

Regular Meeting Action Agenda

Visalia City Council



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

Monday, August 16, 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.

[Track 1](#)

4:00 p.m.

WORK SESSION AND ACTION ITEMS (as described)

Item 1 - no
action taken
info only

1. Presentation regarding the role and functions of the Local Agency Formation Commission (LAFCo) by Ben Guliani, Executive Officer of the Tulare County LAFCo. **Receive public comment.**

Assistant City Manager Michael Olmos introduced Ben Guliani LAFCo Executive Officer. Mr. Guliani gave a presentation regarding the role and functions of the LAFCO and responded to Council's comments and questions. There were no comments from the public.

[Track 2](#)

Item 2 - no
action taken
info only

2. Presentation by Glenn Morris and Steven Peck, Chamber of Commerce, reviewing a recap on the recommendations the Chamber submitted to the Council in early 2010. **Receive public comment.**

Steven Peck and Glenn Morris from the Chamber of Commerce acknowledged the work that has been done by the City to accomplish 2/3 of the original requests and the Chamber's desire to continue to work together with the City. Mr. Peck and Mr. Morris responded to council comments. There were no comments from the public.

[Track 3](#)

Item 3 - no
action taken
info only

3. Update from the Police Department regarding gang-related violence and current gang suppression activities including recent multi-agency gang task force details. **Receive public comment.**

Police Chief Mestas, Lt. Jason Salazar, and Officer Russ Gauger gave an update on the special enforcement bureau and efforts to suppress gang activities and responded to Council comments and questions.

Tulare County Supervisor Phil Cox thanked the Police Department for their support and role in the Tulare County Gang Task Force and for the opportunity to continue to work together.

[Track 4](#)

Item 4 -
approved as
submitted
SN/WG 4-0
(Link absent)

4. Recommendation by the Parks and Recreation Commission to initiate a voluntary program to promote non-smoking in the City park system. **Receive public comment.**

Parks and Recreation Director Vince Elizondo, Robert Mijares, Chair of the Parks and Recreation Commission, and Lesa Mann Vice-Chair of the Parks and Recreation Commission, discussed the recommendation for a voluntary program of non-smoking in city parks.

Convene Jointly as the Visalia City Council and the Redevelopment Agency Board

[Track 5](#)

WG/SN 4-0
(Link absent)
Item 5
approved as
submitted

- 5. Review of Mooney Corridor Study and consideration to initiate amendments to the Visalia Zoning Ordinance to implement the recommendations contained in the study. **Receive public comment.**

Paul Scheibel, Planning Services Manager; Ricardo Noguera, Housing and Economic Development Director; and Steve Brandt, Quad Knopf, presented the study prepared for the Mooney corridor and responded to council comments and questions. The following members of the public spoke: Don Wright, LaVida St., in support of the study; Darlene Mata, planning consultant, urged council to complete the study quickly. City Manager Steve Salomon indicated the process of vetting the study to the public will begin and may be completed by the end of the year.

Adjourn joint meeting of City Council and Redevelopment Agency Board and remain seated as Visalia City Council

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.

[Track 6](#)

ITEMS OF INTEREST

Susan Mangini, Curly Ct., spoke in support of the City purchasing the lumber yard property which was the original site of Fort Visalia.

City Manager Steve Salomon, reported that Visalia received an honorable mention in the California Planning and Development Report for best mid-sized city downtown.

Councilmember Steve Nelsen commented on the recent Town Hall meeting where approximately 50-60 were in attendance and he advocated more of these meetings to keep the public engaged.

CLOSED SESSION (immediately following Work Session)

Adjourn to
closed session
6:00 p.m.

- 6. Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 2 potential cases
- 7. Conference with Real Property Negotiators (GC 54956.8)
Property: 300 E. Oak Street (APN 094-283-001)
Negotiating Parties for City: Steve Salomon, Ricardo Noguera, Alex Peltzer
Negotiating Parties for Seller: P & B Pence, LLC, Scott Ellis Equity Group
Under negotiation: Authority to negotiate terms and conditions
- 8. Conference with Real Property Negotiators (GC 54956.8)
Property: 139 N. Cain St.; APNs 098-142-039 and 098-142-040
Negotiating Parties for City: Steve Salomon, Andrew Benelli, Alex Peltzer
Negotiating Parties for Seller: Brian Hyde, Hyde Commercial Real Estate
Under negotiation: Authority to negotiate terms and conditions of potential purchase

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

[Track 7](#)

CALL TO ORDER REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION - Lester Moon, Director, Hands in the Community

SPECIAL PRESENTATIONS/RECOGNITION - Recognition of Officer Richard Cressall for receiving a Life Saving Medal.

Police Chief Mestas introduced Denise Mancini. Ms. Mancini read a letter that she wrote to Officer Richard Cressall thanking him for rescuing her and her family from a house fire. Officer Cressall was present to accept the accolades.

[Track 8](#)

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.

None

[Track 9](#)

- 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.*

The following consent items were pulled for further discussion: Item 10c (Nelsen); Item 10d (Shuklian); and Item 10i (Lane).

- a) Authorization to read ordinances by title only.
- b) Establish existing prima facie speed zones within the City limits for Plaza Drive (Road 80) between Highway 198 and Kibler Avenue (Avenue 320). **Resolution No. 2010-50 required** to amend the Official Speed Zone List of the City of Visalia.
- c) Authorization to award Bid No. 09-10-36, Boiler Maintenance at the Wastewater Treatment Plant, to ACCO Engineered Systems of Fresno, for a monthly service fee of \$1957.

WG/SN 4-0
(Link absent)
balance of
consent
calendar
approved as
submitted

SN/WG 4-0
(Link absent)
Item 10c
approved as
submitted

Councilmember Nelsen commented that the local bidder for this project submitted a higher bid than the Fresno bidder.

ML/SN 3-1-0
(Shuklian-No;
Link-absent)
Item 10d
approved as
submitted

- d) Second reading of Ordinance 2010-06 for 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. **Ordinance 2010-06 required.**

Vice-Mayor Shuklian asked for a separate vote on this item.

- e) Notification of a DUI enforcement grant award from the Governor's Office of Traffic Safety (OTS) and authorization for the City Manager to execute the grant agreement.
- f) Notification and acceptance of the AVOID the 18 DUI grant award from the Governor's Office of Traffic Safety (OTS) and authorization for the City Manager to execute the grant agreement.
- g) Authorization for the City Manager to enter into an agreement with Visalia Unified School District for after school enrichment program services.
- h) Approval of Letter of Assignment for the Sequoia Shuttle Operations to Visalia Mountain Transit a subsidiary of MV Transportation Inc.
- i) Update regarding efforts to develop a COS student bus pass in collaboration with the College of the Sequoias Administration.

ML/WG 4-0
(Link absent)
Item 10i
approved as
submitted

Councilmember Lane recognized the efforts of staff, Supervisor Phil Cox, and COS teacher Steven Tuttle. Monty Cox, Transit Manager, announced the grant has been awarded and staff will work with TCAG to develop the implementation of the program. Steven Tuttle, spoke in support of the program and indicated that COS students will vote on 9/3/10 regarding the funding of the bus passes.

- j) Consider a request from the residents of the 300 block of South Citrus Court to close pedestrian access at Citrus Court and Mineral King Avenue.
- k) Increase the scope of the contract to construct the Mooney Boulevard Storm Drain Pipeline and Lift Station Upgrade Project to include additional earthwork and repaving of the east half of Mooney Blvd. (between Ferguson Avenue and the Modoc Ditch). The original contract amount was \$320,428.76, the increase is \$207,232.00 for a total amount of \$527,660.76. The contractor is Mark Hoffman General Engineering, Inc.
- l) Acknowledge acceptance of two (2) FAA Grant Agreements, totaling \$189,050, for a Terminal Area Study and design of runway safety area improvements at the Visalia Municipal Airport.

Authorization to file Notice of Completions for the following projects:

- m) West Park Unit No. 3, a subdivision (containing 147 single family lots), located at the northeast corner of Linwood Street and Visalia Parkway.
- n) Phase One of Tentative Parcel Map 2008-10, Plaza Business Park, recorded as Parcel Map 4954 and located north of Crowley Avenue at Plaza Drive.
- o) Highway 198 Overcrossing at Santa Fe Street Project No. 1133-00000-720000-0-9236.

[Track 10](#)

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
(Link-absent)
Item 11
approved as
submitted

11. Authorization to implement changes to enhance Downtown Parking utilization: a) Increase two hour on-street parking to three hours; b) Provide temporary reduction of West Acequia Parking Permit fees to \$25 per month for the remainder of 2010 and January through April of 2011 (effective September 1, 2010). **Resolution 2010-54 required.**

Chris Tavarez presented the recommendation and responded to Council comments and questions. Sam Sciacca, Main St., spoke regarding downtown parking issues and the need to make it more customer-friendly. William Martin, W. Noble, supported the program and urged that the parking task force committee be reinstated. City Manager Salomon indicated the temporary program will be revisited in February or March of 2011 to decide if it should be continued.

[Track 11](#)

SN/ML 4-0
(Link-absent)
Item 12
approved as
submitted

12. Authorize participation in the San Joaquin Valley Partnership through the Smart Valley Places Compact. **Resolution 2010-55 required.**

Michael Olmos, Assistant City Manager, reviewed the recommendation for a revised resolution and compact removing references to “regional” planning and responded to Council comments and questions.

[Track 12](#)

WG/SN 4-0
(Link-absent)
Item 13
approved as
submitted

13. **PUBLIC HEARING** – for amendments to the City’s Rates and Fees effective for Fiscal Year 2010/11, with new fees added to the following services: Two additional fire inspection fees and a police nonexclusive franchise fee for rotational tow operators. **Resolution 2010-56 required.**

Eric Frost, Administrative Services Director, presented the recommendations of the Police and Fire Departments that have also been endorsed by the Citizens Advisory Committee. Fire Chief Nelson responded to questions about the fire fees. The public hearing was opened at 7:45 p.m. There were no public comments.

[Track 13](#)

ML/SN 4-0
(Link-absent)
Items 14a and
14b approved
as submitted

14. Wastewater Treatment Plant
- a) Request to adopt various Resolutions in conjunction with financing the proposed upgrades to the Wastewater Treatment Plant to meet clean water standards and to recharge the City’s aquifer authorizing: 1) Submission of a financing application to the Water Resources Control Board; 2) Declaration of the City’s intent to reimburse itself for costs; 3) Declaration of funding source to repay the proposed Waste Water Financing; and 4) authorize early payment of the 2002 Waste Water Treatment Plant bonds as of December 1, 2010, or thereafter, contingent upon the availability of funds after financing for the WCP modifications is secured. **Resolutions 2010-51, 2010-52, and 2010-53 required.**
 - b) Authorization to award various RFPs associated with equipment pre-selection for the Water Conservation Plant upgrade project.

Eric Frost, Administrative Services Director, presented the recommendations for financing the upgrades to the Wastewater Treatment Plant and responded to questions.

Track 14

WG/ML 4-0
Item 15
accept draft
as submitted

- 15. Review of the Draft 2009/2010 Program Year Consolidated Annual Performance and Evaluation Report (CAPER); and review 2nd Amendment to the 2009/10 Action Plan and 1st Amendment to the 2010/11 Action Plan, reprogramming HOME funds.

Rhonda Haynes, Housing & Economic Development, reviewed the draft plan. Ricardo Noguera, Director Housing & Economic Development, responded to Council comments and questions. A Public Hearing is scheduled for September 7, 2010.

Track 15

ML/SN 5 -0
Item tabled
until further
notice

- 16. *Request to table until further notice – item will be re-noticed. Motion required.*

PUBLIC HEARING

- 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 to annex and amend LAFCO Sphere of Influence for two parcels totaling approximately 156 acres into the City limits of Visalia for the purpose of facilitating future heavy industrial development on the property. (**Resolution 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.
- The property is 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)

CLOSED SESSION REPORT - none

8:00 p.m.
Meeting
adjourned

Upcoming Council Meetings

- 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
- Monday, October 4, 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.

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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