

Visalia City Council Action Agenda

For the regular meeting of: Monday, March 6, 2006

Location: City Hall Council Chambers

Mayor: Jesus J. Gamboa
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.

WORK SESSION AND ACTION ITEMS (as described)

5:00 p.m.

Track 1
No Action
Taken,
Direction
Only

1. Review of Lovers Lane Interchange and Alternative Improvements.

David Jacobs & Andrew Benelli provide an overview of the report and introduce Omni-Means staff Gary Mills & Mike Wilson who provide a review of the proposals, highlighting Alternative 1, ramp & traffic signal improvements, East bound ramp improvements, & an additional North bound lane on Lovers Lane; Alternate 2, East bound off ramp hooks, West bound hook ramps presently in operation; and Alternate 3, implementation of roundabouts. Various funding programs discussed. It was noted that these improvements cannot be fund through Transportation Impact Fees. Questions & comments posed by Council addressed by staff & consultants. Staff directed to move forward with initial improvements as presented with an emphasis on the roundabout concept & to proceed with PSR process.

Track 2
GK/GC 3-2
(Yes-JG,GC,
GK; No-BL,
DL)
Approved
Alternative 2

2. Item removed from Agenda.

3. Review and continued discussion of West Highway 198 Master Plan Process.

Michael Olmos & Fred Brusuelas reviews item & presents various alternatives for Council's review & consideration. Questions & comments posed by Council addressed by staff. Recommendation to proceed with Alternative 2 is approved.

**Any items not completed prior to Closed Session may be continued to the evening session at the discretion of the Council.*

ITEMS OF INTEREST

Adjourn to
Closed
Session

CLOSED SESSION

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

4. Item removed from Agenda.

5. Public Employment
Title: Chief of Police

Reconvene to
Regular
Session

**REGULAR SESSION
7:00 p.m.**

Tack 3

PLEDGE OF ALLEGIANCE

INVOCATION -

SPECIAL PRESENTATIONS/RECOGNITION

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.

Track 4

None.

- Convene jointly as the Redevelopment Agency and the Visalia City Council

Track 5
Item 6a
DL/BL 5-0
Approved

6. RDA CONSENT CALENDAR -

- a. Request Council approval to provide \$1,536,450 additional Redevelopment Set-aside low/mod housing funds to Tulare County Housing Authority for the development of the 70 unit Millcreek Housing project.

- Adjourn as the Redevelopment Agency and remain seated as the Visalia City Council

Track 6
Balance of
Consent
Calendar
Approved
DL/GK 5-0

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Council member Collins pulls Item 7f(2) & 7l for discussion and 7k to recuse himself from discussion; Councilmember Landers pulls Item 7j to recuse himself from discussion; Mayor Gamboa pulls Item 7h(1) at staffs recommendation to correct a clerical error in Ordinance wording.

7. 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) Approve the recommended appointment(s) of Brad Wiebe to the North Visalia Neighborhood Committee as recommended by the Citizens Advisory Committee.

- c) Approve the appointment of new members Andrew A. Miller, Ronald Allen, and Philip C. Bourdette to the Transit Advisory Committee.
- d) Authorize the City Manager to execute an Agreement between the City of Visalia and San Joaquin Valley Railroad, Co. (SJVR) for Access to Perform Customary Road Improvements to the intersection of Pinkham Street and K Avenue.
- e) Authorize the City Manager to execute an agreement with Omni Means, Ltd. To prepare the City of Visalia's portion of the Project Approval and Environmental Document for the Caldwell Avenue (Avenue 280) widening project from State Route 99/Caldwell interchange to Orange Avenue in Exeter. The City of Visalia's contract will cover the segment from the Highway 99/Caldwell interchange to Mooney Boulevard in the amount of \$407,844.35. Project No. 1611-00000-720000-0-9485-2006.
- f) Authorization for the Formation, Annexation, or Amendment of the following Landscape and Lighting District(s), and authorization *for the Recordation* of the final map(s) related thereto (if applicable):
 1. Authorize the Recordation of the Final Map for Valley Palms, located on the south side of Riggan Avenue between Linwood Street and Demaree Street (36 lots) and the Formation of Landscape and Lighting District No. 06-04, Valley Palms; **Resolution 2006-16 and 2006-17 required**; APN: 077-180-015.
 2. South Cameron Creek, Unit No. 2, located at the southwest corner of Cameron Avenue and West Street (76 lots) and the Annexation of South Cameron Creek, Unit No. 2 & 3 into Landscape and Lighting District No. 05-03, South Cameron Creek; **Resolution 2006-18 and 2006-19 required**; APN: 126-070-040 and a portion of 126-070-026.

Item 7f(2)
DL/BL 4-1
(Collins-No)
Approved

Councilmember Collins pulls Item 7f(2) for discussion. Public Works Director Andrew Benelli addresses Council comments & questions. Approved.

- g) Authorization to file Notice of Completion for the following:
 1. Garden Terrace Villas # 1, containing 16 lots, located on Sunnyview Avenue west of Mooney Boulevard.

h) Introduction of the following Ordinance(s):

1. **Ordinance 2006-02** to amend Section 13.08 (Sewer Service System) of the Visalia Municipal Code to comply with Environmental Protection Agency (EPA) requirements.

Track 8
Item 7h(1)
DL/GK 5-0
Approved

Mayor Gamboa pulls Item 7h(1) at staffs request to correct clerical error in Ordinance language. Ordinance should reference the inclusion & approval of an enforcement policy procedures manual, this language will be included in the Ordinance wording upon its second reading and staff will note this correction in the accompanying staff report. Approved.

i) Second Reading of the following Ordinance(s):

1. **Ordinance 2006-01** to amend Chapter 16.03 of the Visalia Municipal Code by adding a new section 16.04.110 related to the dedications and reservations of school sites on subdivision and Parcel Maps.

Track 9
Item 7j
GK/BL 4-0
Approved
(DL-recused)

- j) Authorization for the City of Visalia to apply jointly with the County of Tulare for Federal funding for the Edward Byrn Memorial Justice Assistance Grant (JAG) Program through the Bureau of Justice Assistance (BJA) and execution of a Memorandum of Understanding (MOU) regarding the grant.

Item 7j pulled by Councilmember Landers to recuse himself from discussion. Approved

Track 10
Item 7k
DL/GK 4-0
(GC-recused)
Approved

- k) Authorization for the City Manager to execute an Encumbrance Agreement with Optimal Aviation Services, LLC and Bank of the Sierra allowing Optimal Aviation to encumber the Airport Ground Lease for the purpose of securing financing to construct an Aircraft Storage Facility.

Item 7k pulled by Councilmember Collins to recuse himself from discussion. Approved.

Track 11
Item 7l
GK/BL 5-0
Approved

- l) Authorization for allocation of \$1,100,000 of HOME funds as gap financing to assist the Kaweah Management Company to construct a 10 unit affordable residential community located at Robinwood Court, north of Hillsdale and west of the Visalia Medical Clinic and authorize Executive Director to execute a contract between the Kaweah Management Company and the City of Visalia.

Councilmember Collins pulls Item 7l for discussion. Questions & comments posed by Council addressed by staff. Approved.

- m) Authorization for staff to develop the appropriate policy resolution and/or ordinance to allow for Council review of Commission actions.

n) Item removed from Agenda.

8. **REGULAR ITEM - Introduction of Interim Ordinance 2006-03** An Interim Ordinance Establishing Prohibited And Permitted Uses And Development Standards For A Portion Of The East Downtown Strategic Plan Area. *(A 4/5 vote is required in order approve this Interim Ordinance.)*

Track 12
Item 8
GC/DL 5-0
Approved

Assistant City Manager Michael Olmos introduces item & provides background information for Council's consideration. Second reading of Ordinance is scheduled for March 20, 2006; initial life of Ordinance is 45 days, with an expiration date of April 20. A Public Hearing to seek an extension of the Interim Ordinance must be held 10 days before it is set to expire. Consultant Bruce Race provides a follow-up presentation. Staff anticipates returning to Council for a future agenda item to address reduced parking standards & to address additional areas. Questions & comments posed by Council. Approved.

9. **REGULAR ITEM - Second Reading for Ordinance 2005-17** for Change of Zone No. 2004-32: a request to change the Zoning designation on 48 acres from BRP (Business Research Park) to 6.0 acres of PA (Professional / Administrative Office), 7.7 acres of QP (Quasi-Public), and 34.3 acres of R-1-6 (Single-family Residential, 6,000 sq. ft. min. lot size) and Approval of Conditional Zoning Agreement No. 2005-02 authorizing the City Manager to execute an agreement containing conditions for the development of single-family residences and office buildings on the property subject to Change of Zone No. 2004-32. The project site is located on the north side of Goshen Avenue, approximately ¼ mile east of Shirk Street. (APN: 077-100-19, 27, 28, 34.) Applicant: Fred Machado; Agent: Branum Group.

Track 13
Item 9
DL/GK 3-2
(Yes-DL, GK,
BL; No-GC,
JG) Approved

Planning staff Paul Scheibel provide a review of the item and addresses Council's comments & questions. Approved.

Track 14/15
Item 10a
DL/BL 3-2
(Yes-DL, JG,
BL; No-GK,
GC)
Approved

10. PUBLIC HEARING -

- a. Certify Negative Declaration No. 2004-87. **Resolution 2006-22 required. (A separate Motion by the Council is required.)**
- b. General Plan Amendment No. 2004-16. A request by Plaza Land LLC to change the Land Use Designation from Business Research Park to Professional Administrative Office for 13.7 acres. The site is located on the northeast corner of Highway 198 and Plaza Drive APN: 081-020-036. Resolution No. 2004-115 required. **Resolution 2006-23 required. (A separate Motion by the Council is required.)**
- c. **Introduction of Ordinance 2006-04** for Change of Zone No. 2004-19. A request by Plaza Land LLC to change the zoning from BRP (Business Research Park) to PA (Professional Administrative Office) for 13.7 acres. The site is located on the northeast corner of Highway 198 and Plaza Drive APN: 081-020-036.

Item 10b/c
DL/BL 3-2
(Yes-DL, JG,
BL; No-GK,
GC)
Approved

Conditional
Zoning
Agreement
DL/BL 4-1
(GC-No)
Approved

The request includes an amendment to the Design District boundaries to enlarge Design District "H" to encompass the proposed limits of the Jostens manufacturing site.

Planning staff Andrew Chamberlain presents item providing background information of item, noting alternated motions available & addresses Council's questions & comments. Public Hearing Opened: Lindsay Mann, Mike Lane, Dr. Bruce Le, Dr. Michael Florio, Dr. Don Schingle, Dr. David Hewitt, Sam Logan, Frank Macalusa, and Scott Smith address Council in support of project; Public Hearing Closed. Comments made by Council. Approved.

11. PUBLIC HEARING -

- a. Certification of Negative Declaration No. 2005-137. **Resolution 2006-20 required. (A separate Motion by the Council is required.)**
- b. Contract Cancellation No. 2005-02 a request by Frank Luisi, property owner (Quad Knopf, agent) to cancel the remaining 30 acres of Williamson Act Land Conservation Contract No. 10080 within Agricultural Preserve No. 3430. The site is located at the northwest corner of Mooney Boulevard and Ferguson Avenue in the City of Visalia, within APN 089-010-034. **Resolution No. 2006-21 required. (A separate Motion by the Council is required.)**

Track 16
Item 11a
DL/GK 5-0
Approved
Item 11b
DL/BL 5-0
Approved

Planning staff Brandon Smith presents items & addresses comments & questions by Council. Public Hearing Opened: Lisa Dock addresses Council in support of project and on behalf of Quad Knopf & Applicant; Public Hearing Closed. Approved.

12. PUBLIC HEARING - on the proposed first amendment to the Community Development Block Grant (CDBG) and HOME Program FY 2005-06 Action Plan.

Assistant Community Development Direction Fred Brusuelas introduces item to Council. Public Hearing Opened; no comments; Public Hearing Closed. Approved.

Track 17
Item 12
DL/GK 5-0
Approved

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

None

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

None

SUBMITTED: Roxanne Yoder, Chief Deputy City Clerk