

Visalia City Council Action Agenda

For the regular meeting of: Monday, December 18, 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.

EMPLOYEES INTRODUCTION:

Introduction of new employee Diane Davis, Management Analyst, Human Resources by Administrative Service Director, Eric Frost; Community Development employee Cathy Guerraz, introduced by Assistant City Manager Mike Olmos.

WORK SESSION AND ACTION ITEMS (as described)

5:00 p.m.

Public Comment on Work Session Items -

Item 1
GK/JG 3-2
(DL-No, BL-
No)
Approved

1. Hearing and Introduction of **Ordinance 2006-18** amending portions of Titles 16 and 17 of the Visalia Municipal Code pertaining to the review of Planning Commission decisions by the City Council.

City Attorney Alex Peltzer and Assistant City Manager Mike Olmos reviews item for Council and highlights the three points in the code that will be affected by the amendment. Mike Cully, President of Visalia Chamber of Commerce reviewed a letter sent to Council by the Chamber regarding the proposed changes and is not supporting them. Bob Keenan from the Building Industry Association agrees and supports the Chambers letter to Council. Planning Commission committee member, Sam Logan also had concerns regarding the amendments proposed. City Attorney Alex Peltzer responds to questions and comments posed by Council. Approved.

Item2
DL/BL 4-0
(GK Absent)
Approved

2. Authorize staff to process the resolution for the increase in the unaltered dog license from \$25 to \$35 and the increase in the unaltered cat license from \$10 to \$20 and authorize City/Valley Oak SPCA Committee to move forward on recommendations.

Assistant City Manager Carol Cairns provided an update of item. Recommendations, questions, and comments posed by Council addressed by Assistant City Manager Carol Cairns. 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

CLOSED SESSION

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

3. Conference with Labor Negotiators
Agency Designated Representatives: Eric Frost

Adjourned to
Closed
Session

Employee organization: All

4. Conference with Real Property Negotiators (GC54956.8)
Property: Eastern Portion of APN:094-285-13
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Colleen Carlson, Steve Salomon, Mike Olmos, Paloma Development Co.
5. Conference with Real Property Negotiators
Property: APN 126-050-018 for riparian setback on Packwood Creek at Woodland Street
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Steve Salomon, Don Stone, Paul Shepard, The Orosco Group
6. Conference with Real Property Negotiators
Property: 4.25 acre parcel, APN 077-640-002 and a part of 077-100-086
Under Negotiation: Price, terms, conditions of sale
Negotiators: Steve Salomon, Don Stone, McMillin Homes Co

Reconvene to
Regular
Session

REGULAR SESSION

7:00 p.m.

Intro and
Citizen
Request

PLEDGE OF ALLEGIANCE - Councilmember Bob Link

INVOCATION - Pastor Floyd Westbrook, Visalia Christian Ministries

SPECIAL PRESENTATIONS/RECOGNITION

Measure R Committee

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.

Christine Murphy thanks Council for helping her with contacting the VPD. Although it is still unresolved. Ms. Murphy is requesting an external review of the Visalia Police Department misconduct in her case. Mayor Gamboa recommends Ms. Murphy to continue to work with Officer Lynn to resolve her issues.

Item 7

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Mayor Gamboa pulls item 7d (1) for comment.

Balance of
Consent
Calendar
Approved
DL/BL 4-0
(GK Absent)

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.

Item 7d (1)
DL/BL 4-0
(GK absent)
Approved

- a) Authorization to read ordinances by title only.
- b) Authorize the Engineering Staff to apply for Safe Routes to School Program grant and authorize the Public Works Director to sign the necessary applications for the Safe routes to School Program.
- c) Approve the recommendation by the Parks and Recreation Commission to establish the name of "Miki City Park" for the City owned parcel located at Mineral King and Stevenson and authorize the City Manager to execute the agreement between the City and Saito Associates Landscape Architects for an amount not-to-exceed \$28,000 for design serves related to the project.
- d) Authorization to file the final notice of completion on the following:

- 1. Riggin Avenue Extension Project. Project No.: 1111-00000-720000-0-9476; final contract amount of \$1,814,958.98.

Mayor Gamboa thanks staff for the vision and foresights making this project take place.
Approved.

- 2. Lift Station Control Panel project No. 3011-720000-0-0-9504-2002.
 - 3. Project No. 3011-00000-720000-0-8007, Cape Seal & Slurry Seal various streets (Cost \$642,664.66).
- e) Authorization to record the following final maps:
 - 1. Four Creeks Estates II, Phase 1 Subdivision (49 lots), located on Buena Vista Avenue between Burke Street and Ben Maddox Way and the Formation of Landscape and Lighting District No. 06-13, Four Creeks Estates II Subdivision (**Resolution Nos. 06 - 121 and 06-122 required**). APN: 077-180-005.
 - 2. **Item removed from agenda.**
 - 3. 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 Nos. 06-125 and 06-126 required**). APN: 127-030-014.
 - f) Authorization for the City Manager to execute a contract with EDAW for the Parks and Infrastructure Master Plan for the East Downtown Strategic Plan Area, for \$484,435, and up to \$39,000 for reimbursable expenses, and up to \$42,070 for any additional survey work requested by the consultant and approved by the City, and authorization for the Administrative Services Director to make necessary adjustments.
 - g) Approval of the appointment of Allen Dimick, Greg Gostanian, Annee Ferranti and Susan Barlow to the Environmental Committee.
 - h) Authorization to accept the City Engineer's report, call for construction bids, set a Public Hearing and direct the recordation of an Assessment District map for the proposed Village West Street Assessment District. **Resolution 2006 - 127 required.**
 - i) Approve and accept the City of Visalia Cash and Investment report for the first quarter ending September 30, 2006.

Item 8
Motion to
Continue
Public

8. PUBLIC HEARING

Hearing on
1/16/07
DL/GC 4-0
(GK-absent)
No Action
Taken

- a. Adoption of Negative Declaration No. 2006-099. **Resolution No. 2006-128 required.**
- b. **Public Hearing** for General Plan Amendment No. 2006-05: A request by Visalia Land Company, Inc. and the City of Visalia to change the General Plan land use designation from RLD (Low Density Residential) to RMD (Medium Density Residential) on 17.5 acres. The site is located on the north side of Myrtle Ave. between Linwood and Chinowth Streets, and the east and west sides of Chinowth St. from 500 feet south of Noble Avenue to approximately 1,160 feet south of Noble Avenue APNs: Visalia Land Co., Inc. - 087-060-007,008,009, and 010, City of Visalia - 087-060-001, 002, 004, 006, 011, 012, 013, 014, 024, and 025, 087-090-015,016,017,018,019,020,021,022,023,025,028,030, 031,032, and 033. **Resolution No. 2006-129 required.**
- c. **Public Hearing** for First Reading of Change of Zone No. 2006- 04: A request by Visalia Land Company, Inc. and the City of Visalia to change the zoning from R-1-6 (Single-Family Residence, 6,000 sq.ft. minimum lot size) to R-M-2 (Multi-Family Residential) on 17.5 acres. The site is located on the north side of Myrtle Ave. between Linwood and Chinowth Streets, and the east and west sides of Chinowth St. from 500 feet south of Noble Avenue to approximately 1,160 feet south of Noble Avenue APNs: Visalia Land Co., Inc. - 087-060-007,008,009, and 010, City of Visalia - 087-060-001, 002, 004, 006, 011, 012, 013, 014, 024, and 025, 087-090-015,016,017,018,019,020,021,022,023,025,028,030, 031,032, and 033. **Resolution No. 2006-130 required.**

Staff recommendation to continue this item on January 16, 2007. Approved to continue Public Hearing.

Item 9
DL/BL 3-1
(GC-no, GK-
absent)
Approved

- 9. Continued **PUBLIC HEARING** (Continued from Nov. 20, 2006)
 - a. Adoption of Negative Declaration No. 2006-67. **Resolution No. 2006-123 required.**
 - b. **Public Hearing** for Adoption - Specific Plan Amendment No. 2006-02: A request by The Taylor Group to amend the Demaree/Caldwell Specific Plan to allow the relocation of an access point on Caldwell Avenue, and to allow a phased development of Sub-area B. **Resolution 2006-124 required.**

The site is located on the southeast corner of Caldwell Avenue and Demaree Street (APN: 126-030-033/034/035/036/014/015).

Community Development Senior Planner, Andrew Chamberlain presents item to Council. Public Hearing Opened; Russell Taylor, Taylor Architect Group and Joe Cavenal from Longs Drug Store (Walnut Creek). were available for questions and comments. Doug Cords, Commercial Retail Associates (Fresno) clarified the six parcels on this project - only two owners. Public Hearing Closed. Approved; 3-1 (Collins-No, Kirkpatrick absent).

Item 10
DL/BL 4-0
(GK-absent)
Approved to
continue
Public
Hearing

- 10. Continued **PUBLIC HEARING** (Continued from December 4, 2006)

Continued at staff request to Tuesday, January 16, 2007 - Motion required

Consider increasing the Transportation Impact Fees. After hearing testimony, consider approval of proposed Transportation Impact Fee Schedule per Resolution. **Resolution No. 2006-111 required.**

Staff recommendation to continue Public Hearing to January 16, 2007. Approved.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

None.

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

None.

Meeting
Adjourned

SUBMITTED: Susie Alter, Executive Assistant; Leslie Caviglia, Deputy City Clerk