

Special Meeting Action Agenda

Visalia City Council



Mayor: Bob Link - present
Vice Mayor: Amy Shuklian - present
Council Member: Warren Gubler - present
Council Member: Mike Lane - present
Council Member: Steve Nelsen - present

Monday, July 12, 2010

City Hall Council Chambers, 707 W. Acequia, Visalia CA 93291

Work Session 4:00 p.m.; Closed Session 6:00 p.m. (or immediately following Work Session)

Regular Session 7:00 p.m.

4:00 p.m. WORK SESSION AND ACTION ITEMS (as described)

[Track 1](#)

1. Annual presentation by PROTEUS, Inc. regarding the program at the Wittman Community Center. **Receive public comment.**

Item 1 - no
action taken.
Info only.

Jeanne Greenwood and John Bradley, Parks and Recreation Department introduced the informational item. Juan Guerrero and Jesus Gamboa, PROTEUS, discussed improvements to Village Park and the Wittman Center. Council thanked Jesus Gamboa and Juan Guerrero for their work at the center and dedication. Information only - no action taken.

[Track 2](#)

2. Review and authorize changes to the non-profit grant funding application process. **Receive public comment.**

AS/SN 5-0
Item 2
approved as
amended

Eric Frost, Administrative Services Director and Chris Gomez, Chairperson of the CAC subcommittee on non-profit grant funding, discussed and presented the committee's recommendations regarding criteria for non-profits in order to receive grant funding from the City.

Raymond Macareno, presented additional criteria for the council's consideration.

AS/SN 5-0 to approve the CAC's recommendations as presented with the amendment to require that the amount of the annual funding directed to programs that are specifically targeted for gang prevention/intervention and at-risk youth be increased to 50%.

3. *Item removed at the request of staff*

[Track 3](#)

PUBLIC HEARING – PROPERTY & BUSINESS IMPROVEMENT DISTRICT

4. **PUBLIC HEARING** - to create a Property & Business Improvement District IV for ten (10) years. (Relates to Item 14 on this Agenda.) *(Upon completion of the public hearing, staff will proceed with opening & tabulating the ballots, the results of which will be reported at the end of the Regular Session and Council action will be taken at that time)*

Ricardo Noguera, Director of Housing and Economic Development, presented a PowerPoint presentation of the PBID history.

Mayor Link opened the public hearing at 5:25 p.m. Kelly Hauert, CEO of the Downtown

Alliance presented a PowerPoint presentation in support of the district's renewal and budget. There were no other speakers and the public hearing was closed at 5:44 p.m.

Alex Peltzer, City Attorney, opined that there would be no conflict for Councilmembers Nelsen and Mayor Link to vote on the formation of this district based on the fact that they both own property in the district, because the impact would be the same to them as to everyone else in the district.

The City Clerk was directed to tabulate the ballots and report the results at the end of the meeting.

5:45 p.m.

CLOSED SESSION (immediately following Work Session)

5. Conference with Labor Negotiators (G.C. §54957.6)
Agency designated representatives: Steve Salomon, Eric Frost, Diane Davis, Shelline Bennett
Employee Organization: All employee groups
6. Conference with Legal Counsel – Anticipated Litigations
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 2 potential cases
7. Conference with Real Property Negotiators (GC 54956.8)
Properties: (1) Portion of 28.26 acre property located on north side of Highway 198, east side of Kelsey Street (Road 88) (APN: 081-040-030); and (2) Portion of 16.38 acre property located on north side of State Highway 198, approximately 2000 feet east of Shirk Street (APN 085-010-096)
Negotiating Parties for City: Steve Salomon, Michael Olmos, Alex Peltzer
Negotiating Parties for Seller: Rick Telegan, BP Investors, LLC
Under negotiation: Authority to negotiate purchase, sale, and/or trade

7:00 p.m.

CALL TO ORDER REGULAR SESSION

[Track 4](#)

PLEDGE OF ALLEGIANCE

INVOCATION – Pastor Arthur Escobedo, Praise Center Church

SPECIAL PRESENTATIONS/RECOGNITION

[Track 5](#)

PUBLIC COMMENTS - *This is the time for citizens to comment on subject matters that are not on the agenda that are within the jurisdiction of the Visalia City Council.*

This is also the time for citizens to comment on items listed on the Consent Calendar or to request an item from the Consent Calendar be pulled for discussion purposes. Comments related to Regular or Public Hearing Items that are listed on this agenda will be heard at the time that item is discussed or at the time the Public Hearing is opened for comment.

In fairness to all who wish to speak tonight, each speaker from the public will be allowed three minutes (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 street name and city.

Houston Wells, Glen Wells Construction, Whitendale, spoke about construction contracts for the City and the ability of his company to perform the work.

Councilmember Shuklian urged support for Visalia resident Ashley Galvan who is in the contest "So You Think You Can Dance".

Mayor Link recognized Brian Rouch who is in a race for Supervisor District 4.

Track 6

- 8. **CONSENT CALENDAR** - *Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made and then the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.*

Mayor Link pulled items 8f and 8h; Councilmember Shuklian pulled item 8g for further discussion.

SN/AS 5-0
balance of
consent
calendar
approved as
submitted

- a) Authorization to read ordinances by title only.
- b) Request authorization to file a Notice of Completion for the Center Avenue Improvements, Conyer Street to Bridge Street, Project No. 3011-00000-720000-0-8016.
- c) Request authorization to file a Partial Notice of Completion for the McAuliff Street Improvement Project – Phase 3, Crossing over Evans Ditch and Mill Creek, Part A Project No. 3011-00000-720000-0-9945.
- d) Replacement of a representative from the Visalia Unified School District to the General Plan Update Review Committee.
- e) Update the designees authorized to act as signatories for all City banks. **Resolution 2010-39 required.**
- f) Initiate a proposed Zoning Text Amendment (ZTA) to amend portions of Zoning Ordinance Chapter 17.48 pertaining to real estate sales signage, and refer the ZTA to the Planning Commission for review.

ML/AS 5-0
relax existing
regulations
with input
from Assoc of
Realtors and
begin process
for initiating
zone change

Paul Scheibel, Planning Manager, responded to Council questions. Brad Maeske, Tulare County Association of Realtors, spoke regarding the need for adequate signage advertising homes for sale. Council's decision was to send a letter to the Board of Realtors to come to a consensus to relax enforcement of current regulations, with input from the Association of Realtors, and begin initiating a zone change through the Planning Commission.

- g) Authorization to move forward with the design of the City's portion of a new Animal Control Facility and work with the architect to develop a phased approach for the overall Facility Design.

AS/SN 5-0
Item 8g
approved as
submitted

Mario Cifuentez, Animal Control Coordinator, responded to Council questions. Tami Crawford, SPCA Executive Director spoke regarding the new facility. Vice-Mayor Shuklian thanked staff for their work on this project.

- h) Adopt Resolution supporting Tulare and Kings County High Speed Rail Station on the east side of Hanford. **Resolution 2010-45 required.**

WG/SN 5-0
Table Item 8h
until further
notice

Michael Olmos, Assistant City Manager, asked the Council to table action on this item until further notice, as discussions are still occurring.

i) Authorization to file a Notice of Completion for Riverway Sports Park; Phase 2, Project No. 3011-720000-0-0-8029, for the construction of on-site improvements at a final cost of \$3,190,014.20.

j) Authorization to submit a grant application in the amount of \$4,500,000 to the Department of Parks and Recreation to construct the Sequoia Shuttle visitor Center.

Resolution 2010-46 required.

Track 7

AS/SN 5-0
Table until
further notice
- Public
Hearing will
be re-noticed

REGULAR ITEMS AND PUBLIC HEARINGS - *Comments related to Regular Items and Public Hearing Items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Mayor.*

9. **Request to continue PUBLIC HEARING to August 16, 2010.** *(Continued from 6/7/10 and 6/21/10 at the request of applicant)*

For property located at the northwest corner of Plaza Drive and Riggin Avenue, adjacent to the City of Visalia, and inside the County of Tulare. (APN: 077-120-012, 015)

a) Certification of Negative Declaration No. 2010-22. **Resolution 2010-26 required.**

b) Initiation of Proceedings for Annexation No. 2009-01 (Doe): a request by Russell Doe, applicant (Michael Porte, agent) to annex two parcels totaling approximately 156 acres into the City limits of Visalia for the purpose of facilitating future heavy industrial development on the property. **Resolutions 2010-27 and 2010-28 required.**

c) Authorization for City Manager to sign and enter into a Pre-Annexation Agreement.

d) Detachment of property from County Service Area No. 1.

City Manager Steve Salomon, requested that Item 9 be tabled until further notice and the Public Hearing will be re-noticed.

Track 8

AS/ML 5-0
Item 10a
approved as
submitted

AS/ML 5-0
Item 10b
approved as
submitted

10. **PUBLIC HEARING**

a) General Plan Amendment No. 2010-03: A request by the City of Visalia to change the General Plan Land Use designation from Agriculture to Public Institutional on 160 acres of land located between Road 44 and Road 48, north of Avenue 280 (Caldwell Ave.). APN 118-010-017. **Resolution 2010-35 required.**

b) Initiation of Proceedings for Annexation No. 2010-03 and Detachment from County Service Area No. 1, a proposal by the City of Visalia to annex an approximately 160 acre parcel site and detachment of the site from County Service Area No. 1. **Resolution 2010-36 required.**

Phyllis Coring, Project Planner, presented the item and responded to Council questions. Late correspondence received from the Tulare County Resource Management Agency was addressed. The public hearing was opened at 7:52 p.m. There were no public comments and the hearing was closed.

Item 10 approved as recommended.

Track 9

AS/SN 5-0
Item 11
approved as
submitted

11. PUBLIC HEARING

- a) General Plan Amendment No. 2010-04: A request by the City of Visalia to amend the 290,000 and 165,000 Population Urban Development Boundary to include the project site, and to change the General Plan Land Use designation from Agriculture to Public Institutional on 99 acres located south of the airport, north of Caldwell Avenue, between Highway 99 and Shirk Rd. APNs 119-021-29,30,31,32. **Resolution 2010-37 required.**
- b) Initiation of Proceedings for Annexation No. 2010-04 , a proposal by the City of Visalia to annex 99 acres of land and detachment of the land from County Service Area No. 1. **Resolution 2010-38 required.**

Phyllis Coring, Project Planner, presented the item and responded to Council questions. Late correspondence received from the Tulare County Resource Management Agency was addressed. The public hearing was opened at 8:00 p.m. There were no public comments and the hearing was closed.

Item 11 approved as recommended.

Track 10

SN/WG 5-0
Item 12
approved as
submitted

12. PUBLIC HEARING

- a) Certification of Negative Declaration No. 2010-13, which evaluates environmental impacts associated with General Plan Amendment No. 2010-01 and Annexation 2010-05. The site is located on the north side of West Riverway Drive, west of N. Dinuba Blvd APN 078-011-012. **Resolution 2010-40 required.**
- b) General Plan Amendment No. 2010-01: A request by the City of Visalia to change the General Plan land use designation from RLD (Residential Low Density) to P (Park) for a portion of a 7.2 acre parcel owned by the City of Visalia. The portion of the site that is subject to the General Plan Amendment lies south of the 100-foot riparian habitat development setback required from the bottom outside toe of the levee of the St. John’s River. **Resolution 2010-41 required.**
- c) Initiation of Proceedings for Annexation No. 2010-05 (Riverway) and Detachment from County Service Area No. 1, a proposal by the City of Visalia to annex a 7.2 acre parcel and detachment of the parcel from County Service Area No. 1. **Resolution 2010-42 required.**

Phyllis Coring, Project Planner, presented the item and responded to Council questions. Late correspondence received from the Tulare County Resource Management Agency was addressed. The public hearing was opened at 8:05 p.m. Houston Wells, W. Whitendale, addressed the Council regarding proposed walkways adjoining the St. John’s River. The public hearing was closed at 8:10 p.m.

Item 12 approved as recommended.

Track 11

SN/AS 5-0
Item 13
approved as
submitted

13. PUBLIC HEARING

- a) Certification of Negative Declaration No. 2010-16, which evaluates environmental impacts associated with Pre-Zone No. 2010-02 and Annexation 2010-06. The site is bounded by Road 152, Mill Creek, Highway 198 and the existing city limits. (APN: 103-500-001, 002, 003, 103-501-001, 002, 003, 004, 005, 006, 007, 008, 009). **Resolution 2010-43 required.**
- b) Introduction of Ordinance for Pre-Zone No. 2010-02, a City initiated action to pre-zone 12 parcels totaling approximately 162 acres under County jurisdiction to “A-Agriculture”. **Ordinance 2010-05 required.**
- c) Initiation of Proceedings for Annexation No. 2010-06 and Detachment from County Service Area No. 1, a proposal by the City to annex to the city 12 parcels totaling approximately 162 acres with approximately 12.5 acres of adjacent right of way for a total of

approximately 174.5 acres of land and detachment of the parcels from County Service Area No. 1. **Resolution 2010-44 required.**

Phyllis Coring, Project Planner, presented the item and responded to Council questions. Late correspondence received from the Tulare County Resource Management Agency was addressed. The public hearing was opened at 8:20 p.m. Brain Blain, Burke St. indicated there would be no impact on his ability to farm and spoke in support of the annexation. The public hearing was closed at 8:25 p.m.

Item 13 approved as recommended.

Track 12

AS/WG 5-0
Item 14
approved as
submitted

14. BALLOT RESULTS (See Item 4 on this Agenda) – to create a Property & Business Improvement District IV for ten (10) years:

- a) Approve the District boundaries, assessments, exemptions, work program and budget per the proposed Management Plan for the Downtown Visalia Property and Business Improvement District dated May 2010. **Resolution 2010-33 required.**
- b) Authorize staff to file the District in order to receive the annual assessments. **Resolution 2010-34 required.**
- c) Authorize the City Manager to execute the agreement with the Downtown Visalians, Inc. for day-to-day operations and activities.

Chief Deputy City Clerk, Donjia Huffmon, reported the results of the PBID balloting: 246 ballots were mailed; 120 ballots were cast (49%) representing \$237,849.61 in assessments. 73 affirmative ballots were cast (61%) representing \$188,128.33 (79%) in assessments; 47 protest ballots were cast (39%) representing \$49,721.28 (21%) in assessments. There were 125 non-responses. Chief Deputy City Clerk Huffmon certified that there was not a majority protest received for the PBID balloting.

CLOSED SESSION REPORT (if any) - none

Upcoming Council Meetings

8:30 p.m.
Meeting
adjourned

- Monday, August 2, 2010, 4:00 p.m. Work Session, 7:00 p.m. Regular Session; City Hall Council Chambers 707 W. Acequia
- Monday, August 16, 2010, 4:00 p.m. Work Session, 7:00 p.m. Regular Session; City Hall Council Chambers 707 W. Acequia
- Tuesday, September 7, 2010, 4:00 p.m. Work Session, 7:00 p.m. Regular Session; City Hall Council Chambers 707 W. Acequia

Note: Meeting dates/times are subject to change, check posted agenda for correct details.

In compliance with the American Disabilities Act, if you need special assistance to participate in meetings call (559) 713-4512 48-hours in advance of the meeting. For Hearing-Impaired - Call (559) 713-4900 (TDD) 48-hours in advance of the scheduled meeting time to request signing services.

Any written materials relating to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the Office of the City Clerk, 425 E. Oak Street, Visalia, CA 93291, during normal business hours.

The City's newsletter, *Inside City Hall*, is published after all regular City Council meetings. To self-subscribe, go to http://www.ci.visalia.ca.us/about/inside_city_hall_newsletter.asp. For more information, contact Community Relations Manager Nancy Loliva at nloliva@ci.visalia.ca.us.