

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, January 18, 2011

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](#)

INTRODUCTION OF NEWLY PROMOTED OFFICERS

Chief Mestas introduced Lieutenant Jeff McIntosh and Lieutenant Steve Phillips.

WORK SESSION AND ACTION ITEMS (as described)

[Track 2](#)

AS/SN 5-0
Item 1
approved as
submitted.

1. Review of the City's response to the series of winter storms that impacted our community from December 18 through December 29, 2010 and appropriation of \$968,000 to fund emergency response, and approve the process to request emergency reimbursement through the State of California and/or the Federal Government. **Receive public comment.**

Fire Chief Nelson, Battalion Chief Wristen, and Adam Ennis, Engineering reviewed the response to the December storm events including infrastructure damage and reimbursement processes from the state and federal government.

Councilmembers commended staff for their work and efforts during the emergency and discussed items for future consideration including working with CalTrans regarding Hwy 198 and considering plans for county islands that have been annexed to the City.

[Track 3](#)

Item 2 - no
action taken.
Update and
discussion
only.

2. Annual Operations and Maintenance Report on the Visalia Rawhide Baseball Club for 2010. **Receive public comment.**

Vince Elizondo, Parks and Recreation Director and Tom Seidler, Top of the Third, presented the update and responded to Council questions.

Mayor Link said he would reinstate the Ballpark sub-committee to help identify improvements to the ballpark to be paid for with generated revenues and would schedule the committee's recommendation for Council consideration at the next meeting.

[Track 4](#)

ML/WG 5-0
Item 3
approved as
submitted

3. Receive information, hear public comment and provide direction to City staff regarding the following:
 - a) The development of a "Neighborhood Traffic Management Program (NTMP)"
 - b) Application of the Manual on Uniform Traffic Control Device's (MUTCD) "Multi-way Stop Sign Applications"
 - c) Direct staff to develop a City Policy to process street closure requests made by residents
 - d) Direct staff to proceed with the traffic engineering analysis and public outreach necessary

to develop a potential traffic calming “pilot project” (“Buena Vista Avenue neighborhood” within the Marseille Subdivision).

Chris Young, Community Development Director reviewed the draft Neighborhood Traffic Management Program and responded to Council comments and questions.

The following persons spoke: Michael Cross, Buena Vista neighborhood spokesperson, in support of traffic calming in their neighborhood and the possibility of closing Tommy Street; John Davis, W. Buena Vista St., about safety concerns.

Council discussed their support for the NTMP and developing a street closure policy. Staff will update council in 90 days regarding efforts with Buena Vista neighborhood traffic calming efforts.

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 - none

6:00 p.m.

CLOSED SESSION (or immediately following Work Session)

4. Conference with Legal Counsel – Existing Litigation (G.C. 54956.9)
Name of Case: Cody Pendleton v. City of Visalia, et. al. - TCSC 10-235906
5. Conference with Real Property Negotiators (G.C. 54956.8)
Property: Portion of APN: 081-020-042, 043, 044, 060, 082 and 083 (No site address available); and 08-020-076 (No site address available).
Under Negotiation: Consideration and approval of appraisals; Authority to negotiate price, terms, and conditions of potential purchase.
Negotiating Parties for Landowners: Alice I. Roye and her representative Thomas Hornburg; Old Towne Condominiums and its representatives Lisa Mochizuki, and Harvey May.
Negotiating Parties for City: Steve Salomon, Adam Ennis, Alex M. Peltzer, James Koontz;
6. Conference with Real Property Negotiators (G.C. 54956.8)
Property: 3.43 acres located at the northeast corner of Road 68 and Caldwell Ave (Ave. 280)
Under Negotiation: potential acquisition
Negotiating Parties for City: Steve Salomon, Mike Olmos, Chris Tavarez
Negotiating Parties for Landowner: Robert Groeber for Visalia Unified School District
7. Public Employee Performance Evaluation (GC 54957)
Title: City Manager
8. Conference with Real Property Negotiators (GC 54956.8)
Property: SW Corner of Roeben Avenue and Tulare APN # 087-010-005
Negotiating Parties: Mark Nelson, Alex Peltzer, Ron and Rosalinda Vander Weerd
Under Negotiations: Terms and Conditions
9. Conference with Legal Counsel – Existing Litigation (G.C. 54956.9)
Name of Case: Citizens for Responsible Planning v. City of Visalia - TCSC 10-240450

10. Conference with Legal Counsel – Existing Litigation (G.C. 54956.9)

Name of Case: Kevin Long and Teamsters Joint Council 7 v. City of Visalia - TCSC 10-240546

7:00 p.m. CALL TO ORDER REGULAR SESSION

[Track 5](#)

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Steven Elliott, Grace Community Church

SPECIAL PRESENTATIONS/RECOGNITION

- Announcement of Council Member Steve Nelsen’s appointment to the California Partnership for the San Joaquin Valley

Councilmember Nelsen announced his appointment, by the Governor, to the California Partnership. The partnership is a voice for the Valley in Sacramento on issues involving transportation, education, jobs and other matters of concern to the Valley.

[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.

The following person spoke during public comments: Peter Salerno, S. Church, regarding speeding on S. Church Street and the need for stop signs.

[Track 7](#)

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

11. **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 items were removed from the Consent Calendar for further discussion: Item 11f (Gubler); Item 11i (Shuklian).

- a) Authorization to read ordinances by title only.
- b) Second reading and adoption Ordinance authorizing the Grant of Easement to California Service Company for a non-exclusive easement in gross for the conveyance, distribution and/or storage of water on a portion of City owned properties (APN #'s 103-020-021 and 103-020-059) and authorization for the City Manager to execute the grant of easement. **Ordinance 2010-21 required.**
- c) Second reading and adoption of Ordinance authorizing the contract amendment for Police and Fire sworn/safety personnel between the City of Visalia and the California Public Employees’ Retirement System (CalPERS). **Ordinance 2010-22 required.**
- d) Appointment of Tracy Harrell to the Transit Advisory Committee.

e) Appointment of Robert Doi and Benjamin Filiponi to the Parks and Recreation Commission as alternate members

ML/AS 4-0-1
(Gubler-
abstain)
Item 11f
approved as
submitted

f) Appointment of Steven Koch and alternate Joshua Hickey to the Waterways and Trails Committee.

Councilmember Gubler announced he would abstain from the vote due to a personal conflict of interest.

g) Appointment of Jesus Gutierrez to the Historic Preservation Advisory Committee.

h) Receive, review, and file the 2009-10 Impact Fee Report as required by State Law.

AS/SN 5-0
Item 11i
approved as
submitted

i) Authorize the City Manager to accept a donation from the Friends of Visalia Police Canine for the purchase and training of a police canine.

Councilmember Shuklian asked Chief Mestas to introduce and acknowledge the members of the Friends of VPD Canine.

j) Authorization to initiate a process to solicit proposals from qualified firms to provide State-level legislative advocacy services for the City of Visalia.

k) Award contract for the purchase of four (4) new marked Police patrol vehicles to McPeeks Dodge in the amount of \$197,016.

l) Authorization to accept an "Irrevocable Offer to Dedicate Real Property" for Tulare Avenue, Vista Street and McAuliff Street right-of-way for roadway purposes as offered per Vista Heights Subdivision Map, generally located on the east side of Vista Street alignment, the north side of Tulare Avenue alignment and on the west side of McAuliff Street.

Resolution 2011-01 required.

m) Authorize the City Manager to execute an agreement with TPG Consulting Inc. of Visalia in the amount of \$125,939 to conduct a Downtown Traffic Circulation Study.

n) Authorization to file Notice of Completion for the Packwood Creek Trail Project from County Center Drive to 1,100 ft east of Mooney Blvd, Project No. 3011-00000-720000-0-9915 with a final cost of \$500,264.34.

o) Authorization to file a Phase 1 Notice of Completion for Main Street Promenade (Site Plan 09-108), located on the north side of Main Street between Bridge Street and Santa Fe Street. (APN 094-294-011 and 012)

p) Authorize the City Manager to execute an agreement with Republic ITS, Inc., and award a construction contract in the amount of \$141,353 to install 1,323 LED (light emitting diode) lamps at 78 signalized intersections.

q) Designate and authorize signatories for all City banks. **Resolution 2011-02 required.**

r) Authorization for the City Manager to sign the Task Agreement with the National Park Service (NPS) including a payment to the City of \$1,068,778, an annual agreement that is needed to operate the 2011 season of the internal Sequoia Shuttle service.

- s) Request authorization to award a construction contract and authorize the City Manager to execute an agreement for the “Underground Utility District No.19, Installation of Vaults and Conduits at Walnut Avenue and Mooney Boulevard (SR63)” to the low bidder Western Paving Company, Inc., in the amount of \$347,551.05.

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

12. RDA CONSENT CALENDAR

ML/SN 5-0
Item 12a
approved as
submitted

- a) Authorize the Executive Director of the Redevelopment Agency (RDA) of the City of Visalia to enter into another Land Use Agreement between the RDA and Proteus, Inc. for a period of up to eleven months for purposes of a community garden on RDA owned land. **RDA Resolution 2011-01 required.**

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

[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.*

AS/ML 4-1
(Gubler-No)
Item 13
approved as
amended:
new licenses
free for 1 year
if applied for
by 7/1/2011

- 13. **PUBLIC HEARING** – Update on Valley Oaks SPCA Programs and Operations and amend the City’s Rates and Fees for 2010-11 and 2011-12 with proposed new fees and adjustments of current fee structure for Animal Licenses and Animal Control Permit fees; and implement an amnesty program that forgives all late fees for new and renewing licensing applicants until July 1, 2011. **Resolution 2011-03 required.**

Mario Cifuentez, Animal Control Liaison, presented the recommendations which have received CAC support. Mario Cifuentez and Tammy Crawford, Executive Director of SPCA, responded to Council comments and questions. The public hearing was opened at 7:35 p.m. There were no public comments. Councilmember Gubler expressed concerns for raising fees during these economic times.

[Track 9-1 of 2](#)

[Track 9-2 of 2](#)

- 14. **PUBLIC HEARING** and Introduction of Ordinance No. 2011-01, Zoning Text Amendment No. 2010-12; A request by the City of Visalia to amend portions of Title 17 of the Visalia Municipal Code pertaining to proposed changes to Zoning Ordinance Section 17.48 (Subdivision and Kiosk Signs). **Ordinance 2011-01 required.**

1st reading of
Ordinance
2011-01
approved
with
amendments
as noted

Paul Scheibel and Andrew Chamberlain, Planning Division, reviewed proposed revisions to the Zoning Ordinance and responded to Council comments and questions.

The public hearing was opened at 7:58 p.m. and the following persons spoke: Bob Keenan, HBA, Beech Street, regarding graffiti on kiosks, support of planning commission alternate language; Glenn Aochi, New Direction Signs, regarding kiosks, use of flags at sales offices, in support of a balanced program; David Burr, W. Robinwood, regarding clutter of signs and the need to keep Visalia beautiful. The public hearing was closed at 8:10 p.m.

The following motion was made with regard to the Subdivision Kiosk Sign Program: AS/SN 4-1 (Link-No) – Kiosk sign program will be abated on January 1, 2012; a Kiosk with two or more graffiti removal notices by code enforcement personnel will be subject to immediate removal (Planning Commission alternate wording not accepted); a legitimate valid placard must be on the Kiosk for 30 days or the Kiosk is subject to removal.

The following motion was made with regard to the balance of the proposed ordinance: WG/ML 4-1 (Shuklian-No) – accept 1st reading of proposed ordinance as amended to include an 8’ sign height limit; revise language for off site signs on private and non-residential property; accept alternate wording as proposed by the Planning Commission with regard to the definition of a subdivision and the sign copy content for off-site signs.

15. Receive the Comprehensive Annual Financial Report (CAFR) for the City of Visalia and the Component Unit Financial Statements for the Redevelopment Agency of the City of Visalia for the 2009-10 fiscal year.

[Track 10](#)

WG/AS 5-0
Item 15
approved as
submitted

Eric Frost, Administrative Services Director, reviewed the reports and shared a PowerPoint presentation and responded to Council questions.

CLOSED SESSION REPORT - City Attorney, Alex Peltzer, reported the following final closed session action since the last meeting:

Buyer	Seller	APN	Address	Purpose	Closing Date	Project Manager
City of Visalia	W.M. Lyles Co.	081-110-050 (portion)	Plaza/Road 80	Right of Way	1/12/2011	Fred Lampe

Upcoming Council Meetings

9:15 p.m.
Meeting
adjourned

- Monday, January 31, 2011, 6:00 p.m. Town Hall Meeting, Crestwood School, 3001 W. Whitendale Ave.
- Friday-Saturday, February 4-5, 2011, City Council Annual Workshop; Convention Center, 303 E. Acequia. Friday 12 noon; Saturday 8:00 a.m.
- Monday, February 7, 2011, 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.

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