

# Visalia City Council Agenda

For the regular meeting of: Monday, November 15, 2004

Location: City Hall Council Chambers  
707 W. Acequia Ave., Visalia

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

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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.

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## **Employee Introductions:**

Introduction of Executive Assistant Sandy Hughes.

## **WORK SESSION AND ACTION ITEMS (as described) 4:00 p.m.**

1. Discussion regarding the process and alternatives for replacing Councilmember Phil Cox.
2. Request review and approval of the proposed schematic design and cost estimate for the two police stations, approval of the financial plan with authorization for Finance to make the recommended budget adjustments and approval of amendments to agreements with INDIGO Architects and Canby Associates Architects.
3. Report on Volunteer Program

## **ITEMS OF INTEREST**

## **CLOSED SESSION 6:00 p.m. (Or, immediately following Work Session)**

4. Conference with Real Property Negotiators  
Property: 36,656 square foot, City owned property located at 535 N. Burke Street  
Under Negotiation: Price, terms, conditions of a two-year lease agreement  
Negotiators: Steve Salomon, Bob Nance, & Biggs, Myers & Bliss
5. Conference with Real Property Negotiators  
Property: Three parcels, 505 E. Center Street, APN: 094-2331-023; 500 E. Main Street APN's: 094-2131-001 and 014 and east side of Santa Fe Street between Main and Center Streets, APN: 094-231-021.

Under Negotiations: Price, terms, conditions of purchase  
Negotiators: Steve Salomon, Michael Olmos, Bob Nance, William J and Dois L. Mouren and Hugh L. Ezell

6. Conference with Real Property Negotiators  
Property: Shirk Avenue and future Ferguson Avenue, SE Corner; APN: 077-10-050  
Under Negotiation: Price, terms and conditions of purchase  
Negotiators: Steve Salomon, George Sandoval, Danny Wristen, Colleen Carlson, Mangano Home, McMillian Homes
7. Conference with Real Property Negotiators  
Property: Portions of the walnut orchard located at Avenue 280 and Road 68.  
Under Negotiation: Price, terms, conditions of lease  
Negotiators: Steve Salomon, Jim Ross, David Jacobs, Mike Olmos
8. Personnel - Industrial Disability Retirement Applications for James Stamper and Duke Hettick **Resolutions 2004-227 & 2004-228 required**
9. Conference with Legal Counsel - Existing Litigation  
(Subdivision (a) of Gov. Code Section 54956.9)  
Name of Case: City of Visalia v. Bahloul, TCSC Case No. 04-210391
- 9a. Conference with Real Property Negotiators  
Property: APN #103-100-025 & 027 & 028  
Under Negotiation: Price, terms and conditions of agricultural lease  
Negotiators: Steve Salomon, Don Stone, Brian Blain

## **REGULAR SESSION**

**7:00 p.m.**

### **PLEDGE OF ALLEGIANCE**

**INVOCATION** - Pastor Steve Harms, Neighborhood Church

### **SPECIAL PRESENTATIONS/RECOGNITION**

Recognition of Bill Dillberg

Presentation of EPA Grant

**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

10. 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) Accept the City of Visalia Cash and Investment Report for the quarter ending September 30, 2004.
  - c) Authorization to adopt **Resolution 2004-229**, the required bi-annual update of the list of City of Visalia designated employees and classifications for the purpose of compliance with Chapter 2.08 of the Ordinance Code of the City of Visalia specifying conflict of interest regulations.
  - d) Item removed
  - e) Authorization to award bid No. 04-05-16, Part A for the sale of walnut burls to Halsey and Weeks, Inc. for a lump sum price of \$820,001.
  - f) Authorization to award bid No. 04-05-16, Part B for Walnut tree removal to Wood Industries in the amount of \$196,250 and bid No. 04-05-18 for farm management services to Blain Farming Co.
  - g) Authorization to name riparian setback at Tiffany Ranch "Steve Hartley Grove."
  - h) Authorization to submit application for Roberti-Z'Berg-Harris Nonurbanized Area Need-Basis Program grant funds for a universally accessible playground at Recreation Park. **Resolution No. 2004-330 required.**
  - i) Authorization to apply for and accept, if awarded, a mini-grant for \$19,720 from the California Office of Traffic Safety for the statewide "Sobriety Checkpoint Program for Local Law Enforcement Agencies II."
  - j) Authorization to apply for and accept a mini-grant for \$37,836.50 from the State of California Office of Traffic Safety for seat belt enforcement for a 3 week period, May 16 through June 5, 2005.
  - k) Authorization for the Formation, Annexation, or Amendment of the following Landscaping and Lighting District(s) and approval of related final map(s):
    1. Formation of Landscape and Lighting District No. 04-10, Amber Crossing Unit No. 1 (Resolution Nos. 04-331 and 04-332 required), and final Map approval for Amber Crossing Unit No. 1, located east of Roeben Street and south of Riggan Avenue (41 lots).

- l) Authorization to record the final map for the following:
  2. Parcel Map No. 2004-05, located at the northeast corner of Linwood Street and Houston Avenue APN 077-380-034 and 37.
- m) Adoption of Resolution No. 2004-333 authorizing the submission of an application for Grant Funds in the amount of approximately \$250,000.00 for the 2005-06 Environmental Enhancement and Mitigation (EEM) Program and designating the City Manager as the agent to negotiate, execute and submit all necessary documentation pertaining the landscape and trail along Mill Creek in Downtown Visalia.

11. PUBLIC HEARING -

General Plan Amendment No. 2004-20: A request to reconfigure the land use designations on 40 acres, located on the northeast corner of Riggin Avenue and Dinuba Boulevard. (APN: 079-071-06, 07, 08, 09, 10, 11, 19, 21[portion]) North Visalia Development LLC and Francis Gruber, applicants; Forester Weber & Associates, agent. **Resolution 2004- 334 required.**

Initiation of proceedings for Annexation No. 2004-07 (Riggin-Dinuba NE): A request to annex 11 parcels totaling 80.31 acres into the City of Visalia, located on the northeast corner of Riggin Avenue and Dinuba Boulevard. (APN: 079-071-06, 07, 08, 09, 10, 11, 19, 21[portion]) North Visalia Development LLC and Francis Gruber, applicants; Forester Weber & Associates, agent. **Resolution 2004-335 required.**

Certify Negative Declaration No. 2004-100.

12. PUBLIC HEARING -

- a. Appeal of the Planning Commission's denial of Emerald Creek Tentative Subdivision Map, a request to divide 14.6 acres into 46 lots for single-family and multi-family residential use with Remainder lots. This site is located on the south side of Noble Avenue, approximately 1/3 mile east of McAuliff Street. (APN: 101-060-02). Applicants: Kevin Fistolera and Bob Ausherman; agent: Forester Weber & Associates. **Resolution No. 2004-336 required.**
- b. Appeal of the Planning Commission's denial of Conditional Use Permit No. 2004-41, a request to allow a planned residential development of single-family, duplex, triplex, and four-plex townhouses. This site is located on the south side of Noble Avenue, approximately 1/3 mile east of McAuliff Street. (APN: 101-060-02). Applicants: Kevin Fistolera and Bob Ausherman; agent: Forester Weber & Associates. **Resolution No. 2004-337 required.**

13. PUBLIC HEARING -

General Plan Amendment No. 2004-24. A request by the City of Visalia to change the Land Use Designation from Agricultural to Quasi Public for approximately 37 acres. The site is located on the Southeast corner of County Center Street and Cameron Avenue. APN: 126-050-001, 126-277-005 (portion). **Resolution No. 2004-338 required.**

**Introduction of Ordinance 2004-33** Change of Zone No. 2004-23. A request by the City of Visalia to change the Zoning from Agricultural (A) to Quasi Public (QP) for approximately 37 acres.

The site is located on the Southeast corner of County Center Street and Cameron Avenue. APN: 126-050-001, 126-277-005 (portion).

Certify Negative Declaration No. 2004-109.

14. PUBLIC HEARING -

Review and approval of an amendment to the 2004-2005 Action Plan (CDBG and HOME Budget.)

15. Update and appropriate action relating to the high speed rail

**REPORT ON ACTIONS TAKEN IN CLOSED SESSION**

**REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS**

**Upcoming Council Meetings**

Tuesday, November 30, 2004 (Special Meeting, usual times)

Monday, December 13, 2004 (Special Meeting, Visalia Convention Center, 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.