

Visalia City Council Action Agenda

For the regular meeting of: Tuesday, February 22, 2005

Location: City Hall Council Chambers

Mayor: Bob Link
Vice Mayor: Jesus J. Gamboa
Council Member: Walter T. Deissler
Council Member: Greg Kirkpatrick
Council Member: Donald K. Landers

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.

Digital
Recording
Track 1

EMPLOYEE INTRODUCTION: Fire Chief George Sandoval introduces Fire Battalion Chief Kevin Gildea.

CONSENT CALENDAR 4:00 P.M.

--Convene jointly as the Visalia Public Finance Authority and the Visalia City Council

1. **CONSENT CALENDAR - VISALIA PUBLIC FINANCE AUTHORITY & VISALIA CITY COUNCIL**

a) Annual status report for the Visalia Public Finance Authority (VPFA).

Item pulled by Vice Mayor Gamboa for discussion & clarification. Finance staff member Nathan Hernandez addresses Council's comments & questions.

Track 2
JG/DL 5-0
Approved

-Adjourn as the Visalia Public Finance Authority and convene jointly as the Visalia City Council and the Redevelopment Agency Board

2. **CONSENT CALENDAR - REDEVELOPMENT AGENCY BOARD & VISALIA CITY COUNCIL**

a) Petition for approval of the proposed 5 4-year renewal of the Downtown Property & Business Improvement District (PBID III) including the proposed Management Plan, estimated \$65,462 annual combined City & Redevelopment Agency assessment and approval of the proposed to be formed 4-year Expansion Area PBID including Master Plan and estimated \$29,026 annual assessment.

City Manager Steve Salomon notes a clerical error in the Agenda wording, first line, 5-year should correctly reflect 4-year. Approved.

Track 3
GK/DL 5-0
Approved

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

Track 4

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Item 3b & 3j pulled by Councilmember Kirkpatrick for discussion.

JG/DL 5-0
Balance of
Consent
Calendar
Approved

3. 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 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. *(Continued from February 7, 2005)*

Item pulled for comments by Councilmember Kirkpatrick. Approved

Track 5
Item 3b
GK/WD 5-0
Approved

c) Authorize various asset forfeiture purchases as shown below:

1. Authorization to appropriate \$3,825.30 in State asset forfeiture funds and authorization to purchase three evidence/supply storage lockers in the amount of \$3,825.30.
2. Authorization to appropriate State asset forfeiture funds and authorize the purchase of Laserfiche document imaging system upgrade in the amount of \$8,476.38.
3. Request for authorization for transfer of \$3,000 from Federal asset forfeiture funds for Sober Graduation 2005.

d) Approval to accept a donation from LOJACK Corporation of six LOJACK computer tracking systems to be utilized by the Police Department in locating stolen vehicles that are equipped with a LOJACK system.

e) **Second Reading 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.

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. Amendment to Landscape & Lighting District 03-10, Tiffany Ranch **Resolutions 2005-24 and 2005-25 required.**
2. Amendment to Landscape & Lighting District 02-06, Diamond Creek **Resolutions 2005-26 and 2005-27 required.**

g) Accept the City of Visalia Cash and Investment Report for the quarter ending December 31, 2004.

h) Initiation of Pre-Zone Action to R-1-6, Single Family Residential for properties designated Regional Retail Reserve generally located between Caldwell Ave. and Packwood Creek, east of Divisadero. (APNs 126-061-47,126-062-78, 79, 83, 86, 06, 09, 12, 13, 14, 17, 21, 24, 67, 68, 22.)

i) Adoption of report to the Local Agency Formation Commission with respect to the City's commitment and time frame for annexing the "James Avenue" County Island.

Track 6
Item 3j
Gk/DL 5-0
Approved as
Amended

- j) Authorize the Engineering Department to purchase up to \$20,000 of class 2 water for groundwater recharge and authorize the Engineering Department to expend up to \$20,000 to install an interconnect between the Tulare Irrigation Ditch and the Park Place Pond.

Item pulled for discussion by Councilmember Kirkpatrick. Assistant Community Development/Public Works Director David Jacobs addresses the Council’s comments & questions. Item approved as amended “increase authorization up to \$40,000 for water purchase.

**WORK SESSION AND ACTION ITEMS (as described)
4:30 p.m. (Or, immediately following Consent Calendar)**

Track 7
GK/WD 5-0
Approved as
amended

- 4. Discussion and direction to Planning Staff regarding new projects within the East Downtown Strategic Plan Study Area, presented by Bruce Race, Michael Olmos, and Jason Pausma.

Community Development/Public Works Director Michael Olmos provides an overview to Council of the item and requests Council to direct staff to return with the recommended minor amendments to the zoning matrix with preference to an overlay rather than a citywide matrix change. Approved.

--Convene Jointly as the Redevelopment Agency Board and the Visalia City Council

5. WORK SESSION - REDEVELOPMENT AGENCY BOARD & VISALIA CITY COUNCIL

- a) City Council discussion of the planned Civic Center Complex to provide direction for the master planning of the Civic Center area generally located at Goshen Avenue and Burke Street, creation of development standards for the planned improvements and propose an architectural style for the planned facilities and formation and activities of a Civic Center Complex Development Committee to assist in the master plan process.

Track 8
JG/GK 5-0
Approved as
to Alternative
#1

Economic & Redevelopment Manager, Bob Nance, introduces item & provides a brief overview to Council. Consultant, Bruce Race, gives a PowerPoint presentation outlining the planned Civic Center Complex. Questions & comments by Council. It was noted that efforts to make this a joint venture to include the County & School District should be evaluated to determine interest level. Council agreed that two Councilmember reps should be appointed to the task force, and that regular updates be provided.

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

Track 9 & 10

- 6. Receive report from the City Manager on effect on the City of President Bush’s proposed 05/06 Fiscal Year Federal Budget.

City Manager, Steve Salomon, provides a brief overview of item to Council and asks for direction to prepare a letter to the legislators expressing our concern over the President’s proposed budget and elimination of funding. Council concurred.

- 6a. Verbal update on two items: Commercial Service at the Airport and High Speed Rail.

City Manager, Steve Salomon, provides an update to the Council regarding Commercial Air Service and High Speed Rail.

ITEMS OF INTEREST

CLOSED SESSION

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

7. Conference with Legal Counsel – Anticipated Litigation (1)
(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 GC)
8. Conference with Real Property Negotiators
Property: Road 108 St. Johns River Basin (right of way acquisition)
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Steve Salomon, Alex Peltzer, Vander Stelt Family
9. Conference with Real Property Negotiators
Property: NE corner of Demaree St. & Visalia Parkway (right of way acquisition)
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Steve Salomon, Alex Peltzer, Jim & Katie Story
10. Conference with Real Property Negotiators
Property: Part of APN# 77-100-055 and #3757 in the Pheasant Ridge Subdivision and additional recreation area surrounding the storm basin at Roeben and Ferguson Avenue part of APN #3129 and #3765.
and Akers
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Steve Salomon, Don Stone, McMillin Homes
11. Conference with Labor Negotiator
Employee Groups: Group M
Agency Negotiator: Jim Harbottle, Eric Frost, Janice Avila
12. Conference with Real Property Negotiator
Property: for that 18,446 square foot City owned property located 230 NW 3rd Street
Under Negotiation: Price, terms and conditions for potential development of a purchase and sale agreement
Negotiators: Steve Salomon, Bob Nance, Sharon Sheltzer and Steven Royster, Scout Executive, Sequoia Council Boy Scouts of America

- Adjourn as the Visalia City Council and convene as the Redevelopment Agency Board for the following item only:

13. Conference with Real Property Negotiator
Property: for a portion of the 24,881 square foot Agency owned property located at 210 S. Santa Fe
Under Negotiation: price, terms and conditions for development of a potential purchase, sale and development agreement
Negotiators: Steve Salomon, Bob Nance, Keith Korsgaden and Steve Buchanan

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION – Moment of Silence

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.

None.

At the request of staff item 14 to be continued ~~to March 7, 2005~~ indefinitely (Motion required.)

Track 12
GK/DL 5-0
Approved as
Amended
Continue
Indefinitely

14. PUBLIC HEARING -

Introduction of Ordinance 2005-xx to amend Chapter 8.28.110, Section I of the City Municipal Code to impose restrictions on scavenging from refuse bins and containers, and from green waste containers.

15. CONTINUED PUBLIC HEARING - (Item continued from February 7, 2005)

Track 13
GK/JG 5-0
Approved
Uphold
Appeal
without
prejudice-
applicant
may resubmit
with
significant
redesign

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.**

Planning staff member Jason Pausma provides an overview of the item. Public Hearing Opened: Appellant Richard Nunez addresses Council regarding concerns of safety around this proposed project; Elsie __ (inaudible) speaks in favor of the appeal; Ed Canvasser, California Planning & Engineering, speaks in favor of the project; Lawrence Sanchez speaks in opposition of the project; Barbara Sewell speaks in favor of the appeal; Public Hearing Closed. Questions & comments by Council. Motion to uphold Appeal without prejudice made by Councilmember Kirkpatrick and seconded by Vice Mayor Gamboa. Applicant may resubmit with significant redesign.

16. PUBLIC HEARING - **Introduction of Ordinance 2005-03** for Text Amendment No. 2004-33 to amend Chapter 17.18 of the Visalia Zoning Ordinance to change the zoning matrix to allow Pawn Shops as a “Conditional” use in the Convenience Commercial (CC) and Neighborhood Commercial (NC) Zones.

Track 14
WD/DL 4-1
(GK - No)
Motion to
Deny Text
Change
Amendment

Planning staff member Andy Chamberlain provides an overview of item. Public Hearing Opened: Don Parker speaks in favor of proposed change; Public Hearing Closed. Questions & Comments by Council. Motion to deny by Councilmember Deissler and seconded by Councilmember Landers. Approved.

17. PUBLIC HEARING - for initiation of proceedings for Annexation No. 2005-01 (Frietas) a request by DBO Development (Geary Coats, agent) to annex two parcels and right-of-way totaling approximately 54 acres into the City limits of Visalia. The site is located on the north and south sides of Cameron Avenue approximately ¼ mile east of Mooney Blvd. (APN: 126-060-069; 126-730-015) **Resolution 2005-28 required.**

Track 15 & 16
DL/JG 4-0
(WD
abstained)

Councilmember Deissler excuses himself due to business relationship conflict with regard to this item. Planning staff member Brandon Smith provides an overview of item. Public Hearing Opened: Don Orosco addresses Council & thanks staff for their work; Public Hearing Closed. Questions & comments posed by Council, staff respond. Approved.

18. REGULAR ITEM - Receive report from the City Manager regarding the development fee items on this agenda and hold an initial discussion on the budget and list of projects to be included in a proposed accelerated transportation impact fee funded project package.

Track 17

City Manager Steve Salomon provides an introduction and overview of the next three items on the agenda. Assistant Community Development/Public Works Director David Jacobs presents his item on the proposed accelerated transportation impact fee project for comment & direction. No action taken.

19. PUBLIC HEARING - to consider a partial suspension in the Transportation Impact Fees for commercial and office projects. After hearing testimony, consider approval of proposed Transportation Impact Fee Schedule per **Resolution 2005-30 required.**

Track 18
GK/DL 5-0
Approved

Assistant Community Development/Public Works Director Andrew Benelli presents item. Public Hearing Opened: Jesus Gutierrez, Don __ (inaudible), John George, Don Orosco, Wayne Chan, Rick, & Susan Mangini, Paul David, comment on the financial impact the increase in fees have caused to their projects & support the partial suspension proposed. Questions & comments posed by Council, staff respond. Approved.

20. PUBLIC HEARING - to consider changes to in the Impact Fees for Parks and Recreation, Police and Fire, and new fees for General Facilities collected at the time of building permits. An update on the Impact Fee Studies for the Parks and Recreation Impact Fee, Police and Fire Impact Fee, General Facilities Impact Fee, and a Multi-story impact fee credit with additional reports as requested by the City Council. After hearing testimony, consider approval of proposed Parks and Recreation Impact Fee, Police and Fire Impact Fees, and General Facilities Fee Schedules. The impact fees would become effective 60 days after the date of adoption. **Resolution 2005-29 required.**

Track 19 & 20
BL/JG 5-0
Approved

Administrative Services Director Eric Frost provides a PowerPoint slide presentation to the Council. Public Hearing Opened: Jim Robertson, McMillin Homes comments on proposed impact fees; Public Hearing Closed. Questions & comments by Council, staff responds. Staff to return on 3/7/05 for a Public Hearing on the Introduction of an Ordinance for the General Facilities Fee. Approved.

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