

Visalia City Council Action Agenda

For the regular meeting of: Monday, November 1, 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

Track 1

Employee Introductions:

Chief of Police Jerry Barker, introduces Daniel Roberts and Stacey Gratreaks, Police Officers

WORK SESSION AND ACTION ITEMS (as described)

4:30 p.m.

1. Review and discussion of the LAFCO Sphere of Influence for Visalia.

Item presented, comments and questions by Council, staff responds. Council directs staff to proceed. Staff will return at a later date with a formal request for Council's approval.
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ITEMS OF INTEREST

CLOSED SESSION

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

2. Conference with Real Property Negotiator
Property: Shirk at proposed Ferguson, SE corner; APN: 077-10-050
Under Negotiation: Price, terms, conditions of purchase
Negotiators: Steve Salomon, George Sandoval, Danny Wristen, Mangano Homes, McMillin Homes
- 2a. Conference with Real Property Negotiator
Property: located at the south west corner of Dinuba Blvd. and Riverway Drive
Under Negotiation: Price, terms, conditions of amended agricultural lease
Negotiators: Steve Salomon, Don Stone, CRS Farming
3. Conference with Real Property Negotiator
Property: City owned property located between Mill Creek and Packwood Creek between the high voltage power lines and Road 152

Under Negotiation: Price, terms, conditions of sale
Negotiators: Steve Salomon, Steve Brandt, VUSD

4. Conference with Real Property Negotiators:
Property: two parcels owned by the Southern California Gas Company, a subsidiary of Sempra Energy, located at 300 and 320 N. Tipton
Under Negotiation: price, terms and conditions for development of a potential purchase and sale agreement
Negotiators: Steve Salomon, Michael Olmos, Bob Nance, Colby Wells, Southern California Gas Company
5. Conference with Real Property Negotiator
Property: 20.40 acres between Ben Maddox Way & Tipton & Center Street & Murray/Goshen Avenue, APN's: 094-180-005, 094-190-12 and 13, 094-240-36
Under Negotiation: to provide direction regarding terms and conditions
Negotiators: Steve Salomon, Dan Dooley, Bob Nance, Robert Doty, Cox, Castle & Nicholson LLP, Dan Leis, Union Pacific Real Estate Division

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

Track 2

INVOCATION - Pastor Floyd Westbrook, Visalia Christian Ministries

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.

Charles Weeks, Woodlake, comments in regard to Item 7g.

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

6. CONSENT CALENDAR -

Authorization for the City Manager/Executive Director to enter into a Contingent Payment Agreement between the City of Visalia and the City of Visalia Community Redevelopment Agency for the purpose of refinancing the 1993 Central and Mooney Tax Allocation Revenue Bonds with Stockmen's bank.

Track 3

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

PC/DL 5-0
Approved

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

Item 7c pulled for discussion/comment by Councilmember Landers; Item 7j pulled for discussion/comment by Vice Mayor Cox; Item 7l pulled for discussion/comment by Councilmember Gamboa.

Track 4

Balance of
Consent
Calendar
Approved
PC/GK 5-0

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 to submit applications for Proposition 40 competitive grant funds to improve Village Park and portions of the Wittman Center. **Resolutions 2004-220 and 2004-221 required.**

Track 5
Item 7c
Approved as
Amended
DL/PC 5-0

c) Disposition of City funds recovered from the State of California.

Comments and congratulations offered by Councilmember Landers. Approved as amended reflecting that a Resolution of Commendation be prepared & presented to Mr. Bill Dillberg.

- d) Authorization to enter into an agreement between the Community Redevelopment Agency of the City of Visalia and Habitat for Humanity of Tulare County, for use of Redevelopment Agency Low/Mod Housing Set-Aside funds, to provide for a loan account administered by City's Finance Department with a balance of up to one hundred thousand dollars (\$100,000) for a one-year period, for acquiring land for the construction of affordable homes.
- e) Authorization to execute two separate Community Housing Development Organization (CHDO) Agreements between: 1) City of Visalia and Central Valley Christian Housing Development Organization (CVC) and, 2) City of Visalia and Visalians Interested in Affordable Housing (VIAH). Assign CVC and VIAH as the designated CHDOs, for purposes of the US Department of Housing and Urban Development - HOME Investment Partnership Program, to assist in activities of development of new or retention of affordable housing, effective through June 30, 2005, with two potential (2) one-year extensions thereafter and declaring them to be eligible to apply for HOME-CDHO funds for use on City approved projects, programs or activities on a project-by-project basis.
- f) Authorization for City Manager to execute various administrative amendments with Kaweah Delta Water Conservation District regarding Mill Creek, Packwood Creek, and Ponding Basin #4.
- g) Authorization to award bid No. 04-05-10 Part A for the sale of walnut burls to Rocklin Forest Products for a lump sum price of \$830,000.
- h) Authorization to award bid # 04-05-01 to purchase various size solid waste containers, including commercial bins, roll off boxes and residential green waste cans.
- i) Certification of Negative Declaration No. 2004-113 prepared for the acquisition of 22.5 acres owned by the Union Pacific Railroad and located adjacent to the existing railroad tracks

between Tipton Street and Ben Maddox Way.

Track 6
Item 7j
Approved
PC/DL 5-0

- j) Authorize the Engineering Department to select a qualified Engineering design firm to study the Lovers Lane, Noble, Mineral King, SR 198 area to identify short and long term solutions and cost estimates to the traffic problems that are occurring at the intersection.

Item pulled for discussion & comment by Vice-Mayor Cox. Staff responds. Approved.

- k) Authorization to file a Notice of Completion for the signal installation at Dinuba Boulevard and Ferguson Avenue, Dinuba Boulevard and Prospect Avenue, and Lovers Lane and Douglas Avenue, Project No. 1611-72-0-0-9524-2002, in the amount of \$505,929.50.

Track 7
Item 7l
Approved
DL/JG 5-0

- l) Authorization to bid the public improvements for McAuliff Street Improvements Project (Houston Avenue to Mill Creek Parkway) without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 1241-720000-0-0-99475-2003.

Item pulled for discussion & comment by Councilmember Gamboa. Staff responds. Approved

- m) Authorization to award professional services contract to Shilts Consultants for \$22,500 to conduct an Opinion Research Study to evaluate support for recreation and park projects.

- n) **Second Reading of the following Ordinance(s):**

1. **Ordinance 2004-29** repealing City Ordinance Code Chapter 2.44 Personnel Rules and Regulations.
2. **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.
3. **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.)

At the request of staff Item 8 will be continued to the meeting date of Monday, November 15, 2004 (Motion Required.)

8. PUBLIC HEARING -

Item 8
Approved to
Continue to
11/15/04
GK/DL 5-0

General Plan Amendment No. 2004-24. A request by the City of Visalia to change the Land Use Designation from Agricultural to Quasi Public for approximately 37 acres. The site is located on the Southeast corner of County Center Street and Cameron Avenue. APN: 126-050-001, 126-277-005 (portion). **Resolution No. 2004-xx required.**

Introduction of Ordinance 2004-xx Change of Zone No. 2004-23. A request by the City of Visalia to change the Zoning from Agricultural (A) to Quasi Public (QP) for approximately 37 acres.

The site is located on the Southeast corner of County Center Street and Cameron Avenue. APN: 126-050-001, 126-277-005 (portion).
Certify Negative Declaration No. 2004-109.

At the request of the applicant Item 9 will be continued to the meeting date of Tuesday, November 30, 2004 (Motion Required.)

9. PUBLIC HEARING -

Item 9
Approved to
Continue to
11/30/04
PC/DL 5-0

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.**

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.

10. PUBLIC HEARING - Authorization to adopt a **Resolution 2004-222** of the Council of the City of Visalia confirming the report of the Chief Building Official regarding levying of an assessment in the amount of \$5,941.74 for the Removal and Demolition of a Health & Safety hazard of Single Family Dwelling at 1425 N. Conyer Street.

Track 10
Approved
DL/PC 5-0

Item presented to Council. Comments & questions posed, staff responds. Public Hearing Opened; No comments; Public Hearing Closed. Approved.

11. PUBLIC HEARING - Authorization to adopt a **Resolution 2004-223** of the Visalia City Council confirming the report of the Chief Building Official regarding levying of an assessment in the amount of \$15,256.03 for the Removal and Demolition of a Health & Safety hazard of Single Family Dwelling at 312 NW 4th Avenue.

Track 11
Approved
DL/PC 5-0

Item presented to Council. Comments & questions posed, staff responds. Public Hearing Opened; No comments; Public Hearing Closed. Approved.

12. PUBLIC HEARING -

Initiation of Proceedings for Annexation No. 2004-14 (St. Johns River Ranch) and Visalia Sphere of Influence Amendment, a request to annex 119 acres into the City of Visalia, and to redraw the City of Visalia Sphere of Influence to include the subject sites for Annexation No. 2004-14. The project is located on the northeast corner of Demaree Street and Pratt Avenue (Avenue 317). (APN: 078-010-20, 21[portion], 22) Mangano Homes, applicant; Quad Knopf, agent. **Resolution Nos. 2004-224 and 2004-225 required.**

Track 12
Approved
DL/PC 3-2
(GK & JG No)

Planning staff Brandon Smith & Steve Brandt present item and address comments & questions posed by Council. Public Hearing Opened; Bob Dowds speaks in support of project; Kevin Madison speaks in opposition of project; Public Hearing Closed. Discussion made by Council. Motion to deny project made by Councilmember Kirkpatrick with a second made by Councilmember Gamboa; vote was taken 2 for (GK & JG) and 3 against (DL, BL, & PC), Motion Fails. Motion to Approve Staff Recommendation by Councilmember Landers with a second made by Vice-Mayor Cox; vote was taken 3 for (DL, PC, & BL) and 2 against (GK & JG), Motion Passes.

Track 13
Approved
DL/JG 5-0

13. PUBLIC HEARING - to approve **Resolution No. 2004-226** declaring an intention to abandon a storm drainage easement at the northeast corner of Burke Street and Caldwell Avenue.

Item introduced by staff. 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.

SUBMITTED:

Roxanne Yoder, Chief Deputy City Clerk