

Visalia City Council Action Agenda

For the regular meeting of: Monday, March 5, 2007

Location: City Hall Council Chambers

Mayor: Jesus J. Gamboa – absent due to illness
Vice Mayor: Greg Kirkpatrick
Council Member: Greg Collins
Council Member: Donald K. Landers
Council Member: Bob Link

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.

Vice-Mayor Greg Kirkpatrick chaired the meeting due to the absence of Mayor Jesus Gamboa.

EMPLOYEE INTRODUCTION

Introduction of Melissa Holt, Office Assistant, by Paul Shepard, Parks and Recreation Department.

WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.

Public Comment on Work Session Items

No comments received

1. Review and comment on a Concept Master Plan for “Plaza Drive Business Park”, authorize initiation of its formal processing, and authorize the processing of a Conditional Use Permit for Fresno Pacific University.

Council member Bob Link excused himself from hearing this item, due to conflict of interest. Mike Olmos gave overview and Fred Brusuelas presented.

Councilman Collins is not supportive of the project and has serious concerns about air quality, traffic, and the location. He would rather see the facility located in the downtown area.

Councilman Landers is in support of the project and is excited that it will fulfill the BPD zone of the General Plan and will facilitate higher education. He is encouraged that the private sector has noticed the need for higher education

Councilman Kirkpatrick is supportive and said the project lends itself to a site like this and feels it is appropriate for the BRP zone. He has concerns about the general office uses and competition with the downtown core.

Note: Due to technical difficulties, digital recording is not available for the first part of the meeting. Digital recording is available starting with item #9 through the rest of the meeting.

GC/DL 4-0
approve
Resolution
2007-21

2. Authorization to prepare and submit a resolution recommending a preferred LAFCO Sphere of Influence Update for Visalia to the Local Agency Formation Commission. **Resolution 2007-21 required.**

Brandon Smith presented the periodic update which must be done every five years.

Resolution 2007-21 approved and will be submitted to Tulare County LAFCO.

** 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

Councilman Collins gave a brief update on the work of the Aquatics Committee.

CLOSED SESSION

6:00 p.m. (Or, immediately following Work Session)

3. Conference with Legal Counsel – Existing Litigation
(Subdivision (a) of Section 54956.9 GC)
Name of Case: Hettick v. City; TCSC Case No. 05-214421
4. *Item removed at the request of staff*

Adjourn as City Council and Convene Jointly as City Council and Redevelopment Agency

5. Conference with Real Property Negotiators (G.C. 54956.8)
Property: 3.75 acre portion of APN: 098-142-050 432 N. Ben Maddox Way
Under Negotiation: Authority to negotiate purchase price, terms and conditions
Negotiating Parties: Steve Salomon, Michael Olmos, Colleen Carlson, Bill DeLain,
Southern California Edison Company

Adjourn as Joint City Council and Redevelopment Agency and remain in closed session as the Redevelopment Agency

6. Conference with Real Property Negotiators (G.C. §54956.8.)
Property: 111 & 113 NW 5th (APN: 094-053-018,019)
Under Negotiation: Terms and conditions of purchase
Negotiating Parties: Steve Salomon, Michael Olmos, Colleen Carlson

Adjourn as the Redevelopment Agency and reconvene in Closed Session as the City Council

7. Conference with Real Property Negotiators (G.C. 54956.8)
Property: six parcels: 608, 620, 720, 800, 810 and 820 E. Center
Under Negotiation: Terms and conditions of acquisition of right of way or access rights
Negotiating Parties: Steve Salomon, Alex Peltzer, John Janda, Square 2 Properties LLC,
Bill Jordan, Don and Margaret Peterson, John Wilson, Ron Baker

REGULAR SESSION
7:00 p.m.

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

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.

G.A. Gindick read a prepared statement regarding the Saint Patrick's Day Parade and asking for help from the City with funding the Parade. Bruce McDermot and Mary Jo Estes also spoke regarding support for the Parade.

Christine Murphy, 4125 W. Noble, spoke regarding a Visalia Police Department complaint.

Jeff Nunes, 1631 E. Prospect, spoke regarding a location for a dispensary for medical marijuana. He will meet with Mike Olmos, Assistant City Manager, regarding the process for finding a suitable location.

Jennifer Wallen, 19735 Ave 375, Exeter, spoke regarding the licensing of landscapers and gardeners.

Adjourn as City Council and Convene as the Redevelopment Agency

DL/BL 4-0
Item 8
approved

8. RDA CONSENT CALENDAR

- a) Request to amend the East Downtown Auto Mall - CC&R's and Architectural Design Standards, to amend Section 902(a) (1) Permitted Signage, to be consistent with underlying Design District C sign standards and to authorize amended agreements to change the Auto Center - Conditions, Covenants and Restrictions, and Architectural Design Standards.

Adjourn as the Redevelopment Agency and reconvene as the City Council

Tracks 5 & 9
Item #9

9. **Public Hearing** for Village West Special Assessment Ballot and award of the project to Henderson Construction for \$71,475 if the assessment district is approved. **Resolutions Nos. 2007-22 and 2007-23 required. (two separate motions required)**

BL/DL 4-0
approve
Resolution
2007-22

Eric Frost presented the staff report and attorney Robert Haight discussed the procedures to be followed. A public hearing was held, there were no comments received from the public.

The City Clerk was asked to count the ballots. The result of the ballots was: 43 of 50 ballots

BL/DL 4-0
approve
Resolution
2007-23

were returned, 32 ballots were marked “yes”, 8 ballots were marked “no”, and 3 ballots were unmarked. The vote for the assessment was passed. Council voted to approve Resolutions 2007-22 and 2007-23 as recommended

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Track 6 -
Consent
Calendar

Councilman Landers pulled items 10 k and l to be discussed separately.

DL/BL 4-0 to
approve
balance of
consent
calendar

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) Receive Planning Commission Action Agenda for the meeting of February 26, 2007.
- c) Authorizing the Mayor to send a letter to the Tulare County Board of Supervisors, Chairman Allen Ishida, indicating the City of Visalia’s willingness to cooperate on the future planning for Mooney Grove Park.
- d) Accept the City of Visalia Cash and Investment Report for the second quarter ending December 31, 2006.
- e) Issuance of written report describing measures being taken to alleviate the conditions which led to the adoption of Ordinance No. 2006-03, an interim ordinance establishing prohibited and permitted uses and development standards for a portion of the East Downtown Strategic Plan area.
- f) Award a contract for the Main Street Storm Sewer Project to Bill Nelson General Engineering Construction, Inc. in the amount of \$75,440.00, Project No. 1222-8020.
- g) Introduction of Ordinance No. 2007-05, adding Sections 10.04.040 and 10.04.050 to Chapter 10.04 of the Visalia Municipal Code Relating to Towing, Storage, Post storage Hearing, and Administrative Charge Collection Procedures.
- h) Authorization to execute a final Certificate of Cancellation of Land Conservation Contract No. 10350 located on property owned by Joe Freitas, property owner (DBO Development Co., applicant). The site is located on the north and south sides of Cameron Avenue, approximately ¼ mile east of Mooney Boulevard (APN: 126-062-069{portion}, 126-730-015) **Resolution No. 2007-16 required.**
- i) Introduction of Ordinance No. 2007-04, changing the title of Section 10.16.140 and adding Section 10.16.140 D regarding provisions for three hour parking limitations.
- j) Resolution to authorize grant application submittal for State of California Workforce Housing Reward Program in the amount of \$181,000. **Resolution 2007-17 required.**
- k) Acknowledge the process for recruiting a new member of the Planning Commission to replace retiring Commissioner Victor Perez.

Track 7
DL/GC 4-0
item 10k
approved

Council approved the recruitment process and extended the timeline by 14 days.

Track 7
Item 101
BL/GC 4-0
approved

l) Request by Council member Don Landers for support for the St. Patrick’s Day Parade

Councilman Landers motioned to allocate \$4000 and mechanism to budget to fund special events. Motion died for lack of a second.

BL/GC move to use discretionary funds with City matching funds to support the Parade.
Motion carried 4-0

Authorization to record final maps on the following:

m) Authorize the Recordation of the Final Map for Ashley Grove No. 12, located at the southwest corner of Riggin Avenue and Mooney Blvd. (28 lots and a common area) and the Annexation to Landscape and Lighting District No. 05-17, Ashley Grove No. 10-13.
Resolution Nos. 2007-18 and 2007-19 required .

Track 8
Item #11
BL/DL 4-0
staff
recommendations
approved

11. Authorization for Mayor Gamboa to send a letter to Congressional Representatives requesting assistance in relocating Social Security Administration facilities to a site in Downtown Visalia and directing City staff to work with the General Services Administration on downtown relocation efforts.

Kimberly Tyler, 2530 Feemster; Jerry Bedoe, 1431 S. Spruce; Jeff Joseph, 15784 Mills Drive; Jim Labors, 1235 S. Maple Ct. spoke in opposition to the relocation of the Social Security Administration building in their neighborhood.

Council agrees that a downtown location would be the best for the SSA and approved the following: 1) that a Conditional Use Permit is required for the leased use that is proposed; 2) flexibility in the potential design for the building in the downtown which could be one-story; a letter will be sent to congressional delegation asking for support in directing the GSA to re-solicit proposals to the downtown and that the City be able to provide input to the GSA; 4) that the City position itself so that potential city-owned sites in the downtown would be available during a new solicitation period; 5) that the City work closely with private developers of office space in the downtown to ensure that they are aware of any solicitation that occurs in the near future.

Track 10
Item #12
DL/BL 4-0
Approved
Resolution
2007-20

12. **Public Hearing** for Disestablishment of Agricultural Preserve No. 3503: a request by Joe Freitas, property owner (DBO Development Co., applicant) to cancel 34 acres of Agricultural Preserve No. 3503. The site is located on the north and south sides of Cameron Avenue, approximately ¼ mile east of Mooney Boulevard (APN: 126-062-069[portion], 126-730-015).
Resolution No. 2007-20 required.

A public hearing was held – no comments were received.

Meeting
adjourned
8:15 p.m.

13. *Item removed at the request of staff. Item will be rescheduled and re-noticed for a later date.*
Public Hearing to consider increasing the Transportation Impact Fees and to consider approval of proposed Transportation Impact Fee Schedule per Resolution.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

Monday, March 19, 2007 - City Hall Council Chambers

Monday, March 26, 2007 – Joint City Council/Planning Commission (4:00 p.m. Convention Center)

Monday, April 2, 2007 – City Hall Council Chambers

Monday, April 16, 2007 – City Hall Council Chambers

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.