

# Visalia City Council Action Agenda

For the regular meeting of: Monday, February 7, 2005

Location: City Hall Council Chambers

Mayor: Bob Link  
Council Member: Walter T. Deissler  
Council Member: Jesus J. Gamboa (absent for WS Item 1 & majority of Item 3)  
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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Digital  
Recording

## WORK SESSION AND ACTION ITEMS (as described)

**4:30 p.m.**

Track 1 & 2  
DL/WD  
3-1  
(JG absent)  
(GK-No)  
Approved

1. Presentation and discussion of recommendation from the Development Standards Task Force proposing development standards for "pocket parks" as an optional amenity for developers to include within residential development projects to be funded through Lighting & Landscaping Districts.

Community Development/Public Works Director Michael Olmos introduces item & Mary Beatty, TPG Consulting, who provides an overview of the proposed development standards. Questions & comments by Council, staff responds. Approved.
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2. Item Removed

3. Discussion of Ground Water Mitigation Fee Issues.

City Attorney Dan Dooley provides a brief introduction of item. Dick Moss of Provost & Pritchard provides a PowerPoint slide presentation regarding ground water mitigation impact fees. Questions & comments by Council, staff responds. (Mayor Link steps out of the chambers briefly. Councilmember Gamboa joins the work session.) Staff recommendation approved. Mayor Link offers Cal Water representatives an opportunity to comment on item.
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Track 3  
GK/DL 5-0  
Approved

Track 4

## ITEMS OF INTEREST

Adjourn to  
Closed  
Session

## CLOSED SESSION

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

4. Conference with Legal Counsel - Existing Litigation  
(Subdivision (a) of Section 54956.9)  
Name of case: Brian Pinto vs. City of Visalia, et. al., TCSC No. 04-102897

5. Conference with Real Conference with Real Property Negotiators  
 Property: for that 7,338 square foot parcel located at 438 S. Locust Street  
 Under Negotiation: Price, terms, conditions of purchase  
 Negotiators: Steve Salomon, George Sandoval, Bob Nance, Norman L. & Joan B. Black Trust and Presbytery of San Joaquin
  
6. Conference with Real Property Negotiators  
 Property: 1.26 acre parcel owned by the Tulare County Farm Bureau located along the south side of Goshen Avenue between Burke Street and Ben Maddox Way, APN: 094-180-002  
 Under Negotiation: Price, terms, condition of purchase  
 Negotiators: Steve Salomon, Michael Olmos, Bob Nance, Tulare County Farm Bureau
  
7. Conference with Real Property Negotiators  
 Property: 3.21 acres APN# 101-60-002 remainders of the Emerald Creek subdivision for the purpose of riparian setback and future road right of way  
 Under Negotiation: Price, terms, conditions of purchase  
 Parties: Steve Salomon, David Jacobs, Don Stone, Robert Ausherman Jr.
  
8. Conference with Real Property Negotiators  
 Property: 4.33 acres park site to serve a square mile area bounded by Shirk, Riggin, Goshen, and Akers  
 Under Negotiation: Price, terms, conditions of purchase  
 Negotiators: Steve Salomon, Don Stone, McMillin Homes, VUSD
  
9. Conference with Real Property Negotiators  
 Property: 1.03 acres of riparian setback, Lots C, E, & F in the Oakwest Subdivision, Unit 6  
 Under Negotiation: Price, terms and conditions  
 Negotiators: Steve Salomon, Don Stone, Lennar Fresno, Inc.

Reconvene to  
 Regular  
 Session

**REGULAR SESSION**

**7:00 p.m.**

Digital  
 Recording  
 Track 5

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Bob Grenier, Pastor, Calvary Chapel

**SPECIAL PRESENTATIONS/RECOGNITION**

Bob Grenier, Pastor, Calvary Chapel on Tsunami Relief trip

**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 6

None.

10. ELECTION OF VICE MAYOR

a) Discussion and consideration of Vice Mayor.

Track 7  
GK/WD  
5-0  
Approved

Councilmember Greg Kirkpatrick nominated Councilmember Jesus Gamboa to serve as Vice Mayor. The motion was seconded by Council Walter Deissler. Approved.

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

11. PUBLIC HEARING - to consider authorization of a Disposition and Development Agreement between the Agency and City for the sale and development of approximately 3.87 acres (168,577 sf) of the Agency owned parcel located along the south side of Goshen Avenue between N. Ben Maddox Way and Cain Street (portion of the 5.35 acre Parcel 1 of Parcel Map 4568, Book 46, Page 73 of Parcel Maps, Official Records of Tulare County) for \$505,732 (\$3.00/sf) to the City of Visalia for development of a Transit Maintenance Facility. **City of Visalia Resolution 2005-01 required and Agency Resolution 2005-18 required.**

Track 8  
GK/JG  
5-0  
Approved

Economic & Redevelopment Manager Bob Nance presents item to Council. Public Hearing Opened: No speakers; Public Hearing Closed. Approved.

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

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

Track 9

Councilmember Kirkpatrick pulls item 12d for discussion. Councilmember Deissler pulls item 12k for comment.

Balance of  
Consent  
Calendar  
GK/JG 5-0  
Approved

12. 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 **Resolution 2005-20** and authorize the City Manager to execute the purchase and sale agreement for the sale of the Vehicle License Fee (VLF) receivable and set the minimum net proceeds level at 92%.
- c) Authorize termination of a contract with North American Building Maintenance and award contracts to Able Industries and Social Vocational Services (SVS) for various City janitorial services and authorize an additional appropriation of \$12,782 in FY 04/05 and \$83,000 in FY 05/06 to cover the increased cost of services.
- d) Authorization to award bid No. 04-05-17, disposal of biosolids containing elevated soluble lead concentrations, to Clean Harbors, Inc. for a per-ton cost of \$36.25.

Track 10  
GK/JG 5-0  
Approved to  
Cont. to  
2/22/05

Item pulled by Councilmember Kirkpatrick for more information regarding Clean Harbors & for City Attorney's review & input. Assistant Community Development/Public Works Director David Jacobs addresses Council. Motion to continue to 2/22/05 made & seconded. Approved.

- e) Authorization to award the contract for the Sequoia Kings Canyon National Parks Transportation Study to Moore & Associates in the amount of \$48,698.
- f) Approve Location Agreement with SBC for wireless Internet access service at the Convention Center and Visalia Municipal Airport.
- g) **Introduction of the following Ordinance(s):**
  - 1. **Ordinance 2005-01** authorizing an amendment to the contract between the City and the Board of Administration of the California Public Employees' Retirement System for Public Safety Employees.
- h) **Second Reading of the following Ordinance(s):**
  - 1. **Ordinance 2004-33** Change of Zone No. 2004-23. A request by the City of Visalia to change the Zoning from Agricultural (A) to Quasi Public (QP) for approximately 37 acres. This site is located on the Southeast corner of County Center Street and Cameron Avenue. APN: 126-050-001, 126-277-005 (portion).
- i) Request authorization to accept a portion of an "Irrevocable Offer to Dedicate Real Property" for Visalia Parkway right-of-way for sewer trunk line and future roadway purposes as offered per Instrument No. 2002-0084492 O.R.T.C., recorded October 29, 2002. Project No. 1231-720000-0-0-9840-2005. **Resolution No 2005-21 required.**
- j) Authorization to record the final map for the following:
  - 1. Eagle Glen Unit No. 5 Subdivision, located at the Northwest corner of Visalia Parkway and Walnut Avenue. APN: a portion of 101-060-56.
- k) Authorization to share cost in the amount of approximately \$35,000 (City share about \$17,500) with Ennis Homes for construction of block wall along north side of Goshen Avenue, west of Chinowth Street.

Item 11  
JG/DL 5-0  
Approved

Item pulled by Councilmember Deissler to compliment those who worked together on this item to bring it forward. Approved.

- l) Request authorization to accept an "Irrevocable Offer to Dedicate Real Property" for Houston Avenue right-of-way for public road purposes as recorded in volume 3516 pages 703, 704, and 705 of the Tulare County Records. Project No. 1241-720000-0-0-9560-2005. **Resolution No 2005-19 required.**
- m) Acknowledgement of a letter of support of local efforts to expand the US Postal Services throughout the City of Visalia.

*At the request of staff Item 13 is to be continued to March 7, 2005 (Motion required.)*

Track 12  
DL/JG 5-0  
Approved

13. CONTINUED PUBLIC HEARING -

Adoption of **Resolution 2005-10**, ordering the vacation of the north 2.25 feet of W. Acequia mid-block, between Floral and Locust St.

*At the request of staff, Item 14 is to be continued to February 22, 2005 (Motion required)*

14. CONTINUED PUBLIC HEARING

Track 13  
Related Items  
14 & 15  
continued to  
2/22/05  
GK/WD 5-0  
Approved

Appeal by Richard Nunez, of the Planning Commission's approval of Conditional Use Permit No. 2004-52, a request by Anna Biskovich (California Planning and Engineering, agent) to allow a commercial center with gas station, car wash, and coffee kiosk with a drive thru. The site is located on the northwest corner of Mineral King Avenue and Vista Street (APN's 103-162-034, 035, 036). **Resolution 2005-23 required.**

15. REGULAR ITEM - Designation of Mineral King Avenue and Crumal Street as an all-way stop control intersection. **Resolution 2005-22 required.**

16. REGULAR ITEM - Urgency zoning ordinance establishing a temporary limit on the size of general merchandise retail stores. **Ordinance 2005-02 required.**

Track 14  
JG/GK 5-0  
Approved to  
return to  
Council for a  
work session  
on 3/7/05 to  
meet with the  
Development  
Standards  
Taskforce  
regarding  
these issues

Community Development/Public Works Director Michael Olmos presents item to Council. Comments made in response to a letter received in opposition of the urgency ordinance. City Attorney responds. An alternative action is suggested by Mr. Olmos to not adopt the ordinance as outlined in the staff report & return to the Council on 3/7/05 for a work session with the Development Standards Taskforce to discuss this issue. Motion to approve the urgency ordinance made by Councilmember Kirkpatrick & seconded by Vice Mayor Gamboa, a four-fifths vote needed to pass 3-2 (GK, BL, JG yes to WD, DL no), not approved. Motion to accept alternative suggestion made by Vice Mayor Gamboa & seconded by Councilmember Kirkpatrick, 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

Adjourn