

AGENDA

**TULARE CITY COUNCIL
TUESDAY, DECEMBER 18, 2018
Regular Session 7:00 p.m.
TULARE PUBLIC LIBRARY & COUNCIL CHAMBERS
491 North "M" Street**

**MISSION STATEMENT
TO PROMOTE A QUALITY OF LIFE MAKING TULARE THE MOST DESIRABLE COMMUNITY IN
WHICH TO LIVE, LEARN, PLAY, WORK, WORSHIP AND PROSPER.**

Meeting audio will be uploaded to the City's website www.tulare.ca.gov, no later than the Friday following the meeting, barring any technical difficulties, accessible by selecting the appropriate meeting date on the City Meeting Calendar page.

7:00 p.m.

I. CALL TO ORDER REGULAR SESSION

II. PLEDGE OF ALLEGIANCE AND INVOCATION

III. CITIZEN COMMENTS

This is the time for citizens to comment on subject matters, not on the agenda within the jurisdiction of the Tulare City Council. The Council Members ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome. The Council cannot legally discuss or take official action on citizen request items that are introduced tonight.

This is also the time for citizens to comment on items listed under the Consent Calendar or to request an item from the Consent Calendar be pulled for discussion purposes. Comments related to general business/city manager items or public hearing items will be heard at the time the item is discussed or at the time the Public Hearing is opened for comment.

*In fairness to all who wish to speak, each speaker will be allowed **three minutes**, with a maximum time of 15 minutes per item, unless otherwise extended by Council. Please begin your comments by stating and spelling your name and providing your city of residence.*

IV. COMMUNICATIONS

*Communications are to be submitted to the City Manager's Office 10 days prior to a Council Meeting to be considered for this section of the Agenda. No action will be taken on matters listed under communications; however, the Council may direct staff to schedule issues raised during communications for a future agenda. Citizen comments will be limited to **three minutes**, per topic, unless otherwise extended by Council.*

- (1) Letter of Concern from Jesse Q. Martinez, on behalf of Vejars Restaurant.

V. CONSENT CALENDAR

All 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, in which event the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

- (1) Authorization to read ordinances by title only.
- (2) Approve minutes of December 4 and December 11, 2018 regular/special meeting(s). [Submitted by: R. Yoder]
- (3) Declare Terry Sayre's seat on the Library Board vacant and direct staff to post the vacancy and solicit applications.
- (4) **Adopt Resolution 18-65**, approving the Sacramento Street – Maple Avenue Improvements Project, and the associated California Environmental Quality Act (CEQA) Notice of Exemption. [Submitted by: M. Anaya]
- (5) **Adopt Resolution 18-66**, an erratum correcting the text in Mitigation Measure 4.0-1 approved by the Council of the City of Tulare as part of Resolution 18-62 on November 20, 2018. [Submitted by: M. Anaya]
- (6) Award and authorize the City Manager to sign a contract with A-C Electric Company of Visalia, CA in the amount not to exceed \$75,830.00 for Project EN0072 to construct traffic signal modifications at Prosperity Avenue and 'M' Street, and authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$7,583.00) of the contract award amount. [Submitted by: J. Funk]
- (7) Receive, review, and file the Monthly Investment Report for October 2018. [Submitted by: D. Thompson]
- (8) Approve the purchase amount of \$33,356.12 for the purchase of one (1) 2019 Ford F-150 Super Crew Planning Truck from National Auto Fleet Group using State of California and Sourcewell Co-Operative Purchase Program. [Submitted by: S. Bonville]
- (9) Award Nixon-Egli Equipment Co. a Bid for a replacement LeeBoy paver for Streets Department thru Sourcewell (formally NJPA) pricing in the amount of \$225,966.18. [Submitted by: S. Bonville]
- (10) Authorize the Mayor, on behalf of the City Council, to execute an Interim City Manager Assignment Agreement made and entered into by and between the City of Tulare and Rob A. Hunt. [Submitted by: J. Avila]

- (11) Approve proposals and authorize City Manager or his designee to enter into Professional Landscape Maintenance Consultant Services Agreements for various Landscape & Lighting Districts, City Facilities and Streetscapes as follows: Route A – Quinn Landscape Services (Tulare) \$144,792.36; Route B – Perfect Care Landscape (Tulare) \$180,850.68; Route C – Perfect Care Landscape (Tulare) \$146,411.64; Route D - Perfect Care Landscape (Tulare) \$146,721.96; Route E – Perfect Care Landscape (Tulare) \$38,820.36; Route F – Quinn Landscape Services (Tulare) \$30,755.40; subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [Submitted by: R. Hunt]
- (12) Surplus Police K-9 “Blaze” and authorize the sale of same to his former handler, Police Officer Jeremy Tanck, for the purchase price of \$1.00. [Submitted by: M. Machado]
- (13) Receive the Fuel Cell Performance Update. [Submitted by: T. Whitfield]
- (14) Approve and authorize the City Manager to execute an amendment to the Power Purchase Agreement (PPA) between the City and 1875 West St Solar, LLC, referred to as Borrego Solar Systems, execute revisions to the Lease and Easement Agreement, and execute the PPA Consent and Assignment, Lease Consent and Assignment, PPA Estoppel, and Lease Estoppel subject to minor conforming changes by the City Attorney’s Office. [Submitted by: T. Whitfield]

VI. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) Staff presentation regarding a request from the Tulare Local Healthcare District Board for funding assistance. [Requested by: Council 12/11/18]

VII. MAYOR’S REPORT

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

- (1) **Successor Agency:**
 - a. **Adopt Successor Agency Resolution 2018-04** approving the Recognized Obligation Payment Schedule for the July 1, 2019 through June 30, 2020 time period (ROPS 19-20) and the Fiscal Year 2019-20 Administrative Budget. [Submitted by: D. Thompson]

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

X. 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) Public Hearing:

- a. Public Hearing to receive and accept the City's annual Development Impact Fee Fund Report for the fiscal year ended June 30, 2018. [Submitted by: D. Thompson]
- b. Public Hearing to consider the adoption of four Resolutions of Necessity to acquire property by eminent domain for portions of certain properties located in the area of the Cartmill Avenue and Hillman Street Intersection Project; **Resolution of Necessity 18-67** for a portion of APN 166-220-008, **Resolution of Necessity 18-68** for a portion of APN 149-230-005, **Resolution of Necessity 18-69** for a portion of APN 149-230-014, and **Resolution of Necessity 18-70** for a portion of APN 149-230-018; authorizing the City Attorney to take the steps necessary to finalize the acquisition of the public right of way for the Project through eminent domain. [Submitted by: M. Zamora]
- c. Public Hearing to **adopt Resolution 18-71** adopting a Negative Declaration Addendum prepared for changes to the list of properties included as part of Implementation Program A-3 of the City's 2015-2023 Housing Element, General Plan Amendment No. 2018-02, Zone Amendment No 732; and **adopt Resolution 18-72** to approve General Plan Amendment No. 2018-02 providing for a change in land use designation on approximately 123.08 acres throughout the City from their current land use designation to High Density Residential, and **pass-to-print Ordinance 18-13** approving Zone Amendment No. 732, changing the existing zoning on approximately 123.08 acres throughout the City from the existing zoning district on the affected parcels to R-M-4 (Multiple Family Residential, 1,500 sq. ft. minimum site area per dwelling unit). This re-zoning would apply to the following parcel numbers: 166-230-007, 168-330-018, 171-250-017, 172-040-073, 177-060-002, 177-060-009, 177-060-010, 177-060-011, 177-060-012, 177-060-013, 177-300-026, 182-340-001, 182-340-002, 182-330-014, 184-100-010, 149-070-008[partial], 177-190-002, 168-180-012, 168-010-009, 168-010-010, 168-010-035, and 168-020-003. [Submitted by: M. Anaya]

(2) Engineering:

- a. Consider a request by Brian and Sara Martinho to release a long-term deferred improvement agreement deferring the construction of curb, gutter, sidewalk, pave-out, drive approach, streetlights, and drainage facilities per

City standards along the frontage of 1210 W. Prosperity Avenue. [Submitted by: M. Miller]

- (3) City Manager:
- a. City Council upon review of materials and interviews, reappoint existing members or appoint new members to the following: Aviation Committee (3); Board of Public Utilities (1); Housing & Building Appeals Board (1); Library Board (1); Police Review Board (7) [Submitted by: R. Yoder]
 - b. Review, discussion, selection and update of City Council Representation on outside agency Boards and Committees List, specific to Tulare County Association of Governments, Tulare Irrigation District Joint Committee, South San Joaquin Valley Air Board City Selection Committee and Tulare County Homeless Taskforce. [Submitted by: R. Yoder]
 - c. Provide direction to staff regarding scheduling a goal setting session for the City Council and allocate up to \$15,000. [Submitted by: R. Hunt]

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

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

- (a) 54956.8b Conference with Real Property Negotiators
Property: City property located at Paige and Highway 99 APN # 191-070-015
Under Negotiation: Direction as to future use or licensing of the property
Negotiating parties: Steve Bonville, Josh McDonnell, Mario Zamora [Submitted by: S. Bonville]

XIII. RECONVENE CLOSED SESSION

XIV. CLOSED SESSION REPORT (if any)

XV. ADJOURN REGULAR MEETING

In compliance with the Americans with Disabilities and Brown Act, if you need special assistance to participate in the meeting, including the receipt of the agenda and documents in the agenda package in an alternate format, please contact the City Manager's Office (559) 684-4200. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35, 104 ADA Title II), and allow for the preparation of documents in the appropriate alternate format.

[Note: Pursuant to Government Code 54957.5 - Effective 7/1/08 Documents produced and distributed less than 72 hours prior to or during an open session of a regular meeting to a majority of the legislative body regarding any item on the agenda will be made available for public inspection at the meeting and at the City Clerk's Office at City Hall located at 411 East Kern Avenue during normal business hours.]