Major 60's 12-year old World Series Championship Team

Certificates of Accomplishment were presented to team members: Cooper Allen, Jake Bower, Parker Cantrell, Jace Chamberlin, Dalton Daily, Isaiah Espinoza, Noah Flores, Jake Gilbreath, Matthew Montelongo, Alec Pierce, Frankie Pilkinton, Jordan Prendiz, Jack Reitsma, Dakota Rhea, and Jake Ruby. Certificates were presented to coaches: Mark Chamberlin, Frank Durazo, Kyle Gilbreath, and Assistant Coach Matt Ely.

Coach Frank Durazo thanked the City for facility that 10 teams from all over the country enjoyed. Scott Mederos acknowledged the organizers of the Cal Ripken Tournament. A proclamation was presented from Assemblywoman Connie Conway and Jean Fuller's offices.

Track 5

**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.*

Jim Sullen, W. Wagner, asked the Mayor to invite the Little League World Series team winner from Huntington Beach, to a game between the two cities.

Track 6

AS/SN 5-0  
Balance of  
Consent  
Items  
approved as  
submitted

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 consent items were removed for separate discussion and action: Item 7c(Shuklian); Item 7h(Sharp); Item 7l(Sharp); Item 7p(Link).

- a) Authorization to read ordinances by title only.
- b) Second reading and adoption of Ordinance 2011-12 approving Change of Zone 2011-11, a request by Hadley-Marcom Funeral Chapel to change the zoning from Planned Regional Retail (CR) to Planned Professional/ Administrative Office (PA) for property located at 1700 W. Caldwell Avenue. **Ordinance 2011-12 required.**
- c) Authorize the City Manager to accept a donation from Friends of Visalia Police Canine in the amount of \$12,300.00 for the purchase and training of a police canine.

Lt. Steven Phillips introduced board members of the Friends of Visalia Police Canine. Vice-Mayor Shuklian acknowledged their hard work and pledged support from her discretionary account.

AS/SN 5-0  
Item 6c  
approved as  
submitted

- d) Authorization to submit a grant application for the 2011 Assistance to Firefighter Grant (AFG) in the amount of \$637,952 for a Hazardous Materials Response Vehicle and the replacement of three vehicle exhaust systems at Fire Station 52, 53, and 54.
- e) Authorize Mayor to send letter of support for the Southwest Solar Transformation Initiative.
- f) Approve a one-year Regional Tourism Program as recommended by the Visalia Convention and Visitors Bureau and approval to release the \$21,000 budgeted that had previously been designated for the Sequoia Valley marketing effort to the Visalia Convention and Visitor’s Bureau for the new Regional tourism effort.
- g) Authorize and approve Historic Recognition Program under the auspices of the City’s Historic Preservation Advisory Committee.

- h) Award bid for five truck cab and chassis to Fresno Truck Center Inc. for \$672,181.20 and sole source the purchase of five solid waste truck bodies to Ruckstell Inc. for \$963,253.47.

Councilmember Sharp had questions regarding discrepancies in the staff report. Andrew Benelli, Public Works Director, responded. Council voted to award to the low bidder EM

SN/DS 5-0  
Item 6h -  
award bid to

low bidder  
EM Tharp.

Action  
suspended  
until further  
clarification  
on bid.

Tharp.  
After further discussion with the City Attorney (see notes at end of meeting), it was determined, by staff, that the item needs additional clarification and will be brought back to Council for action at the next meeting.

i) Authorize and approve actions to take on six resolutions by the Mayor and Vice Mayor as delegates to the League of California Cities General Assembly meeting September 21-23, 2011.

j) Authorize the release of a Request for Proposal (RFP) for On-site Health Clinic Services.

k) Authorize City Manager to apply for \$3 million Pre-Disaster Mitigation Grant Program, with a \$750,000 City match from the Storm Drain Deficiency Fund (1222), and authorize the City Manager to conduct a targeted selection process and enter into a contract with a design firm for up to \$100,000 to develop a master plan for a multi-use park, waterway, storm drainage and water recharge facility prior with the goal of having a concept plan prior to the Oct. 17 grant deadline. Funding for the design will come primarily from a variety of enterprise and impact fee accounts.

l) Authorize the City Manager to enter into an agreement with Plaza Park Raceway, LLC for the maintenance and operation of Plaza Park Arena.

SN/AS 4-0  
(Sharp  
absent) Item  
6l approved  
as submitted

Councilmember Sharp announced that he has a business related conflict of interest for this item and left the dais and did not participate in the discussion or action. Jeannie Greenwood, Recreation Manager, responded to Councilmember Gubler’s concerns about noise.

m) Authorization to contract with Jacobs Engineering Company to provide a constructability review of the plans and specifications for the Water Conservation Plant Upgrade project in the amount of \$62,375 and authorization to begin negotiations with Jacobs to provide Construction Management services for the project.

n) Authorize a public-private partnership agreement between the City of Visalia and Central Valley Christian School for the use of Federal Congestion Mitigation and Air Quality Funds.

o) Authorize the City Manager to execute the Reimbursement Agreement for the Preston Street Crossing of Mill Creek and the Preston Street Storm Drain Line in the Tiffany Ranch subdivision located at the northeast corner of Hillsdale Avenue and Preston Street.

AS/DS 5-0  
Item 6p  
approved as  
submitted

p) Authorize the City Manager to sign a contract with the Arts Consortium for the budgeted amount of \$30,000 to implement the City’s Cultural Plan and to assist with the publicity, processing, and distribution of the Community Arts Grants.

Leslie Caviglia, Deputy City Manager, responded to Council questions.

q) Report of planned September water acquisition and groundwater recharge.

Track 7

DS/WG 4-1  
(Nelsen-NO)  
appoint 10  
members to  
Task Force as  
submitted.

**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.*

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

Refer remaining selection of three additional members to subcommittee for recommendation to Council at next meeting

Leslie Caviglia, Deputy City Manager, presented the names of the applicants that are recommended by the Council members to serve on the Election Process Task Force: Nathan Hernandez, Glenn Morris, Tom Johnson, Darlene Mata, Brody Blain, Stephen Peck, Robert Aguilar, Jennifer Gomez, Phil Bourdette, and Harry Woods. It is recommended that remaining three Task Force members be referred to the Election Process Subcommittee for selection and recommendation to the City Council.

Councilmembers discussed the need to move forward with the formation of the Task Force to review how City Council Members are elected and determine the best course of action for the future in light of the 2010 census data.

Councilmember Nelsen discussed delaying action for two more weeks and to allow for an application extension and motioned to postpone the decision for two weeks. (Motion failed for lack of second).

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

Clarification on Item 6h

City Attorney Alex Peltzer and Assistant City Manager Mike Olmos, indicated the need for additional clarification on Item 6h and will bring it back for Council action at the next meeting.

Meeting adjourned 7:45 p.m.

**Upcoming Council Meetings**

- 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
- Monday, October 17, 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.*

*The City's newsletter, Inside City Hall, is published after all regular City Council meetings. To self-subscribe, go to [http://www.ci.visalia.ca.us/about/inside\\_city\\_hall\\_newsletter.asp](http://www.ci.visalia.ca.us/about/inside_city_hall_newsletter.asp). For more information, contact Community Relations Manager Nancy Loliva at [nloliva@ci.visalia.ca.us](mailto:nloliva@ci.visalia.ca.us).*