

Visalia City Council Action Agenda

For the regular meeting of: Tuesday, September 6, 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.

Employee Introductions:

Track 1

Jim Ross, Public Works Manager introduces Stephen Looney, WWTP Maintenance Mechanic and Michael Thullen, Laboratory Technician.

WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.

Track 2

1. Update on the proposed transit shuttle from Visalia to the Sequoia National Park and the internal shuttle within the park and authorization for staff to take the initial steps to implement a joint shuttle operation.

DCM Leslie Caviglia introduced the item and provided an overview. The Council addressed questions and comments to the staff. They directed staff to move forward with a marketing and operational plan.

Track 3
GK/JG 5-0

2. Review and authorization to implement proposed amendments to the First Time Homebuyers Program (HAP) regulations, utilizing HOME Investment Partnership Funds.

Bob Nance and Rhonda Haynes introduced the item and provided background information on the program. The Council addressed questions and comments to the staff. The Council moved to approve Option A.

**Any items not completed prior to Closed Session may be continued to the evening session at the discretion of the Council.*

ITEMS OF INTEREST

Adjourn to
Closed
Session

CLOSED SESSION

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

- 3. Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 GC.
- 4. Conference with Labor Negotiator
Employee Groups: Group M
Agency Negotiator: Jim Harbottle, Eric Frost, Janice Avila
- 5. Conference with Real Property Negotiators
Property: various Mooney Boulevard parcels to California Department of Transportation (CalTrans) for the Mooney Boulevard (Noble Avenue to Caldwell Avenue) widening project
Under Negotiation: Price, terms and conditions of sale
Negotiators: Steve Salomon, Michael Olmos, Manuel Molina, CalTrans

Reconvene to
Regular
Session

REGULAR SESSION

7:00 p.m.

Track 4

PLEDGE OF ALLEGIANCE

INVOCATION - Msgr. Drelling, St. Mary’s Church

SPECIAL PRESENTATIONS/RECOGNITION

Presentation of check to our Putignano Sister City Committee for the City of Putignano’s War Memorial Statue Fund recognizing the soldiers of World War I.

Special recognition of Jennifer Whiteley, Visalia Oaks Baseball Team Manager.

Visalia Parks & Recreation Foundation special recognition of Tony & Mary Salierno for their continued support of the 4th of July Celebration.

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 5

James Moots, legal Counsel for PURGE, addressed the Council regarding the Main Street Theatre eminent domain issue.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Track 6

| |
|--|
| Councilmember Landers pulled Item 6c Councilmember Deissler pulled Item 6h for the purpose of recusing himself. |
|--|

Balance of
Consent
Calendar
Approved
JG/DL 5-0

6. 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) Approval of an amendment to the City Attorney's contract naming Alex Peltzer as an Assistant City Attorney.
 - c) Review and set settlement authority guidelines for risk management claims.
Motion passed 4-1, Landers no
 - d) Authorization for the Mayor to sign an amended and restated contract with City Manager Steve Salomon.
 - e) Accept the City of Visalia Cash and Investment Report for the fiscal year ending June 30, 2005.
 - 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. Authorize the Recordation of the Final Map for Riverwood Unit #1 , located at the northeast corner of Mineral King Ave and McAuliff Street (167 lots) and the Formation of Landscape and Lighting District No. 05-22, Riverwood Unit 1 (167 Lots), and the formation of Landscape and Lighting District No,05-22-Park, **Resolutions 2005-116, 2005-117, 2005-118, and 2005-119 required.**
 - g) **Second Reading of the following Ordinance(s):**
 1. **Ordinance 2005-15** Authorization for the granting an easement to California Water Company for a water main line within the Riverway Sports Park.
 - h) Authorize the Chief Building Official to seek bids and negotiate a contract not to exceed \$22,500 for the demolition of the City owned building located at 720 W. Mineral King Avenue.
Councilmember Deissler recused himself due to a business relationship.
 - i) Approval of the members to the West Highway 198 Comprehensive Plan Task Force.

Item 6c
JG/GK 4-1
(DL - No)

Item 6h
JG/GK 4-0
(WD recused
himself from
discussion &
vote)

Item 7
Track 8
JG/GK 5-0
Motion to
refer back to
Planning
Commission
Approved

7. PUBLIC HEARING

- a. Certify Negative Declaration No. 2005-59. **Resolution 2005-120 required.** (*A separate Motion by the Council is required.*)
- b. General Plan Amendment No. 2005-11. A request by West Coast Construction (Quad Knopf, agent) to change the General Plan land use designation from Medium Density Residential to High Density Residential on 5 acres. The site is located on the north side of the Cameron Avenue alignment, approximately 300 feet east of Court Street. APN: 126-100-006 (portion). **Resolution 2005-121 required.**
- c. **Introduction of Ordinance 2005-16** for Change of Zone No. 2005-12. A request by West Coast Construction (Quad Knopf, agent) to change the zoning from R-M-2 multi-family residential zone: three thousand (3,000) square feet minimum site area per dwelling unit to R-M-3 multi-family residential zone: one thousand five hundred (1,500) square feet minimum site area per dwelling unit on 5 acres. The site is located on the north side of the Cameron Avenue alignment, approximately 300 feet east of Court Street. APN: 126-100-006 (portion).

Following the staff report, the Council asked a number of questions that were address by staff. Lisa Dock, Quad Knopf, spoke on behalf of the applicant. Bob Buhl, West Caldwell, voiced some concerns as a property owner in the area. Council voted 5-0 to refer the matter back to the Planning Commission.

Item 8
Track 9
Item 8a:
DL/WD 3-2
Approved
(GK, JG - No)

8. PUBLIC HEARING

- a) Certification of Negative Declaration No. 2005-60. **Resolution 2005-122 required.** (*A separate Motion by the Council is required.*)
- Item b continued from Monday, August 15, 2005
- b) Initiation of Proceedings for Annexation No. 2005-04 (Lowery Ranch): A request by Mangano Homes, applicant (Quad Knopf, agent) to annex six parcels and right-of-way totaling 176 acres into the City of Visalia. The site is located on the west side of Demaree Street, between Riggin Avenue and Avenue 316. (APN: 077-060-005, 009, 017, 022, 023, and 024) **Resolution 2005-123 required.**
- c) General Plan Amendment No. 2005-10: A request by Mangano Homes, applicant (Quad Knopf, agent) to change the General Plan Land Use Designation from Conservation to Residential Low Density on 108 acres. The site is located on the north side of Riggin Avenue, approximately ¼ mile west of Demaree Street. (APN: 077-060- 006, 009, 023, and 024). **Resolution 2005-124 required.**

The site is located on the west side of Demaree Street, between Riggin Avenue and Avenue 316. (APN: 077-060-005, 006, 009, 017, 022, 023, and 024.)

Robert Dowds, Mangano Homes, 1005 W. Demaree, spoke on behalf of the applicant during the public hearing.

Item 9
Track 7
(Taken out of
order)
DL/WD 5-0
Motion
continue to
Oct. 3, 2005
Approved

9. PUBLIC HEARING

- a) Certify Mitigated Negative Declaration No. 2005-071. **Resolution 2005-125 required.** (*A separate Motion by the Council is required.*)
- b) General Plan Amendment No. 2004-31: a request by Fred Machado (Branum Group, agent) to change the General Plan land use designation on 48 acres from Business Research Park to 6.0 acres of Professional / Administrative Office, 7.7 acres of Park, and 34.3 acres of Low Density Residential. The project site is located on the north side of

Goshen Avenue, approximately ¼ mile east of Shirk Street. (APN: 077-100-19, 27, 28, 34) **Resolution No. 2005-126 required.**

- c) **Introduction of Ordinance 2005-17** for Change of Zone No. 2004-32: a request by Fred Machado (Branum Group, agent) to change the Zoning designation on 48 acres from BRP (Business Research Park) to 6.0 acres of PA (Professional / Administrative Office), 7.7 acres of QP (Quasi-Public), and 34.3 acres of R-1-6 (Single-family Residential, 6,000 sq. ft. min. lot size).

The project site is located on the north side of Goshen Avenue, approximately ¼ mile east of Shirk Street. (APN: 077-100-19, 27, 28, 34.) Applicant: Fred Machado; Agent: Branum Group.

The public hearing was opened. No one spoke. Based on an earlier request by the applicant, the Council voted to continue the public hearing to Oct. 3, 2005.

Item 10
Track 10

10. PUBLIC HEARING

Item 10a:
JG/GK 5-0
Approved

- a) Certify Negative Declaration No. 2005-064. **Resolution 2005-127 required. (A separate Motion by the Council is required.)**
- b) Initiation of proceedings of Annexation No. 2005-05 (Silva): a request by Tulare County Properties, Inc. and Michael Silva (Lane Engineers, agent) to annex one parcel totaling 9.77 acres into the City limits of Visalia. The project is located on the west side of Shirk Street, approximately 300 feet south of Pershing Avenue, City of Visalia, County of Tulare. (APN: 081-030-046) **Resolution No. 2005-128 required.**

Item 10b:
JG/GK 5-0
Approved

Following a staff report, the public hearing was opened. Mike Lane, 979 N. Blackstone, Tulare, represented the applicant and expressed support for the project.

Item 11
No Audio
Recording
GK/DL
5-0 voted to
approve a
continuance
of the public
hearing to
9/19/05

11. PUBLIC HEARING -

- a) To consider increasing Transportation Impact Fees. After hearing testimony, consider approval of the proposed Transportation Impact Fees, **Resolution 2005-129 required.**
- b) To consider increasing the Parks and Recreation Impact Fees, General Facility Impact Fees for the Corporation Yard, Fire Impact Fee, Waterways Impact Fees and the Storm Drain Impact Fees. Due to the escalating land values, these increased fees will be used to purchase land primarily from developers for the public projects within each impact fund. After hearing testimony, consider approval of the proposed Parks and Recreation Impact Fees, General Facility Impact Fees for the Corporation Yard, Fire Impact Fee, Waterways Impact Fees and the Storm Drain Impact Fees, **Resolution 2005-130 required.**

City Manager Steve Salomon indicated that the Visalia Economic Development Corporation had requested an extension to review the item in more detail.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

None.

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

None.

SUBMITTED: Leslie Caviglia, Deputy City Clerk