

# Regular Meeting Action Agenda

## Visalia City Council



Mayor: Bob Link - present (4:30 p.m.)  
Vice Mayor: Amy Shuklian - present  
Council Member: Warren Gubler - present  
Council Member: Mike Lane - present  
Council Member: Steve Nelsen - present

Monday, May 17, 2010

City Hall Council Chambers, 707 W. Acequia, Visalia CA 93291  
Work Session 4:00 p.m.; Closed Session 6:00 p.m.  
Regular Session 7:00 p.m.

4:00 p.m.

### UNVEILING OF THE NEW POLICE DEPARTMENT BEARCAT ARMORED VEHICLE

[Track 1](#)

Police Chief Mestas and Police administrative staff were available to answer questions about features of the new armored vehicle that was on display in the parking lot of City Hall West.

### SWEARING IN CEREMONY - Fire Fighter/Paramedics - Kurt Cavender and James Williams

[Track 2](#)

Fire Chief Nelson introduced the new Fire Fighter Paramedics and gave their bios. Donjia Huffmon Chief Deputy City Clerk administered the oath of office.

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

[Track 3](#)

Item 1 - info only, no action taken

#### 1. Overview of Housing and Economic Development Department. **Receive public comment.**

Ricardo Noguera, Housing and Economic Development Director, introduced department staff: Rhonda Haynes, Housing Specialist; Ruth Pena, Financial Analyst; Tracy Robertshaw, Code Enforcement; Steve Rocha, Code Enforcement; Doug Elliott, Building Inspector; Frank Rocha, Building Inspector; Tommy Contreras, Vehicle Abatement Officer; Jeanette Aldaz, Neighborhood Stabilization; Steve Luna, Code Enforcement.

Mr. Noguera reviewed the department's programs: Affordable Housing, Neighborhood Preservation, Economic Development, Redevelopment, and Mobile Homes. 11% of the department's funding comes from the General Fund, the balance is from other sources.

[Track 4](#)

Item 2 - info only, no action taken

#### 2. Update regarding FEMA's revised Flood Insurance Rate Maps (FIRMs). **Receive public comment.**

Chris Young, City Engineer, provided an update to Council regarding short and long term plans, and accomplishments since the last Council update.

Council Member Nelsen requested that staff prepare a press release that states, in clear terms, the insurance options available to citizens, providing cost options and contact information for additional help and explanation.

[Track 5](#)

SN/AS 5-0  
Item 3  
approved as  
submitted

3. Authorization to revise the Measure T Plan to plan for a future fire station in the southwest portion of the City and authorization to explore discussions with various property owners for the potential to purchase land for the future fire station. **Receive public comment.**

Fire Chief Mark Nelson discussed the need for a new fire station in the southwest area of the City rather than the southeast area as originally approved in the Measure T Plan. Input from the community has been positive to the proposal. Nelson also requested permission to explore negotiations with various property owners for the potential purchase of land for a future southwest fire station.

[Track 6](#)

WG/SN 5-0  
Item 4  
approved as  
submitted.

4. Presentation of a proposal to fund the operations of the proposed Sequoia Shuttle Visitor’s Center, authorization to develop a Memorandum of Understanding with the Sequoia Riverlands Trust to lease the building, and authorization to apply for any grants that would fund the construction and/or interpretive features within the Visitor Center. **Receive public comment.**

Leslie Caviglia, Deputy City Manager; Scott Spear, Chairman of Riverlands Trust; Joe Kuehn, Chairman of Convention & Visitor’s Bureau; Mark Tilchen, CEO Sequoia Natural History Association, discussed the operations proposal for the proposed visitor’s center to be built adjacent to the current Convention Center.

Council discussed their support of the concept of the Center and their desire that no General Fund monies be used for the construction or operation of the Center.

The following members of the public spoke: Darlene Mata, N. Santa Fe, in support of the concept but concerned with the cost. William Martin, PBID, W. Main St., in support of concept but concerned with cost. Glen Morris, Chamber of Commerce, Santa Fe, expressed concern with private tenants in a public building, and the need of sufficient funds for marketing.

*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**

Council Member Nelson reported on events that he attended: Chamber of Commerce Member Appreciation Day, Career Day at Sequoia High School, Lions Club Car Show, and Fill the Boot for MDA.

**6:00 p.m.**  
adjourn to  
closed session

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

5. Conference with Legal Counsel – Anticipated Litigation - Significant exposure to litigation pursuant to subdivision (b) of G.C. §54956.9: 2 potential cases
- 5b. Conference with Legal Counsel – Existing Litigation - Subdivision (a) of G.C. §54956.9  
Case number: WCAB# ADJ6834876
6. Public Employee Appointment (G.C. §54957)  
Title: Community Development Director
7. Public Employee Performance Evaluation (G.C. §54957)  
Title: City Attorney

- 8. Conference with Labor Negotiators (G.C. §54957.6)  
Agency designated representatives: Steve Salomon, Eric Frost, Diane Davis, Shelline Bennett  
Employee Organization: All employee groups
- 8b. Conference With Real Property Negotiators (G.C. §54956.8)  
Property: 440 N. Giddings Street (Leasable Space at Rawhide Ballpark)  
Under Negotiation: Authority to negotiate rates, terms and conditions of potential lease  
Negotiating Parties: Steve Salomon, Leslie Caviglia, Hyde Commercial, Alex Martinez

7:00 p.m.

**CALL TO ORDER REGULAR SESSION**

[Track 7](#)

**PLEDGE OF ALLEGIANCE AND COLOR GUARD - Boy Scouts of America**

A local Boy Scout Troop presented the Color Guard ceremony and Pledge of Allegiance.

**INVOCATION - Pastor Nathan Whistler, Grace Community Church**

**SPECIAL PRESENTATIONS/RECOGNITION**

- Announce the re-release of the Historic Walking Tour, and present Resolution of Commendation to Jostens Inc. for publishing the brochure - Ed Gubler, author; Phil Traeger and Marilyn Mitchell, Jostens.
- Resolution of Commendation for 100<sup>th</sup> anniversary of Boy Scouts of America
- Proclaim May 23-29, 2010 National Small Business Week

Council Member Shuklian presented a Resolution of Commendation to Phil Traeger and Marilyn Mitchell of Jostens. Ed Gubler discussed his Eagle Scout project of revising and republishing the brochure for the Historic Walking Tour of Visalia.

Council Member Gubler presented a resolution commemorating the 100<sup>th</sup> anniversary of the Boy Scouts.

Council Member Lane presented a Proclamation to Gil and Edith Jaramillo for National Small Business Week.

**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.*

[Track 8](#)

*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.*

Josh Miller, Whitney Lane, invited the City Council to the grand opening of the Veterans Memorial Building on July 17, 2010.

Track 9

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

9. **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) Appointment of Katie White to the Transit Advisory Committee.
  - c) Request authorization to file a Notice of Completion for public improvements for St. Charles Borromeo Catholic Church for the Diocese of Fresno Education Corporation located at the Southeast corner of Akers Street and Caldwell Avenue.
  - d) Authorize the Mayor to send letters to appropriate state legislators expressing support for California Assembly Bills 1814, and Senate Bill 1258 if amended, and opposition to AB 2003, AB 155, AB 2253 AB 1858 and SB 1174.
  - e) Authorize the application for a Proposition 84 Urban Greening Grant of \$369,977 to develop the Mill Creek riparian area between Stevenson and Johnson Streets. **Resolution 2010-17 required.**
  - f) Authorize CSET to apply for the City for a Prop. 84 Urban Greening for Sustainable Communities grant authorizing the application for \$240,785 of Prop. 84 Urban Greening for Sustainable Communities grant funds to develop 8 acres along the St. John’s River along Riggan Ave. **Resolution 2010-18 required.**
  - g) Adoption of a Resolution of Intention to create a Property & Business Improvement District IV for ten (10) years; initiate the election balloting process to complete the formation of the PBID; authorize the City Manager to vote in favor of the formation for City properties within the proposed PBID District; and set July 12, 2010, as the date of public hearing to receive public testimony regarding the formation of PBID IV. **Resolution 2010-19 required.**
  - h) Authorize the Mayor to send a letter to the Board of Supervisors urging them to take the necessary steps to complete actions so that the Tulare County Economic Development Corporation (TCEDC) can gain final approval for its Enterprise Zone designation from the State of California.

*Convene as the Capital Improvement Corporation (CIC) Board of Directors*

**10. CONSENT CALENDAR**

- a) Resolution dissolving the Capital Improvement Corporation of the City of Visalia (CIC). **CIC Resolution 2010-01 required.**

*Adjourn as the Capital Improvement Corporation (CIC) Board of Directors and remain seated as the Visalia City Council.*

AS/WG 5-0 Item 10a approved 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.*

Track 10

WG/ML 4-1 (Shuklian-No) Item 11 approved as submitted

- 11. Refer the design and policies relating to the future softball field complex at Riverway Sports Park to the Parks and Recreation Commission and to accept the report on expenditures relating to the adult softball surcharge fee at Plaza Park.

Steve Salomon recommended that the design, use and policies for the future softball field complex be referred to the Parks and Recreation Commission. Vince Elizondo gave a quick overview of the activity of Plaza Park and the intent of fees for adult surcharge fees.

Councilmember Lane discussed having a no-alcohol policy at Riverway Sports Park and the need for a code of conduct for players. Councilmember Nelsen discussed keeping the Riverway Sports Park as a family facility and to improve the adult complex at Plaza Park when funds are available or using grant monies.

Councilmember Shuklian expressed that she would like to refer the policies relating to the softball fields to the Parks and Recreation Commission, but would like to keep the size of the fields at 300 feet as originally planned.

Mayor Link apologized for the way this issue was handled at the previous meeting and supports the recommendation to refer it to the Parks and Recreation Commission. If the Commission recommends using it as an adult field then another location for girls' softball should be discussed. If they recommend using it for youth softball then more facilities for adult softball should be discussed.

Dwight Merkel urged the Council to refer the issue to the Parks and Recreation Commission for review and recommendation.

[Track 11](#)

ML/SN 4-1 (Shuklian-No) to approve as submitted in the 4/19/10 staff report

- 12. Initiate a proposed Zoning Text Amendment (ZTA) to amend portions of Zoning Ordinance Chapter 17.48 pertaining to signage and promotional medium for subdivisions, and refer the ZTA to the Planning Commission for review. *(Continued from April 19, 2010)*

Paul Scheibel, Planning Division, presented the staff recommendation and responded to Council comments and questions. Council discussed how to relax the current sign ordinance to give relief to local builders during the Spring home-buying season, and the current sign kiosk program.

The following persons spoke: Bob Keenan, HBA W. Oak, discussed the need for adequate signage to attract buyers to active subdivisions and his preference for the size and number of signs. Glen Eachie discussed keeping the sign kiosks, enlarging the panels and removing unused kiosks, and his preference for size and number of signs. Darlene Mata, HBA, urged council to reconsider the proposal that was originally proposed by the building industry. Paul Daley, Tulare Ave., asked the council to make a decision tonight to begin the process and of his preference for size and number of signs.

City Attorney Alex Peltzer discussed the differences in law regarding urgency, emergency, and a moratorium and what the Council can do to relax the current ordinance.

Motion: ML/SN 4-1 (Shuklian No) to approve the recommendations that were presented in the 4/19/10 staff report as they relate to Onsite Promotional Activities, Offsite Signage, and A-Frame Signs for a period of six months Staff will work with Bob Keenan and the HBA in the next week for additional recommendations to be included in the 6-month period.

[Track 12](#)

Item 13 info only - no action taken

- 13. Accept report regarding funding of employee costs and pensions.

Eric Frost, Administrative Services Director, reviewed employee costs and pensions noting that 76% of the General Fund is used for employee related costs. Frost also reviewed Cal PERS pension funding. No action taken – information only.

[Track 13](#)

Item 14  
approved as  
amended

14. Review select Capital Improvement Program (CIP) budgets (General Fund and Reserves, Public Safety Funds, Northeast Capital, Convention Center, Management Information Systems) for 2010/11 & 2011/12 and amend 2009-10 budget to move Public Safety Building appropriation to Consolidated Dispatch Center Project.

Melody Murch, Finance Division, reviewed the 4<sup>th</sup> round of Capital Improvement Program budgets for 2010/11 and 2011/12 and responded to Council questions. The following actions were taken:

Underground Water Recharge Fund 1224 - AS/WG 5-0 approved as submitted.

General Fund 0011 - ML/AS 5-0 approved as amended. Item #24 Video Streaming and Item #28 Council Chambers Refurbish are moved to 2011-12.

General Fund Designation Community Sports Park Fund 0014 - AS/SN 5-0 approved as submitted.

Fire Impact Fees 1061 and Measure T Public Safety Sales Tax Fire 1122 - AS/SN 5-0 approved as submitted.

NE Capital Improvement Fund 1711 - SN/AS 5-0 approved as submitted.

Convention Center Fund 4131 - SN/AS 5-0 approved as submitted.

Information Services Fund 5111 - AS/WG 5-0 approved as submitted.

**CLOSED SESSION REPORT** - Alex Peltzer City Attorney reported the following actions:

Buyer	Seller	APN Number	Address	Purpose	Closing Date	Project Manager
City of Visalia	Alice I. Roye	APN: 081-020-038 (portion), 081-020-041 (portion), 081-020-040 (whole)	Plaza/Rd 80	Right of way	4/29/2010	Chris Tavarez /Rod Banks
City of Visalia	Charles M. Raibley	094-250-031	435 N. Burke	Contract of Acquisition- Burke at School St. Alignment	4/30/2010	Adam Ennis/ Rod Banks

10:10 p.m.  
Adjourned to  
May 18, 2010

Adjourned to Tuesday, May 18, 2010, 5:00 p.m., City Hall West Conference Room, 707 W. Acequia, Visalia, to consider Closed Session Items 7 and 8 listed above.

**Upcoming Council Meetings**

- Monday, June 7, 2010, 4:00 p.m. Work Session, 7:00 p.m. Regular Session; City Hall Council Chambers 707 W. Acequia.
- Monday, June 21, 2010, 4:00 p.m. Work Session, 7:00 p.m. Regular Session; City Hall Council

Chambers 707 W. Acequia.

- Monday, July 12, 2010, 4:00 p.m. Work Session, 7:00 p.m. Special 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.*

Submitted by Donjia Huffmon, CMC, Chief Deputy City Clerk