



# Visalia City Council

## City Council

### Meeting Minutes - Final

Visalia City Council  
707 W. Acequia  
Visalia, CA 93291

Mayor Brian Poochigian  
Vice Mayor Brett Taylor  
Council Member Emmanuel Hernandez Soto  
Council Member Steve Nelsen  
Council Member Liz Wynn

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**Monday, June 19, 2023**

**7:00 PM**

**City Council Chambers**

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#### **ROLL CALL**

**Present:** Mayor Brian Poochigian, Vice Mayor Brett Taylor, Council Member Emmanuel Hernandez Soto, Council Member Steve Nelsen, and Council Member Liz Wynn

#### **CALL TO ORDER WORK SESSION - 4:00 PM (Unless otherwise noted)**

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.

#### **SPECIAL PRESENTATION / RECOGNITION**

1. NEW EMPLOYEE INTRODUCTIONS: [23-0246](#)  
PARKS AND RECREATION DEPARTMENT:  
Karee Virrey, Recreation Coordinator  
  
PUBLIC WORKS DEPARTMENT:  
Juan De Loza Munoz, Solid Waste Operator  
Vincent Gomez, Solid Waste Operator
2. Proclamation to recognize July as Parks & Recreation Month [23-0250](#)

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

1. Continued discussion on Phase II of the Visalia Civic Center Project (Public Safety Administration Building (PS), Police Services Building (Evidence/Training/Crime Lab), and City Council Chambers). Receive an update on the Landscaping and Site Plans and approve Landscape Options. Provide additional direction as appropriate (Project Number 3720-72000/CP0374-999). [23-0192](#)

Mike Porter, Project Manager, Dan Veyna and Rose of Sharon Zegers, from Sierra Design Group, provided the Visalia Civic Center Project (Public Safety Administration Building (PS), Police Services Building (Evidence/Training/Crime Lab), and City Council Chambers). Staff provided an update on the Landscaping and Site Plans for approval of Landscape Options and requested for Council to provide additional direction as appropriate.

A motion was made by Council Member Steve Nelsen, seconded by Vice Mayor Brett Taylor, to approve as recommended. The motion carried by the following vote:

**Aye:** Brian Poochigian, Brett Taylor, Emmanuel Hernandez Soto, Steve Nelsen, Liz Wynn

2. Receive a presentation on the Oak Avenue Extension Project and provide direction regarding the proposed change in the design. The project is located between Tipton Street and Burke Street along the proposed extension of Oak Avenue, Visalia, CA. (Project No. 3010-72000/CP9924-999). [23-0158](#)

Mike Porter, Civil Engineer, and Cody McLaughlin, Assistant Engineer, provided the presentation on the Oak Avenue Extension Project and provided direction regarding the proposed change in the design. The project is located between Tipton Street and Burke Street along the proposed extension of Oak Avenue, Visalia, CA. (Project No. 3010-72000/CP9924-999).

A motion was made by Council Member Steve Nelsen, seconded by Council Member Emmanuel Hernandez Soto, to approve as recommended. The motion carried unanimously.

**Aye:** Brian Poochigian, Brett Taylor, Emmanuel Hernandez Soto, Steve Nelsen, Liz Wynn

3. Discussion of and request to solicit input on the Public Review Draft Housing Element of the Visalia General Plan, and a request for the City Council to authorize submitting the Housing Element to the State Department of Housing and Community Development for the mandated 90-day review period. [23-0236](#)

Brandon Smith, Principal Planner, introduced the item for the consultants, Jason Montague and Ryan Lester.

A request to solicit input on the Public Review Draft Housing Element of the Visalia General Plan, and a request for the City Council to authorize submitting the Housing Element to the State Department of Housing and Community Development for the mandated 90-day review period ends July 9, 2023. No motion required.

4. Presentation on pro-active efforts being undertaken to deter the use of illegal fireworks and information on fun activities in the community to celebrate the holiday weekend. [23-0238](#)

Corbin Reed, Fire Marshal, and Kelli Kincaid, Parks & Recreation Director, provided the presentation on the pro-active efforts being undertaken to deter the use of illegal fireworks and provided information on the fun activities in the community to celebrate the holiday weekend safely. No motion required.

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

The meeting was adjourned to Closed Session at 5:50 p.m.

## **CALL TO ORDER REGULAR SESSION - 7:00 PM**

The meeting was called to order at 7:00 p.m.

## **PLEDGE OF ALLEGIANCE**

## **INVOCATION**

## **ITEMS OF INTEREST**

The Council commented on various activities they participated in the last few weeks.

## **SPECIAL PRESENTATION / RECOGNITION**

1. Commemoration of Juneteenth: Happy Juneteenth! The first observed day of when African Americans first officially heard of their legally enforceable emancipation back on June 19, 1865. [23-0249](#)

## 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.

Gwen Shrank, thanked Council for recognizing and commemorating Juneteenth and encouraged the Council to work with all African American citizens to bring everyone together.

Elizabeth Sartuche, Miss Tulare County and Olivia Harden, Miss Central Valley announced the Miss California competition will be in Visalia this year and invited the Council to attend the Presidents reception and a preliminary event prior to the crowning of Miss California on July 1, 2023.

Nick Mascia, Assistant City Manager, announced an RFP for a new Raceway at Plaza Park will be released in the near future.

Cody McLaughlin, Assistant Engineer, announced there will be a Public Outreach Meeting for Visalia's fully Inclusive Park on June 20, 2023 at 5:30 p.m. at Imagine U Museum. All are welcome to attend.

Public Comments received via email from Barry Caplan, Visalia citizen, for consent item 4 and Measure N, public hearing items 6 and 7. All emails were sent to Council and are incorporated into the record with their respective items.

## CONSENT CALENDAR

A motion was made by Vice Mayor Brett Taylor, seconded by Council Member Steve Nelsen to approve the Consent Calendar except item 5. The motion carried by the following vote:

**Aye:** Brian Poochigian, Brett Taylor, Emmanuel Hernandez Soto,  
Steve Nelsen, Liz Wynn

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.

Item 5 pulled (BP)

A motion was made by Council Member Emmanuel Hernandez Soto, seconded by Vice Mayor Brett Taylor, to approve the balance of the consent calendar. The motion carried unanimously 5-0.

2. Authorize one-time lump sum discretionary payment for active hourly employees. [23-0257](#)
3. Authorize the City Manager to file a Notice of Completion for the construction of the FY 22-23 Reclamite Project (CIP 1410-72000/CP0248-999 & CIP 2730-72000/CP8358-999). [23-0003](#)
4. Authorize the Visalia Police Department to apply for a \$280,000 three (3) year Grant from the State of California Board of State and Community Corrections (BSCC) Organized Retail Theft Prevention Grant Program and submit the application by July 7, 2023. [23-0185](#)
5. Authorize the City Manager to execute the existing Kaweah Delta Water Conservation District "Restated Basin Agreement" for Oakes, Oakes West Expansion (Andrade), and Peoples Basins as required by the California Natural Resources Agency (CNRA) Grant Requirements and funding source. [23-0200](#)

\*\*\*Consent item 5 pulled for separate discussion (BP). Nick Mascia, Assistant City Manager, announced that Fred Lampe, Engineer, will be retiring soon and today his last Council meeting. Nick named several, large projects that Fred managed to completion with funding totaling over 76M. Congratulations to Fred and thank you Fred for your service to the City of Visalia.

A motion was made by Council Member Steve Nelsen, seconded by Council Member Liz Wynn, to approve as recommended. The motion carried by the following vote:

**Aye:** Brian Poochigian, Brett Taylor, Emmanuel Hernandez Soto, Steve Nelsen, Liz Wynn

6. Accept and authorize the appropriation of \$2,000,000 from the Sustainable Groundwater Management Grant Program for the Cameron Creek Linear Recharge Project and appropriate \$60,000 for staff indirect costs from the Ground Water Recharge Fund (224). [23-0205](#)

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| 7.  | Confirm acceptance of a \$7,500 grant from the California Animal Welfare Funders Collaborative (CAWFC) for the Spay and Neuter of 175 Feral Cats and confirm the City Manager's execution of the CAWFC grant agreement.  | <a href="#"><u>23-0209</u></a> |
| 8.  | Approve the Citizens Advisory Committee's recommendation to re-appoint Rebecca Donabed, Kelly Pierce, Miguel Salgado and Glen Stewart to a voting position on the Citizens Advisory Committee.   | <a href="#"><u>23-0213</u></a> |
| 9.  | City Council approval of Resolution 2023-22 adopting the 2023-24 appropriations limit for the City of Visalia's General Fund.  | <a href="#"><u>23-0219</u></a> |
| 10. | Acceptance of the 2022 City of Visalia & Kaweah Delta Water Conservation District Water Management Plan submitted by the Visalia Water Management Committee.   | <a href="#"><u>23-0229</u></a> |
| 11. | Approval of Visalia Transit's Zero-Emission Bus Rollout Plan including approval of Resolution No. 2023-23 required, and authorize the City Manager to sign on behalf of Visalia Transit.   | <a href="#"><u>23-0235</u></a> |
| 12. | Request authorization to record the final parcel map for Tentative Parcel Map No. 2022-04, located at 3307 East Houston Avenue on the southside of East Houston Avenue approximately 1,300 feet east of North Lovers Lane (APN: 103-330-100).  | <a href="#"><u>23-0240</u></a> |
| 13. | Authorization to execute a final Certificate of Cancellation for Williamson Act Land Conservation Contract No. 2735, covering approximately 2.36 acres and located outside of the area protested by the City of Visalia. The site is located on the north side of Ferguson Avenue, situated approximately 1,288 feet north of Ferguson Avenue and 789 feet west of Demaree Street, within the City of Visalia (APN: 077-190-007). Resolution 2023-24 required. | <a href="#"><u>23-0241</u></a> |
| 14. | Appoint Karen Ayala to a first two year term, and reappoint Jay Hohlbauch and Walter Deissler to a second two year term, on the Historic Preservation Advisory Committee.  | <a href="#"><u>23-0243</u></a> |
| 15. | Adopt the revised salary schedule for full-time employees, City Manager, and City Council members of the City of Visalia.  | <a href="#"><u>23-0251</u></a> |
| 16. | Authorize the City Manager to enter into a sole source agreement with Telcion Communications Group to purchase Cisco hardware, software, and services, with competitive pricing utilizing the Merced County FOCUS Contract #2021106 in the amount of \$1,554,788.  | <a href="#"><u>23-0255</u></a> |
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17. Authorize staff to develop an addendum to the Water Conservation Ordinance to address non-de minimis water users who operate their own well to voluntarily enroll with the Mid-Kaweah Groundwater Sustainability Agency as an alternative to the City's water conservation irrigation requirements.

[23-0253](#)

## **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. Property owner appeal to revoke the approved Oak Tree Removal Permit #23-19 to remove a Valley Oak tree located at APN: 000-015-509 based on the City's Arborist's Tree Risk Assessment and applying the assessment/evaluation to the removal standards outlined in the City of Visalia's Oak Tree Ordinance No. 12.24.035. [23-0248](#)

Gonzalo Landaverde, Attorney for the appellant Wenlyn Enterprises, LLC, NutriNut Inc., and David C. Wendt commented and expressed concerns that if the easement is removed it will become a nuisance and requests for a continuance of the decision for up to 120 days.

Alvin Dias, Parks & Facilities Manager, provided a brief update on the appeal of the intent to remove the oak tree located at 2106 E. Main Street. The request was initially for the removal of two Valley Oak trees for the construction of a new block retaining wall, installation of public utilities, and street construction for the Sequoia Bend residential subdivision.

A site inspection conducted by Community Services Department staff determined that the tree under appeal is located near the southeast corner of parcel APN: 000-015-509. The tree is near the property line and growing into the chain link fence. Staff recommends Oak tree number 2 as above stated APN needs to be removed and finds there are adequate trees in the development.

Public Comments: David Wendt is the owner of the business. The tree is on his property and he was never notified. He is trying to extend the removal of the tree until he gets through the walnut season. Can an extension be given to allow discussions to resolve this issue.

Jim Robinson, SJV Homes stated the project was approved 2 years ago and there was not opposition at the time of the application. Those were all approved by the permit process by the city. They are open to work with company. Mr. Robinson is willing to continue the item; however, he will continue building.

A motion was made by Council Member Steve Nelsen, seconded by Council Member Liz Wynn, to continue the item to a date TBD. The motion carried by the following vote:

**Aye:** Brian Poochigian, Brett Taylor, Emmanuel Hernandez Soto, Steve Nelsen, Liz Wynn



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2. Authorization to allow the City of Visalia to place items contested during the June 5, 2023, public hearing on the Miscellaneous Special Assessments on the Tulare County secured property tax roll. [23-0244](#)

Ruth Pena, Financial Analyst, updated Council on the contested items from the June 5, 2023 Public Hearing. It is recommended that two of the three contested items be placed on the Miscellaneous Special Assessments of the Tulare County secured property tax roll for collection. Payments can be made by June 30, 2023 to avoid the assessment being placed on the tax roll. The two recommended to be placed on the tax roll are APN:122-071-017 in the lien amount of \$351.42 and APN:122-071-018 in the lien amount of \$255.16.

A motion was made by Council Member Liz Wynn, seconded by Council Member Steve Nelsen, to approve as recommended. The motion carried by the following vote:

**Aye:** Brian Poochigian, Brett Taylor, Emmanuel Hernandez Soto, Steve Nelsen, Liz Wynn

3. Public Hearing and Adoption of Resolution 2023-04 to authorize proposed new fees, increases, and adjustments to the City's Rates and Fees schedule for Fiscal Year 2023-24. [23-0092](#)

Kari Williams, Financial Analyst, requested for Council to conduct a Public Hearing for the adoption of Resolution 2023-04 to authorize proposed new fees, increases, and adjustments to the City's Rates and Fees schedule for Fiscal Year 2023-24. The public hearing was opened at 7:32 p.m. and closed. There were no public comments.

A motion was made by Council Member Steve Nelsen, seconded by Vice Mayor Brett Taylor, to approve as recommended. The motion carried by the following vote:

**Aye:** Brian Poochigian, Brett Taylor, Emmanuel Hernandez Soto, Steve Nelsen, Liz Wynn

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4. Receive the FY 2023/24 mid-cycle financial report. [23-0220](#)

Renee Nagel, Finance Director, provided the mid-cycle 22/23 and 23/24 budget cycle. In April 2023, staff presented to Council budget projections for FY 2022/23 and 2023/24 for all operating funds. On off budget years, staff brings a Mid-Cycle report in June which reports any updates to the current fiscal year and the upcoming fiscal year. No significant changes have been made to the budget projections since the Mid-Year presentation to Council in April 2023 for FY 2022/23.

While the City is in overall sound financial shape today, we must be cautious in making expenditures that will impact the City in the long-term. Majority of the revenue forecasts are showing growth, however, we must recognize that other foreign and domestic factors (i.e. inflation, housing prices, supply chain disruptions, etc.) could negatively impact the growth and expansion of our local economy. No motion required.

5. Annual Recertification of the Measure T (Sales Tax) Plan for FY 2023/24. [23-0218](#)

Renee Nagel, Finance Director, provided the annual recertification as required to continue and ensure that the General Fund monies budgeted are balanced.

In 2004, City of Visalia voters approved a measure to increase sales tax by ¼ cent. This was known as Measure T and the sales tax revenues generated by the voter-approved measure are earmarked for public safety. The sales tax is shared 60% police and 40% fire. Thus, the City maintains two funds: Measure T - Fire and Measure T - Police.

The measure uses a detailed, 20-year plan which includes hiring of personnel, construction of capital projects, and equipment purchases. The plan requires each fund to have an economic uncertainty fund of 25% of sales tax revenues collected. This is to be used if revenues do not cover expenditures. However, the plan elements should be funded before the economic uncertainty fund is fully funded. Annually the plan is required to get recertified by Council. For the recertification, staff brings all the completed elements and a projection of both the funds revenues and expenditures

A motion was made by Council Member Steve Nelsen, seconded by Vice Mayor Brett Taylor, to approve as recommended. The motion carried by the following vote:

**Aye:** Brian Poochigian, Brett Taylor, Emmanuel Hernandez Soto,  
Steve Nelsen, Liz Wynn

6. Conduct the first of two Public Hearings to amend the Measure N 10-year plan to convert one (1) Measure N Police Officer position for FY 2023/24 into two (2) Community Service Officer positions. [23-0242](#)

Police Captain Daniel Ford, provided an update to the Council on the first of two Public Hearings to amend the Measure N 10 year plan to convert 1 measure N police officer position for FY 2023/24 into two (2) Community Service Officer positions.

Public comment was received via email by Barry Caplan, Visalia citizen and provided to all Council as requested. A copy was printed and noted as public comment, placed in the public binder and is incorporated into the official record.

The public hearing was opened and closed. There were no verbal public comments. No motion required at this time.

7. Conduct the second of two Public Hearings to amend the Measure N Spending Plan to appropriate \$45,100 for the FY 2022/23 and \$18,200 for FY 2023/24 to address cost increases related to patrol vehicle purchases and upfitting; and renew the five-year contract with Axon Enterprise Inc., totaling \$1,738,749.49 and appropriate \$128,112 for FY 2023/24. [23-0245](#)

Police Captain Daniel Ford, provided the report for the second of two public hearings to amend the Measure N Spending Plan to appropriate \$45,100 for the FY 2022/23 and \$18,200 for FY 2023/24 to address cost increases related to patrol vehicle purchases and unfitting; and requested to renew the five-year contract with Axon Enterprise Inc., totaling \$1,738,749.49 and appropriate \$128,112 for FY 2023/24.

Public comment was received via email by Barry Caplan, Visalia citizen and provided to all Council as requested. A copy was printed and noted as public comment, placed in the public binder and is incorporated into the official record.

The public hearing was opened at 7:47 p.m. and closed. There were no verbal public comments.

A motion was made by Council Member Steve Nelsen, seconded by Vice Mayor Brett Taylor, to approve as recommended. The motion carried by the following vote:

**Aye:** Brian Poochigian, Brett Taylor, Emmanuel Hernandez Soto, Steve Nelsen, Liz Wynn

## **CLOSED SESSION REPORT - None**

## **ADJOURNMENT**

The meeting was adjourned at 7:48 p.m.

**UPCOMING CITY COUNCIL MEETINGS:**

**Monday, July 17, 2023 at 7:00 p.m. @ 707 W. Acequia**

**Monday, August 7, 2023 at 7:00 p.m. @ 707 W. Acequia**

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

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**Any written materials relating to an item on this agenda submitted to the Council after distribution of the agenda are available for public inspection in the Office of the City Clerk, 220 N. Santa Fe Street, Visalia CA 93292, during normal business hours.**