

# Visalia City Council Action Agenda

For the special meeting of: Monday, December 13, 2004

Location: Visalia Convention Center

Mayor: Bob Link  
Vice-Mayor: Phil Cox  
Council Member: Jesus J. Gamboa  
Council Member: Greg Kirkpatrick  
Council Member: Donald K. Landers

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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.

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CD 1

## **Employee Introductions:**

Jim Bean, Public Works Manager Solid Waste/Fleet introduces Enrique Villarreal, Senior Equipment Mechanic, Steve Ramos, Solid Waste Operator and Isador Torres, Solid Waste Operator.

Mike Allen, Information Services Manager introduces Jason Bowling, Office Systems Analyst.

Leslie Caviglia, Deputy City Manager, introduces Serena Joseph, Great Valley Institute Fellow.

## **WORK SESSION AND ACTION ITEMS (as described)**

**4:30 p.m.**

1. Introduction of and presentation by Laura Whitehouse, Central Valley Field Representative for the National Parks Conservation Association to introduce the Council to this organization. *(Additional material when available will be distributed at or before the meeting of December 13, 2004.)*

Leslie Caviglia, Deputy City Manager, introduces Laura Whitehouse, who provides an informational PowerPoint slide presentation regarding the National Parks Conservation Association campaign. Questions & comments by Council. Resolution in support of membership to the National Parks Association to be brought before the Council on January 10, 2005.
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2. Update on discussions with the National Parks Service relating to the Sequoia Kings Canyon National Parks.

Leslie Caviglia, Deputy City Manager & Monty Cox, Transit Manager, address the Council and highlight issues as they relate to transit service. Questions & comments by Council, staff responds.
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## **ITEMS OF INTEREST**

**CLOSED SESSION**

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

3. Conference with Legal Counsel-Anticipated Litigation (1)  
(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 GC)
4. Conference with real property negotiator  
Property: northeast corner of Olive and Locust  
Under Negotiation: Price, terms, conditions of purchase  
Negotiators: Steve Salomon, George Sandoval, Doyle Sewell, Eric Black
5. Conference with real property negotiator  
Property: approximately 41,000 square feet of vacant City owned property at 800 W. Mineral King located along the north side of W. Mineral King Avenue between Conyer and Stevenson Streets south of Mill Creek  
Under Negotiation: Price, terms, conditions of sale  
Negotiators: Steve Salomon, Michael Olmos, Bob Nance, Orthopedic Associates

**- Convene Joint as the Visalia City Council and the Redevelopment Agency Board for the following item only:**

- 5a. Conference with real property negotiator  
Property: all or a portion those parcels totaling approximately 20.40 acres between Ben Maddox Way & Tipton, and Center Street and Murray/Goshen Ave. APN's: 094-180-005, 094-190-12 and 13, 094-240-36  
Under Negotiation: Price, terms, condition for a potential purchase and sale agreement  
Negotiators: Steve Salomon, Bob Nance, Daniel Dooley, Colleen Carlsen, Dan Leis, Union Pacific

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

6. Conference with real property negotiator  
Property: Part of APN # 077-100-032 & 077-100-050 located at Ferguson Street west of Roeben Avenue  
Under Negotiation: Price, terms and conditions of purchase for the acquisition of a 4.33-acre neighborhood park site  
Negotiators: Steve Salomon, Don Stone, McMillin Homes
7. Conference with real property negotiator  
Property: properties are generally located along the east side of Akers Street between Caldwell Avenue and the future Visalia Parkway and along the north side of the future Visalia Parkway between Santa Fe and Akers Street  
Under Negotiation: Price, terms and conditions of purchase for the right-of-way for the future Visalia Parkway and sewer trunk line  
Negotiators: Steve Salomon, Mike Olmos, Adam Ennis, Property Owners: Bill Travis, Mangano Homes, Jim & Katie Story, Acevedo Properties, McMillan Homes, Bernard Tvelde

8. Conference with real property negotiator  
Property: North side of Ferguson Avenue between Zachary Street and Mooney Blvd  
Under Negotiation: Price, terms and conditions of purchase for the Ferguson Avenue right-of-way  
Negotiators: Steve Salomon, Mike Olmos, Adam Ennis and Frank Luisi

Reconvene to  
Regular  
Session

**REGULAR SESSION**  
**7:00 p.m.**

CD 2

**PLEDGE OF ALLEGIANCE**

**INVOCATION** - Pastor Brian Salber, Sierra Baptist Church

**SPECIAL PRESENTATIONS/RECOGNITION**

Holiday Cowboy Poetry Readings presented by Randy Hamill - *Albert's Story* by Waddie Mitchel and *A Line Camp Christmas Letter* by S. Omar Barker

Acknowledgement of Service

**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.

No public comments offered. Community Development/Public Works Director addresses the Council with an update on the High Speed Rail project.
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Balance of  
Consent  
Calendar  
Approved  
GK/PC 5-0

**CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION**

Mayor Link pulls Item 9c for discussion; Councilmember Kirkpatrick pulls Item 9h for discussion; Councilmember Gamboa pulls Item 9m2 for discussion; Councilmember Landers pulls Item 9o for discussion.
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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) Authorization to join Excess Insurance Authority JPA for health benefits.

JG/GK 4-1  
(PC abstain)  
Approved

- c) Submission to the City Council of the letters of interest from Visalian's willing to serve the remainder of the unexpired term of Phil Cox.

Leslie Caviglia, Deputy City Manager introduces item & provides background information regarding the process and options available. Council agreed to accept the two late filings received after Noon on Friday, December 10, 2004. Motion to set a special work session on Tuesday, January 4, 2005, to discuss process.

- d) Authorization to approve the sale of surplus retired duty weapons to sworn Visalia Police Department personnel.
- e) Authorization to award bid No. 04-05-27, Sanitary and Storm Lift Station Upgrade Project, to American, Inc. in the amount of \$1,397,000. CIP project No. 3011-720000-0-0-9504-2002.
- 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. Formation of Landscape and Lighting District No. 04-11, Bella Sera, **Resolution Nos. 2004-339 and 2004-340 required.**
  2. Formation of Landscape and Lighting District No. 04-12, Parcel Map 2003-14 **Resolution Nos. 2004-341 and 2004-342 required**, and recordation of the final Map for Parcel Map 2003-14, located east Shirk Street and Pershing Avenue intersection. APN 081-030-042 (20 lots and 1 basin lot).
- g) 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 \$458,645.00. Project Number: 1611-72-0-0-9569-2003.
- h) 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.

GK/PC 5-0  
Approved

David Jacobs, Asst. Comm. Dev/Public Works Director presents item and addresses Council questions & comments. Approved with stipulation to consider innovative housing on the site.

- i) Authorization to bid the construction of a sanitary sewer trunk line in Ferguson Avenue, Mooney Blvd, and Riggin Avenue without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 1231-720000-0-0-9083-2003.
- j) Authorization to bid the construction of a sanitary sewer trunk line in Akers Street, future Visalia Parkway, and Santa Fe Street without the requirement for the payment of prevailing wages pursuant to Resolution No. 83-02. Project No. 1231-720000-0-0-9840-2005.
- k) Authorization for the City Manager to execute an Operational Jurisdiction Agreement between County of Tulare and the City of Visalia for the maintenance, repair and operation of Santa Fe Street in the unincorporated area between the future alignment of Visalia Parkway and Caldwell Avenue.

- l) Request authorization to accept a portion of an "Irrevocable Offer to Dedicate Real Property" for Visalia Parkway right-of-way for sewer trunk line and future roadway purposes as offered per Parcel Map 4547. Project No. 1231-720000-0-0-9840-2005. **Resolution No 2004-343.**

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

1. The Oaks No. 5 subdivision, containing 47 lots, located at the northeast of Ferguson Avenue and County Center Street.
2. Dinuba Boulevard Improvements between Houston Avenue and Robin Avenue, Project No. 3011-72-0-0-9255-2002, in the amount of \$501,516.91.

JG/GK 5-0  
Approved

GK/JG 5-0  
Approved

David Jacobs, Asst. Comm. Dev/Public Works Director, introduces item and addresses Council's questions & comments. Motion made directing staff to light signage. Additional motion made approving the Notice of Completion.

n) Item removed from Agenda.

- o) Authorization for Mayor to forward response to proposed LAFCO polices C-10 and C-9, related to County Islands.

DL/JG 5-0  
Approved

Phyllis Coring, Special Projects Manager, addresses Council's questions & comments. Approved.

- p) Declaration of intent to abandon a portion of the north 2.5 feet of Acequia Avenue Right-of-Way, mid-block between Floral Avenue and Locust Street, and to set the date of Public Hearing for January 10, 2005, **Resolution 2004-344 required.**

- q) Certification of Negative Declaration No. 2004-112 for the 5.9-acre property acquisition by City and construction of Fire Station No. 5 at the southeast corner of Shirk Street and Ferguson Avenue.

JG/PC 5-0  
Approved as  
Amended

10. PUBLIC HEARING - Annexation 2004-18, Tommy St. Island, annexation of a 4 acre county island, generally located on the west side of Tommy Rd, approximate 400 feet north of Hurley Avenue. **Resolution No. 2004-345 required.**

Phyllis Coring, Special Projects Manager, addresses Council. No discussion requested. Public Hearing Opened: No public comment; Public Hearing Closed. Questions & comments made by Council, staff responds. Resolution amended to reflect date of April 1, 2005. Approved.

GK/PC 5-0  
Approved

11. PUBLIC HEARING - Annexation 2004-19, Lovers Lane Island, annexation of a 2 acre county island, generally located on the west side of Lovers Lane, approximately mid-way between Goshen Avenue and Mineral King Avenue. **Resolution No. 2004- 346 Required.**

Phyllis Coring, Special Projects Manager, addresses Council. No discussion requested. Public Hearing Opened: No public comment; Public Hearing Closed. Approved.

12. PUBLIC HEARING -

Contract Cancellation No. 2004-01: a request by Frank Luisi, applicant (Quad Knopf, agent) to cancel 50 acres of Williamson Act Land Conservation Contract No. 10080 within Agricultural

Preserve No. 3430. The site is located on the southwest corner of Mooney Boulevard and Riggan Avenue. (APN: 089-010-002) **Resolution No. 2004-347 required.**

JG/GK 5-0  
Approved

Brandon Smith, Planning Staff provides a brief overview of staff item. Questions & comments by Council, staff responds. Public Hearing Opened: Lisa Dodd, address Council on behalf of Quad Knopf; Public Hearing Closed. Approved.

13. CONTINUED ITEM: Public Hearing Held and Closed on November 30, 2004:

Initiation of proceedings for Annexation No. 2004-13 (Rautter): a request to annex one parcel and right-of-way totaling 19.39 acres into the City limits of Visalia. The project is located on the east side of Road 76, approximately 1/4 mile south of Goshen Avenue. (APN: 081-130-001) American, Inc. /Race Leasing (Corwyn & Lois Oldfield, Steven & Hollie King, Warren & Kim Oldfield) applicant; Corwyn Oldfield, agent. Negative Declaration No. 2004-129. **Corrected Resolution 2004-348 required.**

PC/DL 5-0  
Approved

Brandon Smith, Planning Staff provides a brief overview of staff item. Questions & comments by Council, staff responds. Approved.

14. CONTINUED ITEM: Public Hearing Held and Closed on November 30, 2004:

Initiation of proceedings for Annexation No. 2004-16 (Hall): a request to annex one parcel totaling 9.42 acres into the City limits of Visalia. The project is located on the east side of Lovers Lane at the Cherry Avenue alignment. (APN: 127-030-014) The Darco Group, Inc., applicant; Forester, Weber & Branum, agent. Negative Declaration No. 2004-130. **Resolution 2004-349 required.**

DL/JG 5-0  
Approved

Brandon Smith, Planning Staff provides a brief overview of staff item. Questions & comments by Council, staff responds. Bill Bogard of the Darco Group comments on project details for Council. 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