

Visalia City Council Action Agenda

For the regular meeting of: Monday, September 19, 2005

Location: City Hall Council Chambers

Mayor: Bob Link (absent Work Session only)
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.

Track 1

EMPLOYEE INTRODUCTIONS: 5:00 P.M.

Fire Battalion Chief Kevin Gildea introduces the new City of Visalia Fire Department Paramedic graduates John Greenwood, Anthony Colbert, Dameon Malek, Dustin Hall, Jeff Macumber, Allan Wilkinson, Chris Ortiz, Darrin Woodbridge, Jason Gizowski, and provides an inspection tour of the City's newest fire engine.

WORK SESSION AND ACTION ITEMS (as described) 5:20 p.m. (Or, immediately following introductions)

1. Update on the City's Underground Utility District Program. *(Time Est. 20 min.)*

Track 2

Jim Funk, Engineering staff introduces item & provides a PowerPoint slide presentation, which highlights existing procedures. Bill Delain of Southern California Edison present to address any questions. Staff responds to questions & comments posed by Council. Item to be presented at a later work session for action.

**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)

2. Conference with Legal Counsel - Existing Litigation (1)
Name of Case: City of Visalia v. Harrah, TCSC Case No. 04-210016
3. Conference with Legal Counsel - Anticipated Litigation (1)
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 G.C.

4. Conference with Labor Negotiator
Employee Groups: Group M
Agency Negotiator: Jim Harbottle, Eric Frost, Janice Avila
 5. Conference with Real Property Negotiators
Property: 425 East Oak
Under Negotiation: Price, terms, conditions of potential lease
Negotiators: Steve Salomon, Leslie Caviglia, Carol Cairns, Harry Foster of Family Healthcare Network
- *Convene jointly as the Visalia City Council and Redevelopment Agency Board for the following item only:*
6. Conference with Real Property Negotiators
Property: for an estimated 6-acre portion of the Agency property located at the southwest corner of N. Ben Maddox Way and E. Goshen Avenue (portion of APN: 094-180-005)
Under Negotiation: price, terms and conditions that may be included in a potential purchase and sale agreement
Negotiators: Steve Salomon, Bob Nance, Doug Burr and Tim Razzari.
- *Adjourn as the Redevelopment Agency Board and remain seated as the Visalia City Council*

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Miller

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.

Reconvene to
Regular
Session

Track 3

Track 4

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Vice Mayor Gamboa pulls Item 7c for discussion. Councilmember Landers pulls item 7k6 for discussion.

7. 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 Council to adopt **Resolution 2005-131** supporting the Valley Water Alliance's position that the Friant Dam continue to be operated in a manner consistent with historic commitments to provide economical and reliable water supplies to agriculture, municipal and industrial water and power users and to achieve a reasonable balance among all competing interests for the use of all water supplies.

c) Approval of modification to Economic Development Policy for providing financial assistance to new or expanding business.

Economic & Redevelopment Manager Bob Nance addresses Council's comments & questions regarding program criteria and funding sources. Approved.

d) 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 West Park No. 2 Subdivision, located North of Visalia Parkway between Akers Street and Linwood Street (144 lots) and the Formation of Landscape and Lighting District No. 05-15-Park, West Park No. 1 & 2; **Resolution 2005-132 and 2005-133 required. APN: 119-070-064.**

e) Authorization to record the final map for the following:

1. Parcel Map No. 2004-18, located at the southwest corner of Ferguson Avenue and Cain Street.

f) Award Contract for the Cameron Avenue and County Center Street Improvement Project, Project No. 3011-720000-0-0-9733-2005, to facilitate construction of the South Police Precinct, to Central Valley Asphalt in the amount of \$339,139.50.

g) Authorization to bid the public improvements for Miscellaneous Sanitary Sewer Improvement Project without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 4311-00000-720000-0-9451-2005.

h) Award a Construction Contract for the 2005 Major Street Overlays project (Court Street – Walnut Avenue to Caldwell Avenue, Linwood Street – Walnut Avenue to Caldwell Avenue and Akers Street – Tulare Avenue to Cypress Avenue) to Lee's Paving in the amount of \$769,448.00 and authorize an additional appropriation of \$120,000 from the Gas tax Fund (1111), Project No. 1111-00000-720000-0-9225-2005.

- i) Adopt **Resolution 2005-134** authorizing the application for a grant from the Recreation Trails Program in the amount of \$179,000 to construct a twelve foot wide asphalt path along Packwood Creek between Tulare Ave. and south of Noble Ave.
- j) Certification of Negative Declaration No. 2005-79 prepared for the acquisition and development of a 2.6 acre neighborhood park site in the Pheasant Ridge Subdivision and a 1.5 acre pocket park in Foxwood Unit 5 Subdivision, **Resolution 2005-135 required.**
- k) Request authorization to file a Notice of Completion on the following:
 1. Northgate Estates, containing 16 family lots and one common lot, located north of Ferguson Avenue between Linwood Street and Akers Street.
 2. Hidden Acres, containing 9 single family residential lots and a 10th lot for existing church facility, located 1,200 feet west of the intersection of Caldwell Avenue and Akers Street on the north side of Caldwell Avenue.
 3. La Valencia Subdivision, containing 38 lots, located on the west side of Linwood Street between Ferguson Avenue and Riggin Avenue.
 4. Cobblestone Estates II Unit No. 1, containing 27 lots, located West of Linwood Street, South of Ferguson Avenue.
 5. Cobblestone Estates II Unit No. 2, containing 23 lots, located Northwest corner of Linwood Street and Houston Avenue.
 6. Project No. 3011-720000-0-0-9141-2005 for the New Irrigation Well at the Riverway Sports Park.

Track 7
Item 7k6
DL/WD 5-0
Approved

Parks & Urban Forestry Manager Don Stone addresses Council's comments & questions regarding well depth and supply. Approved.

- l) Award Contract for the Ferguson Avenue Traffic Signal Modification project (intersection of Ferguson Ave. and Dinuba Blvd) to Lockwood General Engineering Inc., for the bid price of \$79,571.60. Project No. 1611-72-0-0-9524-2002.
- m) Reject all bids for the Oak Avenue Street Improvement Project, Santa Fe to Tipton Streets, Project No. 1111-720000-0-9682-2005.
- n) Award a contract for the Akers Street Improvements from Caldwell Avenue to Whitendale Avenue to the low bidder R.J. Berry Jr., in the amount of \$1,218,692.25; Project # 1241-720000-0-0-9263-2000.
- o) Authorization for staff to submit project applications for Transportation Enhancement (TE) Program federal funding, **Resolution 2005-141 required.**
- 8. Item removed from Agenda.
- 9. Item removed from Agenda.
- 10. PUBLIC HEARING - Approval and Adoption of 2004-2005 Program Year Consolidated Annual Performance and Evaluation Report (CDBG & HOME); **Resolution 2005-137 required.**

Track 8
JG/DL 5-0
Approved

Economic & Redevelopment Manager Bob Nance addresses Council's comments & questions regarding goals of the program. Public Hearing Opened; no comments; Public Hearing Closed. Approved.

Track 9
GK/WD 5-0
Approved

11. PUBLIC HEARING - **Resolution 2005-136**, authorizing the formation of Underground Utility District No. 16 - Dinuba Boulevard between Houston Avenue (approximately 100 feet north of) and Riverway Drive (Avenue 316.).

Engineering staff Jim Funk addresses Council's comments & questions regarding costs associated with the districts. Public Hearing Opened; no comments; Public Hearing Closed. Approved.

12. PUBLIC HEARING -

Track 10
Item 12a
DL/WD 5-0
Approved

- a. Certify Negative Declaration No. 2005-090. **Resolution 2005-138 required. (A separate motion by the Council is required.)**
- b. Initiation of proceedings of Annexation No. 2005-09 (Walnut-McAuliff SE): a request by Alvern M. and Linda L. Sousa, applicants (Branum Group, agent) to annex one parcel totaling 53.16 acres into the City limits of Visalia. The project is located on the southeast corner of Walnut Avenue and McAuliff Street, City of Visalia, County of Tulare. (APN: 127-030-046) **Resolution No. 2005-139 required.**

Item 12b
DL/WD 5-0
Approved

Planning staff Brandon Smith addresses Council's comments & questions regarding ownership of parcels near the project site that aren't included in this annexation. Concerns over connectivity are expressed by the Council. Staff was asked to provide in future reports large view of connectivity on maps with street names listed. Public Hearing Opened: Rick Branum & Chris Williams addressed Council & offered to answer any questions they may have; Public Hearing Closed. Approved.

- *Item 13 was continued from September 6, 2005*

13. PUBLIC HEARING -

Track 11
Item 13a
DL/GK 5-0
Approved

- 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.**

Item 13b
DL/GK 5-0
Approved

Assistant Community Development/Public Works Director Andrew Benelli presented an overview of Item 13a and addressed Council's comments & questions. Public Hearing Opened; Glen Morris, VEDC, comments on item; Public Hearing Closed. Approved.

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

Track 12
JG/WD 5-0
Approved

14. PUBLIC HEARING - regarding the proposed approval of a Disposition and Development Agreement for the sale and development of an approximately 48,787 square foot parcel for \$226,859.55 of Agency owned real properties located at 440 N. Ben Maddox Way to Scott A. McMillan and Tani M. McMillan of Wasco, CA, for the development of an office complex and related facilities; **Agency Resolution 2005-03 and City Resolution 2005-140 required.**

Economic & Redevelopment Manager Bob Nance introduces item & addresses Council's comments & questions. Public Hearing Opened; Scott McMillan addressed Council & offered to answer any questions they may have. Public Hearing Closed. Approved.

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

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

None.

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Adjourn

None.

SUBMITTED: Roxanne Yoder, Chief Deputy City Clerk