

# Visalia City Council Action Agenda

For the regular meeting of: Monday, August 1, 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

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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  
Track 1

## INTRODUCTIONS

**5:00 p.m.**

Miki City, Sister City Exchange Students and Chaperone.

## ITEMS OF INTEREST

### CLOSED SESSION

**5:30 p.m. (Or, immediately following Introductions)**

1. Conference with Legal Counsel - Existing Litigation (1)  
Name of Case: City of Visalia v. Harrah, TCSC Case No. 04-210016
2. Conference with Legal Counsel - Anticipated Litigation (2) (Subdivision (b) of Gov. Code Section 54956.9)
3. Conference with Real Property Negotiators  
Property: located north of Goshen Avenue and west of Roeben Street, portion of APNs 077-100-034 and 077-100-019  
Under Negotiation: price, terms, conditions of purchase for storm drain acquisition  
Negotiators: Steve Salomon, Michael Olmos, David Jacobs, Fred Machado  
Pursuant to subdivision (b) of Section 54956.9 G.C.
4. Public Employee Performance Evaluations  
Title: City Manager

Adjourn to  
Closed  
Session

Reconvene to  
Regular  
Session

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

Track 2

**PLEDGE OF ALLEGIANCE**

**INVOCATION -**

**SPECIAL PRESENTATIONS/RECOGNITION**

Resolution of Commendation presentation to the family of Dick Shannon in recognition of his recent award of Agri-Business of the Year.

**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 3

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

Balance of  
Consent  
Calendar  
JG/DL 5-0  
Approved

5. 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 for the City Manager to enter into an agreement with Tulare County Association of Governments to fund a light rail feasibility study for the Tulare-Visalia area and approve a 12% match not to exceed \$5,000.

Track 4  
Item 5c Cont.  
to 8/15  
GK/WD 5-0  
Approved

- c) Recommendation by the Visalia City Council authorizing City Manager to enter into a contract between the City of Visalia and the County of Tulare to provide Advanced Life Support-First Responder Services to the citizens of Visalia.
- d) Approval for the City of Visalia to donate Officer James Rapozo's duty weapon to his surviving family.
- e) **Introduction of the following Ordinance(s):**
  - 1. **Ordinance 2005-15** granting an easement to California Water Company for a water main line within the Riverway Sports Park.

f) **Second Reading of the following Ordinance(s):**

1. **Ordinance 2005-10** granting an access easement over property located along the south fork of Mill Creek east of Shirk Street. APN 085-600-043.
2. **Ordinance 2005-11** Change of Zone No. 2005-03 is a request by the Visalia Cemetery District to change the zoning on approximately 2 acres from R-1-6 (single Family Residential), R-M-2 (Medium Density Residential), R-M-3 High Density Residential) and C-SO (Commercial Shopping Office) to QP (Quasi Public). The Visalia Public Cemetery is located at 1300 West Goshen Avenue, with the proposed actions on these adjacent properties (APN 093-062-009, 093-073-006, 093-073-008, 093-073-009, 093-073-011, 093-073-012, 093-083-001, 093-083-002, 093-083-003, 093-083-003, 093-083-027, 093-083-031, 093-091-023, 093-091-024, 093-091-023, 093-091-002, 093-091-004, 093-091-006, 093-091-007, 093-102-020), Visalia Public Cemetery, applicant.
3. **Ordinance 2005-12** Change of Zone No. 2005-02 is a request by Mangano Homes to change the zoning on approximately 18.2 acres from QP to R-1-6. The site is located on the south half of the parcel located at the southeast corner of Akers Street and Caldwell Avenue. APN 119-070-041.
4. **Ordinance 2005-13** Change of Zone No. 2005-07 is a request by Bill Morgan to change the zoning on 14 acres from R-1-6 (Low Density Residential) to R-1-4.5 (Low Density Residential). The site is located on the east side of McAuliff Street approximately 200 feet south of Noble Avenue APN No. 101-060-008.

Track 5  
Item 5g  
DL/JG 5-0  
Approved

- g) Award Construction Contract for the Visalia Sports Park Off-Site Improvements project to Seal Rite Paving in the amount of \$1,101,306.18 and authorize additional appropriation for the project in the amount of \$368,000 from the Transportation Impact Fee Fund (1241), Project # 1241-720000-0-0-9739-2005.
- h) Authorization to record the amended final map of Ashley Grove, Unit No. 9 Subdivision, located at the Southeast corner of Riggan Avenue and County Center Street.

Track 6  
Item 5i  
Cont. to 8/15  
GK/WD 5-0  
Approved

- 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 Pheasant Ridge Unit No. 1, located at the northwest corner of Ferguson Avenue and Roeben Street (61 lots) and the Formation of Landscape and Lighting District No. 05-19, Pheasant Ridge; **Resolution 2005-107 and 2005-108 required.** APN: 077-100-050 & 000-003-757

Track 7  
Item 5j  
Cont. to 8/15  
DL/WD 5-0  
Approved

- j) Authorization for the City Manager to execute a 2-year service agreement (with an additional 2-year agreement option) with Valley Oak SPCA for animal control services in the amount of \$244,000 annually and \$50,000 for two (2) animal control pickup trucks with cages.
6. PUBLIC HEARING - Appeal of the Planning Commission's approval of Conditional Use Permit No. 2005-16, a request by Vernon Summers to allow a 15-unit multi-family residential development on 1.03 acres in the R-M-2 zone, located at 932 N. Leslie Street. (APN 093-022-002). **Resolution 2005-109 required.**

Track 8  
DL/WD 5-0  
Approved

Item introduced. Comments & questions by council addressed by staff. Assistant City Attorney Alex Peltzer clarifies the issue before the Council. Public Hearing Opened: Appellant addresses Council in opposition; Joann Summers addresses Council in support; Public Hearing Closed.

Track 9  
DL/JG 5-0  
Approved

7. PROTEST HEARING - regarding formation of "Open Space District No. 89, Riverwood Subdivision (257 lots), located at the northeast corner of Mineral King Ave and McAuliff Street, APN: 103-130-039. If less than 50% of property owners protest, adopt a resolution forming the Open Space District. **Resolution No. 2005-110** required.

Public Hearing Opened: no speakers; Public Hearing Closed.

**REPORT ON ACTIONS TAKEN IN CLOSED SESSION**

None.

Track

**REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS**

None.

Adjourn

SUBMITTED: Roxanne Yoder, Chief Deputy City Clerk