

# Regular Meeting Action Agenda

## Visalia City Council



Mayor: Bob Link - present  
Vice Mayor: Amy Shuklian - present (4:48 p.m.)  
Council Member: Warren Gubler - present  
Council Member: Mike Lane - present  
Council Member: Steve Nelsen - present

Monday, June 21, 2010

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

Work Session 4:00 p.m.; Closed Session 6:00 p.m. (or immediately following Work Session)

Regular Session 7:00 p.m.

**4:00 p.m.**

### EMPLOYEE INTRODUCTIONS

[Track 1](#)

- Vanessa Gonzalez, Management Analyst Finance Division - introduced by Administrative Services Director Eric Frost
- Police Officer Julie Moore - introduced by Police Chief Colleen Mestas

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

[Track 2](#)

1. Consider specific actions designed to encourage greater local purchases by the City of Visalia.  
**Receive public comment.**

ML/SN 4-0-1  
(SHUKLIAN  
Abstain)  
Item 1  
approved as  
amended

Eric Frost, Administrative Services Manager suggests that a local preference may help local vendors but will not greatly change how purchases are made in Visalia. As a result, staff believes that additional efforts such as vendor informational outreach and processes such as contract matching may prove as or more effective in reaching local vendors.

Council request some changes which include Tulare County in the jurisdiction and the local vendor matches the price within 3 business day of notice.

The following members of the public spoke: Mary Beatty, Hillcrest; Glen Morris, Chamber of Commerce, Santa Fe; Cliff Ronk, Quad Knoff, Cypress, and John Dutton, Provost & Pritchard, Garden St., also supports the concept.

Mr. Frost will bring back to Council with updated and revised bid information pertaining to the consultant vendors.

Council Member Shuklian abstained due to her late arrival at the Council meeting and was unable to listen to the information staff presented.

[Track 3](#)

2. Update on progress and discussion on revised approach for the South East Area Specific Plan (SEASP) and Environmental Impact Report. **Receive public comment.**

Item 2 - info  
only, no  
action taken

Paul Scheibel, Planning Services Manager and Doug Damko, Senior Civil Engineer briefly highlighted the changes and challenges of the SEASP.

The following person spoke: Bob Keenan, HBA, W. Oak, likes the market driven, flexibility, and community involvement of the plan; Darlene Mata, Visalia, appreciates the update from

staff. She also appreciates staff recognizing there are some concerns with the plan; Tom Rose, Riverway Drive, agrees with the plan; Brian Blain, Burke Street, encourage everyone to stay on the right path of the plan; Glen Morris, Oak Street, has concerns regarding budgeting in our impact fee program for capacity that we would never use and raising cost for other developments or projects.

Adjourn to  
Close  
Session

*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**

6:00 p.m.

None

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

- 3. Conference with Legal Counsel – Existing Litigation (G.C. §54956.9)  
City of Visalia Retirees v. COV - TCSC Case No: 09-232173
- 4. Conference with Legal Counsel – Anticipated Litigation  
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 2 potential cases
- 5. *Item removed at the request of staff*
- 6. Conference with Labor Negotiators (G.C. §54957.6)  
Agency designated representatives: Steve Salomon, Eric Frost, Diane Davis, Shelline Bennett  
Employee Organization: All employee groups

7:12 p.m.

[Track 4](#)

**CALL TO ORDER REGULAR SESSION**

**PLEDGE OF ALLEGIANCE**

**SINGING OF NATIONAL ANTHEM - Kimi Gubler**

**INVOCATION - Pastor Suzy Ward, Visalia Episcopal Church**

**SPECIAL PRESENTATIONS/RECOGNITION - Proclaim July “Parks and Recreation Month”**

[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.*

Phil Mirwald on behalf of California Water Service (Valley Oaks Drive) discussed the theft of brass on fire protective systems in Tulare. Mr. Mirwald called VPD to discuss the theft and

gave them detailed information of the parts taken and within four days later the person was arrested.

Dave Sanbongi, Hemlock Avenue, an EMS coordinator for Kaweah Delta Medical Center complimented the Fire Department Hazmat Team and their valuable services.

Jan Pasquini, Pelligo Ct, represents Kaweah Delta Health Care District as Safety Director agrees with Mr. Sanbongi and supports the Fire Department and the expertise of the Hazmat Team.

Sam Castello on behalf of Office Depot presented a rebate check (just under \$10,000) to the City of Visalia.

Mel Ziemen discussed the flood zone (FEMA) issue, road tax, and changes to a signal device at Hillsdale and Cypress. Adam Ennis met with Mr. Ziemen regarding the signal.

[Track 6](#)

SN/WG 5-0  
balance of  
consent  
calendar  
approved as  
submitted

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.*

Council Member Shuklian and Mayor Link pulled item 7n for comments and discussion.

- a) Authorization to read ordinances by title only.
- b) Request to extend the Exclusive Negotiations Agreement (ENA) with Mill Creek Professional Center, LLC for six months for the completion of pre-development due diligence and planning activities necessary for the negotiation of a Development Agreement for approval by the City Council for the phased sale and development of city-owned land situated between Acequia, Mineral King, Stevenson and Conyer Streets.
- c) Accept the City of Visalia Cash and Investment Report for the third quarter ending March 31, 2010.
- d) Authorization to accept a \$39,395 grant from the Department of Alcoholic Beverage Control to combat the unlawful sales of alcohol to minors and authorization for the City Manager to execute the grant agreement. **Resolution 2010-29 required.**
- e) Award contract for the supply and installation of an estimated 1,395 cubic yards of engineered wood fiber safety surface in various playgrounds throughout the City to Mike Filice, Filice Enterprises Inc. per specifications of RFB 09-10-45.
- f) Award contract to provide contractual landscape repair services to Bryan Maze, Evergreen Landscape and Sprinklers Inc. per specifications of RFB 09-10-40.
- g) Authorize the City Manager to sign a contract in an amount not to exceed \$99,300 for the annual street striping contract for the maintenance of painted traffic lines to Safety Striping Service, Inc. (Project No. 1111-0-72-0-9226)
- h) Second reading and adoption of Ordinance amending portions of Title 16 and 17 of the Visalia Municipal Code pertaining to the review of Planning Commission decisions by the City Council. **Ordinance No. 2010-03 required.**

- i) Request by the Tulare County Association of Governments (TCAG) to execute an amended Joint Powers Agreement for Tulare County and the eight Cities in the County to modify the powers of the TCAG. **Resolution 2010-30 required.**
- j) Appoint Duane Goodwin to the Visalia Environmental Committee.
- k) Second reading and adoption of Ordinance requiring property owners to remove graffiti within three (3) business days when the City personally serves notice or provides notice by telephone and written notice instead of the current 15 days that is allowed per Visalia Municipal Code 9.16.070(C) and adding language to strengthen provisions allowing recovery of abatement costs from the person responsible for the graffiti. **Ordinance 2010-02 required.**
- l) Acknowledge and authorize staff's effort to pursue grant funding through the Federal Water Resources Development Act for the construction of an expanded recycled water distribution system.
- m) Approval of proposed Bus and Trolley Route changes.
- n) Authorization to file a Notice of Completion for Riverway Sports Park; Phase 2, Project 3011-720000-0-0-8029, for the construction of on-site improvements at a final cost of \$3,190,014.20.

Council Member Shuklian complimented staff on the project. Mayor Link has concerns regarding (change order #3) the cost of conduit location charges. Jim Bean, Park and Urban Forestry Manager did not have the information requested and will follow up and bring the item and information back to Council at a later date. No Action Taken.

- o) First reading of Ordinance amending Section 2.02.080 of the Municipal Code related to Council Member Compensation to reduce Council salaries during the 2010-2011 budget year. **Ordinance 2010-04 required.**
- p) Authorization to award a construction contract and authorize the City Manager to execute an agreement for the Whitendale Avenue Street Widening Project located between Central Street and 500' west of Mooney Boulevard (SR63) to the low bidder, Teichert Construction, in the amount of \$1,004,637.65, for (Project No. 1241-9252/ RFB 09-10-07).
- q) Authorize the City Manager to execute an agreement with the College of the Sequoias to provide participation in the Federal Work Study Program for the 2010/2011 fiscal year.

[Track 7](#)  
Item 8

AS/SN  
5-0

**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.*

- 8. **PUBLIC HEARING** (*Request continuance to 7/12/10 at the request of applicant. Previously continued from 6/7/10.*)

For property located at the northwest corner of Plaza Drive and Riggin Avenue, adjacent to the City of Visalia, and inside the County of Tulare. (APN: 077-120-012, 015)

- a) Certification of Negative Declaration No. 2010-22. **Resolution 2010-26 required.**
- b) Initiation of Proceedings for Annexation No. 2009-01 (Doe): a request by Russell Doe, applicant (Michael Porte, agent) to annex two parcels totaling approximately 156 acres

into the City limits of Visalia for the purpose of facilitating future heavy industrial development on the property. **Resolutions 2010-27 and 2010-28 required.**

- c) Authorization for City Manager to sign and enter into a Pre-Annexation Agreement.
- d) Detachment of property from County Service Area No. 1.

Track 8

*Convene jointly as the Visalia City Council and the Visalia Redevelopment Agency Board*

Item 9  
AS/SN  
5-0 Approved  
as submitted

**9. RDA CONSENT CALENDAR**

- a) Authorize the Executive Director to amend Affordable Housing Agreement between the City of Visalia Redevelopment Agency and Kaweah Management Company and Visalians Interested in Affordable Housing (VIAH) to disburse HOME Investment Partnership funds in the amount of \$124,728.02 for properties located at the north east corner of South Court Street and East Paradise Avenue.

Track 9

SN/WG 5-0  
Item 10  
Approved as  
submitted

**10. RDA PUBLIC HEARING – Five-Year Implementation Plan (2009-14) for the Community Redevelopment Agency of the City of Visalia; adoption of resolutions relating to use of the Redevelopment Funds and Loan for Payment of State Take-away Funds. **RDA Resolutions 2010-01 and 2010-02 required.****

*Adjourn the Redevelopment Agency Board and remain seated as the Visalia City Council*

Ricardo Noguera, Housing and Economic Director introduced Jim Drawn, RSG Consultant. Mr. Drawn presented a PowerPoint with an overview of the Five Year Implementation Plan. Mayor Link opened public hearing for discussion – none. Mayor closed public hearing.

Track 10

Item 11  
No Action  
Taken –  
Discussion  
Only

**11. Presentation and discussion of the 2010/12 City of Visalia Budget.**

Eric Frost, Administrative Services Director reviewed and presented a PowerPoint of the 2010/12 City of Visalia Budget. Frost responded to Council’s questions.

Council presented several questions regarding revenues pertaining the towing fees, fire inspections fees, solid waste split containers/trucks, tourism surcharge, and T.O.T. rebate for organizations that hold events in Visalia.

Steve Salomon, Chief Nelson, Andrew Benelli, Leslie Caviglia, and Eric Frost responded to Council’s questions.

No Action Taken – Discussion Only

Track 11

SN/WG 5-0  
Item 12  
Approved to  
adjourn  
meeting to  
Monday, June  
28, 2010

**12. Adjourn regular meeting to Monday, June 28, 2010, 7:00 p.m. at the Visalia Convention Center, 303 E. Acequia for the following items: *(Motion required)***

- PUBLIC HEARING on the 2010/12 Budget
- Adoption of the City Manager’s Recertified Measure T Plan
- Adoption of the Proposition 4 Spending Limit
- Adoption of the City of Visalia and City of Visalia Redevelopment Agency 2010/12 Budget
- Second reading and adoption of Ordinance 2010-04 reducing Council salaries for 2010-11 budget year
- Authorization to allow the City of Visalia to place one contested delinquent service charge case on the Miscellaneous Special Assessments of the Tulare County secured property tax roll.
- Approval of property lease of two City-owned properties located at 700 E. Murray and 335 N. Burke to the Urban Tree Foundation.
- Update on the Visalia Hazardous Materials Program

Adjourned

**CLOSED SESSION REPORT (if any)**

**Upcoming Council Meetings**

- Monday, June 28, 2010, 6:00 p.m. Closed Session, 7:00 p.m. Regular Adjourned Meeting, Convention Center 303 E. Acequia
- Monday, July 12, 2010, 4:00 p.m. Work Session, 7:00 p.m. Special Session; Council Chambers, 707 W. Acequia
- Monday, August 2, 2010, 4:00 p.m. 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.*

Submitted by Susie Alter, Executive Assistant