

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 15, 2010

VISALIA CONVENTION CENTER, 303 E. ACEQUIA, VISALIA CA 93291
Work Session 4:00 p.m.; Closed Session immediately following Work Session
Regular Session 7:00 p.m.

[4:07 p.m.](#)
[Track 1](#)

WORK SESSION AND ACTION ITEMS (as described)

Item 1 –
information
only - no
action taken

1. Annual Report of the Visalia Parks and Recreation Foundation by Carol Lefson, Foundation Executive Director.

Carol Lefson, Parks and Recreation Foundation Executive Director, presented the annual report and reviewed the Foundation's mission, role, accomplishments, and future projects.

Members of the Foundation Board who spoke were Alex Peltzer, Chair; Bruce McDermott, Past Chair. Vince Elizondo, Parks and Recreation Director, acknowledged the Foundations efforts to raise funds and in-kind contributions for various Parks and Recreation Department programs or services.

Council thanked and commended the Foundation Board for the work that they do to contribute to quality of life in Visalia.

[4:25 p.m.](#)
[Track 2](#)

Item 2 –
information
only - no
action taken

2. Presentation of the 2009 Visalia Convention and Visitors Bureau (VCVB) Annual Report.

Leslie Caviglia, Deputy City Manager; Erin Capuchino, Tourism Sales Coordinator; Aaryn Skaggs, Convention Sales Manager; Joe Kuhn, Visalia Marriott and CVB Executive Director; and Anil Chagan, CVB Boardmember; presented the annual report for the Visalia Convention and Visitors Bureau.

Members of the CVB Board were introduced: Roger Hurick, Greg Kirkpatrick, Robert Lee, Bob McKellar, Wally Roeben, and Tom Seidler.

Council thanked and commended the Board and staff for their promotion of Visalia as a destination for meetings and vacations.

[4:55 p.m.](#)
[Track 3](#)

SN/AS 5-0
Item 3
approved as
submitted

3. Receive the Mid-Year Financial Report and provide direction to staff as appropriate.

Eric Frost, Administrative Services Director, reviewed the mid year financial report and responded to Council questions and comments. Council authorized recommendations as presented in the staff report.

[5:25 p.m.](#)
[Track 4](#)

Item 4 – no
action taken.
Schedule for
4/5/10
Council
Meeting

4. Discussion of possible economic stimulus actions the City of Visalia might take.

Eric Frost, Administrative Services Director, reviewed six staff recommendations and three proposals from the Chamber of Commerce for a local stimulus program.

The following persons spoke regarding the proposals: Glen Morris, Chamber of Commerce, in support of the Chamber's proposals; Greg Kirkpatrick, W. Howard, urging caution regarding fee waivers, recommended funding the home-buyers program; Bob Keenan, HBA, in support of suspending or waiving impact fees; Ray Macareno, Hispanic Chamber of Commerce, in support of Chamber of Commerce proposal to waive impact fees; Steven Peck, Mangano Inc., in support of Chamber of Commerce proposal to waive impact fees.

Council discussed the proposals and agreed by consensus to refer the matter to the Citizens Advisory Committee, staff, legal counsel, Mr. Steven Peck and Mr. Glen Morris, to review the proposals and provide a recommendation to the Council on April 5, 2010.

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

6:35 p.m.

CLOSED SESSION (immediately following Work Session)

5. Conference with Legal Counsel – Existing Litigation (Subdivision (a) of G.C. §54956.9)
Name of Case: Kuehn v. City of Visalia, TCSC #09-231447
6. *Item removed at the request of staff*
7. Conference With Real Property Negotiators (G.C. §54956.8)
Property: 3.43 acres located at the northeast corner of Road 68 and Caldwell Avenue, 6832 Avenue 280, APN 118-020-033
Under Negotiation: Potential Tenant
Negotiating Parties for City: Steve Salomon, Mike Olmos, Andy Benelli, Chris Tavarez
Negotiating Parties for Tenant: Nancy Salmon, Robert Linderman, Reverend Vartan Kasparian
8. Conference With Real Property Negotiators (G.C. §54956.8)
Property: Portions of APN: 119-010-021 and 118-020-037 (No Site Address Available)
Under Negotiation: Authority to negotiate rates, terms and conditions of potential lease
Negotiating Parties: Steve Salomon, Andrew Benelli, Jim Ross, Sue Shannon, Gary Birdsong, John Jones

REGULAR SESSION

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION – Reverend Tom Buratovich, Visalia United Methodist Church

SPECIAL PRESENTATIONS/RECOGNITION

Present Resolution of Commendation to Pastor Rich Hansen, First Presbyterian Church

Mayor Link presented the commendation to Pastor Hansen. Tom Link provided comments on behalf of the community and church.

Presentation of donation to the City of Visalia by the Visalia Parks and Recreation Foundation (Vince A. Elizondo, Director of Parks and Recreation, and Carol Lefson, Foundation Executive Director)

Carol Lefson, Executive Director Parks and Recreation Foundation, presented a check in the amount of \$216,952.40 representing fundraising efforts in conjunction with the Riverway Sports Park.

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.

Cheyenne Carrol, representing the Rainbow Girls, invited the Council to their Pancake Breakfast on March 21, 2010.

Kaitlin Anderson, representing the Rainbow Girls, discussed the Rainbow Girls' values of self-respect, service and respect for all.

Sonny Oxford, Millcreek, discussed recruitment of restaurants and limiting the size of grocery stores.

Sam and Marlene Sciacca, invited everyone to the opening of an apartment in downtown Visalia above Chelsea Street Boutique.

Pat Daniels, MSJ Partners, requested that item 10g on the consent calendar be pulled for further consideration.

9. INFORMATION ITEMS – (No action required)

- a) Receive Planning Commission Action Agenda for the meeting of March 8, 2010.

SN/AS 5-0
approve
balance of
consent
calendar
(items
a,c,d,e,f)

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.*

Councilmember Shuklian requested to pull item 10b from the consent calendar for further discussion. Item 10g was pulled on request of Pat Daniels.

- a) Authorization to read ordinances by title only.
- b) Approve the Waterways and Trails Master Plan and adopt the Mitigated Negative Declaration. **Resolution 2010-11 required.**

WG/SN 4-1
(Shuklian-
No) Item 10b
approved as
submitted.

Councilmember Shuklian questioned the process for vetting the Plan to the public. Paul Shepard, Parks and Recreation Department responded.

- c) Authorize the purchase of 43 copiers with maintenance contract to replace the leased copiers at various departments throughout the City.
- d) Authorization to lease two 30-foot hybrid-electric buses from the Livermore/ Amador Valley Transit Authority (LAVTA) for use in the Sequoia Shuttle internal route for the 2010 season (May 1 through September 30) at a total cost of \$44,000 which will be funded through the Cooperative and Task Agreements with the National Park Service.
- e) Authorization to remove the informational item of the Planning Commission Action Agenda from future Council meeting agendas.
- f) Approve the recommended appointments of Debbie Bowen, Steve Sanders, Ray Bullick, Ryan Wullschleger and alternate David Shelburne to the Waterways and Trails Committee.
- g) Approve request by MSJ Partners to initiate a second amendment to the Pre-Annexation Agreement pertaining to the 480 acre Vargas annexation, located along Plaza Drive north of Riggan Avenue.

AS/WG 5-0
Item 10g re-
scheduled for
4/5/10

Pat Daniels, MSJ Partners, presented a draft resolution and asked the Council to consider adopting a resolution on the proposed second amendment to the pre-annexation agreement. The item will be scheduled for the 4/5/10 council agenda.

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.*

[Tracks 6](#)
[Track 7](#)
[Track 8](#)
AS/SN 3/2
(Link/Gubler
= No)
Item 11
Accepted as
amended -
delete
Ombudsman
provision.
Schedule for
final approval
in April 2010.

11. Approval of the 2010-15 Mobile Home Park Master Lease and Memorandum of Understanding (MOU).

Ricardo Noguera, Housing and Economic Development Director, presented the staff report and recommendations.

Public Comments opened at 8:00 p.m. The following members of the public spoke: Jim Burr, representing the mobilehome task force, spoke and provided his written comments; Earl Yates, Westlake Village, spoke and provided his written comments; Terri Andrade, W. Santa Fe, spoke regarding affordable housing; Karen Ashworth, Rancho Fiesta, spoke about decreased equity due to exorbitant rents; Raymond Kasmurche, spoke about poor implementation of the mobilehome lease on the part of park owners; David Evans, representing park owners, spoke regarding the need for more time to review the lease with

park owners; Jim Koontz, city attorney's office, spoke about rental information requested from park owners; Jim Burr, mobilehome task force, spoke about the need for a rent freeze if the lease expires before a new lease is signed. Public Comments closed at 8:28 p.m.

Council discussed the recommendations and voted on motion of AS/SN 3/2 (Link/Gubler = No) to approve the recommendations as amended not to approve recommendation #4 - Ombudsperson. The final report will be scheduled as a consent calendar item in April 2010.

[Track 9](#)

Item 12
approved -
AS/SN 5-0
Adopt Reso
2010-12

AS/SN 5-0
Adopt Reso
2010-13

Item 13
AS/WG 5-0
to cancel the
public
hearing until
further notice

12. PUBLIC HEARING

- a) Adoption of Negative Declaration No. 2009-91, for the 2009 Housing Element Update (GPA 2009-03). **Resolution No. 2010-12 required.**
- b) Adoption of the 2009 Housing Element Update, General Plan Amendment GPA 2009-03. **Resolution No. 2010-13 required.**

Paul Scheibel presented the Housing Element Update, introduced Chelsea Norton, consultant from Mintier Harnish, and responded to council questions and comments.

13. *Approve request from staff to cancel the public hearing until further notice (Continued from 2/16/10 and 3/1/10)*

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.

Alex Peltzer, City Attorney, requested the Council to cancel the public hearing until further notice.

COUNCIL ITEMS - Update from Mayor Link and Vice-Mayor Shuklian on recent lobbying trip to Washington DC

Mayor Link discussed his recent trip to Washington D.C. Which was focused on Federal funding for two priorities - flood control and gang prevention.

Adjourned
8:55 p.m.

CLOSED SESSION REPORT (if any) None

Upcoming Council Meetings

- Monday, April 5, 2010, 3:00 p.m. Joint Meeting with Planning Commission, Visalia Convention Center, 303 E. Acequia
- Monday, April 5, 2010, Work Session 5:00 p.m.; Regular Session 7:00 p.m., Visalia Convention Center, 303 E. Acequia
- Monday, April 19, 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. For more information, contact Community Relations Manager Nancy Loliva at nloliva@ci.visalia.ca.us.

A quote from
Visalia's past:

"There was something doing at the Santa Fe depot this morning. The agent, the warehouse man, all of the telegraph operators, and even the baggage man, were jumping around and ejecting excited and incoherent sentences in a manner that would make the wooden actors in a puppet show ashamed of themselves. All the excitement was caused by the unexpected discovery of a young alligator in a refrigerator car." Visalia's Tulare County Times, April 18, 1912