

# Visalia City Council Action Agenda

For the regular meeting of: Monday, April 17, 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

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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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Track 1

## **Employee Introduction:**

Dennis Lehman, Chief Building Official introduces Kevin Tromborg & Tim Linton, Building Inspectors.

## **WORK SESSION AND ACTION ITEMS (as described)**

**4:00 p.m.**

1. Transit Services & Program Update (This Item will be discussed after Item 18 in the evening).
2. Consider and authorize City Manager to enter into agreement with Kaweah Delta Water Conservation District providing for the development and joint use of basins owned by KDWCD, and consider and authorize the use of form agreements providing for consent by various water rights holders to temporarily divert water into the joint use basins.

Item 2 Track 2  
GK/DL 5-0  
Approved

Public Works Director Andrew Benelli & Assistant City Attorney Alex Peltzer present item and provide background information for Council's review and direction. Questions & comments by Council addressed by staff. Approved as recommended.
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3. Request authorization for City Manager to execute contracts with Provost and Pritchard Engineering Group for a hydrology study for Jennings Ditch/Mill Creek; and with RACESTUDIO for a framework plan for areas north and east of East Downtown, and authorize Administrative Services Director to make the necessary budget adjustments.

Item 3 Track 3  
GK/DL 5-0  
Approved as  
stated for the  
record

Assistant City Manager Michael Olmos and Project Manager Sharon Sheltzer present item and provide background information for Council's review and direction. Questions & comments by Council addressed by staff. Approved as recommended and stated for the record.
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Item 4 Track 4  
BL/GK 5-0  
Continue to  
5/15/06  
Approved

4. Status report and appropriate direction from Council on proposed site layout for the proposed expansion of Sierra Village and Central Valley Christian Schools. This is a request by Sierra Village, Inc. (Quad Knopf, agent). The subject property is located on the southeast corner of Noble Avenue and Roeben Street. (APN: 087-450-001 through 005)

Assistant Community Development Director Fred Brusuelas, Public Works Director Andrew Benelli, and Associate Planner Brandon Smith present item & provide background information for Council’s review & direction. Staff seeks direction from Council on three points: 1) Required Open Space Set Back; 2) Recommended Land Uses between 198/Cypress; 3) Relocation of Ponding Basin. Questions & comments by Council addressed by staff. Comments made by Steven Peck of Quad Knopf. Motion by Councilmember Link and seconded by Vice Mayor Kirkpatrick to continue item to 5/15/06 for further information was approved.

Item 5 Track 5  
GK/GC 4-1  
(BL - No)  
Continue to  
4/24/06  
Approved

5. Consideration of the Oak West No. 7 Tentative Subdivision Map’s Consistency with General Plan Policy 1.1.11. The Project is located on the east side of Shirk Road, between Mill Creek and Highway 198 (APNs 085-010-92 & 93.)

Assistant Community Development Director Fred Brusuelas and Planning Staff Paul Scheibel present item and provide background information for Council’s review and direction. Questions & comments by Council are addressed by staff. Staff asked to return to Council on April 24, 2006, to provide further information.

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

## ITEMS OF INTEREST

### CLOSED SESSION

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

6. Conference with Legal Counsel – Anticipated Litigation (1)  
(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 GC)
- 6a. Conference with Legal Counsel – Existing Litigation  
Name of Case: Hettick v. City of Visalia; TCSC No. 05-2114421  
(Subdivision (a) of Section 54956.9 GC)
7. Conference with Labor Negotiator  
Employee Groups: Group M  
Agency Negotiator: Jim Harbottle, Eric Frost, Janice Avila
8. Conference with Real Property Negotiators  
Property: corner of Burke and Center; APN 094-190-010  
Under Negotiation: Price, terms, conditions of purchase  
Negotiators: Steve Salomon, Mike Olmos, Chris Beck, Kyle Rhinebeck
- 8a. Item removed from agenda.

Adjourn to  
Closed  
Session

9. Conference with Real Property Negotiators  
Property: approximately 150,000 square feet of City of Visalia owned property located adjacent to the Visalia Airport  
Under Negotiation: Price, terms conditions of potential lease agreement  
Negotiators: Steve Salomon, Mario Cifuentez, Anil Chagan, PNK Group Investments

10. Item removed from agenda.

11. Conference with Real Property Negotiators  
Property: located at 341 N. Lovers Lane at the intersection of Mill Creek and Lovers Lane, APN: 098-070-018  
Under Negotiation: Price, terms conditions of purchase  
Negotiators: Steve Salomon, David Jacobs, Benjamin Pineda

Track 6  
Reconvene to  
Regular  
Session

## **REGULAR SESSION**

**7:00 p.m.**

### **PLEDGE OF ALLEGIANCE**

**INVOCATION** - Alden Laird, Visalia Evangelical Free Church

### **SPECIAL PRESENTATIONS/RECOGNITION**

Proclamation presentation in recognition of the Visalia City Coach 25<sup>th</sup> Anniversary.

Proclamation presentation declaring Saturday, April 22, 2006, Happy Hearts Day.

Presentation by VFW Post 1864 of a POW/MIA flag to the City of Visalia.

**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.

Dana Smith - requested Item 13g(1) be pulled pursuant to a letter request by developed submitted to Council through staff.
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**-Convene jointly as the Redevelopment Agency Board and the Visalia City Council for the following item:**

Item 12  
Track 7  
GK/DL 5-0  
Approved

- 12. CONSENT CALENDAR - **Second Reading of Ordinance 2006-01** Extension of the Redevelopment Agency Project Area: extending the duration of the Downtown Redevelopment project area, and the debt repayment period by two years.

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

**CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION**

Item 13g(1) pulled by Councilmember Landers as requested at citizen requests; Item 13e pulled by Vice Mayor Kirkpatrick for comments; Item 13h(1) pulled for discussion by Councilmember Collins

Balance of  
Consent  
Calendar  
Approved  
Track 8  
GK/DL 5-0

- 13. 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 of Support for SB 1754 (Lowenthal) Housing/Infrastructure Investment Districts.
- c) Approval of the lease agreement for the new food concession at the Transit Center between the City of Visalia and Chilito’s Express.
- d) Approval of a contract with BB Advertising for storage space in the Acequia and Bridge parking structure.
- e) Approval of an up to \$10,000 contract with Gary Schultz Consulting to perform ag-based economic development consulting.

Item 13e  
Track 9  
GK/DL 5-0  
Approved

Item 13e pulled for comments by Vice Mayor Kirkpatrick. Approved.

**f) Second Reading of the following Ordinance(s):**

- 1. **Ordinance 2006-06**, approving Change of Zone No. 2005-23, a request by Dan Baker (Neil Zerlang, agent) to change the zoning designation from RA (Rural Residential) to R-1-6 (Single-family Residential, 6,000 square foot minimum lot size) on approximately three acres, located on the north side of Caldwell Avenue, between Aspen Street (private) and Peppertree Court (APNs: 119-690-43/44).

Item 13g(1)  
Track 9  
DL/BL 5-0  
Approved to  
remove item  
from agenda  
& continue to  
a date  
uncertain at  
request of  
developer

- g) 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 Hall Estates, located at the northeast corner of Cherry Avenue and Lovers Lane (30 lots) and the Formation of Landscape and Lighting District No. 06-05, Hall Estates; **Resolution 2006-34 and 2006-35 required**. APN: 127-030-014.

Item 13h(1)  
Track 10  
DL/BL 5-0  
Approved

h) Request authorization to file a Notice of Completion for the following:

1. Project No. 6111-720000-0-09534-2005, Mineral King Avenue Temporary Parking Lot Improvements.

Item pulled by Councilmember Collins for comments & questions, that are addressed by staff. Approved.

2. Riverbend Village Unit No. 4, containing 28 lots, located on the east side of Court Street north of Wren Avenue.
3. Riverbend Village Unit No. 5, containing 30 lots, located on the east side of Court Street north of Wren Avenue.

- i) 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.
- j) Award a contract for the McAuliff Street Improvement Project to R.J. Berry, Jr., Inc. in the amount of \$1,676,409.50 and authorize an additional of \$1,267,000.00 from the Transportation Impact Fund (1241) and \$50,000.00 from the Northeast Fund (1711); Project No. 1241-00000-720000-0-9475-2003.
- k) Authorize City Manager to execute a three-year contract with Wood Industries and Tulare County Compost and Bio-Mass to provide green waste processing.

14. PUBLIC HEARING – Annexation 2005-12, Arkle Street Island, initiation of annexation of a County island, generally located north of Mineral King Avenue, and west of Lovers Lane. **Resolution 2006-37 required.**

Special Projects Manager Phyllis Coring introduces item for Council's review & consideration. Public Hearing Opened; no comments; Public Hearing Closed. Approved.

Item 14  
Track 11  
DL/GK 5-0  
Approved

15. PUBLIC HEARING – Annexation 2005-13, East Lovers Lane, initiation of annexation of a County island, generally located south of Noble Avenue and State Route 198, between Lovers Lane and Vista Street. **Resolution 2006-38 required.**

Special Projects Manager Phyllis Coring introduces item for Council's review & consideration. Public Hearing Opened; no comments; Public Hearing Closed. Approved.

Item 15  
Track 12  
DL/BL 5-0  
Approved

16. PUBLIC HEARING – Annexation 2005-15, Noble Avenue, initiation of annexation of a County island, generally located south of Noble Avenue, and west of Pinkham Street. **Resolution 2006-39 required.**

Special Projects Manager Phyllis Coring introduces item for Council's review & consideration. Public Hearing Opened; no comments; Public Hearing Closed. Approved.

Item 16  
Track 13  
DL/GK 5-0  
Approved

17. PUBLIC HEARING – for the proposed Annual Action Plan required by HUD to receive Community Development Block Grant (CDBG) and HOME Investment Partnership Grant (HOME) funds from the federal government for the Program Year 2006-2007.

Assistant Community Development Director Fred Brusuelas presents item for Council's consideration. Questions & comments by Council addressed by staff. Public Hearing Opened: Ferrell Taylor, Crossroads Community Church comments on homeless statistics; staff was asked to speak with Mr. Taylor; Andrew Miller, Director of Visalia Memorial comments on housing; no further comments; Public Hearing Closed. Approved.

Item 17  
Track 14  
DL/GC 5-0  
Approved

Item 18  
Track 15  
DL/GK 5-0  
Approved

18. REGULAR ITEM –Agreement with Modoc Ditch Company to exchange storage capacity in Modoc Basin for capacity in City owned basins.

Public Works Director Andrew Benelli presents item for Council’s review & consideration. Questions & comments by Council are addressed by staff. Approved.

Item 1 work  
session  
Track 16

Item 1: Transit Services & Program Update (This Item will be discussed after Item 18 in the evening).

Deputy City Manager Leslie Caviglia introduces Transit Manager Monty Cox who provides a PowerPoint slide presentation on transit services. Questions & comments by Council addressed by staff. No Action Taken.

**REPORT ON ACTIONS TAKEN IN CLOSED SESSION**

None.

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

Assistant City Attorney Alex Peltzer notes closed session items that have finalized as follows: VanderStelt property 33.32 acres closed 4/4/06 purchased by City; Lot A Tiffany Ranch Subdivision .62 acres along Mill Creek closed 3/31/06 purchased by City; Blain Property 14.79 acres closed 12/30/05 purchased by City.

Adjourn

SUBMITTED: Roxanne Yoder, Chief Deputy City Clerk