

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

Monday, September 20, 2010

Convention Center , 303 E. Acequia, Visalia CA 93291
Work Session 4:30 p.m.; Closed Session immediately following
Regular Session 7:00 p.m.

4:30 p.m. WORK SESSION AND ACTION ITEMS (as described)

[Track 1](#)

SN/WG 5-0
Item 1
approved as
submitted

1. Review and adopt the Citizen's Advisory Committee recommended Award of Youth Non-profit grants. **Receive public comment.**

Chris Gomez, Diane Biehle, and George Shelton, Members of the Citizen's Advisory Committee, presented the Committee's recommendations regarding the awards for non-profit grants. Chris Gomez discussed the process the committee used to process the applications and to make their recommendations.

Council Members discussed their support of the CAC recommendations and their appreciation for the work that the CAC continues to do.

There were no public comments.

[Track 2](#)

WG/AS 5-0
Item 2
approved as
submitted

2. Semi Annual update on the Comprehensive SMART (Specific Measurable Achievable Relevant Time-bound) Team efforts and accomplishments from January through June 2010. **Receive public comment.**

Tracy Robertshaw, Code Enforcement Officer, presented the semi-annual report and PowerPoint presentation summarizing activities completed by the SMART Team. The SMART Team is comprised of the Neighborhood Preservation Division, Parks and Recreation Department, Police Department, and Fire Department.

ITEMS OF INTEREST - Mayor Link reported on his attendance at the League of California Cities annual conference in San Diego.

5:00 p.m.
Adjourned
to closed
session

CLOSED SESSION (immediately following Work Session)

3. Conference with Real Property Negotiators (GC 54956.8)
Property: 300 E. Oak St.
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 of potential purchase

4. Conference with Real Property Negotiators (GC 54956.8)
Properties: Cal Water Easement on a portion of APN #'s 103-020-021 and 103-020-059
Negotiating Parties: Steve Salomon, Chris Young, Alex Peltzer, Phil Mirwald
Under negotiation: Terms and Conditions
5. Conference with Labor Negotiators (G.C. §54957.6)
Agency designated representatives: Steve Salomon, Eric Frost, Diane Davis, Shelline Bennett
Employee Organization: Employee Groups A, B, G and M.

7:00 p.m.
[Track 3](#)

CALL TO ORDER REGULAR SESSION

PLEDGE OF ALLEGIANCE

INVOCATION – Reverend Jim Rouse, St. Jude’s Ministry

SPECIAL PRESENTATIONS/RECOGNITION

- Announcement of the winner of the Santa Fe Bridge Bronze Plaque Design by Council Member Gubler
- ~~Introduction of Steven Braswell – winner of the Teen Idol competition~~

Council Member Gubler, on behalf of the Visalia Arts Consortium, unveiled the winning designs for the bronze plaques for the Santa Fe Overcrossing and presented a \$1,000 award to Visalia resident Dana Lubich for his winning designs.

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.

Peter Salerno, S. Church, spoke regarding speeding vehicles on S. Church and requested stop signs on S. Church between Noble and Tulare Avenue.

Rob Cox, Jacob St., submitted a letter to the Council from the North Visalia Neighborhood Advisory Committee requesting joining the Community Campus and Village Park lots.

Ray Macareno, Tulare Kings Hispanic Chamber of Commerce, invited the Council to attend the ribbon cutting ceremony for Bolero’s Restaurant on Wednesday 9/22/10.
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SN/AS 5-0 all consent calendar items approved as submitted

6. **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) Authorization to award a construction contract for the Valley Oaks Golf Course Irrigation Project to Formost Construction Company in the amount of \$971,056.
- c) Request authorization to file a Notice of Completion for the McAuliff Street Improvement Project - Phase 3, Creekside Basin Recharge/Storm Drain Improvements, Part B.
- d) Accept the City of Visalia Cash and Investment Report for the fourth quarter ending June 30, 2010.
- e) Award of park design contract to the HLA Group for Phase III of the Visalia Riverway Sports Park in the amount of \$136,715 and authorize the City Manager to execute all documents related to this phase of the project.

[Track 4](#)

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/AS 5-0 Item 9 approved as submitted

Mayor Link indicated he would move item #9 up to be heard prior to the other regular items.

- 9. Authorize the City Manager to execute the Memorandum of Understanding for Miscellaneous Employees (City of Visalia Employee Bargaining Unit Group M) for the period September 11, 2010 through June 30, 2011, if Council is presented a signed MOU from Group M.

Eric Frost, Administrative Services Director, announced that Group M had approved the Memorandum of Understanding earlier this evening. Frost outlined the contents of the MOU.

[Track 5](#)

- 7. **PUBLIC HEARING** to consider extending for one year the Ordinance 2009-07, an Urgency Ordinance establishing a moratorium on medical marijuana dispensaries and collective or cooperative cultivation and distribution enterprises. **Ordinance 2010-07 required. (4/5 vote required for passage).**

AS/SN 5-0 (roll call vote) Item 7 approved as submitted

Alex Peltzer, City Attorney, reviewed the process of extending the ordinance for an additional year as state law allows the moratorium to be extended for up to 2 years.

The public hearing was opened at 7:20 p.m. and the following persons spoke: Jeff Nunes, Valley Oak Court, Vincent Falcone, Walnut St.; Bryan Ruiz, Central Cali-Caregivers, Dr. Brown, Medial Cannabis of Visalia. The public hearing was closed at 7:30 p.m.

8. Hearing regarding terms and conditions of employment and consideration of resolutions imposing the City's Last, Best and Final Offer, pursuant to Government Code Section 3505.4, for the following groups for FY 2010/11: Group B (Police Officers); Group A (Police Managers); and Group G (Firefighters). **Resolutions 2010-62, 2010-63, and 2010-64 required.**

Eric Frost, Administrative Services Director, began by presenting the City's fiscal position that has influenced negotiations. Alex Peltzer, City Attorney, reviewed the legal issues of the hearing.

Eric Frost reviewed the City's Last, Best and Final Offer for Group B (Police Officers) which is comprised of 103 members. 30 minutes was allocated for Group B negotiating team and the following persons spoke: Barry Bennett, Chief Negotiator for Group B; Mark Fowler, President Police Officers Association. There were no other public comments.

Eric Frost reviewed the City's Last, Best and Final Offer for Group B (Police Officers) which is comprised of 103 members. 30 minutes was allocated for Group B negotiating team and the following persons spoke: Barry Bennett, Chief Negotiator for Group B, Mark Fowler, President Police Officers Association.

Eric Frost reviewed the City's Last, Best and Final Offer for Group A (Police Management) which is comprised of 26 members. 30 minutes was allocated for Group A negotiating team and the following person spoke: Ed Lynn, Lt. Visalia Police Department. There were no other public comments.

Eric Frost reviewed the City's Last, Best and Final Offer for Group G (Firefighters) which is comprised of 61 members. 30 minutes was allocated for Group G negotiating team and the following persons spoke: Tom Sharp, Chief Negotiator for Group G; Wade Benson, Captain Visalia Fire Department; Rob Henry, Captain Visalia Fire Department. There were no other public comments.

After hearing all public testimony, Mayor Link and the Council adjourned to closed session at 8:46 p.m.

8:46 p.m.
adjourn to
closed session

ADJOURN TO CLOSED SESSION

Conference with Labor Negotiators (G.C. §54957.6)

Agency designated representatives: Steve Salomon, Eric Frost, Diane Davis, Shelline Bennett
Employee Organization: Groups A, B, G

Track 6

9:46 p.m.
reconvene to
open session

RECONVENE TO OPEN SESSION – Determination of Item 9

Mayor Link reconvened to Open Session. Mayor Link addressed the audience and commented that the Council has heard the requests of the three bargaining groups to return to the negotiating table and is willing to continue the matter until the next Council meeting on October 4, 2010.

SN/ML 5-0
to continue
Item 8 to
10/4/10

CLOSED SESSION REPORT - Alex Peltzer, City Attorney, reported the following action had was taken in closed session and was final:

Buyer	Seller	APN Number	Address	Purpose	Closing Date	Project Manager
City of Visalia	Albert & Barbara Bentley	081-110-022 (portion)	Plaza/Rd 80	Right of Way	8/31/2010	Fred Lampe

Meeting
adjourned
9:50 p.m.

Upcoming Council Meetings

- Monday, October 4, 2010, 4:00 p.m. Work Session, 7:00 p.m. Regular Session; Visalia Convention Center, 303 E. Acequia
- Monday, October 18, 2010, 4:00 p.m. Work Session, 7:00 p.m. Regular Session; Visalia Convention Center, 303 E. Acequia.
- Monday, October 25, 2010, 6:00 p.m. Joint Meeting Visalia City Council, Visalia Unified School District, College of the Sequoias Board of Trustees, Convention Center 303 E. 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

The City's newsletter, Inside City Hall, is published after all regular City Council meetings. To self-subscribe, go to http://www.ci.visalia.ca.us/about/inside_city_hall_newsletter.asp. For more information contact nloliva@ci.visalia.ca.us.