

Visalia City Council Action Agenda

For the regular meeting of: Monday, June 20, 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.

WORK SESSION AND ACTION ITEMS (as described)

3:00 p.m.

1. Discussion of requests by the Visalia Motormile.

Track 1

Deputy City Manager Leslie Caviglia provides an overview and background information of the request. Questions & comments by Council, staff responds. Earl Grizzell offers clarification to Council's comments. Council directs staff to move forward working with Visalia Motormile representatives and return August or September progress report.

2. Presentation of preliminary results of community survey regarding the future of the West Highway 198 corridor, located generally between Akers Street and Valley Oaks Golf Course, and between Goshen Avenue and Walnut Avenue.

Track 2
BL/DL 5-0
Approved

City Manager Steve Salomon introduces item. Mike Olmos, Community Development/Public Works Director notes a correction to the map included in the staff report, provides background information on the project & introduces Richard Bernard of Fairbank, Maslin & Maulin, who presents the results of the survey. Questions & comments by Council, staff/consultant respond. Mayor Link motions to have committee regroup to discuss details as raised in the survey and formulate their recommendations to be presented at a work session in either July or August of this year. Approved.

3. Topics for subdivision design standards amendments by Fred Brusuelas, Community Development/Public Works Director.

Track 3
JG/WD 5-0
Approved

Assistant Community Development/Public Work Directors Fred Brusuelas and Andrew Benelli provide an update and amendment suggestions for review. Questions & comments by Council, staff responds. Approved.

Track 4

REGULAR ITEM

5:30 p.m. (Or, Immediately following Work Session)

- 4. PUBLIC HEARING - to receive comment on the proposed changes to Landscape & Lighting Assessment Maintenance District funding, and voting results for those districts balloted. *(Upon completion of the public hearing, staff will proceed with opening & tabulating the ballots, the results of which will be reported at the regular evening session which begins at 7 p.m., as soon as they become available.)*

Public Hearing Opened; no speakers; Public Hearing Closed. No discussion. Staff directed to proceed with counting ballots.

ITEMS OF INTEREST

CLOSED SESSION

6:00 p.m. (Or, immediately following Public Hearing Item)

Adjourn to
Closed
Session

- 5. Conference with Labor Negotiator
Employee Groups: Group M; Unrepresented, Department Head, Confidential Groups
Agency Negotiator: Jim Harbottle, Eric Frost, Janice Avila
- 6. Conference with Legal Counsel - Existing Litigation
(Subdivision (a) of Gov. Code Section 54956.9)
Name of Case: City of Visalia v Harrah, et. al., TCSC No. 04-210016
- 7. Conference with Real Property Negotiators
Property: Approximately 14.79 acre property at the northwest corner of Road 152 and SR 198, for future SR 198 interchange
Under Negotiation: Discussion of price, terms and conditions of purchase
Negotiators: Steve Salomon, Dan Dooley, Michael Olmos, Blain Farming
- 8. Conference with Real Property Negotiator
Property: 1.9 acre parcel City owned riparian setback corridor, APN: 126-730-014
Under Negotiation: Discussion of price, terms, and conditions of a possible easement to Commercial Developers, Inc.
Negotiators: Steve Solomon, Michael Olmos, Andrew Benelli, Clyde Barbeau, Commercial Developers, Inc.
- 9. Item removed from Agenda.
- 10. Public Employee Performance Evaluations
Title: City Manager

Reconvene to
Regular Item

REGULAR ITEM (Or, immediately following Closed Session)

6:30 p.m.

Track 5
GK/DL 5-0
As Amended

- 11. REGULAR ITEM - Review and approve action on 2005/06 Budget.

Administrative Services Director Eric Frost presents item for discussion and addresses Council's comments & questions. Approved as amended.

Track 6

**REGULAR SESSION
7:00 p.m.**

PLEDGE OF ALLEGIANCE

INVOCATION - ~~Kent Mishler, Kaweah Delta Health Care District Chaplain~~

SPECIAL PRESENTATIONS/RECOGNITION

Proclamation Presentation in honor of Recreation & Parks Month for the Month of July.

Resolution of Commendation presentation to Kelly Hauert.

*Assistant Community Development/Public Works Director Fred Brusuelas introduces new Principal Planner, Paul Schible.

-PROPERTY & BUSINESS IMPROVEMENT DISTRICT PUBLIC HEARING

12. PUBLIC HEARING - to create a Property & Business Improvement District for five (5) years. This would extend the program in the existing area. *(Relates to Item 16 on this Agenda.)*

Track 7

(Upon completion of the public hearing, staff will proceed with opening & tabulating the ballots, the results of which will be reported at the end of the Regular Session.)

Public Hearing Opened; no speakers; Public Hearing Closed. Staff directed to begin counting ballots.

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 8

Jack Morgan - addresses Council regarding waiving permit fees regarding a project for a needy family.

Track 9
JG/DL 5-0
Approved

13. BALLOT RESULTS - Landscape & Lighting Assessment Maintenance District funding, and voting results for those districts balloted. *(Relates to Item 4 - If results are not available at the time this item appears on the agenda, the results will be announced at the end of the meeting.)*

Public Works Manager, Earl Nielsen, reports the passage and failures of the balloted districts to Council and requests their approval of those districts that passed. Approved.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

14. 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) Authorize the City Manager to amend the existing agreement with Brandon Morse, Plaza Park Raceway for an additional five (5) year period beginning November 1, 2005 and ending October 31, 2010.
 - c) Recertification of the Measure T Plan.
 - d) Approval of **Resolution 2005-78** adopting the 2005-2006 appropriations limit for the City of Visalia General Fund.
 - e) Approve the appointments of Bob Taylor and Jon Raius to the Historic Preservation Advisory Committee, approved Brian Albertoni and Niessen Eric Foster as alternate members to the Committee, and approve the reappointment of Jesus Gutierrez to the Committee.
 - f) **Second Reading of the following Ordinance(s):**
 - 1. **Ordinance 2005-06** declaring 1415 N. Tipton surplus property. Property to be purchased by the Redevelopment Agency for an affordable housing project.
 - 2. **Ordinance 2005-07** authorization to award bid no. 04-05-58, a ten year Lease of Farm Land, to Koetsier Dairies for a total of \$470,804.40 over 10 years. The Property is located at the northwest corner of Ave. 280 and Highway 99.
 - g) Authorization to record the amended final map of The Villas at Bella Sera Subdivision, located at the Northeast corner of Akers Street and Goshen Avenue.
 - h) Authorize the Recordation of the final subdivision map for Mota Estates (Tentative Subdivision Map No. 5437), located on the north side of Hurley Avenue and east of Tommy Avenue. APN: 085-530-05.
 - i) 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 Silver Oaks Unit #1, located Southwest corner of Demaree Street and Ferguson Ave. (81 lots) and the Formation of Landscape and Lighting District No. 05-16, Silver Oaks Units 1 through 3 (258 Lots); **Resolution 2005-79 and 2005-80 required.** APN: 077-080-12.
 - 2. Authorize the Recordation of the Final Map for Ashley Grove Estates Units 5&6, located On the East Side of Demaree Street, between Ferguson Ave and Riggin Ave. (96 lots) and the Formation of Landscape and Lighting District No. 05-14, Ashley Grove Units 3 through 6(163 Lots); **Resolution 2005-81 and 2005-82 required.** APN: 089-010-09.
 - 3. Authorize the Recordation of the Final Map for Shannon Ranch Units 8&9, located North side of Riggin Ave between County Center Road and Demaree (96 lots) and the

Annexation of Shannon Ranch Units 8&9 into Landscape and Lighting District No. 02-10, Shannon Ranch; **Resolution 2005-83 and 2005-84 required.** APN: 078-010-011.

- j) Approval of representatives from the Planning Commission and the Parks and Recreation Commission to the Civic Center Master Plan Task Force.
- k) Authorization to enter into an agreement with McMillin Homes for \$450,000 to construct a 5.8 acre neighborhood park and storm basin.

GK/DL 5-0
Approved

Item 14k pulled for comment by Councilmember Kirkpatrick. Approved.

- l) Approval of the lease agreement for the new food concession vendor at the Transit Center between the City of Visalia and Taqueria Vallarta.
- m) Authorization for the City Manager to execute a professional services agreement with Advocation, Inc. (State Lobbyist) in the amount of \$60,000 annually for continuing legislative advocacy services for fiscal year 2005-06.

At the request of staff the Item 15 will be continued to Monday, July 18, 2005 (Motion required.)

15. PUBLIC HEARING -

JG/GK 5-0
Approved to
Continue to
7/18/05

- a) Certification of the Final Environmental Impact Report, prepared for the Elliott and Vander Weerd properties. The project area for the EIR is located east of Shirk Street and south of the Tulare Avenue alignment between Shirk Street and Roeben Avenue. State Clearinghouse No. 2004061090. **Resolution No. 2005-xx required.**
- b) Initiation of Proceedings for Annexation No. 2003-08 (Elliott East): A request to annex approximately 80 acres into the City of Visalia. **Resolution No. 2005-xx required.**
- c) General Plan Amendment No. 2003-20: A request to change the General Plan land use designation from Agriculture to Low Density Residential on 80 acres. **Resolution 2005-xx required.**

The projects are located east of Shirk Street and south of the Tulare Avenue alignment Between Shirk Street and Roeben Avenue in the City of Visalia (APN: 087-010-005, 006, 008) Centex Homes, applicant. Quad Knopf, agent.

16. BALLOT RESULTS (**See Item 12 on the Agenda**) - to create a Property & Business Improvement District for five (5) years. This would extend the program in the existing area. - Approval of final formation of the Downtown Property & Business Improvement District III for a five year term, first year budget, District Boundaries, assessments, zones and exemptions and directing staff to file and record the District in order to receive the assessments and approval of an Administrative Services Agreement with Downtown Visalians, Inc. for daily operations and activities. **Resolution 2005-85 required.**

GK/DL 5-0
Approved

Chief Deputy City Clerk Roxanne Yoder presents balloting results. The district passed, receiving 57.4% in affirmative votes. The Downtown Visalians & Alliance annual budget is \$355,500, requiring 51% of that annual budget or a dollar amount of \$181,305 in order to pass. The balloting received \$203,922.82 in affirmative votes. Noes were \$26,313.40 or 7.4% and out of the ballots mailed there were 35.2% in non-responses. Approved.

17. PROTEST HEARING - Protest hearing regarding formation of "Open Space District No. 88, Parcel Map No. 2004-18, located at the southwest corner of Ferguson Avenue and Cain Street. If less than 50% of property owners protest, adopt a resolution forming the Open Space District. **Resolution 2005-86 required.**

DL/GK 5-0
Approved

Protest Hearing Opened; no speakers; Protest Hearing Closed. No discussion. Approved.

18. PUBLIC HEARING - Conditional Use Permit No. 2005-14 is a request by Bill Morgan (Quad Knopf, agent) to allow a 136-unit multi-family residential development in the R-M-2 zone with a 9% density bonus. The site is located on the southwest corner of Lovers Lane and K Road (APN 126-120-028, -029). **Resolution 2005-87 required.**

GK/JG 5-0
Approved

Jason Pausma, planning staff presents staff report & address Council's comments & questions. Public Hearing Opened; Amy Shuklian, Kevin Fuller, offered comments to this item. Public Hearing Closed. Approved.

19. PUBLIC HEARING -

a) General Plan Amendment No. 2005-05 is a request by Mangano Homes to change the general plan land use designations from Public Institutional to Low Density Residential on 19 acres, located on the southeast corner of Demaree Street and Ferguson Avenue (APN: 089-020-020, 022). **Resolution No. 2005-88 required.**

b) Change of Zone No. 2005-03 is a request by Mangano Homes to change the zoning from QP (Quasi Public) to R-1-6 (Single-family Residential) on 19 acres, located on the southeast corner of Demaree Street and Ferguson Avenue (APN: 089-020-020, 022). **Introduction of Ordinance 2005-08 required.**

JG/GK 5-0
Approved

c) Certify Negative Declaration No. 2005-32.

Open Public Hearing; Robert Dowds offers comments to the item; Closed Public Hearing. Further comments made by Councilmember Kirkpatrick. Approved.

20. PUBLIC HEARING - **Adoption of Resolution 2005-89** which allows the City of Visalia to place Miscellaneous Special Assessments on the Tulare County secured property tax roll for Curb and Gutter, Sewer Connection, Business Incentive Zone, Landscape and Lighting, Northeast Improvement District, Los Rios/Casa Blanca, and Property & Business Improvement District.

GK/DL 5-0
Approved

Nathan Hernandez, finance staff, presents item to Council. Public Hearing Opened; no speakers; Public Hearing Closed. Approved.

21. PUBLIC HEARING - Authorization to amend the City's Rates & Fees document for Impact Fees effective for the fiscal year 2005/06. **Resolution 2005-90 required.**

JG/GK 5-0
Approved

Eric Frost, Administrative Services Director, presents item to Council and notes a clerical correction to page 12. Questions & comments by Council, staff responds. Public Hearing Opened; no speakers; Public Hearing Closed. Approved.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

City Attorney Dan Dooley reports the approval of the purchase of 14.79 acres from Blain Farming.

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

None.

SUBMITTED: Roxanne Yoder, Chief Deputy City Clerk