

Regular Meeting Action Agenda

Visalia City Council



Mayor: Bob Link - present
Vice Mayor: Amy Shuklian - present
Council Member: Warren Gubler - absent
Council Member: Mike Lane - present
Council Member: Steve Nelsen - present

Monday, August 2, 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.

[Track 1](#)

SWEARING IN CEREMONY – Police Officers Sean Schiebelhut, Christopher Balderas, James Cummings, and Jared Garcia

[Track 2](#)

WORK SESSION AND ACTION ITEMS (as described)

AS/ML 4-0
(Gubler
absent) Item 2
approved as
submitted

[Track 3](#)

1. *Item removed at the request of staff.*

2. Update on the Visalia Hazardous Materials Program. **Receive public comment.**

Fire Chief Nelson, reported on efforts to renegotiate existing contracts with local agencies. Council agreed with the recommendation for the Tulare County City Manager's Group to work on the details of an amended agreement for Haz Mat Services in Tulare County. There were no public comments received.

SN/AS 4-0
(Gubler
absent) Item 3
approved as
submitted

[Track 4](#)

3. Update on Rule 20A Utility Undergrounding Districts. **Receive public comment.**

Adam Ennis, Engineering, discussed the background, types of funding and reviewed the top 5 priority projects as identified by staff. There were no public comments received.

ML/SN 4-0
(Gubler-
absent) Item 4
approved as
submitted

4. Discuss and provide recommendations regarding support of Federal Congressional Bill H.R. 5114, the "Flood Insurance Reform Priorities Act of 2010". **Receive public comment.**

Michael Olmos, Assistant City Manager, discussed and recommended that the Council support HR 5114 with the amendments as recommended by staff. Chris Young, Director of Community Development, gave an overview of the flood plain process and FEMA update.

Council discussed the need for congressional oversight and a reform of the current FEMA program and proposed that staff develop a resolution for consideration at the League of California Cities Conference in September.

ITEMS OF INTEREST

Councilmember Nelson commented on the success of the North Visalia Advisory Committee cleanup on Saturday. Mayor Link commented that the 11 yr old CalRipkin team won the tournament and will be moving up to compete in the World Series which will be held in Visalia next year.

5:30 p.m.
Adjourned to
Closed
Session

CLOSED SESSION (immediately following Work Session)

- 5. Conference with Labor Negotiators (G.C. §54957.6)
Agency designated representatives: Steve Salomon, Eric Frost, Diane Davis, Shelline Bennett
Employee Organization: All employee groups

- 6. Conference with Real Property Negotiators (GC 54956.8)
Property: Portion of APN 081-110-050 located near the intersection of Plaza Dr. and Goshen Ave.
Negotiating Parties for City: Steve Salomon, Chris Young, Adam Ennis, Fred Lampe, James Koontz
Negotiating Parties for Seller: Michael Burson, Andrea Oliver, Scott Richards for W.M. Lyles Co.
Under negotiation: Review of price and terms

7:00 p.m.

CALL TO ORDER REGULAR SESSION

[Track 5](#)

PLEDGE OF ALLEGIANCE

INVOCATION – Rajan Zed, President, Universal Society of Hinduism

SPECIAL PRESENTATIONS/RECOGNITION

[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.

Jerry Guevara, Alex Haley, and Charlie Ramos, representing Mid Valley AmVets Post 22, presented to Police Chief Mestas and Fire Chief Nelson stuffed bears to be used for children who are victims of crime or accidents.

Eric Newland, Cottonwood, representing owners of private golf carts at Valley Oak Golf Course asked to be placed on a future council agenda.

Greg Shelton, Porterville City Councilmember, invited the Council to attend a Porterville City Council meeting on the 1st and 3rd Tuesdays at 7 p.m.

Cary Winslow, requested Item 7e of the consent calendar be pulled for further discussion.

[Track 7](#)

SN/AS 4-0
(Gubler –
absent)
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.*

Items 7e and 7h were pulled by Mayor Link for further discussion.

- a) Authorization to read ordinances by title only.

b) Authorize Mayor Bob Link as the voting delegate and Vice Mayor Amy Shuklian as the alternate voting member for the 2010 League of California Cities Annual Conference.

c) Second Reading of Ordinance No. 2010-05, approving Pre-Zoning 2010-02, a pre-zone of the land bounded by Mill Creek, Road 152, Mineral King and the existing City Limits to the "A"-Agricultural Zone. (APN: 103-500-001, 002, 003, 103-510-001, 002, 003, 004, 005, 006, 007, 008, 009) **Ordinance No. 2010-05 required.**

d) Resolution in Support of Congressional Action Regarding Property Assessed Clean Energy (PACE) Programs. **Resolution 2010-47 required.**

e) Authorize the City Manager to enter into a professional services agreement, in the amount of \$99,082.00 with Omni-Means, Ltd. to prepare plans, specifications and estimates for street improvements to State Route 63 and city streets adjacent to the Lincoln Oval Park.

AS/SN 4-0
(Gubler
absent) Item
7e approved
as submitted

Cary Winslow, spoke on behalf of business owners in the Lincoln Oval and discussed the street improvements that owners have agreed upon. Chris Young, Community Development Director, responded that the agreement contains only those features that were reviewed by the committee that was made up of representatives that included business and community leaders from the Lincoln Oval neighborhood.

f) Authorization for the City Manager to sign a contract with the Convention and Visitors Bureau (CVB) for 2010-11 for \$254,000 and to provide office and tourism information space to the CVB.

g) *Item removed at the request of staff.*

h) Adopt Resolution supporting a High Speed Train rail alignment and station for the Kings/Tulare Region located on the east side of Hanford, near the juncture of State Highway 198 and State Highway 43. **Resolution 2010-45 required.**

SN/AS 4-0
(Gubler-
absent) Item
7h approved
as submitted

Michael Olmos, Assistant City Manager, discussed the resolution and responded to Council questions.

i) Replacement of a representative from the Historic Preservation Advisory Committee to the General Plan Update Review Committee.

[Track 8](#)

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.*

SN/ML 4-0
(Gubler
absent) Item 8
approved as
amended

8. PUBLIC HEARING

a) Certification of Negative Declaration No. 2010-41. **Resolution 2010-48 required.**

b) Initiation of Proceedings for Annexation No. 2009-02 (West Goshen Avenue): A request by Jim M. and Lana D. Cooper and Richard F. and Julia R. Guerrero to annex nine parcels totaling 71 acres of land into the City limits of Visalia. **Resolution 2010-49 required.**

c) Detachment of property from County Service Area No. 1.

The property is located on the south side of Goshen Avenue between Kelsey Street and 600 feet west of Road 88. (APN: 081-030-003, 006, 022, 038, 039, 048, 064, 071, 072).

Brandon Smith, Senior Planner, reviewed the staff recommendation. The public hearing was opened at 7:30 p.m. and the following persons spoke: Craig Hartman, N. Chinowth, representing property owners that are adjacent to the proposed annexation and would like to be included in the annexation; and Ed Canvassar, Ben Maddox, representing Rainscape properties, spoke in support of the annexation. The

public hearing was closed at 7:32 p.m.

Alex Peltzer, City Attorney, opined that the Council should amend the resolution to include the other property and staff should have discussions with the property owner to determine the feasibility of including the property in the annexation. The Negative Declaration prepared for this project includes this property.

[Track 9](#)

ML/SN 3-1
(Shuklian-No;
Gubler-
absent) Item 9
approved for
1st reading as
submitted.

9. PUBLIC HEARING

Zoning Text Amendment No. 2010-06: A request by City of Visalia to amend portions of Title 17 of the Visalia Municipal Code pertaining to the processing of projects in the BRP zone amending VMC 17.30, and VMC 17.24, to clarify and streamline the Business Research Park Zone (BRP) standards, project review and approval process. **1st reading of Ordinance 2010-06 required.**

Andy Chamberlain, presented the report. The public hearing was opened at 7:40 p.m. and the following persons spoke in favor: Steven Peck, N. Demaree, and Harvey May, Paloma Development. The public hearing was closed at 7:45 p.m.

CLOSED SESSION REPORT (if any) - none

Upcoming Council Meetings

- Monday, August 16, 2010, 4:00 p.m. Work Session, 7:00 p.m. Regular Session; City Hall Council Chambers 707 W. Acequia
- Tuesday, September 7, 2010, 4:00 p.m. Work Session, 7:00 p.m. Regular Session; City Hall Council Chambers 707 W. Acequia
- Monday, September 20, 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 Donjia Huffmon, Chief Deputy City Clerk