

Visalia City Council Agenda

For the regular meeting of: Monday, May 17, 2004

Location: Visalia Convention Center, Ballrooms A & B

Mayor: Bob Link
Vice-Mayor: Phil Cox
Council Member: Jesus J. Gamboa
Council Member: Greg Kirkpatrick
Council Member: Donald K. Landers

All items listed under the Consent Calendar are considered to be routine and will be enacted by one motion. If anyone desires discussion on any item on the Consent Calendar, please contact the City Clerk who will then request that Council make the item part of the regular agenda.

Introduction of the new Visalia Chamber of Commerce President/Chief Executive Officer, Mike Cully.

Employee Introductions:

WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.

1. Review of select FY2004-06 Capital Improvement budgets and future Capital Improvement Program (CIP) requests:
 - Softball Development Fund 1011
 - Redevelopment District - Downtown Fund 1921
 - Redevelopment District - Central Fund 1931
 - Airport Fund 4011
 - Solid Waste Fund 4411
- 1a. Update on actions at the state level and their impact on the 2004/2005 fiscal year and future budgets.
2. Solid Waste 3-container survey results and proposed options to the split container collection system.

PUBLIC HEARING (Or, immediately following Work Session)

5:00 p.m.

3. PUBLIC HEARING - Appeal of the Planning Commission's approval of Conditional Use Permit No. 2004-04, a request to allow a subdivision with a private street, located at 5808 W. Hurley Avenue (APN: 100-010-26) Applicants: Luis and Margarita Mota; Agent: California Planning and Engineering. **Resolution 2004-48 required.**

Appeal of the Planning Commission's approval of Mota Estates Vesting Tentative Subdivision Map, a request to divide 2 acres into 4 lots, located at 5808 W. Hurley Avenue (APN: 085-530-05) Applicants: Luis and Margarita Mota; agent: California Planning and Engineering. **Resolution 2004-49 required.**

ITEMS OF INTEREST

CLOSED SESSION

6:00 p.m. (Or, immediately following Public Hearing Item #3)

4. Public Employee Performance Evaluations
Title: City Manager
City Attorney

5. Item removed from Agenda.

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION - Philip Applebaum, Congregation B'Nai David

SPECIAL PRESENTATIONS/RECOGNITION

Presentation of a Proclamation dedicating the Ralph S. Moore Rose Garden.

Presentation of a Proclamation for Teen Pregnancy Prevention Month.

CITIZENS REQUESTS - This is the time for members of the public to comment on any matter within the jurisdiction of the Visalia City Council. This is also the public's opportunity to request that a Consent Calendar item be removed from that section and made a regular agenda item for discussion purposes. Comments related to Regular or Public Hearing Items listed on this agenda will be heard at the time the item is discussed or at the time the Public Hearing is opened for comment. The Council Members ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome. The Council cannot legally discuss or take official action on citizen request items that are introduced tonight. In fairness to all who wish to speak tonight, each speaker from the public will be allowed three minutes (speaker 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 address.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

6. CONSENT CALENDAR - Consent Calendar items are considered routine and will be enacted by a single vote of the Council with no discussion. For a Consent Calendar item to be discussed, or voted upon individually, it must be removed at the request of the Council.
 - a) Authorization to read ordinances by title only.

- b) Authorization to accept the City of Visalia Cash and Investment Report for the quarter ending March 31, 2004, and approve **Resolution Number 2004-41** adopting the City of Visalia's annually updated Investment Policy and delegating authority to invest funds for the City to the Administrative Services Director/Treasurer or his delegate.
- c) Authorization to award of contract to the H.L.A. Group of Sacramento to design plans and specifications for Community Sports Park Phase 1.
- d) Authorization to enter into a Programmatic Agreement between the City of Visalia and the California State Historic Preservation Office (SHPO) allowing the City to complete environmental review of historic properties for all programs using federal funds from the U.S. Department of Housing and Urban Development. **Resolution 2004-17 required.**
- e) Authorize the City Manager to execute an agreement with Quad Knopf and Associates to prepare plans and specifications for the project to widen the Ben Maddox Way Overcrossing of S.R. 198 and also to build a bridge on the Santa Fe St, alignment over S.R. 198. Project Numbers 1111-72-0-0-9242-2004 and 1111-72-0-0-9236-2004.
- f) **Introduction of Ordinance No. 2004-14** and authorization to set hearing for June 7, 2004, for the following:

Amendment to the City of Visalia Municipal Code adding Chapter 12.61 Downtown Newsrack District to regulate the placement and design of newsracks in the Downtown Retail Design District, and the implementation of a permit process for newsracks in the District.

- g) **Introduction of Ordinance 2004-15** granting an easement to CRS Farming on parcel 78-12-003 for the purpose of locating an agricultural well and pump.
- h) **Second Reading Ordinance 2004-13** authorizing the lease of facilities at the Visalia Municipal Airport to D. Lancy Allyn for an Aircraft Storage Hangar.
- i) Authorization to file the final map for the following:
 - 1. Marviola Estates Subdivision, located on the north side of Hurley Avenue between Teddy Street and Aspen Street APN: 085-030-15.
 - 2. Ashley Grove, Unit No. 4 Subdivision, located at the Northwest corner of Ferguson Avenue and County Center Street, APN: a portion of 089-010-091.
- j) Authorization to execute an agreement, in the amount of \$33,500 annually, between the City of Visalia and Tulare County Housing Authority to administer the Fair Housing Program, for a period of three (3) years through September 30, 2007, with two (2) one-year extensions thereafter, if applicable.
- k) Authorization to adopt **Resolution 2004-50** Intention to Amend the Contract between the City Council of the City of Visalia and the Board of Administration of the California Public Employees' Retirement System, and **Introduction of Ordinance 2004-18** authorizing an amendment to the Contract between the City and the Board of Administration of the

California Public Employees' Retirement System for Local Miscellaneous Employees.
(Information and copies of the resolution and ordinance will be provided on Monday.)

7. HEARING - on the proposed adoption of a Resolution of Necessity for the City of Visalia to acquire the real property located at 301 E. Main Street, APN: 094-296-01, known as the Visalia Main Street Theatre. **Resolution 2004-40 required.**

8. PUBLIC HEARING -

(Staff requests Council to continue Public Hearing Item #8 to the special meeting date of Monday, May 24, 2004, at 7:00 p.m. to be held at the Visalia Convention Center.)

- a. General Plan Amendment No. 2004-03: a request to change the land use designation on 7.1 acres from Rural Residential to Low Density Residential, located at 5500 W. Caldwell Avenue (APN: 119-320-38). Applicants: Benart S & L Homes; agent: Forester, Weber, & Branum. **Resolution No. 2004-xx required.**
- b. **Introduction of Ordinance 2004-xx** Change of Zone No. 2004-02: a request to change the zoning on 7.1 acres from R-A (Rural Residential) to R-1-6 (Single-Family Residential), located at 5500 W. Caldwell Avenue (APN: 119-320-38). Applicants: Benart S & L Homes; agent: Forester, Weber, & Branum.

9. PUBLIC HEARING -

- a. General Plan Amendment No. 2004-10: a request to change the land use designation on 21 acres from Business Research Park to Service Commercial and Professional Administrative Office, located on the northeast corner of Tulare Avenue and Ben Maddox Way (APN: 100-010-26). Applicants: Acurso Property; agent: Lane Engineers. **Resolution No. 2004-42 required.**
- b. **Introduction of Ordinance 2004-16** Change of Zone No. 2004-09: a request to change the zoning on 21 acres from BRP (Business Research Park) to CS (Service Commercial) and PA (Professional / Administrative Office), located on the northeast corner of Tulare Avenue and Ben Maddox Way (APN: 100-010-26). Applicants: Acurso Property; agent: Lane Engineer.

10. PUBLIC HEARING -

- a) General Plan Amendment No. 2004-08 is a request to change the land use designation on 60 acres from Rural Residential to Residential Low Density. The project is located on the north side of the Visalia Parkway alignment between Akers Street and Linwood Street. (APN: 119-070-62, 63, 64, 65[portion]) Centex Homes, applicant; Quad Knopf, agent. **Resolution 2004-43 required.**
- b) Annexation No. 2004-02 (Travis-Gunn) is a request to annex approximately 160 acres into the City of Visalia. The project is located on the north side of the Visalia Parkway alignment between Akers Street and Demaree Street. (APN: 119-070-42, 44, 57, 62, 63, 64, 65) Centex Homes and Mangano Homes, applicants; Quad Knopf, agent. **Resolution 2004-44 required.**
- c) Certify Negative Declaration No. 2004-22.

11. PUBLIC HEARING -

- a) Annexation No. 2004-06 (Wild Horse Ranch) is a request to annex 19 acres into the City of Visalia. The project is located on the northwest corner of Demaree Street and Avenue 316. (APN: 077-050-15, 16) Tim Bullock, applicant; Neil Zerlang, agent. **Resolution 2004-45 required.**
- b) Certify Negative Declaration No. 2004-32.

12. PUBLIC HEARING -

- a) General Plan Amendment No. 2003-13: A request to consider changes to the land use designations on parcels located on the east side of Shirk Street between Riggan Avenue and Doe Avenue, and to amend the Circulation Element Map by adding a collector-designated street within the subject area. The project site is located on the east side of Shirk Street between Riggan Avenue and Doe Avenue. (APN: 077-100-20, 31, 32, 38, 39, 40, 50, 67, 68) Applicant: Mangano Homes. **Resolution 2004-46 required.**
- b) **Introduction of Ordinance 2004-17** for Change of Zone No. 2003-18: A request to change zoning designations on one parcel from Business Research Park (BRP) to Single-family Residential, 6,000 sq. ft. min. lot size per unit (R-1-6), Multi-family Residential, 1,500 sq. ft. land area per unit (R-M-3), and Service Commercial (C-S). The project site is located on the east side of Shirk Street between Modoc Ditch and Doe Avenue. (APN: 077-100-20) Applicant: Mangano Homes.
- c) Public hearing for initiation of proceedings for Annexation No. 2003-05 (Shirk-Riggan SE), a proposed annexation of nine parcels totaling 201 acres located on the east side of Shirk Street between Riggan Avenue and Modoc Ditch. (APN: 077-100-31, 32, 38, 39, 40, 50, 67, 68) Applicant: Mangano Homes. **Resolution 2004-47 required.**
- d) Certify Mitigated Negative Declaration No. 2004-09.

13. PUBLIC HEARING -

(Staff requests Council to continue Public Hearing Item #13 to the meeting date of Monday, June 7, 2004, at 7:00 p.m. to be held at City Hall Council Chambers.)

- a. Certification of Mitigated Negative Declaration No. 2004-05, (SCH # 2004011096).
- b. Adoption of Airport Master Plan
- c. Authorization to proceed with General Plan Amendments and Zoning Ordinance Amendments for ordinance and policy consistency.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

Monday, June 1, 2004 (Special meeting, time & location to be determined)

Monday, June 7, 2004

Monday, June 21, 2004 (Located at the Manuel Hernandez Center, usual times)

Monday, July 5, 2004 (tentatively no meeting)

Monday, July 19, 2004 (Located at Pinkham Elementary School, usual times)

Monday, July 26, 2004 (Joint City of Visalia/Visalia Unified School District, Visalia Convention Center 6-8 p.m.)

Monday, August 2, 2004 (Located at El Diamante High School, usual times)

Monday, August 16, 2004 (Located at Hurley Elementary School, usual times)

Work Session 4:00 p.m.

Regular Session 7:00 p.m.

City Hall Council Chambers

707 West Acequia Avenue

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.