

Regular Meeting Agenda

Visalia City Council



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

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. 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.**

ITEMS OF INTEREST

4:30 p.m. 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

INVOCATION – Pastor Steve Harms, Neighborhood Church

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

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.

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.*

- 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.
- 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.

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.

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.*

- 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.**
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.**

CLOSED SESSION REPORT (if any)

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.

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 Community Relations Manager Nancy Loliva at nloliva@ci.visalia.ca.us.