



Visalia City Council

City Council

Meeting Minutes - Final

Visalia City Council
707 W. Acequia
Visalia, CA 93291

Mayor Steve Nelsen
Vice Mayor Brian Poochigian
Council Member Greg Collins
Council Member Brett Taylor
Council Member Liz Wynn

Monday, April 4, 2022

7:00 PM

City Council Chambers

ROLL CALL

Present: Mayor Steve Nelsen, Vice Mayor Brian Poochigian, Council Member Greg Collins, Council Member Brett Taylor, and Council Member Liz Wynn

CALL TO ORDER WORK SESSION - 4:00 PM

The meeting was called to order at 4:00 p.m.

PUBLIC COMMENTS

Citizens are now invited to comment on issues within the jurisdiction of the Visalia City Council. The Council asks that you keep your comments concise and positive. Creative criticism, presented with appropriate courtesy, is welcome.

Each speaker will be allowed three minutes and a timer will notify you when your time is expired. Please begin your comments by stating and spelling your name and providing your city of residence.

Gabriel Jacquez, Visalia expressed concern about protecting Visalia citizens along with their morals and values. He would like to see the Bird Land subdivision provided sidewalks and lights in that neighborhood.

WORK SESSION AND ACTION ITEMS (as described)

1. Receive presentation from Nielsen, Merksamer, Parrinello, Gross & Leoni (NMPGL) on 2021 state legislative activity and approve 2022 State Legislative Platform for the City of Visalia. [22-0039](#)

Devon Jones, Economic Development Manager introduced John Moffatt and Michelle Rubalcalva, from Nielsen, Merksamer, Parrinello, Gross & Leoni LLP who is the current service provider for the City of Visalia state lobbying services.

Mr. Moffatt presented the prior legislative year for an overview of state legislative activity and will discuss the pending issues that will be areas of focus.

Ms. Rubalcalva, explained the state budget requests have been made this year given the \$45.7 billion state surplus expected this year and the unique opportunity this presents to acquire additional funding for "shovel ready" projects.

These particular requests were identified based on the Council's state agenda, prior projects that Council has reviewed, NMPGL guidance on what types of projects are likely to garner support, department head input, and again, overall shovel readiness. The previous stances on legislation with direction from City Council and staff, NMPGL has developed a draft comprehensive state legislative agenda.

A motion was made by Vice Mayor Brian Poochigian, seconded by Council Member Greg Collins, to approve as recommended. The motion carried unanimously 5-0.

Aye: Steve Nelsen, Brian Poochigian, Greg Collins, Brett Taylor, and Liz Wynn

-
2. Receive an update on Phase II of the Civic Center Complex Project, approve a Consultant Contract Amendment with Darden Architects for an amount not to exceed \$1,356,500 and authorize the appropriation of \$1,500,000 from the Civic Center Reserve Fund. [22-0066](#)

Nick Mascia, Assistant City Manager introduced the Civic Center Complex project item. Frank Senteno, City Engineer, Mike Porter, Civil Engineer, and Renee Nagel, Finance Director were in attendance for the presentation.

The Civic Center Complex plan is the result of decades of planning, saving, and land acquisition. It is planned to include multiple municipal facilities that require a significant amount of capital and would be cost prohibitive if they were to be all undertaken at once. Therefore, development of the Civic Center has been planned to follow a phased approach. The Space Needs Assessment portion of the project was completed in February 2022.

A motion was made by Vice Mayor Brian Poochigian, seconded by Council Member Brett Taylor, to approve as recommended. The motion carried unanimously 5-0.

Aye: Steve Nelsen, Brian Poochigian, Greg Collins, Brett Taylor, and Liz Wynn

3. Presentation of the McKay Point project, a joint effort between Tulare Irrigation District and Consolidated Peoples Ditch Company, that has potential benefits for Visalia. [22-0115](#)

Aaron Fukuda, Tulare Irrigation District and Consolidated Peoples Ditch Company and Rhett Anderson, Water Resources Manager, provided the Water McKay Point Project presentation.

In recent years, residents of California have experienced severe alternating wet and dry periods that are characteristic of the western United States. Although alternating wet and dry years are not new to the west, the severity of these cycles has amplified, especially in dry years.

Water managers in California have had to learn to mitigate effects of remarkably dry years, like that of year 2021, which saw the lowest amount of rainfall in Tulare County in all recorded history at 8.12 inches of precipitation. Inversely, just four years prior in year 2017, Tulare County received four times that amount at 32.9 inches of precipitation.

No action required.

ADJOURN TO CLOSED SESSION - 6:00 PM (Or, immediately following Work Session)

The meeting adjourned to Closed Session at 6:21 p.m.

CALL TO ORDER REGULAR SESSION - 7:00 PM

The meeting was called to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE**INVOCATION****ITEMS OF INTEREST**

The Council commented on various activities they participated in the past few weeks. Councilmember Collins would like to have an item regarding the pool concept/aquatic center on the next agenda for council consideration.

PUBLIC COMMENTS

This is the time for citizens to comment on subject matters that are not on the agenda and within the jurisdiction of the Visalia City Council. The Council asks that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome.

This is also the time for citizens to request an item from the Consent Calendar be pulled for discussion purposes. Public comments related to all pulled Consent Calendar items and Regular or Public Hearing items listed on the agenda will be heard at the time that item is discussed or when the Public Hearing is opened.

Each speaker will be allowed three minutes, and a timer will notify you when your time is expired. Please begin your comments by stating and spelling your name and providing your city of residence.

Rhett Anderson, Visalia Water Resources Manager, announced there is a public hearing on April 20, 2022 with the CPUC and Cal Water for a proposed rate increase. More information is available by contacting the Visalia Water Division.

Steven Johnson, Cal Water, offered assistance and discussion if needed by calling Cal Water at 625-1600.

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.

A motion was made by Vice Mayor Brian Poochigian, seconded by Council Member Brett Taylor, to approve the balance of the Consent Calendar. The motion carried unanimously 5-0.

- Aye:** Steve Nelsen, Brian Poochigian, Greg Collins, Brett Taylor, and Liz Wynn
1. Authorization to read ordinances by title only. [22-0123](#)
Approved 5-0
 2. Authorize the City Manager to enter into a three (3) year service and equipment contract with ePlus Technology, Inc., of Rocklin, to purchase Rubrik and Wasabi backup hardware equipment, and secure support, maintenance, and off-site backup storage piggybacking the National Association of State Procurement Officials (NASPO) Master Contract and National Cooperative Purchasing Alliance (NCPA) Contract, and authorize the prepayment of the entire three (3) years not to exceed \$200,000. [22-0120](#)
Approved 5-0
 3. Request authorization to record the final map for Quintana De Oro subdivision located on the east side of North Linwood Street between West Modoc Avenue and West Ferguson Avenue (14 lots); and request authorization for the formation of Landscape and Lighting Assessment District No. 22-04, "Quintana De Oro" and ordering the improvements and levying the annual assessments, APN: 077-190-001 (Resolution Nos. 2022-19 and 2022-20 required). [22-0099](#)
Approved 5-0
 4. Request authorization to adopt Resolution No. 2022-17, ordering the summary vacation and abandonment of the easements to the City of Visalia for storm drain and temporary turnaround purposes as dedicated under the final map, "The Little Ranch." APN 126-020-082. [22-0105](#)
Approved 5-0

5. Second reading and adoption of Ordinance 2022-05 and discussion of proposed revisions of Visalia Municipal Code section 8.28, Solid Waste Collection and Disposal. Revisions incorporate recent State mandates related to commercial and multifamily recycling as well as an inclusion of State Senate Bill (SB)1383 regulatory requirements to reduce the qualifying thresholds for mandatory recycling. [22-0107](#)
- Approved 5-0
6. Adopt Resolution 2022-14 ordering the Summary Vacation and Abandonment of a portion of public right-of-way on the north side of West Camp Drive, west of South Neeley Street. [22-0108](#)
- Approved 5-0
7. Appointment of Charles Mayer as the Visalia representative on the Tulare Mosquito Abatement District Board of Trustees for the two-year term ending June 30, 2024. [22-0109](#)
- Approved 5-0
8. Authorization to accept and appropriate funding for a State of California Housing and Community Development Local Early Action Planning (LEAP) Grant for various community development programs in the amount of \$246,000.00. [22-0118](#)
- Approved 5-0
9. Authorize the City Manager to enter into an agreement with the Department of Toxic Substance Control (DTSC) for oversight and review of assessment and remediation services as listed in Exhibit C of the agreement in the amount of \$32,211 and appropriate \$40,000 From the Convention Center Fund. [22-0124](#)
- Approved 5-0
10. Approval of the 2022-2023 Federal Legislative Agenda for the City of Visalia which will provide focus for the City's advocacy efforts at the Federal level. [22-0130](#)
- Approved 5-0

11. Adoption of the second reading of Ordinance No. 2022-04 pertaining to the approval of Zoning Text Amendment No. 2021-10: A request by the City of Visalia to amend Chapter 8.46 Legislative Purpose and Definitions regarding Tobacco Stores, Zoning Ordinance Section Chapter 17.04 Definitions regarding Smoke Shops / Tobacco Stores, 17.25.030 (Zoning Use Matrix) line R78, and to amend Chapter 17.32 Special Provisions to implement performance standards regarding smoke shops/tobacco stores, which are conditionally permitted in the C-MU (Commercial Mixed-Use) and D-MU (Downtown Mixed-Use) Zones, Citywide. [22-0133](#)
- Approved 5-0
12. Presentation of the 2021 Annual Water Management Report Submitted by Kaweah Delta Water Conservation District and Approval of the 2022 Visalia Water Management Plan. [22-0114](#)
- Approved 5-0
13. Consider re-authorization of Stage 2 of the Visalia Water Conservation Ordinance and adopt resolution 2022-18. [22-0126](#)
- Approved 5-0

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. The Mayor may reasonably limit or extend the public comment period to preserve the Council's interest in conducting efficient, orderly meetings.

1. Review and comment on the proposed use of U.S. Department of Housing and Urban and Development (HUD) Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), and HOME Investment Partnership American Rescue Plan Program (HOME-ARP) funds including: 1) The Draft Program Year 2022 Annual Action Plan, and 2) The Draft Program Year 2021 Annual Action Plan Amendment, including the Draft HOME-ARP Allocation Plan. [22-0054](#)

Margie Perez, Housing Specialist, provided the review and comment of the proposed use of U.S. Department of Housing and Urban and Development (HUD) Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), and HOME Investment Partnership American Rescue Plan Program (HOME-ARP) funds including: 1) The Draft Program Year 2022 Annual Action Plan, and 2) The Draft Program Year 2021 Annual Action Plan Amendment, including the Draft HOME-ARP Allocation Plan. The public hearing was opened at 7:20 p.m. and closed at 7:20 p.m. There were no public comments and no action is required this evening.

2. Conduct the second of two public hearings to consider Phase 2 of the Fire Department's Measure N Squad Program which includes paramedic staffing and vehicle. [22-0135](#)

Dan Griswold, Fire Chief, requested for Council to conduct a public hearing to consider Phase 2 of the Fire Departments Measure N squad program and conduct the second public hearing. There were no public comments.

A motion was made by Vice Mayor Brian Poochigian, seconded by Council Member Liz Wynn, to approve as recommended. The motion carried unanimously 5-0.

Aye: Steve Nelsen, Brian Poochigian, Greg Collins, Brett Taylor, and Liz Wynn

3. Conduct the second of two public hearings and approve amending the Measure N budget in FY 2021/22 to reallocate the \$75,000 for youth grants to the Visalia Police Activities League (VPAL). [22-0104](#)

Luma Fahoum, Police Captain, requested for the Council to conduct the second of two public hearings amending the Measure N budget in FY 2021/22 to reallocate the \$75,000 for youth grants to the Visalia Police Activities League. The public hearing was opened at 7:23 p.m. and closed. There were no public comments.

A motion was made by Council Member Liz Wynn, seconded by Council Member Brett Taylor, to approve as recommended. The motion carried unanimously 5-0.

Aye: Steve Nelsen, Brian Poochigian, Greg Collins, Brett Taylor, and Liz Wynn

4. Presentation of the construction bids received for the Downtown Streetlight and Pavement Rehabilitation Project, authorize staff to begin the Measure N amendment process for the appropriation of \$2,700,000 in additional funding, and appropriate an additional \$2,141,800 in SB1 Funds. [22-0128](#)

Eric Bons, Civil Engineer, explained the project and bid summary Base bid A and Base bid B.

April 7, 2022 the Measure N committee will review for approval the presentation of the construction bids received for the Downtown Streetlight and Pavement Rehabilitation Project, authorize staff to begin the Measure N amendment process for the appropriation of \$2,700,000 in additional funding, and appropriate an additional \$2,141,800 in SB1 Funds.

Mr. Bons answered Council questions.

Frank Senteno, City Engineer, recommended against the secondary lighting.

Nick Mascia, ACM, explained the two base bids of A and B.

The poles have the option to put on a plaque for members to have their name.

Presentation of the construction bids received for the Downtown Streetlight and Pavement Rehabilitation Project, authorize staff to begin the Measure N amendment process for the appropriation of \$2,700,000 in additional funding, and appropriate an additional \$2,141,800 in SB1 Funds.

A motion was made by Vice Mayor Brian Poochigian, seconded by Council Member Liz Wynn, to approve as recommended. The motion carried unanimously 5-0.

Aye: Steve Nelsen, Brian Poochigian, Greg Collins, Brett Taylor, and Liz Wynn

-
5. Public Hearing and Introduction of Ordinance No. 2022-05 for [22-0119](#)
Zoning Text Amendment No. 2021-09, a request by the City of
Visalia to amend portions of Visalia Municipal Code Title 17
(Zoning Ordinance) to implement a program contained in the City
of Visalia 2020-2023 Housing Element pertaining to regulations
for emergency shelters and low barrier navigation centers. The
project area is contained within the City of Visalia's Urban
Development Boundaries that are illustrated in the Visalia
General Plan, Citywide.

Brandon Smith, Planning Division, provided the background for Zoning Text Amendment No. 2021-09, a request by the City of Visalia to amend portions of Visalia Municipal Code Title 17 (Zoning Ordinance) to implement a program contained in the City of Visalia 2020-2023 Housing Element pertaining to regulations for emergency shelters and low barrier navigation centers. The project area is contained within the City of Visalia's Urban Development Boundaries that are illustrated in the Visalia General Plan, Citywide.

Zoning Text Amendment (ZTA) No. 2021-09 is a city-initiated request to implement a housing-related Zoning Ordinance text amendment that stems from the adoption of the 2020-2023 Housing Element Update.

Leading up to this Zoning Text Amendment, staff presented an introduction of criteria and performance standards regarding emergency shelters and LBNCs as a work session item on March 17, 2021, at a joint meeting of the City Council and Planning Commission. The meeting was open to the public and included time for public comment, during which two comments were received.

Mr. Smith explained the consideration of standards for the number of beds and parking. Safety and security must be addressed and approved by PD.

Paul Bernal, Community Development Director, clarified for the record that we are under full state compliance with the state statutes. AB 101 allowed for LBNC to be by right use. Emergency shelters are identified as by right use. The Public Hearing was opened at 7:56 p.m.

Rosalinda Alexander, Visalia, spoke in opposition to the ZTA. She lives next to the Visalia Rescue Mission. She understands the LBNC will attract persons who defecate, sleep in the bushes and she believes it might be attracting something that the city is not ready for.

Suzy Ward, Visalia, has concerns and asked why we do the work we do. What is our goal? Corral them? We are not meeting that goal. The south side needs a facility; however, there are no services so we need to rethink this.

A motion was made by Vice Mayor Brian Poochigian, seconded by Council Member Brett Taylor, to approve as amended. The motion carried unanimously

5-0.

Aye: Steve Nelsen, Brian Poochigian, Greg Collins, Brett Taylor,
and Liz Wynn

CLOSED SESSION REPORT - None

ADJOURNMENT

The meeting was adjourned at 8:09 p.m.

1. Upcoming Visalia City Council Meetings:
Monday, May 2, 2022 - Regular Meeting @ 7:00 PM - 707 W.
Acequia
Monday, May 16, 2022 - Regular Meeting @ 7:00 PM - 707 W.
Acequia

[22-0127](#)