

# Visalia City Council Agenda

For the regular meeting of: Tuesday, December 2, 2003

Location: Visalia Convention Center - A and B

Mayor: Bob Link  
Vice-Mayor: Phil Cox  
Council Member: Jesus 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:**

Chief of Police Jerry Barker introduces Police Officer Jason Feierbach.

## **JOINT VISALIA CITY COUNCIL/PLANNING COMMISSION STUDY SESSION AND ACTION ITEMS (as described)**

**4:00 p.m.**

1. Review of Draft Housing Element Policy Document.  
*(A copy of the Housing Element Update is available for public review in the City Clerk's Office. To make arrangements for a personal copy contact Senior Planner, Steve Brandt at 713-4369.)*

## **ITEMS OF INTEREST**

### **CLOSED SESSION**

**5:30 p.m. (Or, immediately following Joint Study Session)**

2. Conference with Legal Counsel John Brown- Anticipated Litigation  
(Subdivision (b) of Section 54956.9 GC)  
Name of Case: Unspecified
3. Conference with Real Property Negotiator  
Property: five real property parcels located west of N. Ben Maddox Way between Main and Goshen Streets identified by Assessor's Parcel Numbers: 094-180-005, 094-190-012, 013, 094-240-036 and 094-201-025  
Under Negotiation: Price, terms, conditions of purchase  
Negotiators: Steve Salomon, Bob Nance, Union Pacific Railroad
4. Conference with Legal Counsel - Anticipated Litigation  
(Subdivision (b) of Section 54956.9 GC)  
Name of Case: Unspecified

5. Item removed from Agenda.

## **REGULAR SESSION**

**7:00 p.m.**

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

### **SPECIAL PRESENTATIONS/RECOGNITION**

Special presentation by Russ Webber, Public Works Director, to Cigna for the WRAP Award, from the CWMA and Tulare County RMA.

**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**

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 approve the recommended appointments to Environmental committee, Committee for Persons with Disabilities, Airport Committee, Transit Committee and Citizens Advisory Committee and approve a name change for the Committee for Person with Disabilities to the Disability Advocacy Committee.

c) Item removed from Agenda.

d) Item removed from Agenda.

e) **Introduction of Ordinance 2003-22** approving the lease agreement for the new Transit Center between the City of Visalia and Orange Belt Stages.

f) Authorize the City Manager create a new Capitol Improvement Program (CIP) project in the Transportation Impact Fee Fund (1241) in the amount of \$120,000 and to enter into an agreement with Tulare County for the Road 108 (Demaree Street) widening project.

- g) Authorize the City Manager create a new Capitol Improvement Program (CIP) project in the Transportation Impact Fee Fund (1241) in the amount of \$135,000 and to enter into an agreement with Tulare County for the Road 80 widening project.
- h) Request authorization to accept an “Irrevocable Offer to Dedicate Real Property” for McAuliff Street right-of-way for roadway purposes as offered by Frank G. Sisto and Betty J. Sisto in document 22833 as recorded in Tulare County Records located at the southwest corner of Houston Avenue and McAuliff Street. Project No. 1611-72-0-0-9475-2003.  
**Resolution No 2002-141 required.**
- i) Authorization to bid the public improvements for Ferguson Avenue Construction Project without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 1241-72-0-0-9494-2003.
- j) Authorize the Engineering Department to pay Southern California Edison \$70,331.56 to relocate four power poles at the McAuliff Street Houston Avenue intersection. Project No. 1611-72-0-0-9475-2003.
- k) Authorization for the City Manger to execute a Joint Use Agreement between Southern California Edison Company and the City of Visalia for relocation of power poles on the east side of McAuliff Street north of Tulare Avenue.
- l) Authorization to accept a 28 foot wide “Irrevocable Offer of Dedication” for Greenhouse Avenue right-of-way purposes as offered on Parcel Map 3364 generally located west of Dans Street and south of Caldwell Ave. **Resolution 2003-142 required.**
- m) Authorization to record the final map for:
  - 1. Vista Heights subdivision, located west of Vista Street between Tulare Avenue and Noble Avenue. APN: 101-050-05 and 11.
  - 2. The Little Ranch subdivision, located west of Dans Lane 450’ south of Rialto Avenue APN: 126-020-017.
- n) Formation and/or Annexation of the following Landscape and Lighting District:
  - 1. Formation of Landscape & Lighting District No. 03-21, Eagle Glen Nos. 1 & 2, **Resolution 2003-143 and 2003-144 required.**
  - 2. Annexation of McAuliff Ranch No. 2 into Landscape and Lighting Act Assessment No. 01-02, McAuliff Ranch **Resolution 2003-145 and 2003-146 required.**
  - 3. Annexation of East Oaks No. 2 into Landscape & Lighting Act Assessment No. 03-15, East Oak Estates, **Resolution 2003-147 and 2003-148 required.**
  - 4. Formation of Landscape & Lighting District No. 03-22, Garden Terrace Villas No. 1, **Resolution 2003-149 and 2003-150 required.**
- o) Item removed from Agenda.
- p) Item removed from Agenda.

7. PUBLIC HEARING - Appeal of the Planning Commission's denial of Conditional Use Permit No. 2003-38, a request by Celso Varela Sanroman to amend CUP No. 92-23, which allows a beer/wine bar with four pool tables. The amendment proposes to allow live entertainment and live disc jockey. The project is located at 631 W. Murray Avenue (The Breakroom; APN: 093-176-01). **Resolution No. 2003-151 required.**
  
8. REGULAR ITEM - **Introduction of Ordinance 2003-24** ordering the submission of a proposition to increase the City's Transactions and Use Tax by a rate of 0.25 percent to the qualified voters of the City at a special election to be held for that purpose on March 2, 2004; and authorization for the Visalia City Council to approve **Resolution 2003-153** ordering the submission of a proposition to increase the City's Transactions and Use Tax by a rate of 0.25 percent to the qualified voters of the City at a special election to be held for that purpose, requesting consolidation with the County election to be held on March 2, 2004, and authorizing the filing of an impartial analysis and written arguments.
  
9. PUBLIC HEARING - General Plan Amendment No. 2003-14: Expansion of the current Urban Development Boundary from the 98,700 population Boundary to the 129,000 population Boundary. **Resolution No. 2003-152 required.**
  
10. REGULAR ITEM - Industrial Park Implementation Plan: Acceptance of the Industrial Park Implementation Plan and initiation of general plan amendments and zoning amendments to facilitate development in the Industrial Park consistent with the Implementation Plan. *(A copy of the Industrial Park Implementation Plan is available for public review in the City Clerk's Office. To make arrangements for a personal copy, contact Principal Planner, Darlene Mata at 713-4002.)*
  
11. PUBLIC HEARING - **Introduction of Ordinance 2003-20** an amendment to the City of Visalia Municipal Code Sections 13.08.040 (Definitions); 13.09.125 (City's Option to Extend Sewer); 13.08.103 (Permit Required) of the City Sewer Service System Ordinance.
  
12. PUBLIC HEARING - **Introduction of Ordinance No. 2003-23:** A revision of Zoning Ordinance Section 17.12.140, to allow for changes to the review of second dwelling units on single-family lots as required by California AB 1866, and Zoning Ordinance Section 17.32.140 to allow for changes to the garage conversion requirements on single-family lots.  
  
*(The following item has been pulled and will be re-noticed for a date yet to be determined.)*
13. PUBLIC HEARING - **Introduction of Ordinance No. 2003-17** adding Chapter 12.61 to the City of Visalia Municipal Code. The new code will regulate the placement and design and implementation of a permitting process for newsracks in the Downtown Retail Design District. *(Rescheduled from November 3, 2003.)*

#### REPORT ON ACTIONS TAKEN IN CLOSED SESSION

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

##### Upcoming Council Meetings

Monday, December 8 (Special Meeting 4-6 p.m.)

Monday, December 15

Monday, January 12, 2004 (Convention Center)

Tuesday, January 20, 2004

Work Session 4:00 p.m.  
Regular Session 7:00 p.m.  
City Hall Council Chambers  
707 West Acequia Avenue

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