

**ACTION MINUTES OF TULARE  
CITY COUNCIL, CITY OF TULARE**

**September 5, 2017**

**A regular session meeting of the City Council, City of Tulare was held on Tuesday, September 5, 2017, at 7:00 p.m., in the Tulare Public Library & Council Chambers, 491 North "M" Street.**

**COUNCIL PRESENT:** Maritsa Castellanoz, Greg Nunley, Jose Sigala

**COUNCIL ABSENT:** Carlton Jones, David Macedo

**STAFF PRESENT:** Joe Carlini, Sarah Tobias, Janice Avila, Steve Bonville, Willard Epps, Wes Hensley, Rob Hunt, Josh McDonnell, Michael Miller, Darlene Thompson, Trisha Whitfield, Melissa Hermann

**I. CALL TO ORDER REGULAR SESSION**

Mayor Pro Tem Castellanoz called the regular meeting to order at 7:01 p.m.

**II. PLEDGE OF ALLEGIAND AND INVOCATION**

Council Member Sigala led the Pledge of Allegiance and an invocation was given by Ben Brubaker.

**III. CITIZEN COMMENTS**

Mayor Pro Tem Castellanoz requested those who wish to speak on matters not on the agenda within the jurisdiction of the Council, or to address or request a matter be pulled from the consent calendar to do so at this time. He further stated comments related to general business matters would be heard at the time that matter is addressed on the agenda.

There were no Citizen Comments.

**IV. COMMUNICATIONS**

There were no items for this section of the agenda.

**V. CONSENT CALENDAR:**

**It was moved by Council Member Sigala, seconded by Council Member Nunley, and unanimously carried that the items on the Consent Calendar be approved as presented with the exception of item(s) 3, 4, 9, 10.**

- (1) **Authorization to read ordinances by title only.**
- (2) **Approve minutes of August 15, 2017 regular meeting(s).**
- (3) **Receive informational report on current City of Tulare, City Council 2016/2017 travel budget.** Council Member Sigala pulled this item to inquire about the deficits shown in certain district budgets. Finance Director provided a response thereto. Council Member Sigala suggested looking into the policy regarding the Council budgets. It was moved by Council Member Nunley, seconded by Council Member Sigala and unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to accept the item as presented.
- (4) **Authorize staff to initiate an amendment to Municipal Code Section 10.120 “Design Review” for future Planning Commission and City Council consideration.** Council Member Sigala pulled this item to thank staff for moving forward to make it easier for people to do business in the City. It was moved by Council Member Sigala, seconded by Council Member Nunley and unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to accept the item as presented.
- (5) **Appoint the Community & Economic Development Director, Josh McDonnell, to serve as the City’s representative on the Tulare County Association of Governments’ Regional Transportation Plan / Sustainable Communities Strategy Roundtable, and designate the City Engineer, Michael Miller, to serve as his alternate.**
- (6) **Adopt Resolution of Intent 17-39 to initiate proceedings and set a public hearing date for October 17, 2017, to consider the vacation of a portion of “M” Street (also known as Oak Street) from a point approximately 343 feet north of the centerline of Cartmill Avenue to the northern property lines of Assessor’s Parcel Numbers 149-080-038 & 149-230-017 and reserving from the vacated street public access and utility access easements; direct the City Clerk to publish a Public Hearing Notice and direct staff to post a Notice of Vacation along the subject portion of “M” Street.**
- (7) **Conditionally approve the Parcel Map filed by Cornelius Vander Eyk for the division of land located at the southwest corner of Paige Avenue and Blackstone Street for recordation, and accept all easements and dedications offered to the City subject to receipt of the signed parcel map, all fees, and other required items prior to November 6, 2017.**
- (8) **Approve a twelve (12) month extension to the improvement agreement between the City and Evaristo and Emma Aguayo for the construction of an on-site storm drainage basin and the installation of a streetlight along the frontage of 1773 N. “E” Street.**

- (9) Authorize the City Manager to sign a contract with Provost & Pritchard Consulting Group of Visalia, CA in an amount not to exceed \$345,300.00 for topographic surveying, geotechnical analysis, design, bidding and construction support services for Project EN0076, a street and utility improvement project on 'O' Street. Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$34,530) of the contract award amount.** Council Member Nunley pulled this item along with Item 10 to have Senior Project Manager Nick Bartsch speak on the contingency amount used on various projects. Following discussion, it was moved by Council Member Nunley, seconded by Vice Mayor Castellanoz and unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to accept Items 9 and 10 as presented.
- (10) Authorize the City Manager to sign a contract with Peters Engineering Group of Clovis, CA in an amount not to exceed \$437,490.00 for topographic surveying, geotechnical analysis, design, bidding and construction support services for Project EN0077, a street and utility improvement project on Cherry Street, Bash Alley and Lyndale Drive. Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$43,749) of the contract award amount.** Item addressed during Item 9 discussion.
- (11) Receive Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA) for the fiscal year that ended June 30, 2016.**
- (12) Receive, review, and file the Monthly Investment Report for July 2017.**
- (13) Adopt Resolution 17-40 and authorize Mayor to execute an agreement with the Tulare County Association of Government for the city to expand and/or increase transit service within the city areas during fiscal year 2017/18.**
- (14) Purchase a 2009 StarCraft bus from MV Transportation as a replacement for Cutaway Transit Bus Unit #2018 in the amount of \$18,000.**

## **VI. SCHEDULED CITIZEN OR GROUP PRESENTATIONS**

- (1) Accept donation in the amount of \$30,000 toward the \$1 million dollar pledge made by the Tulare Library Foundation.** Community Services Director Rob Hunt introduced John Thomas, President of the Tulare Library Foundation, who presented a check for \$30,000 to the City.

## VII. MAYOR'S REPORT

There were no items for this section of the agenda.

## VIII. STUDENT REPORTS

There were no items for this section of the agenda.

## IX. CONVENE JOINTLY AS TULARE CITY COUNCIL AND TULARE CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE TULARE REDEVELOPMENT AGENCY –

Mayor Pro Tem Castellanoz convened jointly at 7:26 p.m.

### (1) Successor Agency:

- a. **Accept and recommend a purchase offer to the Oversight Board of the Successor Agency to the Tulare Redevelopment Agency (“Oversight Board”) for purchase of Assessor Parcel Number (“APN”) 181-040-014/15, Property #24 for the amount of \$130,000.00, and to authorize the City Manager to sign all documents required for the sale and Legal Counsel to make any minor conforming changes.** Following presentation by General Services Director Steve Bonville, it was moved by Council Member Sigala, seconded by Council Member Nunley and unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to accept the item as presented.

## X. ADJOURN AS TULARE CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND REMAIN SEATED AS THE TULARE CITY COUNCIL –

Mayor Pro Tem Castellanoz adjourned the joint meeting, but remained seated as the Tulare City Council at 7:29 p.m.

## XI. GENERAL BUSINESS

*Comments related to General Business Items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Council.*

### (1) City Manager:

- a. **Consideration for appointment members to the City of Tulare Measure I Oversight Committee and Planning Commission.** Council Member Sigala requested to appoint his selection for the Measure I Committee. It was moved by Council Member Sigala, seconded by Vice Mayor Castellanoz and

unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to appoint Richard Dituri to the Measure I Committee.

Vice Mayor Castellanoz invited Mr. Richard Dituri to speak. He addressed the Council regarding his desire to serve on the Measure I Committee.

Vice Mayor Castellanoz invited all who had applied to the Measure I Committee to speak. Ms. Dawn “Michelle” Rowsey addressed the Council regarding her background and desire to serve on the committee. It was moved by Vice Mayor Castellanoz, seconded by Council Member Nunley and unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to appoint Dawn “Michelle” Rowsey to the Measure I Committee.

It was the consensus of the Council to move this item to the next scheduled meeting for the remainder of the appointments to the Measure I Committee and Planning Commission.

- b. Review the Annual League of California Cities Conference Resolutions providing input/direction to the City’s voting delegate.** It was moved by Council Member Sigala, seconded by Council Member Nunley and unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to adopt the League of City’s recommendation and direct Mayor Jones (voting delegate) to vote in favor of the two resolutions.

**(2) Community & Economic Development:**

- a. Council consideration of the City of Tulare’s continued participation in the Tulare County Economic Development Corporation.** City Manager Joe Carlini provided a report for the Council’s review and consideration. Following discussion, it was moved by Council Member Nunley, seconded by Vice Mayor Castellanoz and unanimously carried 3 to 0 (Mayor Jones and Council Member Macedo absent) to terminate the City of Tulare’s participation in the Tulare County Economic Development Corporation.

**XII. COUNCIL/STAFF UPDATES, REPORTS OR ITEMS OF INTEREST – GC 54954.2(3)**

Council Member Sigala requested a letter from the City to the Chairman of the State Audit Committee to perform a formal audit on the Tulare hospital bonds and operations. It was the consensus of the Council to agendaize this item for the next Council meeting.

Council Member Sigala requested a letter from the City Council to the local congress members regarding the DACA issue urging them to do all they can legislatively to ensure a permanent solution for the young people affected by this. It was the consensus of the Council to agendaize this item for the next Council meeting.

**XIII. ADJOURN TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION(S):**

Mayor Pro Tem Castellanoz adjourned to closed session at 8:17 p.m.

- (a) **54956.8b Conference with Real Property Negotiators**  
**Property: Located in Tulare California at the South East Corner of East Alpine Avenue and Nelder Grove Street (Portion of APN 172-040-079)**  
**Under Negotiation: Price, terms, conditions regarding disposition of property**  
**Negotiating Parties: Joseph Carlini, Steve Bonville, Mike Miller, Darlene Thompson, Rob Hunt, Sarah Tobias**
  
- (b) **54956.9(5) Conference with Legal Counsel – Anticipated Litigation**  
**Case name unspecified: Disclosure would jeopardize service of process or existing settlement negotiations**

**XIV. RECONVENE FROM CLOSED SESSION**

Mayor Pro Tem Castellanoz reconvened from closed session at 8:30 p.m.

**XV. CLOSED SESSION REPORT (if any)**

Mayor Pro Tem Castellanoz advised the Closed Session items have been moved to the next meeting.

**XVI. ADJOURN REGULAR MEETING**

Mayor Pro Tem Castellanoz adjourned the regular meeting at 8:30 p.m.

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President of the Council and Ex-Officio  
Mayor of the City of Tulare

**ATTEST:**

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Chief Deputy City Clerk and Clerk of the  
Council of the City of Tulare