

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*

Tuesday, February 16, 2010

City Hall Council Chambers, 707 W. Acequia, Visalia CA 93291
Work Session 4:00 p.m.; Closed Session immediately following
Regular Session 7:00 p.m.

Track 1

WORK SESSION AND ACTION ITEMS (as described)

Public Comment on Work Session and Closed Session Items

Item 1
Update Only
No Action

1. Presentation by TCAG and VRPA Technologies regarding the Regional Transportation Plan and Environmental Draft for 2011. **Receive public comment.**

TCAG Senior Regional Planner Benjamin Giuliani presented Council with an update and proposed timeline for the Regional Transportation Plan. Open to public comment - none. Councilman Lane presented Council with a framed collage of the groundbreaking of Ben Maddox Crossing to the Council from TCAG.

Convene jointly as Visalia City Council and Redevelopment Agency Board

Track 2
Item 2
AS/WG
5-0 Approved

2. Authorize preparation of Mooney Boulevard Corridor Zoning Study, including solicitation of proposals from local planning firms to assist in preparing the study and conducting public outreach. **Receive public comment.**

Paul Scheibel, Planning Service Manager presented a PowerPoint which recommends the authorization of the completion for a zoning study with assistance from a local planning firm (not exceeding \$30,000). Open to public - none.

Track 3
Adjourned to
closed
session.

Adjourn Redevelopment Agency Board and remain seated as Visalia City Council

CALL TO ORDER

Track 4
Item 3
Update
No Action
Mayor Link
left 6:50 p.m.
returned 7:22
p.m., Vice
Mayor
Shuklian
presided

3. Mobile home park memorandum of understanding and master lease for 2010-15. **Receive public comment.**

Housing & Economic Development Director Ricardo Noguera provided introductory remarks on staffs work with the mobile home park memorandum of understanding and master lease. Council directed staff to make the current program more enforceable without a rent control ordinance. Public comments received from the following David Evans staff member with Western Manufacturing Housing Community Association; Bruce Statton, attorney representing mobile home residents; Earl Yates -Westlake Village, Mary Blanco - Mooney Grove Mobile Manor, Thelma Snapp -Mooney Grove Mobile Manor, Ray Kasnisky, Westlake Village. No action requested.

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

Mayor Link reported that the League of California Cities request that we ask citizens to take petitions in support of the "The Local Taxpayer, Public Safety and Transportation Protection Act" and have them signed, 800,000 signatures needed.

CLOSED SESSION

4. Conference with Legal Counsel - Existing Litigation (Subdivision (a) of G.C. Section 54956.9)
Name of Case: Confidential v. City of Visalia, et al. TCSC # 09-232070
5. Conference with Legal Counsel - Anticipated Litigation - Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 2 potential case.
6. Conference With Real Property Negotiators (G.C. §54956.8)
Property: Portion of APN: 081-020-073 & 079 (No Site Address Available); and Portions of APN: 081-020-038,-040,-041,-042,-043,-044, and -060 (No Site Address Available)
Under Negotiation: Consideration and approval of appraisals; Authority to negotiate price, terms and conditions of potential purchase
Negotiating Parties: Steve Salomon, Chris Young, Colleen Carlson, Mathew and Barbara Bruno and their agent, Niniv Tamimi; Alice I. Roye

7:38 p.m.

CALL TO ORDER REGULAR SESSON

Track 5

PLEDGE OF ALLEGIANCE

INVOCATION - Rev. Marilyn Creel, Chaplain Kaweah Delta Hospice

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.

None.

Track 6
Item 7
AS/WG
5-0 Approved
Balance of the
consent
calendar

7. **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.*

Councilmember Nelsen pulled 7c for further discussion. Vice-Mayor Shuklian pulled 7j for comments.

Track 7
Item 7c
WG/AS
5-0
Approved

- a) Authorization to read ordinances by title only.
- b) Authorization for the City Manager to enter into an Agreement with the College of Sequoias for the expansion of dispatch services by the Visalia Police Department. The Agreement will be extended on an annual basis and the City will collect a fee for the services.
- c) Authorization for staff to apply to the Federal Transit Administration for a Bus & Bus Facilities Grant in the amount of \$8.5 million for Sequoia Shuttle Hybrid Electric Buses and the construction of the Sequoia Shuttle Visitors Center.

Transit Manager Monty Cox responded to Councilmember Nelsen questions regarding the length of the grant, which is 3 years from the time it is awarded.

- d) Authorization to submit a grant application in the amount of \$119,264 to the Governor's Office of Homeland Security for solar lighting equipment at the Visalia City Coach bus stops. **Resolution No. 2010-05 required.**
- e) Nominate Council Member Mike Lane to fill the vacancy representing a "large" city to the San Joaquin Valley Air Pollution Control District Governing Board. **Resolution 2010-06 required.**
- f) Authorizing the application of \$2.5 million for "Proposition 84" Park Bond Act Monies to develop Civic Center Park (2.8 acres) along Mill Creek between Tipton St. and Burke Street. **Resolution No. 2010-07 required.**
- g) Authorization to Award RFB 09-10-22, Annual Contract for Biosolids Removal, to Terra Renewal of Garden Grove, CA at the bid price of \$24.21 per ton.
- h) Appointment of Tyson Carroll to the Visalia Environmental Committee.
- i) Receipt of the Comprehensive Annual Financial Report (CAFR) for the City of Visalia, the Single Audit Report, and the Component Unit Financial Statements for the Redevelopment Agency of the City of Visalia for the 2008-09 fiscal year.

Authorize filing Notice of Completion for the following:

- j) Ferguson Avenue Extension to Mooney Blvd. Project, at a final cost of (\$498,363.00). CIP Project # 1131/8060.

Vice Mayor Shuklian she has heard good reports and compliments the City regarding this project.

- k) Luisi Acres Phase 1, a subdivision (containing 37 single family lots), located northwest corner of Giddings Street and Ferguson Avenue.
- l) Valley Oak, a subdivision (containing 28 single family lots), located on the southeast corner of Walnut Avenue and Shirk Street.
- m) Oakwest No. 7, a subdivision (containing 59 single family lots), located at the northeast corner of Shirk Street and Hillsdale Avenue

Track 8
Item 7j
AS/SN
5-0 Approved

Convene jointly as Visalia City Council and Redevelopment Agency Board

Track 9
Item 8
AS/SN
5-0 Approved

8. **RDA Consent Calendar**

- a) Authorize the retention of Rosenow Spevacek Group, Inc. to prepare a Five-Year Implementation Plan (2009-14) for the Visalia Redevelopment Agency's four (4) project areas.

Adjourn 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 10
Item 9
WG/SN
5-0 Approval
to Continue
until March 1,
2010.

- 9. **Continued until March 1, 2010: PUBLIC HEARING** - Introduction of Ordinance for a Development Agreement for Tentative Parcel Map No. 2006-09: A request by Di Mello Toscana Inc. to enter into a Development Agreement with the City of Visalia related to the required infrastructure improvements for Tentative Parcel Map No. 2006-09, which divides 9.76 acres into nine parcels. The site is located on the north side of Goshen Avenue, approximately 850 ft. east of Shirk St. APNs: 077-720-001 thru 007, 077-730-001 and 077-730-002. **Ordinance 2010-__ required.**

City Attorney Alex Peltzer offer explanation why this item was requested to be continued. Mr. Peltzer states the proposal to deal with the tentative map has been dormant and continual internal discussions are needed. Continue until March 1, 2010.

Track 11
Item 10
WG/SN
4 - 1
Shuklian - No
Approved

- 10. **PUBLIC HEARING** –Appeal of the Planning Commission’s denial of Variance No. 2009-10 by Ad Art Sign Company and Visalia Properties to erect a 35-foot high/72 square foot double face freestanding sign for the Orchard Supply Hardware store located in the C-R (Regional Retail Commercial) Zone. The site is located at 2230 West Walnut Avenue. (APN: 095-134-045 & 046). **Resolution No. 2010-03 required.** *Postponed from October 19, 2009, November 16, 2009, January 11, 2010, and January 19, 2010 at request of applicant*

City Attorney Jim Kootnz presented a PowerPoint reviewing a proposed request to amend the variance on a freestanding sign. Councilmember Shuklian asked about the removal of the landscaping area. Mr. Kootnz says it mostly would not change due to the direction of the new entry of the business. Vice Mayor Shuklian does not support the variance. Public Hearing Opened – No comments.

Track 12
Item 11
SN/AS
5 - 0
Approved as
amended

- 11. **PUBLIC HEARING** - Approve 3rd Amendment to the 2006-07 Action Plan, 4th Amendment to the 2007-08 Action Plan, 5th Amendment to the 2008-09 Action Plan and redirecting CDBG and HOME funds and allocate CHDO funds to Community Services Employment Training, Inc. (CSET) to acquire foreclosed single family dwellings, rehabilitate and resell to income qualifying families.

Rhonda Haynes amended the reported to reflect a change Mobile Home Senior Handicapped Access Repair Program cost an average of \$5600 not the \$7000 which was in the stated in staff report – revise to reflect a change which would be on a case by case bases. Public Hearing Opened – No comments.

Track 13
Item 12
No Action
Information
Only

- 12. Semi-annual update on Comprehensive Smart Team Efforts and Accomplishments from June through December 2009.

Ricardo Noguera updated Council of the Smart Team efforts and accomplishments. Council commends the staff for all the hard work.

CLOSED SESSION REPORT - NONE

Meeting
Adjourned
8:20 p.m.

Submitted by Susie Alter, Executive Assistant on behalf of Leslie Caviglia, Deputy City Clerk

Upcoming Council Meetings

- Monday, March 1, 2010, 4:00 p.m. Work Session; Regular Session 7:00 p.m., Council Chambers 707 W. Acequia
- Monday, March 15, 2010, 4:00 p.m. Work Session; Regular Session 7:00 p.m., Council Chambers 707 W. Acequia
- Monday, March 29, 2010, 5:00 p.m. Joint Meeting with Planning Commission, Visalia Convention Center, 303 E. Acequia.

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. For more information, contact Community Relations Manager Nancy Loliva at nloliva@ci.visalia.ca.us.

A quote from
Visalia's past:

“Dogs—Our town is overrun with that most intolerable nuisance—a surplus of dog flesh. We are the friend of intelligent, respectable canines, but as for these ‘cures of low degree,’ we are decidedly down on them, and hope that some philanthropic individual will devise a speedy and effectual plan to abbreviate their sojourn with us.” Visalia Equal Rights Expositor, September 7, 1862 (About 6 months before the newspaper was destroyed by soldiers stationed in Visalia)