

Visalia City Council Agenda

For the regular meeting of: Monday, July 21, 2003

Location: **City Hall Council Chambers**
707 West Acequia Avenue

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

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.

EMPLOYEE INTRODUCTIONS:

Battalion Chief Dale Renftle and Captain Ray Ramirez, introduce reserve firefighters, Danny Barragan, Adam Billiet, Jeff Gardner, Michael Goodin, Jerry Hernandez, Brad Miller, Mike Parks, Jeremiah Smith, Scott Woods, and Bob Fraser.

Chief of Police, Jerry Barker, introduces, Brian Young, Police Officer, and Mary Ellen McIlrath, Assistant Communications Operator.

Lieutenant Rick Haskill recognizes Mark Fischer for his support on behalf of the Canine Program.

WORK SESSION & ACTION ITEMS (as described)

4:00 p.m.

1. Review of Citizen's Advisory Committee Public Opinion Survey.
2. Review and approval of the design of the new gymnasium and remodeled Teen Room at Recreation Park, located on North Jacob Street.
3. Discussion of potential revisions of City Standards regarding local street widths, street trees, residential front yard setbacks, parking lot landscaping, and cul-de-sacs/street connectivity.

ITEMS OF INTEREST

CLOSED SESSION

5:00 p.m. (Or, immediately following Work Session)

4. Conference with Labor Negotiator

Employee Groups: Group G – Fire
Agency Negotiator: Steve Salomon, Randy Groom, George Sandoval, Charlie Norman

5. Conference with Legal Counsel - Existing Litigation
(Subdivision (a) of Section 54956.9 GC)
Name of Case: Bennett v. City of Visalia, TCSC Case No. 97-178360
6. Conference with Real Property Negotiator
Property: 745½ East Houston Avenue
Under Negotiation: Price, terms, and conditions of purchase for the Houston Avenue widening project, Project # 1111-72-0-0-9026-2001
Negotiating Parties: Steve Salomon, John Dutton, David Jacobs, and Rochelle Maine
7. Conference with Real Property Negotiator
Property: NW corner of W. Mineral King and Stevenson APN: 093-201-11, 12, 13, 14 & 20
Under Negotiation: Price, terms, and conditions of sale
Negotiating Parties: Steve Salomon, Bob Nance, Ken Oplinger
8. Conference with Real Property Negotiator
Property: The approximately 15,000 square foot City of Visalia owned property located at the northeast corner of Conyer and W. Mineral King Avenue – APN: 093-201-13, 14, 15, 16 and 20
Under Negotiation: Instruction to negotiator concerning price and terms of payment
Negotiating Parties: Steve Salomon, Michael Olmos, Bob Nance
9. Conference with Real Property Negotiator
Property: 6.65 acre portion of the 30-acre parcel located at the southwest corner of Akers Avenue & State Highway 198
Under Negotiation: Price, terms, and conditions of sale agreement extension of escrow closing date
Negotiating Parties: Steve Salomon, Bob Nance, Visalia Investment Associates, LLC

-- Adjourn as the Visalia City Council and convene as the Redevelopment Agency Board for the following items only:

10. Conference with Real Property Negotiator
Property: 1500 E. Acequia Court, APN: 098-320-29
Under Negotiation: Proposed, assignment, acceptance, consent, and first amendment to the Disposition and Development Agreement Dated June 5, 1996
Negotiating Parties: Steve Salomon, Bob Nance, and George Zarounian, BLAM-JADE
11. Conference with Real Property Negotiator
Property: Parcel located on E. Main Street between Ben Maddox Way & Cain Street, APN: 098-320-30
Under Negotiation: Proposed, assignment, acceptance, consent, and first amendment to the Disposition and Development Agreement No. 94-01, Dated November 21, 1994
Negotiating Parties: Steve Salomon, Bob Nance, and Gary Zarounian, BLAM-JADE

-- Convene jointly as the Visalia City Council and as the Redevelopment Agency Board for the following items only:

12. Conference with Real Property Negotiator
Property: 304 W. Acequia
Under Negotiation: Price, terms, and conditions of purchase
Negotiating Parties: Steve Salomon, Alex Peltzer, Cliff Dunbar, BMI, Inc.

13. Conference with Real Property Negotiator
Property: 312-316 W. Acequia, APN 094-326-021
Under Negotiation: Price, terms, and conditions of purchase
Negotiating Parties: Steve Salomon, Alex Peltzer, Harvey and Sheila Hecht

14. Conference with Real Property Negotiator
Property: 119 S. Locust (Acequia Parking Lot Portion Only) APN: 094-326-12
Under Negotiation: Price, terms, and conditions of purchase
Negotiating Parties: Steve Salomon, Alex Peltzer, Jeff Fly, Turning Point Foundation

15. Conference with Real Property Negotiator
Property: 312-316 W. Acequia
Under Negotiation: Price, terms, and conditions of dissolution of parking agreement
Negotiating Parties: Steve Salomon, Alex Peltzer, Cliff Dunbar, BMI, Inc.

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION

SPECIAL PRESENTATIONS/RECOGNITION

Presentation of the "Certificate of Achievement for Excellence in Financial Reporting" to the City of Visalia from the Government Finance Officers Association (GFOA) for the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2002.

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. 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 your name and address.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

16. 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) Consideration of request from Daniel Lee to adopt resolution regarding local enforcement of USA Patriot Act.
- c) Notification of a U.S. Department of Justice grant application to the Office of Community Oriented Policing Services (COPS), with specific reference to the Gang Reduction, Intervention and Prevention (GRIP) program , and authorization for the City Manager to execute the grant agreement if it is awarded.
- d) Authorization for Visalia Fire Department to purchase/lease one fire engine with 75' Aerial Ladder at an approximate cost of \$578,049 to replace Truck 2 (1978 reserve ladder truck).
- e) Authorization for the City Manager to execute an agreement with the College of Sequoias to provide for participation in the Federal Work Study Program.
- f) Approval of the Memorandum of Understanding (MOU) agreement between the City of Visalia and Tulare County Association of Governments (TCAG) regarding transportation planning & programming Federal funds for Transit services.
- g) Ratification of Planning Commission amendment to the Zoning Ordinance Matrix that would allow photography studios to be a conditional use in the Professional Administrative Office (PA) and Office Garden (OG) zones and Dry Cleaners to be permitted use in the Regional Retail Commercial (CR) zone. **Resolution 2003-95 required.**
- h) Request for approval of the proposed teen mural design and the mural agreement between the City of Visalia and Carol Lindsey to paint a mural on the south wall of the Mid Town News building located at 129 S. Church and approve the proposed mural design
- i) Request authorization to enter into contract with:
 - 1. Canby Associates for the amount of \$19,500 for work provided by Landscape Architects, Broussard and Associates and Electrical Engineer, Waters Engineering, for the design and construction documents for the development of the City owned parcels at 310 North West Third Avenue.
 - 2. Authorization for staff to obtain bids for the demolition of the former Juvenile Probation Facility located at 210 NW 3rd Avenue pending environmental review and clearance and request proposals for the design of the proposed Police sub-station.
- j) Authorization for Approval of Purchase and Sale Agreement and Escrow Instructions with Louise Z. Shuklian for the estimated 36,656 square foot parcel located at 535 N. Burke Street, APN: 094-250-15. Purchase price \$150,000 plus escrow costs.
- k) **Second Reading** of the following Ordinances:

1. **Ordinance 2003-04** approving a Disposition and Development Agreement with Kaweah Delta District Hospital to donate a parcel of land, located north of Mill Creek on the west side of West Street to be developed into park/open space, for the Downtown Hospital Campus expansion. (APN 093-204-17).
 2. **Ordinance 2003-05** for Change of Zone No. 2003-09. A request to change the zoning from R-1-6, R-M-2, and R-M-3 to PA and R-M-3, on approximately 9.42 acres of land located at the end of Sunnyside Avenue, 700 feet west of Mooney Boulevard. Applicant, Steve Bullock.
 3. **Ordinance 2003-06** for Change of Zone No. 2003-01. A request to change the zoning from R-1-6 to CSO, on approximately 1.9 acres of land located at 1347 and 1421 W. Caldwell Avenue. APN: 126-062-02, 87, 88. Applicant, KJUG Radio - LPHED Limited Partnership.
- l) Authorization for Certification of Mitigated Negative Declaration prepared for the following:
1. Houston Avenue at Demaree Street Intersection Improvements. **Resolution 2003-83 required.**
 2. Ben Maddox Way Bridge project (State Clearinghouse #2003061044). **Resolution 2003-84 required.**
 3. Goshen Avenue and Ben Maddox Way widening project. **Resolution 2003-85 required.**
- (A copy of the Mitigated Negative Declaration- Goshen Avenue and Ben Maddox Way widening project is available for public review in the City Clerk's Office. To make arrangements for a personal copy, contact Daniel Espinoza at 713-4259.)*
- m) Authorization for Certification of Negative Declaration prepared for the Tulare Avenue Widening, Locust to Court Street improvement project. **Resolution 2003-86 required.**
- n) Request authorization to award the contract for:
1. The Update to the Sanitary Sewer Master Plan to Carollo Engineers of Fresno, California in the amount of \$136,985.00. Project No. 4311-72-0-0-9066-2003.
 2. Ben Maddox Way Widening Improvement Project along the Ben Maddox Way alignment between Caldwell Avenue and K Avenue to R.J. Berry, Jr., Inc. of Selma, California in the amount of \$852,173.00. Project No. 1241-72-0-0-9432-2003.
 3. Caldwell Avenue Widening Improvement Project from Stonebrook Street to West Street to Lee's Paving, Inc. of Visalia, California in the amount of \$610,353.50. Project No 1241-72-0-0-9211-2002.
 4. Authorization to award the contract for Taxiway and T-Hangar construction, Parking Lot rehabilitation and related projects at the Visalia Municipal Airport to Rising Sun Construction in the amount of \$1,371,307.00. Project numbers 4011-72-0-0-9310-2000, 4011-72-0-0-9312-2000, 4011-72-0-0-9246-2000, 4011-72-0-0-9446-2001, 4011-72-0-0-9447-2001 & 4011-72-0-0-9450-2002, corresponding to FAA AIP Project numbers 3-06-0271-14, 15, 17 & 19.
- o) Authorization to record the final map for:
1. Creekside Unit 2 Subdivision, located at the intersection of northerly extension of McAuliff Street and Evans Ditch. APN 103-410-02, 04 and 76

2. Ben Maddox at Caldwell 5 Phase 1 Subdivision, located at the northwest corner of Ben Maddox Way and Monte Verde Avenue. APN 126-120-49 and 58.
3. McAuliff Ranch Subdivision, Unit No. 2, located east of McAuliff Street and North of Tulare Avenue. APN: 101-260-28

p) Authorization to file a Notice of Completion for:

1. The Oaks at Country Club Estates #4, containing 34 lots, located on the east side of County Center Street, south side of Ferguson Avenue and west of Woodland Street.
2. Cameron Creek Ranch Phase No. 2 Subdivision, containing 22 lots, located south of Caldwell Avenue between the southerly extensions of Oakview and Vintage Streets.

q) Authorization to reject both submittals for tire maintenance repair and replacement for Fleet Services and maintain the tire repair/replacement operation in-house.

r) Authorization for the Annexation or Formation of the following Landscape & Lighting Districts:

1. Annexation of Foxwood Estates No. 4 into Landscape & Lighting Act Assessment No. 02-01, Foxwood Estates. **Resolution 2003-87 and 2003-88 required.**
2. Formation of District No. 03-15, East Oak Estates. **Resolution 2003-89 and 2003-90 required.**

17. PUBLIC HEARING – **Introduction of ordinance 2003-07**, amending sections 12.24.020 (Definitions) and 12.24.120 (Preservation and Maintenance of Existing Oak trees) of the City Oak Tree Ordinance; and adoption by resolution of Standard Specifications for Building around Valley Oaks as authorized by section 12.24.120 (C). **Resolution 2003-61 required.**

18. PUBLIC HEARING – Authorization to place the special assessments for sanitary sewer construction costs on the annual Tulare County secured property tax roll.

19. PUBLIC HEARING – Authorization to approve **Resolution 2003-91** of the Visalia City Council confirming the report of the Chief Building Official regarding levying of an assessment on the Tulare County Tax Rolls in the amount of \$4,850.00 for Removal and Demolition of a Fire Damaged Single Family Dwelling at 1116 N. Rinaldi Street.

20. PUBLIC HEARING – for the placement of Miscellaneous Special Assessments (Curb and Gutter, Sewer Connection, Weed and Lot Clearing, Property Based Improvement District, Los Rios/Casa Blanca, Business Incentive Zone and Parking In-Lieu) on the Tulare County secured property tax roll. **Resolution 2003-96 required.**

21. PUBLIC HEARING –

General Plan Amendment No. 2003-05. A request to modify the land use designations on the former Green Acres airport site, located on the south side of Houston Avenue between Demaree Street and Mooney Boulevard. APN: 089-030-11, 12, 21. Applicant, David Hyde; Agent, Quad Knopf. **Resolution 2003-92 required.**

Introduction of Ordinance 2003-08 for Change of Zone No. 2003-06. A request to rearrange the zoning designations on the former Green Acres airport site, located on the south side of Houston Avenue between Demaree Street and Mooney Boulevard. APN: 089-030-11, 12, 21. Applicant, David Hyde; Agent, Quad Knopf.

Specific Plan Amendment No. 2003-07. A request to amend the portion of the Country Club Estates Specific Plan, located on the south side of Houston Avenue between Demaree Street and Mooney Boulevard. APN: 089-030-11, 12, 21. Applicant, David Hyde; Agent, Quad Knopf. **Resolution 2003-93 required.**

Certify Negative Declaration No. 2003-35.

22. PUBLIC HEARING -

Appeal of the Planning Commission's approval of Conditional Use Permit No. 2003-14, a request by Michael Wells to allow a pub located at 3232 S. Mooney Boulevard (Froggies Pub and Grill; APN: 122-313-20). **Resolution No. 2003-94 required.**

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

Monday, August 4

Monday, August 18

Tuesday, September 2

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.