

# 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, March 1, 2010

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

Closed Session 4:30 p.m. Work Session 5:00 p.m.

Regular Session 7:00 p.m.

### 4:30 p.m. CLOSED SESSION

1. Public Employee Release, Discipline or Dismissal (G.C. §54957)
2. Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to subdivision (b) of G.C. §54956.9: Three potential cases
3. Conference with Labor Negotiators (G.C. §54957.6)  
Agency designated representatives: Steve Salomon, Eric Frost, Diane Davis  
Employee Organization: All employee groups

### 5:00 p.m. WORK SESSION AND ACTION ITEMS

4. Update regarding Council of Cities negotiations with Tulare County on a potential memorandum of Understanding regarding the Tulare County General Plan Update. **Receive public comment.**

[Track 1](#) -  
Overview

[Track 2](#) -  
Public  
Comments

[Track 3](#) -  
Council  
Comments

Item 4 – no  
action taken  
(discussion  
and direction  
only)

Michael Olmos, Assistant City Manager, reviewed the areas of concerns of the Council of Cities regarding the Tulare County General Plan Update. The concerns are on significant policy changes including a shift in development policy; a weakening of the annexation referral policy; a new county policy for regionally significant proposals; a new county policy allowing Urban Corridor Plans and Regional Growth Corridor Plans along Highway 99, Highway 65 and Mooney Blvd.

The following persons spoke regarding the Tulare County General Plan Update:  
Phil Cox, W. Burrell, spoke in response to the city's staff report and concerns and distributed two handouts (County Staff Response to City Staff memo Discussion Points, and Tulare County Resource Management Agency Referral process for development and annexation).  
Jean Rousseau, County of Tulare CAO, spoke in response to the city's staff report and concerns. Jake Raper, RMA Director, spoke in response to the city's staff report and concerns. Bob Keenan, Home Builders Association, spoke about the impact fee document and Article 11 of the State Constitution.

Council members requested a response from legal counsel to address Bob Keenan's statement about the State Constitution; discussed the need to review the actual update of the County General Plan which is to be released shortly by the County; and indicated their support to continue negotiating through the Council of Cities to work through the issues with the County.

*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.*

**7:00 p.m.**  
[Track 4](#)

## **REGULAR SESSION**

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

**INVOCATION** – Rev. Jason Backlund, Visalia Community Covenant Church

**MOMENT OF SILENCE** – in Honor of fallen Fresno County Law Enforcement Officers

[Track 5](#)

**SPECIAL PRESENTATIONS/RECOGNITION** - Police Activities League Board presentation regarding Youth Leadership Program – Officer Rick Johnson VPD

Police Officer Rick Johnson introduced students in the Police Activities League Board Youth Leadership Program. Morgan Peabody and Ricardo Reyes, spoke to the Council about their group's receipt of grant funding which will support a fundraiser to support homeless individuals.

[Track 6](#)

**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.*

There were no public comments.

[Track 7](#)

AS/SN 5-0  
approve all  
consent items  
as submitted

5. **INFORMATION ITEMS** – (No action required)

a) Receive Planning Commission Action Agenda for the meeting of February 22, 2010.

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.*

a) Authorization to read ordinances by title only.

b) Accept the City of Visalia Cash and Investment Report for the second quarter ending December 31, 2009.

- c) Authorize the City Manager to approve an agreement with the County of Tulare for the continuation of ALERT TC (Reverse 911) for a period of three years at \$28,000 per year starting in FY 2010/11.
- d) Accept the FY09 State Homeland Security Grant Award to the Visalia Fire Department in the amount of \$78,808 for Hazardous Materials Response Team equipment and materials.
- e) Authorize an appointment by the Kaweah Delta Health Care District Board of Directors of one of their members to the General Plan Update Review Committee.
- f) First reading of Ordinance adding Chapter 8.66 and sections 8.66.010 and 8.66.020 to the Visalia Municipal Code prescribing authority to make and enforce a policy governing retention and destruction of routine video monitoring records. **Ordinance 2010-01 required.**
- g) Authorization to add one (1) full time police officer to fill a grant-funded position on the Tulare County Interagency Narcotics Enforcement Team (I-NET), sign and enter into the I-NET agreement and appropriate the money to implement the position.
- h) Authorization to record the final parcel map of Tentative Parcel Map No. 2008-15, located at northeast corner of Hillsdale Avenue and Shirk Road (4 Lots) (APN: 085-650-059), and Amendment to Landscape and Lighting District No. 07-08, Oakwest No. 7. **Resolution Nos. 2010-08 and 2010-09 required.**
- i) Approval of a letter to the Visalia Cal Ripken organization supporting their efforts to bring the 2011 12-year old World Series to Visalia.
- j) Ratify letter of support for TCAG's efforts in obtaining a California Department of Transportation Planning Grant to prepare a Visalia/Tulare Community Transit Study to improve transportation opportunities between the two communities over the next five years.

**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 8](#)

AS/WG 5-0  
Item 7  
approved as  
submitted

- 7. Authorize implementation of the following downtown one-way conversions: 1) Main Street One-Way Eastbound Conversion between Garden Street and Santa Fe Street, 2) Garden Street One-Way Southbound Conversion between Center Street and Main Street and 3) Center Street One-Way Westbound Conversion between Bridge Street and Santa Fe Street; and authorize the expenditure of up to \$200,000 from Measure R Local and \$300,000 from Gas Tax for this project.

Adam Ennis, Engineering Services Manager, reviewed the requested downtown one-way conversions. Councilmember Steve Nelsen asked if the business owners in the area support the conversions. Adam Ennis reviewed the public outreach efforts and indicated their support.

- 8. *Request from staff to postpone Public Hearing to March 15, 2010*

[Track 9](#)

SN/AS 5-0 to  
postpone the  
Item 8 public  
hearing to  
3/15/10

**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 required.** *Continued from 2/16/10.*

[Track 10](#)

SN/AS 5-0  
Item 9  
approved as  
submitted

- 9. Accept 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.

Eric Frost, Administrative Services Director reviewed the CAFR and responded to Council questions and comments.

[Track 11](#)

**CLOSED SESSION REPORT (if any)**

Alex Peltzer, City Attorney, reported action taken in closed session approved an Industrial Retirement for Police Officer Imre.

**ITEMS OF INTEREST**

Councilmember Nelsen reported his attendance at the Gang Task Force meeting and commended Chief Mestas and the task force for their work. Councilmember Nelsen reported his attendance at the SPCA Annual Budget meeting. Councilmember Gubler reported his attendance at the Creative Center’s Mardi Gras fundraiser and thanked the City for facilitating a move of the Kids Carnival to the Convention Center due to rain.

Mayor Link announced the March 15, 2010 Council meeting will be held at the Convention Center and the March 29<sup>th</sup> Joint meeting with the Planning Commission will be rescheduled to a later date.

**Upcoming Council Meetings**

Meeting  
Adjourned  
8:00 p.m.

- Monday, March 15, 2010, 4:00 p.m. Work Session; Regular Session 7:00 p.m., Convention Center 303 E. Acequia
- ~~Monday, March 29, 2010, 5:00 p.m. Joint Meeting with Planning Commission, Visalia Convention Center, 303 E. Acequia. To be rescheduled~~
- Monday, April 5, 2010, 4:00 p.m. Work Session; Regular Session 7:00 p.m., 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

*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).*

*A quote from  
Visalia’s past:*

*“And now we hurry home, stopping for a day at Visalia—we think one of the most beautiful of all the beautiful towns in our beautiful State, a village amid trees and through which runs a river, and on the banks of which the vegetation is semi-tropical; a village of health and beauty, scandalized by jealous neighbors; a village whose streets are thronged in business, and in the suburbs of which are vine-covered trees, embowered cottage homes, and homes of greater pretensions and architectural attractions; a village surrounded by the best and best-improved lands of Tulare County.”* Words of Frank M. Pixley, newspaperman and namesake for the town of Pixley, California. Visalia Weekly Delta, August 12, 1886.