

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

Tuesday, September 7, 2010

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

4:00 p.m.

[Track 1](#)

AS/SN 4-1
(Lane-No)
Item 1
approved as
submitted

WORK SESSION AND ACTION ITEMS (as described)

1. Review recommendation to continue the planned elimination of private cart privileges at Valley Oaks Golf Course effective October 31, 2010. **Receive public comment.**

Jeanne Greenwood, Recreation Manager, presented the recommendation of staff, CourseCo, and the Golf Course Advisory Committee to continue with the planned elimination of private golf carts effective 10/31/10.

The following persons spoke in opposition to elimination of private carts: Randy Pickens, Tommy St., and Eric Knewland, Cottonwood St..

ITEMS OF INTEREST

City Manager Salomon discussed the Arts Consortium upcoming Taste of Downtown event on 9/11/10.

Mayor Link discussed the Downtown Sidewalk Sale which will have 76 participating vendors; invited the Council to attend the General Plan Update Committee meeting on 9/14/10.

Vice-Mayor Shuklian remarked on two upcoming events on September 11 - Teen Idol and the 911 Ceremony at the Fire Station.

Councilmember Nelsen commented on the Manuel Hernandez Center reopening and urged others to visit. Councilmember Nelsen also commented on his recent presentation to four Eagle Scouts and congratulated the recipients for reaching that goal. Nelsen remarked the Relay for Life event begins 9/11/10.

Councilmember Lane discussed the Latino Rotary Club and the possibility of a sister city connection and cultural exchange with Jalisco, Mexico.

CLOSED SESSION (immediately following Work Session)

2. Public Employee Appointment (G.C. Section 54957)
Title: City Attorney
3. Conference with Legal Counsel – Existing Litigation. Subdivision (1) of Section 54956.9
Name of case: Aiello v. City of Visalia. TCSC #10-237120
4. Conference with Legal Counsel – Anticipated Litigation - Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 2 potential cases
5. Conference with Real Property Negotiators (GC 54956.8)
Property: SW corner of Ben Maddox and Goshen
Negotiating Parties: Steve Salomon, Alex Peltzer, Brian Hyde
Under negotiation: Authority to negotiate terms and conditions of potential sale
6. Conference with Real Property Negotiators (GC 54956.8)
Properties: (1) Portion of 28.26 acre property located on north side of Highway 198, east side of Kelsey Street (Road 88) (APN: 081-040-030); and (2) Portion of 16.38 acre property located on north side of State Highway 198, approximately 2000 feet east of Shirk Street (APN 085-010-096)
Negotiating Parties for City: Steve Salomon, Michael Olmos, Alex Peltzer
Negotiating Parties for Seller: Rick Telegan, BP Investors, LLC
Under negotiation: Authority to negotiate purchase, sale, and/or trade
7. Conference with Real Property Negotiators (GC 54956.8)
Properties: Portion of A.P.N. 081-110-05056 and 081-110-052 – property address 1010 North Plaza Drive
Negotiating Parties for City: Steve Salomon, Michael Olmos, Alex Peltzer, James Koontz
Negotiating Parties for Seller: Jon and Stacy Broderick
Under negotiation: Purchase price and terms of sale
8. Conference with Real Property Negotiators (GC 54956.8)
Properties: Portion of A.P.N. 081-110-051 – property address 1130 North Plaza Drive
Negotiating Parties for City: Steve Salomon, Michael Olmos, Alex Peltzer, James Koontz
Negotiating Parties for Seller: Anthony DaCosta
Under negotiation: Purchase price and terms of sale
9. Conference with Labor Negotiators (G.C. §54957.6)
Agency designated representatives: Steve Salomon, Eric Frost, Diane Davis, Shelline Bennett
Employee Organization: All Bargaining Groups

7:00 p.m.

**CALL TO ORDER REGULAR SESSION
PLEDGE OF ALLEGIANCE**

[Track 2](#)

Mayor Link asked that a Moment of Silence be observed in remembrance of the tragedy over the weekend at the Church of Latter Day Saints.
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INVOCATION – Pastor Steve Harms, Neighborhood Church

SPECIAL PRESENTATIONS/RECOGNITION – Recognition of Visalia Fire Department's Technical Rescue Team

Fire Chief Nelson and Battalion Chief Danny Wristen presented information regarding the Technical Rescue Team and recognized members of the team.

[Track 3](#)

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.

Rae Sanborn, S. West St., discussed city codes pertaining to organized bicycle rides and a SPCA incident that occurred at his home. Mayor Link referred Mr. Sanborn to speak with Mario Cifuentez, SPCA coordinator.

Bill Balsley, South Sowell, discussed his position pertaining to organized bicycle riding and the city’s policy to require a permit. City Manager Salomon commented that it becomes an issue of city liability when there is an organized event ; however staff will work on making recommendations to make some changes to the ordinance.

Michael Kreps, Demaree, announced a Multi-Cultural festival to be held at the Oval Park on September 11, 18, and 25th and requested financial support for the event.

Andrew Turner, S. Sally St., spoke regarding the need for a Community-run Art Co-Op.

[Track 4](#)

SN/AS 5-0
Balance of
Consent
Calendar
approved as
submitted

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.*

Mayor Link pulled item 10h for further consideration.

- a) Authorization to read ordinances by title only.
- b) Authority to enter into a purchasing contract with Kern Turf, the area distributor for Rain Bird in the amount of \$460,930.79 for the purchase of the Rain Bird Integrated Control IC irrigation system for the Valley Oaks Golf Course Irrigation Project.
- c) Authorization to amend the existing Haz Mat Agreement with the City of Tulare and other agencies as necessary to reflect each year’s current rates and fees as approved by Council.
- d) Adopt resolution reaffirming support for Proposition 22, The Local Taxpayer, Public Safety, and Transportation Protection Act of 2010. **Resolution 2010-57 required.**
- e) Authorization to submit a grant application for the 2010 SAFER Grant Program to the Federal Emergency Management Agency (FEMA) in the amount of approximately \$1,900,000 for Fire Department staffing.
- f) Authorization to prepare a Request for Proposal (RFP) for an energy efficiency audit

using Energy Efficiency and Conservation Block Grant funds.

g) Authorization to file a Notice of Completion for the Traffic Signal Modification Project at Caldwell Avenue and County Center Drive, final cost \$148,554.20.

h) Award the annual contract for the transportation of road materials to WTB Inc., Visalia.

Mayor Link pulled the item to consider late correspondence received from Ray Jackson.

i) Award the annual contract for the purchase of asphalt and road materials to Vulcan Materials Co., Lemon Cove.

j) Authorization for the City Manager to enter into a reimbursement agreement (with Mangano Company) for the Mill Creek culvert repairs between Santa Fe and Bridge Streets and to approve the funding of the project not to exceed amount of \$433,000 for the culvert repairs.

k) Authorize the City Manager to execute the Memorandum of Understanding for Miscellaneous supervisors and Managers (Bargaining Unit Group E) for the period August 28, 2010 through June 30, 2011.

AS/SN 5-0
Item 10h
approved as
submitted

Track 5

Convene jointly as Visalia City Council and the Redevelopment Agency Board

11. RDA CONSENT CALENDAR

a) Approval of a Density Bonus, Zoning Ordinance Section 17.32, Article 2, and authorize the Executive Director of the Redevelopment Agency (RDA) Board to approve an amendment to loan agreement between RDA and Kaweah Management Company (KMC) and change the scope of work from rehabilitation of six (6) units to demolition of existing units and reconstruction of eight (8) rental units located at 632, 634, 636, 640, 642 and 644 East Kaweah Avenue, located at the north side of Kaweah Avenue between Tipton and Burke Streets.

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

Rhonda Haynes, Housing & Economic Development, presented the report and responded to Council questions. There were no public comments on this item.

ML/AS 5-0
Item 11a
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 6

WG/SN 5-0
Item 12
continued to
10/4/10

12. *Continue to October 4, 2010 (Convention Center) at the request of staff and the applicant. Motion required.*

PUBLIC HEARING – Appeal of the Planning Commission’s denial of Conditional Use Permit No. 2010-09 and Variance No. 2010-04 filed by Verizon Wireless for a proposal to install a new 80 ft. telecommunications tower on property located on the north side of East Caldwell between South Stover Street and South Pinkham Street.

13. **PUBLIC HEARING** – Approve the final 2009-2010 Program Year Consolidated Annual Performance and Evaluation Report (CAPER); and approve 2nd Amendment to the 2009/10 Action Plan and 1st Amendment to the 2010/11 Action Plan , reprogramming HOME funds.

Resolution 2010-58 required.

Rhonda Haynes, Housing & Economic Development, presented the report and responded to Council questions. Haynes distributed a correction notice regarding the New Construction

Track 7

ML/SN 4-1
(Shuklian-
No) Item 13
approved as
amended

Deferred 2nd Mortgage Program guidelines which shall read: “This new program shall be provided to families as a 15 year deferred second mortgage. After the 15 year deferment, payments shall begin for an additional 15 years at two percent (2% interest).”

The public hearing was opened at 7:45 p.m. Bob Keenan, HBA, spoke in support. The public hearing was closed at 7:47 p.m.

[Track 8](#)

AS/SN 5-0
Item 14
approved as
submitted

14. Authorize staff to pursue bond financing for the Animal Control Facility with Build America Bond or Tax-Exempt Bond Financing as appropriate; authorize acceleration of various street improvement projects; and pursue bond financing options for street improvement projects as appropriate. **Resolutions 2010-59 and 2010-60 required.**

Chris Tavarez, Management Analyst, presented the report and PowerPoint presentation. City Manager Steve Salomon, and Eric Frost, Administrative Services Director responded to questions from Council.

8:15 p.m.
Meeting
adjourned

CLOSED SESSION REPORT (if any) - none

Upcoming Council Meetings

- Monday, September 20, 2010, 4:00 p.m. Work Session, 7:00 p.m. Regular Session; Convention Center, 303 E. Acequia
- Monday, October 4, 2010, 4:00 p.m. Work Session, 7:00 p.m. Regular Session; Covention Center, 303 E. Acequia
- Monday, October 18, 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 CMC, Chief Deputy City Clerk