

Please note that the numbering sequence for this agenda has been corrected to reflect the correct sequential order. Previous numbering order will be noted in parenthesis.

Visalia City Council Action Agenda

For the regular meeting of: Monday, June 7, 2004

Location: City Hall Council Chambers
707 W. Acequia Ave., Visalia

Mayor: Bob Link
Vice-Mayor: Phil Cox
Council Member: Jesus J. Gamboa
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.

WS Tape 1

New Employee Introduction:

Community Development Director, Michael Olmos introduces the new Community Development employees: Tim Burns, Code Enforcement Officer; Loretta Riggins, Hourly Planner; Susan Currier, Planning Assistant; Kim Carter, Support Services Assistant.

WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.

1. Review and discussion of: 1) proposed Zoning Ordinance amendments regarding reduction of minimum front yard setbacks in residential zones, 2) proposed update of the Street Tree Ordinance, and 3) proposed update of six Engineering Improvement Standards and 4) consideration of establishing a task force to further review development standards.

Michael Olmos, Community Development Director introduces item to Council. Steve Brandt, Principal Planner and John Dutton, City Engineer, provide an update and offer background on each item. Comments and questions by Council, staff responds.

Item 2 to be rescheduled to a date yet to be determined

2. Consider change in policy to use City's Transportation Funds to construct full street improvements, curb to curb, on designated arterials and collectors and consider increase in Transportation Impact Fees to cover increase in cost. (*This item will be rescheduled to an undetermined date.*)

(4) ITEMS OF INTEREST

Items of interest were offered by Councilmembers Kirkpatrick & Gamboa.

Adjourn to Closed Session

CLOSED SESSION

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

3. (5) Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 GC

4. (6) Public Employee Performance Evaluations

Title: City Manager
City Attorney

5. (6a) Conference with Real Property Negotiators

Property: Structure located at 805 W. Acequia Street
Under Negotiation: Price, terms, and conditions of sale
Negotiators: Steve Salomon, Carol Cairns, Central Valley Christian Housing

5b. (6b) Conference with Real Property Negotiator

Property: five real property parcels located west of N. Ben Maddox Way between Main and Goshen Streets identified by Assessor's Parcel Numbers: 094-180-005, 094-190-012, 013, 094-240-036 and 094-201-025
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Steve Salomon, Bob Nance, Union Pacific Railroad

Reconvene to
Regular
Session

REGULAR SESSION

7:00 p.m.

RS Tape 1 & 2

PLEDGE OF ALLEGIANCE

INVOCATION - David Berry, Visalia Community Church of Christ

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 that may be listed on this agenda will be heard at the time in which 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 provide your address.

None.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Mayor Link notes a clerical error on Item 6j and pulls Item 6b for discussion.
Vice Mayor Cox pulls items 6c; 6e2; & 6i for discussion.

Balance of
Consent Item
Approved
JG/PC 5-0

6. (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.

PC/DL 5-0
Approved

- b) Authorization for the re-appointment of Sam Logan to serve on the Visalia Planning Commission beginning July 1, 2004.

Item pulled by Mayor Link to discuss alternate positions. Item amended to reflect that current 2nd alternate Steve Farnsworth will now be 1st alternate. Approved.

GK/DL 4-1
(PC-no)
Approved

- c) Authorize loan of \$52,000 at 3% interest from the General Fund to the Cross Valley Rail Corridor Joint Powers Authority to cover final costs in completing the Cross Valley Rail freight line improvements

Item pulled by Vice Mayor Cox for discussion. Questions & comments offered by Council, staff respond. Approved.

- d) Authorization to award two-year contract to Urban Tree Foundation for professional services in the amount of \$90,000 over the life of the contract.

- e) **Second Reading** of the following Ordinances:

1. **Ordinance 2004-15** granting an easement to CRS Farming for the purpose of drilling a well on City parcel APN 78-12-003 located on the southwest corner of Dinuba Blvd and River Way Drive.
2. **Ordinance 2004-16** Change of Zone No. 2004-09: a request to change the zoning on 21 acres from BRP (Business Research Park) to CS (Service Commercial) and PA (Professional / Administrative Office), located on the northeast corner of Tulare Avenue and Ben Maddox Way (APN: 100-010-26). Applicants: Acurso Property; agent: Lane Engineer.

Item pulled by Vice Mayor Cox to vote no. Approved

3. **Ordinance 2004-17** Change of Zone No. 2003-18: A request to change zoning designations on one parcel from Business Research Park (BRP) to Single-family Residential, 6,000 sq. ft. min. lot size per unit (R-1-6), Multi-family Residential, 1,500 sq. ft. land area per unit (R-M-3), and Service Commercial (C-S). The project site is located on the east side of Shirk Street between Modoc Ditch and Doe Avenue. (APN: 077-100-20) Applicant: Mangano Homes.
4. **Ordinance 2004-18** authorizing an amendment to the Contract between the City and the Board of Administration of the California Public Employees' Retirement System for Local Miscellaneous Employees.
5. **Ordinance 2004-19** Change of Zone No. 2004-02: a request to change the zoning on 7.1 acres from R-A (Rural Residential) to R-1-6 (Single-Family Residential), located at 5500 W. Caldwell Avenue (APN: 119-320-38). Applicants: Benart S & L Homes; agent: Forester, Weber, & Branum.

- f) Request authorization to file the final map for the following:

1. Oakwest Unit No. 6 Subdivision, located on the south side of Hurley Avenue between Shirk Street and Tommy Street. APN. 085-610-01.
2. Eagle Glen Unit No. 3 Subdivision, located at the Northeast corner of McAuliff Street and Walnut Avenue.
3. Ashley Grove, Unit No. 3 Subdivision, located at the Northwest corner of Ferguson Avenue and County Center Street, APN: a portion of 089-010-009

- g) Request authorization to file a Notice of Completion for the following:

1. Walnut Breeze No. 3 Subdivision, containing 41 lots, located on the North side of Caldwell between Burke Street and Ben Maddox Way.

Item 6e2
JG/DL 4-1
(PC-no)
Approved

h) Formation of Landscape and Lighting District No. 04-01, Oakwest #6 **Resolution 2004-53 and 2004-54 required**

PC/DL 5-0
Approved

i) Authorize staff to advance the purchase of eight Solid Waste refuse trucks from FY 04/05 to this fiscal year and award the purchases to Central Valley Kenworth and Ruckstell California Sales.

Item pulled by Vice Mayor Cox for discussion. Questions and comments by Council, staff responds. Approved.

j) Request authorization to enter into contract with INDIGO /Hammond and Playle Architects, for services to program, design, provide construction documents for two police precinct stations, for a fee of ~~\$245,000~~ \$230,000.00.

Mayor Link notes a clerical error on Item 6j, the corrections reflect as noted above.

DL/JG 5-0
Approved

7. (8) Authorization to file correspondence with Tulare County Planning Commission and Tulare County LAFCO stating opposition to a proposed large-lot residential subdivision within the City's Urban Growth Boundary. (Tulare County Case No. PZV 04-005/TM 759 (Baker).

Approved.

PC/GK 5-0
Approved

8. (9)PUBLIC HEARING –Appeal of the Planning Commission's approval of Conditional Use Permit No. 2004-10, a request by Visalia Rescue Mission to allow an emergency housing shelter for women and children, located at 1413 N. Burke Street (APN 091-214-15) **Resolution 2004-55 required.**

Staff requests item be continued to the meeting of June 21, 2004. Approved.

DL/PC 5-0
Approved

9. (10) PUBLIC HEARING –Authorizing the amendment to the City of Visalia Municipal Code adding Chapter 12.61 Downtown Newsrack District to regulate the placement and design of newsracks in the Downtown Retail Design District, and the implementation of a permit process for newsracks in the District. **Second Reading of Ordinance 2004-14.**

Steve Brandt, Principal Planner addresses Council and provides background information on the item. Public Hearing Opened: Randy Zeeb, PBID Board and Kelly Howard, Downtown Visalians, speak in support of the item. Dean Christensen, Manager Thrifty Nickel, speaks in favor of project, but has a few concerns that are outlined for the Council. Public Hearing Closed. Questions and comments posed by Council, staff respond. Approved.

Item 10 to be rescheduled to a date yet to be determined

10. (11) PUBLIC HEARING – for consideration of change in policy to use City's Transportation Funds to construct full street improvements, curb to curb, on designated arterials and collectors and on proposed increase in Transportation Impact Fees collected at time of building permits to cover increased costs. After hearing testimony, consider approval of proposed Transportation Impact Fee Schedule per **Resolution No. 2004-56. (Cancelled. Will be scheduled and noticed for a new date not yet specified.)**

PC/DL 5-0
Approved

11. (12) PUBLIC HEARING - Text Amendment No. 2004-04: An amendment to Zoning Ordinance Chapters 17.12, 17.14, and 17.16 to modify the required minimum front yard setbacks for lots in the R-1-6, R-1-4.5, and R-M-2 zones. **Introduction of Ordinance No. 2004-20 required.**

Steve Brandt, Principal Planner, provides a brief overview of item discussed earlier in the Work Session. Public Hearing Opened; No comments; Public Hearing Closed. Questions and comments by Council, staff responds. Approved.

GK/DL 5-0
Approved

- 12. (13) PUBLIC HEARING - Adoption of updated Street Tree Ordinance (Chapter 12.20 of the City Municipal Code). **Introduction of Ordinance No. 2004- 21 required.**

Council requests that this item be continued to the meeting date of June 21, 2004. Approved.

DL/JG 5-0
Approved as
Amended

- 13. (14) PUBLIC HEARING – Adoption of six updated Engineering Improvement Standards. **Resolution No. 2004- 57 required.**

John Dutton, City Engineer, provides a brief background of item discussed earlier in the Work Session. Public Hearing Opened; No comments; Public Hearing Closed. Comments and questions by Council, staff responds. A notation will be made on the map as follows: discourage aligned through local streets in either direction. Approved as amended.

- 14. (15) PUBLIC HEARING – General Plan Amendment No. 2004-13: A request to relocate a 2.30-acre Medium Density Residential land use designation located on the south side of Cameron Avenue between Stonebrook and Santa Fe Streets. (APN: 126-070-24,26,39,40; 126-100-28, 29, 30) Central Valley Land Company, LLC (a.k.a. McMillan Homes) applicant; Quad Knopf, agent. **Resolution 2004- 58 required.**

Initiation of proceedings for Annexation No. 2004-08 (South Cameron Creek): A request to annex approximately 104 acres into the City of Visalia located on the south side of Cameron Avenue between Stonebrook and Santa Fe Streets. (APN: 126-070-24,26,39,40; 126-100-28,29,30) between Stonebrook and Santa Fe Streets. (APN: 126-070-24, 29,40; 126-100-28, 29,30) Central Valley Land Company, LLC (a.k.a. McMillan Homes) applicant; Quad Knopf, agent.

Resolution 2004- 59 required.

Certify Negative Declaration No. 2004-35.

DL/PC 3-2
(JG & GK-no)
Approved

Steve Brandt, Principal Planner, introduces item to Council. Public Hearing Opened; Darlene Mata of McMillan Homes speaks in support of the project and addresses Council’s questions. Public Hearing Closed. Comments and questions posed by Council. Discussion regarding policies and procedures is noted with a request to address these concerns in a future Work Session. Approved.

- 15. (16)PUBLIC HEARING -
 - a. Adoption of Airport Master Plan **Resolution 2004-60 required**
 - b. Certification of Mitigated Negative Declaration No. 2004-05, (SCH # 2004011096)
 - c. Authorization to proceed with General Plan Amendments and Zoning Ordinance Amendments for ordinance and policy consistency.

DL/GK 5-0
Approved

Mario Cifuentez, Airport Manager, introduces item to Council and provides a history of the project. Comments made by Council. Public Hearing Opened: Dirk Poechel, Fresno; Jim Runyon, Visalia, spoke in support of the item. Public Hearing Closed. Approved.

(17) REPORT ON ACTIONS TAKEN IN CLOSED SESSION

None.

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

None.

SUBMITTED:

Roxanne Yoder, Chief Deputy City Clerk