



# 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, March 6, 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**

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.

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

1. Receive presentation regarding the update on the release of the Draft Agricultural Preservation Ordinance, provide an overview of the ordinance, and to receive input from the City Council and community. Public comments pertaining to the Draft Agricultural Preservation Ordinance may be submitted to the City in writing until March 27, 2023. [23-0076](#)

Paul Bernal, Community Development Director, introduced the item to provide the introduction of the draft ordinance. The report and presentation are informational only and no direct action is required.

Sarah Allinder, Consultant, indicated the draft ordinance is out for review and comments are welcome for consideration. Staff will return to for a Public Hearing in May for the first reading, receive an update on the Draft Agricultural Preservation Ordinance and project timeline. The report and presentation are informational only and no direct action is required.

Comments and questions by Council regarding affordable housing:

Dale Simmons, Dave Prenlaw, and Daniel O'Connell expressed concerns and comments about perpetuity and endowment, roadways and construction during the construction. There are some items that work and some do not. The standards appear to be a check list from the state. Why not try and give a flexibility for investment.

Don Manro, has a concern about the easements as permanent or long term. Question: Does this conflict with the greenbelt.

Comments and questions by Council. Does the county have an Ag Mitigation program. Yes, west of Pixley. Tulare adopted a template and Reedley is preparing to move ahead with an Ag Mitigation program.

2. Receive a project update on the status of the East Side Regional Park's (ESRP) Environmental Impact Review process and related Groundwater Recharge Capital Improvement Projects (CIP). [23-0053](#)

Frank Senteno, City Engineer, Brandon Smith, Planning Department and Paul Bernal, Community Development Director.

Leslie Caviglia, City Manager, introduced the environmental report and reminded the discussion should not be anything other than the environmental park.

Frank Senteno, City Engineer, explained the project update and provided a status of the East Side Regional Park's Environmental Impact Review process and related Groundwater Recharge Capital Improvement Projects.

Frank Senteno, City Engineer, reviewed the recharge basin facilities. Basins F & G are the focus of the next projects. Basin F is "shovel ready". Basin G is under construction. Basin D is CP0396 and the design has started.

Leslie Caviglia, City Manager, explained the grants are in the process and the Tulare Irrigation District can be used as a conduit for the funding.

Comments and questions by Council. The city owns the land where the Oaks Basin land is located and the federal grant is no longer available; therefore, the walking path is no longer available.

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

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

## **ADJOURN TO CLOSED SESSION - 6:00 PM (No Closed Session Items Scheduled for March 6, 2023)**

The meeting was adjourned to Closed Session at 5:32 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.

## 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.

Laura Duarte, spoke regarding Dutch Bros at Mooney and Myrtle where the neighborhood needs help. They are still having issues with the noise and the cars. The business did not build according to the plans approved by the city.

Stephen Tootle, also spoke to the issues at the Dutch Bros on Mooney. The mediation vibe he received was basically the company has money and does not have to follow the rules. Disappointing to hear the city does not have to follow their own rules.

Reggie Ellis, requested item 7 to be pulled from the Consent Calendar for separate discussion.

## CONSENT CALENDAR

Item 7 pulled for separate discussion and comments.

A motion was made by Council Member Steve Nelsen, seconded by Vice Mayor Brett Taylor, to Approve the Consent Calendar except item 7: The motion carried by the following vote:

<b>Aye:</b>	Brian Poochigian, Brett Taylor, Emmanuel Hernandez Soto, Steve Nelsen, Liz Wynn
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1. Authorization to read ordinances by title only. [23-0063](#)
  2. Authorize the City Manager to award (2) separate sole source five (5) year service contracts with Axon Enterprise Inc. located in Scottsdale, Arizona in the amount of \$374,414 & \$11,885 to provide the Visalia Police Department with 134 software licenses for Automatic License Plate Readers (ALPR) and one (1) Mobile Audio/Video System (MAVS); and to appropriate a total of \$62,604 for FY 22/23 and \$70,068 FY 23/24. Installation and payment to take place over 5 years. [22-0463](#)
  3. Authorize the City Manager to award a contract to purchase seven (7) diesel-powered solid waste trucks to E.M. Tharp of Porterville, CA. through the Sourcewell Cooperative contract for a total purchase price of \$2,770,743 and appropriate an additional \$329,447 from the Solid Waste Enterprise Fund (441). [23-0023](#)
  4. Authorize the City Manager to approve contract change order number 1 and 2 for construction of the Downtown Streetlight Project (1410-72000/CP0345-999) in an amount totaling \$242,706.45 and contract change order number 1 for the construction of the Downtown Pavement Rehab Project (2390-72000/CP0373-999) in the amount of \$248,959.18. [23-0041](#)
  5. Consideration of a Mural Application request from Leadership Visalia for one mural proposed on the south-facing facade of the Valley Strong Stadium (Rawhide ballpark) located at 300 North Giddings Street, together with a request for the City Council to authorize allowing placement of a mural on City-owned property. [23-0058](#)
  6. Authorize the Visalia Police Department to apply for the 2023-2024 California Department of Alcoholic Beverage Control (ABC) Grant program for up to \$100,000 and submit the grant application by April 3, 2023. [23-0064](#)

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7. Award RFB-21-22-34, a one-year contract for Publishing Legal Advertisements to Visalia Times Delta in an amount not to exceed \$90,000. [23-0072](#)

Reggie Ellis, owner of the Sun Gazette newspaper addressed the Council regarding the city contract to award the one year contract for Publishing Legal Advertisements to the Visalia Times Delta in an amount not to exceed \$90,000.

The Sun Gazette was eliminated from the RFP process because it has a shorter time line for publishing. He respects this body and he is hoping he would be respected as well and wants to be considered.

Elizabeth Forrester, Purchasing Agent, explained and spoke to Mr. Ellis' concerns. Purchasing was just informed the Sun Gazette was recently adjudicated. Right now the city has availability to publish 5 to 6 times a week. This was addressed in the bid. Mr. Ellis was notified about the appeal process; however, did not submit one. Any setback can delay the timelines of a project.

The cost of the city and the price bid was exactly the same. The number of subscribers were not validated.

Stephen Tootle and Gail Zurek spoke to the item in support of the Sun Gazette being considered.

Melody Murch, Assistant Finance Director, explained the timing of the process and the reason to award the bid to a single organization.

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, Steve Nelsen, Emmanuel Hernandez Soto, Liz Wynn

8. Consider approval of 2023 Water Management Plan submitted by Kaweah Delta Water Conservation District to the City of Visalia. [23-0074](#)
9. Request authorization to file a Notice of Completion for the Quintana De Oro subdivision containing 14 single-family residential lots located at the intersection of North Linwood Street and West Delaware Avenue. [23-0075](#)
10. Second reading and adoption of Ordinance 2023-01 authorizing the sale of approximately 367 square feet to the State of California as part of Caltrans project to rehabilitate State Route 216, Lovers Lane and East Millcreek Parkway. [23-0077](#)

### **REGULAR ITEMS AND PUBLIC HEARINGS (No Regular Items Scheduled for March 6, 2023)**

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.

### **CLOSED SESSION REPORT (None)**

### **ADJOURNMENT**

The meeting adjourned at 7:32 p.m.

1. UPCOMING CITY COUNCIL MEETINGS: [22-0467](#)  
Monday, March 20, 2023 @ 7:00 p.m., 707 W. Acequia.

Thursday, March 23, 2023 @ 6:00 p.m., Special Joint Meeting w/  
VUSD and COS, 915 S. Mooney, Porter Field House.

Monday, April 3, 2023 @ 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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special assistance to participate in meetings call (559) 713-4512  
48-hours in advance of the meeting. For Hearing Impaired - Call  
(559) 713-4900 (TTY) 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 are  
available for public inspection in the Office of the City Clerk, 220  
N. Santa Fe Street, Visalia CA 93292, during normal business  
hours.