

Visalia City Council Action Agenda

For the regular meeting of: Monday, October 18, 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.

Digital
Recording

Employee Introductions:

Track 1

Steve Salomon, City Manager, introduces Vince Elizondo, Visalia Parks and Recreation Director.

Michael Olmos, Community Development Director, introduces Assistant Community Development Directors David Jacobs and Andrew Benelli.

WORK SESSION AND ACTION ITEMS (as described)

4:00 p.m.

Track 2

1. Review comments received from the Downtown Alliance organization and approve the design schematic for the vehicular/pedestrian bridge on Santa Fe Street over State Route 198.

Item introduced by Jim Funk, Engineering Design Division. Bridge design team, Teter a + e; Quad Knopf; Imbsen & Associates provide a PowerPoint slide presentation and update of project. Questions & comments by Council, direction provided. No action taken.

2. Item removed from Agenda.

3. Water Feasibility Study.

(A copy of the Feasibility Study for a City of Visalia Water System is available for public review in the City Clerk's Office. To make arrangements for a personal copy contact Michael Olmos, at 713-4332.)

Track 3
Approved
DL/PC 4-1
(GK-Non)

Item presented by Community Development Director Michael Olmos. Questions & comments by Council, staff responds. Representatives from Cal Water, Ray Taylor and Phil Mirwald address Council & request to continue to provide service to the area. Authority to select & execute an agreement for a feasibility study with a share of costs between the interested parties approved.
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(Track 4
blank/deleted)
Track 5

- 4. Park and Recreation Foundation activities update presented by Parks & Recreation Foundation Director Thora Guthrie.

Update of goals and successes presented to Council provided by Thora Guthrie, Bruce McDermott, Brian Blain, and Amy Shuklian. Comments provided by Council. Councilmembers Gamboa, Cox, Landers, and Link commit \$100 each to the foundation membership.

ITEMS OF INTEREST

Adjourn to
Closed
Session

CLOSED SESSION

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

- 5. Item Removed From Agenda.
- 6. Conference with Real Property Negotiator
Property: 333 E. Main Street (119 S. Bridge) parcel identified as APN: 094-296-006
Under Negotiation: Price, terms, condition of sale
Negotiators: Steve Salomon, Bob Nance, Colleen Carlson, Troy Korsgaden, Marty Zeeb
- 7. Conference with Real Property Negotiators:
Property: APN #098-07-031, 22, 14 at 321 N. Lovers Lane
Under Negotiation: price, terms and conditions of sale
Negotiators: Steve Salomon, Don Stone, Visalia Unified School District
- 8. Conference with Legal Counsel - Existing Litigation
(Subdivision (a) of Gov. Code Section 54956.9)
Name of Case: Restoration v City of Visalia, USDC Case No.: CIV F-04-5916AWI SMS
Name of Case: COV v Restoration Church, TCSC Case No: 04-210016

Reconvene to
Regular
Session

REGULAR SESSION

7:00 p.m.

Track 6

PLEDGE OF ALLEGIANCE

INVOCATION -

SPECIAL PRESENTATIONS/RECOGNITION

Proclamation declaring October 18-22, 2004, National Medical Assistants Week.

Proclamation declaring October 23-31, 2004, Red Ribbon Week.

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.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Vice Mayor Cox pulls Item 9e; Mayor Link pulls Item 9g; Councilmember Landers pulls Items 9i & 9j; Councilmember Kirkpatrick pulls Item 9r (2).

Balance of
Consent
Calendar
Approved
GK/DL 5-0

9. 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) Receive Status Report on Measure T funding.
 - c) **Introduction of Ordinance 2004-29** repealing City Ordinance Code Chapter 2.44 Personnel Rules and Regulations.
 - d) Authorization to deposit \$4.7 million to CalPERS to fund the City's pension obligations, reducing future contributions.
 - e) Authorization to form a Southeast Master Plan Task Force to assist in preparation of a Southeast Master Plan and to prepare and distribute a Request for Proposals for a consultant to prepare a Master Plan.

Track 7
Approved
PC/DL 5-0

Item pulled for discussion. Questions and comments by Council and the estimated timelines for the project. Steve Brandt, Planning Manager addresses Council's concerns. Approved.

- f) Authorization to award Contract for the Transit Center to Main Street Pedestrian Corridor Project to Low Bidder, Lockwood General Engineering, Inc., for the Sum of \$452,996.00. Project Number: 1611-72-0-0-9569-2003.
- g) Authorize the City Clerk to record **Resolution 2004- 105** removing the City's interest in a deed restriction on Lot A of McAuliff Ranch Subdivision - Unit No. 1 generally located at the northeast corner of Tulare Avenue and McAuliff Street and authorize the City Clerk to execute a Quitclaim Deed removing the City's interest in Lot A of McAuliff Ranch Subdivision - Unit No. 1.

Track 8
Table Item
Approved
GK/DL 5-0

Staff requested item to be tabled to a date yet to be determined for further review by City Attorney. Approved.

- h) Authorize the Engineering Department to pay Southern California Edison an additional \$70,759.57 for a total of \$141,127.13 to relocate six power poles on McAuliff Street and Houston Avenue for the McAuliff Street extension project. Project No. 1241-720000-0-0-9475-2005.

Track 9
Approved
DL/JG 5-0

- i) Authorization to amend the Capital improvement program and create a Capital Improvement Program project in the Transportation Impact Fee fund (1241) in the amount of \$500,000 to construct Visalia Parkway from Dans Street to Demaree Street.

Item pulled for discussion. Questions & comments by Council, staff responds. Approved.

Track 10
Approved
DL/PC 5-0

- j) Authorization to award a contract for The Pinkham Island Annexation Sanitary Sewer Improvements to the low bidder Bill Nelson General Engineering Construction Inc. in the amount of \$236,550.00. Project # 4311-720000-0-0-9457-2005.

Item pulled for discussion. Questions & comments by Council, staff responds. Approved.

- k) Authorization to approve a Memorandum of Understanding (MOU) with City of Exeter for the provision of transit services.

- l) Authorization to approve a Memorandum of Understanding (MOU) with City of Farmersville for the provision of transit services.

- m) Authorization to reimburse Centex Homes \$268,915.13 for the cost to develop two neighborhood pocket parks at Shannon Ranch subdivision #1 and #2.

- n) Authorization to award Professional Services Contract to The HLA Group for \$13,500 to develop a concept plan for the community park site located at Road 152 north of Packwood Creek.

- o) Authorization for the Formation, Annexation, or Amendment of the following Landscaping and Lighting District(s):

1. Formation of Landscape and Lighting District No. 04-05, Sierra Point Villas, **Resolution Nos. 2004-106 and 2004-107 required.**
2. Formation of Landscape and Lighting District No. 04-06, Parcel Map 2003-13, **Resolution Nos. 2004-108 and 2004-109 required.**
3. Formation of Landscape and Lighting District No. 04-07, Parcel Map 2004-05, **Resolution Nos. 2004-110 and 2004-111 required.**
4. Formation of Landscape and Lighting District No. 04-08, Turnberry Place, **Resolution Nos. 2004-112 and 2004-113 required.**

- p) Authorization to file a Notice of Completion for the following:

1. Vista Heights Subdivision, containing 19 lots, located east of Vista Street between Tulare Avenue and Noble Avenue.

- q) Authorization to record the final map for the following:

1. Park Place, Unit No. 2 Subdivision, located on the west side of Lovers Lane between "K" Road and Caldwell Avenue APN 126-120-014 & 015.
2. Crossroads Subdivision, located on the east side of Pinkham Street at La Vida Avenue between "K" Road and Caldwell Avenue APN: Portion of 126-120-005 & 006.
3. Parcel Map No. 2004-04, located at the northeast corner of Tulare Avenue and Ben Maddox Way APN Portion of 100-010-026.
4. Park Avenue Gardens Subdivision located at the southwest corner of Murray Avenue and Park Street APN 093-252-04.

5. Sierra Point Villas Subdivision, located on the northwest corner of the Mineral King Avenue and McAuliff Street intersection APN 103-130-092,093.
6. Turnberry Place Subdivision located northwest of the Akers Street and Caldwell Avenue intersection APN 119-320-038.
7. Parcel Map No. 2003-13, located on west side of American Street (Road 76) between Goshen Avenue and Mill Creek Ditch APN 073-160-025, 073-090-008.

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

1. **Ordinance 2004-27** Change of Zone No. 2004-22: A request to change the zoning from QP (Quasi-Public) to R-1-6 (Single-Family Residential). The site is located on the west side of County Center Drive, between Houston Avenue and Ferguson Avenue, APN 089-020-02. Applicant, Visalia Cemetery District; agent, Forester, Weber, and Branum, LLC.
2. **Ordinance 2004-28** for Text Amendment No. 2004-18 to amendment to Chapter 17.18 of the Visalia Zoning Ordinance to change the zoning matrix to allow Enclosed Solid Waste Transfer Stations as a "Conditional" use in the Service Commercial and Light Industrial (IL) Zones, and as a "Permitted" use in the Heavy Industrial (IH) Zone, and Unenclosed Solid Waste Transfer Stations as a "Conditional" use in the Heavy Industrial (IH) Zone. The Planning Commission recommends approval of the Text Amendment for the Light (IL) and Heavy Industrial (IH) zones, and recommends that solid waste transfer stations not be allowed in the Service Commercial (CS) zone.

Item pulled for Councilmember Kirkpatrick & Gamboa to remain consistent in their vote against the amendment. Item approved by a 3-2 vote.

- s) Authorization to accept a \$10,000 donation and appropriate those monies for the purchase of a police service dog and necessary training.

10. PUBLIC HEARING -

An appeal by Adam Arakelian of the Planning Commission's approval of Conditional Use Permit No. 2004-35. A request by Visalia Unified School District to allow an Elementary School in the R-1-6 Zone. The site is located at 4222 Dans Lane (APN 126-020-32). **Resolution 2004-114 required.**

Item presented by Steve Brandt, Planning Manager. Questions & comments by Council, staff responds. Public Hearing Opened: Adam Arakelian, Shawn Rocha, Pam Lopper, Mike Wyant, Carl Kildow, Nina Clancy & Theresa McDaniels speak against approval of the project with present traffic circulation issues; Public Hearing Closed. Council requests staff to include a four-way stop sign at Dans Lane & Rialto. City Manager Steve Salomon comments on the traffic circulation and proposed solutions. Council directed the City Manager to find a resolution to the concerns. Approved as Amended.

Per request of applicant Item 11 will be continued to Monday, November 1, 2004 (Motion required.)

11. PUBLIC HEARING -

General Plan Amendment No. 2004-16. A request by Plaza Land LLC to change the Land Use Designation from Business Research Park to Professional Administrative Office for 13.7 acres. The site is located on the northeast corner of Highway 198 and Plaza Drive APN: 081-020-036. **Resolution No. 2004-115 required.**

Track 11
Item 9r(2)
Approved
PC/DL 3-2
(GK & JG -
No)

Track 12
Approved as
Amended
DL/GK 5-0

Track 13
Approved
Continue to
11/1/04
GK/DL 5-0

Introduction of Ordinance 2004-30 for Change of Zone No. 2004-19. A request by Plaza Land LLC to change the zoning from BRP (Business Research Park) to PA (Professional Administrative Office) for 13.7 acres. The site is located on the northeast corner of Highway 198 and Plaza Drive APN: 081-020-036.

The request includes an amendment to the Design District boundaries to enlarge Design District "H" to encompass the proposed limits of the Jostens manufacturing site.

Certify Negative Declaration No. 2004-87.

Item pulled at the request of staff for further review by the City Attorney's Office. Item to be placed back on the Council Agenda when a determination has been made. Approved.

12. PUBLIC HEARING -

General Plan Amendment No. 2004-25: A request by Poloma Development Co. to change the land use designation from Low Density Residential to Shopping/Office Commercial. The site is located on the southwest corner of Ferguson Avenue and Summers Street. APN: 091-023-002. **Resolution 2004-116 required.**

Introduction of Ordinance No. 2004-31 for Change of Zone No. 2004-26: A request by Poloma Development Co. to change the zoning from R-1-6 (Single-family Residential, 6000 sq. ft. minimum lot size) to CSO (Commercial Shopping/Office). The site is located on the southwest corner of Ferguson Avenue and Summers Street. APN: 091-023-002.

Certify Negative Declaration No. 2004-104

The project is located on the southwest corner of Ferguson Avenue and Summers Street (APN 091-023-002.)

Item presented by Loretta Riggins. Public Hearing Opened: Harvey May comments in support of project. Questions & comments by Council, staff responds. Approved.

13. PUBLIC HEARING -

For consideration of change in policy to use City's Transportation Impact Fee Funds to construct full street improvements, curb to curb, on designated arterial and collector streets and a proposed increase in Transportation Impact Fees collected at time of building permits to cover increased costs associated with said policy change. After hearing testimony, consider approval of proposed Transportation Impact Fee Schedule per **Resolution 2004-117 required.**

Item presented by David Jacobs, Assistant Community Development Director. Public Hearing Opened: Glen Morris, EDC commented on concerns regarding with commercial industrial, but overall generally supportive of plan; Susan Stanton-Mangini, Downtown Visalians Alliance; Public Hearing Closed. Questions & comments by Council, staff responds.

14. PUBLIC HEARING -

Initiation of Proceedings for Annexation No. 2004-15 (Danzeisen): A proposed annexation of a parcel containing 16.52 acres into the City of Visalia, located on the south side of Riggan Avenue, approximately 1000 feet west of Demaree Street (APN: 077-180-015) Clayton &

Track 14
Approved
JG/DL 5-0

Track 15
Approved
JG/DL 5-0

Track 16
Approved
with
provision
DL/PC 4-1
(GK - No)

Gail Danzeisen, applicants; Quad Knopf, agent. **Resolution No. 2004-118 required.**

Item presented by Steve Brandt, Planning Manager. Public Hearing Opened: Mark Shulle, Central Valley Developers comments in favor of project; Public Hearing Closed. Questions & comments by Council, staff responds. Approved with the provision if LAFCO requests the City to take responsibility of Linwood that the application be withdrawn.

15. PUBLIC HEARING -

General Plan Amendment No. 2004-28: A request by the City of Visalia to change the General Plan Designation from Shopping/Office Commercial to Service Commercial on 7.4 acres. **Resolution 2004-119 required.**

Introduction of Ordinance 2004-32 for Change of Zone No. 2004-27: A request initiated by the City of Visalia to change the zoning from C-SO (Shopping/Office Commercial) to C-S (Service Commercial.)

Certify Negative Declaration No. 2002-12

The project is located on the southwest corner of Goshen Avenue and Cain Street (APN 098-142-44, 49.)

Track 17
Approved
DL/PC 5-0

Item presented by Steve Brandt, Planning Manager. Public Hearing Opened; No comments; Public Hearing Closed. Approved.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

None.

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

None.

Adjourn

SUBMITTED:

Roxanne Yoder, Chief Deputy City Clerk