Visalia City Council Action Agenda

For the regular meeting of: Monday, July 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

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.

Intros
Track 1

EMPLOYEE INTRODUCTIONS:

Public Works Director Andrew Benelli introduces Sarah Pescatore, CAD Technician Community Development.

WORK SESSION AND ACTION ITEMS (as described)
4:00 p.m.

Public Comment on Work Session Items –

Item 1
Track 2

1. Annual presentation by PROTEUS, Inc. regarding the program at the Wittman Center in Village Park. Presentation by Juan Guerrero, Program Director for the Wittman Center, PROTEUS, Inc.

Parks & Recreation Director Vince Elizondo presents item & introduces Mike McCann, Joe Torrez and Juan Guerrero from Proteus, who provide a history of the center it financial background, programs, accomplishments, challenges, and future plans. Joe Torrez spoke regarding the Street Wise Program and Juan Guerrero asked that the Council welcome a musical presentation by the Arch Program. Joshua Huerta introduces youth from the musical group 315 from Street Wise to sing. Comments were offered and the Organization & group were thanked. No action taken.

Item 2
Track 3
GK/GC 5-0
Approved

2. Authorization for the City Manager to modify the existing Contract for Services, with the consulting firm Moule & Polyzoides, for the Southeast Area Master Plan, to change the plan adoption and implementation format to a Specific Plan. The 850 acre site is located on the south side of Caldwell Avenue, to Avenue 272, between Santa Fe Street and Lovers Lane.

Assistant Community Development Director Fred Brusuelas introduces consultants and provides a brief background on item. Economic Research Associates representative provides an overview of economic issues and the benefits of a specific plan versus a master plan. Questions & comments posed by Council were addressed by staff and consultants. Approved.

Item 3
Track 4

3. Authorization to direct staff to develop a Three Year Lease Agreement with a Two Year Option between the City of Visalia and Top of The Third, Inc. for professional baseball at Recreation Park Stadium and develop a $2,000,000 funding plan for Phase 3 Renovation.

Assistant City Manager Carol Cairns introduces Top of the Third representatives Tom Sidler, Jon Peterson, and project architect Tom Laramer and provides a brief background on the item. Tom Sidler provides a PowerPoint slide presentation outlining past & current stats and an overview of the architectural design concepts for Council review. Questions and comments posed by Council addressed by staff. Discussion of a long term 10 year commitment from the organization was noted. Direction was provided for staff to work out the details of potential agreement and return to council for approval. No action taken.

4. Review and approve the revised Groundwater Recharge Fund Capital Improvement budget and future Capital Improvement Program (CIP) requests.

Item 4

Item 4 was adjourned to Monday, July 24, 2006, at approximately 5 p.m. at the Visalia City Hall Council Chambers.

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)

5. Conference with Legal Counsel – Anticipated Litigation (1)
(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 GC)

6. Item removed from Agenda.

7. Conference with Real Property Negotiators
Property: 625 E. Douglas Avenue, between Burke and Santa Fe
Under Negotiation: Price, terms, conditions of potential lease
Negotiators: Steve Salomon, Leslie Caviglia, Vince Elizondo, Bill Whitlatch obo Imagine U Museum

8. Conference with Real Property Negotiators
Property: 52-acre Modoc Basin located north of Riggin Avenue and west of Demaree St.
Under Negotiation: Price, terms conditions of purchase
Negotiators: Steve Salomon, Alex Peltzer, Andrew Benelli, Modoc Ditch Company

Item 9 adjourned to 7/24/06

9. Public Employee Performance Evaluation
Title: City Attorney, City Manager

Reconvene to Regular Session

REGULAR SESSION
7:00 p.m.

Track 5/6

PLEDGE OF ALLEGIANCE

INVOCATION – Richard James, St. Paul's Episcopal Church

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.

Sam Sciacca – complimented staff assisting with a road closure for a paving project at Giddings & Ferguson
Israel Reyna – commented as to Item 15, Asst. City Manager Mike Olmos was asked to address his questions.
Michael Buck – spoke about his safety and what the city was planning on doing regarding his concerns.
Pete Porras – commented on concerns regarding cleanliness of street & gutters and the need for curb cutouts along Noble.
Amy Shuklian – commented on the placement of additional signs by Motivational Signs.

Track 7
Balance of Consent Calendar Approved GK/DL 5-0

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Councilmember Link pulls Item 10f for comments; Councilmember Collins pulls Item 10n(2) for questions.

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) Appointment of Karen Davidson and Mary Wheeler as Disability Advocacy Committee Members and Rosemarie Holbert and Kathleen Papove as Alternate Members.

c) Approval of **Resolution 2006-61** designating Vice Mayor Greg Kirkpatrick as the voting delegate and Council Member Don Landers as the voting alternate for the 2006 League of California Cities Annual Conference.

d) Request authorization to grant utility easements to Southern California Edison for the City owned land at 525 N. Cain Street.

e) Authorize the City Manager to execute an agreement with the College of the Sequoias that provides for participation in the Federal Work Study Program for the 2006/07 fiscal year.

Item 10f
Track 8
BL/GK 5-0
Approved

f) Authorization for staff to negotiate a contract with First Arts non-profit organization for $30,000 for specific event organization in 2006/2007.

Councilmember Link pulls item to comment & compliment the efforts made toward the Arts in Visalia. Approved.

g) Authorize the transfer of city surplus furniture to Valley Oak SPCA.

h) Authorize staff to purchase seven Solid Waste refuse trucks (cab and chassis) from Central Valley Kenworth and three side loader refuse truck bodes from Ruckstell California Sales and award the purchases as a sole source.

i) Request authorization for City Manager to execute contracts with TPG Consulting, Inc. and Crawford Multari and Clark, for the preparation of General Plan Amendments, zoning amendments and environmental findings to implement the East Downtown Strategic Plan and authorize Administrative Services Director to make the necessary budget adjustments for a total fee of $62,155.

j) Approval of a two-year contract with the Urban Tree Foundation in an amount not-to-exceed $50,000 per year to provide services for grant writing, grant administration, and consulting related to the City's Urban Forestry Program.

k) Authorization to recruit up to a department head level position to oversee programs for Economic Development and Redevelopment programs.

l) **Introduction of the following Ordinance(s):**

1. **Ordinance 2006-09** Authorizing Sale of Real Property at 120 W. Center Street.

m) Authorization to record the final parcel map for the following:

1. Tentative Parcel Map 2005-28, located at the northeast corner of Central Street and Harvard Avenue. APN 096-303-008.

n) Authorization to file a Notice of Completion for the following:

1. Construction of the first phase of Burke Park, a 5.8 acre neighborhood park and storm basin, located at the southwest corner of Burke and Monte Vista Avenue #3011-72000-0-9321-2005.
2. Riggin Ranch, containing 33 lots, located southeast corner of Riggin Avenue and Linwood Street.

Item 10n(2)
Track 9 & 11
DL/BL 4-1
(GC-No)
Approved

Councilmember Collins pulls item for questions. Public Works Director Andrew Benelli addresses Councilmember Collins' concerns. Approved

3. Akers Street Improvements from Caldwell Avenue to Whitendale Avenue, Project No. 1241-00000-720000-0-9263-2000.

11. REGULAR ITEM – Consideration of the expenditure plan for the proposed Transportation Sales Tax Measure.

Item 11
Track 10 & 12
BL/GK 3-2
(GC/DL–No)

City Manager Steve Salomon introduces & reviews item for Council's consideration. Citizen's comments were offered by Phil Cox & Ted Smalley of County of Tulare. Questions & comments were noted and addressed by staff. Councilmember Landers & Collins indicated their support of moving forward at this time. Mayor Gamboa, Vice Mayor Kirkpatrick, and Councilmember Link voiced their support of the measure, but not for the November election, stating more time was needed to review & do this correctly. Councilmember Link motioned to support the sales tax measure, but at a later date, this was seconded by Vice Mayor Kirkpatrick, the motion was approved with a 3-2 vote, with Council Members Collins & Landers voting no.

12. REGULAR ITEM – **Introduction of Ordinance 2006-12** Amending Portions of Titles 16 and 17 of the Visalia Municipal Code pertaining to the Review of Planning Commission Decisions by the City Council.

Item 12
Track13
GK/DL 5-0
Approved

Assistant City Attorney Alex Peltzer reviews item & addresses questions and comments posed by Council. Vice Mayor Kirkpatrick noted that the purpose of the appeal should be noted for the developer in order for them to be prepared to respond to the appeal if made. Citizen comments were offered by Vincent Salinas, Darlene Mata, Anil Chagan, and Bob Keenan in opposition of Ordinance. Additional Citizen comments in support of Ordinance were made by Phil Cox, Amy Shuklian & Mel Zeeman. Further comments were made by the Council and it motioned by Vice Mayor Kirkpatrick to continue the item to a date not specified without adoption of the introduction of the Ordinance in order to have further dialogue with the Planning Commission, and was seconded by Councilmember Landers. Assistant City Attorney Alex Peltzer noted for the record that the item will need to be re-introduced when it comes back before the Council. Approved.

13. PUBLIC HEARING - Annexation 2006-04, Giddings Street/Riggin Avenue, initiation of annexation of a County Island, generally located south of Riggin Avenue, between Divisadero Street and Conyer Street, **Resolution 2006-62 required**.

Item 13
Track 14
DL/BL 5-0
Approved

Special Projects Manager Phyllis Coring introduces item & provide background information on item. Questions & comments posed by Council were addressed by staff. Public Hearing Opened: Susan Wall questions if storm drains will be installed, Public Works Director Andrew Benelli addresses her questions; Patricia Gutierrez questions sewer hook up from septic, staff addresses her concerns; Public Hearing Closed. Approved.

14. REGULAR ITEM - **Introduction of Amended Interim Ordinance 2006-03** establishing prohibited and permitted uses and development standards for a portion of the East Downtown Strategic Plan Area designated as Zone 1; generally located north of Mineral King Avenue and west of Ben Maddox Way. ***(A 4/5 vote is required to adopt this ordinance.)*** *Amendment is to ensure clarity of parking standards as originally proposed and approved by the Council.*

Item 14
Track 15
DL/BL 5-0
Approved

Assistant City Manager Michael Olmos introduces item for Council's review. No discussion. Approved.

15. PUBLIC HEARING - **Introduction of Interim Ordinance 2006-10** establishing prohibited and permitted uses and development standards for a portion of Northeast Downtown, designated as Zone 2; generally located north of Murray/Goshen Avenue and east of Santa Fe. ***(A 4/5 vote is required to adopt this ordinance.)***

Item 15
Track 16
DL/GK 5-0
Approved

Assistant City Manager Michael Olmos introduces item for Council's review. Public Hearing Opened: Ida Williams questioned if this area was of a concern to her, staff noted her address is outside the immediate area & would not be affected; Public Hearing Closed. Approved.

16. PUBLIC HEARING –

Item 16a
Track 17
DL/GK 5-0
Approved

Item 16b
GK/DL 5-0
Approved

a. General Plan Amendment No. 2006-01: amendment of General Plan Policies No. 4.1.19 and 4.1.20, to allow up to 40 multi-family dwelling units in the R-M zones as a "Permitted" use, and over 40 units as a "Conditional" use in the R-M zones; and adoption of General Plan Policy No. 4.1.22 which encourages the establishment and adoption of Good Neighbor Policies for multi-family residential developments to address their long term operation and management. **Resolution 2006-63 required.** ***(A separate Motion by the Council is required.)***
b. **Introduction of Ordinance 2006-11** Zoning Ordinance Text Amendment No. 2005-16: to amend Sections 17.16.020 (B) and 17.16.040 (J) to allow up to 40 multi-family units in the

R-M Zones as a "Permitted" use and over 40 units as a "Conditional" use in the R-M Zones; and adoption of Section 17.16.190 which establishes that multi-family residential development shall be subject to model Good Neighbor Policies to address their long term operation and management.

Planning staff member Paul Scheibel introduces item and address questions & comments posed by Council. Public Hearing Opened; no comments; Public Hearing Closed. Approved.

This regular meeting will be adjourned to Monday, July 24, 2006, 5 p.m., at the Visalia City Hall Council Chambers for the following item(s):

Items 17 & 18 Adjourned to Monday, July 24, 2006 at 5 p.m. as noted on the Agenda.

17. REGULAR ITEM - Award a contract for the construction of a storm drain lift station for the Ranch Basin on Goshen Avenue between Demaree and Akers Street. Project #1221-00000-720000-0-9430-2006.

18. REGULAR ITEM – Award a contract to extend Oak Street one block to Tipton for two temporary corner parking lots. Project #1111-00000-720000-0-9682-2005.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION:

None.

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS:

None.

Adjourn

SUBMITTED: Roxanne Yoder, Chief Deputy City Clerk