

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

January 15, 2019

A regular session meeting of the City Council, City of Tulare was held on Tuesday, January 15, 2019, at 7:00 p.m., in the Tulare Public Library & Council Chambers, 491 North “M” Street.

COUNCIL PRESENT: Jose Sigala, Dennis A. Mederos, Carlton Jones, Greg Nunley, Terry A. Sayre

STAFF PRESENT: Rob Hunt, Mario Zamora, Janice Avila, Matt Machado, Luis Nevarez, Steve Bonville, Josh McDonnell, Michael Miller, Darlene Thompson, Trisha Whitfield, Traci Myers, Nick Bartsch, Roxanne Yoder

I. CALL TO ORDER REGULAR SESSION

Mayor Sigala called the regular meeting to order at 7:01 p.m.

II. PLEDGE OF ALLEGIANCE AND INVOCATION

Council Member Nunley led the Pledge of Allegiance and an invocation was given by Council Member Sayre.

III. CITIZEN COMMENTS

Mayor Sigala 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.

Susan Henard addressed the Council regarding Project Homeless Connect scheduled for January 25, 2019, from 8:30 a.m. to 1:30 p.m.

Donnette Silva-Carter addressed the Council regarding the annual Chamber banquet on January 25, 2019 and the Homeless Forum on January 29, 2019 from 5:30 p.m. to 7 p.m.

Brian Thoburn of SCE addressed the Council thanking the City for their partnership and advising of upcoming activity.

Luis Martinez addressed the Council regarding concerns over the homeless.

IV. COMMUNICATIONS

There were no items for this section of the agenda.

V. CONSENT CALENDAR:

It was moved by Council Member Nunley, seconded by Council Member Sayre and unanimously carried that the items on the Consent Calendar be approved as presented with the exception of item(s) 3, 4, 8, 10, and 11.

- (1) **Authorization to read ordinances by title only.**
- (2) **Approve minutes of December 18, 2018 and January 7, 2019 regular/special meeting(s). [Submitted by: R. Yoder]**
- (3) **Adopt Ordinance 18-13 approving Zone Amendment No. 732, changing the existing zoning on approximately 95.93 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). [Submitted by: M. Anaya]** Council Member Nunley pulled the item to recuse himself due to property ownership in the area and stepped out of the room. With no discussion, it was moved by Council Member Jones, seconded by Vice Mayor Mederos and carried 4 to 0 (Council Member Nunley recused) to adopt Ordinance 18-13 as presented.
- (4) **Adopt Resolution 19-73 approving the Sonora Avenue Improvements Project, and the associated California Environmental Quality Act (CEQA) Notice of Exemption. [Submitted by: M. Anaya]**
- (5) **Accept the following easements associated with the Mission Court Apartments project located on the east side of Morrison Street south of Bardsley Avenue, and authorize the City Manager or his designee to sign the Certificates of Acceptance for the same [Submitted by: M. Miller]:**
 - **A Grant of Easement for water main purposes from Housing Authority of the County of Tulare on Assessor's Parcel Number 184-190-017, and**
 - **A Grant of Easement for water main purposes from 99 Prosperity Development, LLC on Assessor's Parcel Number 184-190-016.**

Council Member Nunley pulled the item to recuse himself due to property ownership in the area and stepped out of the room. With no discussion, it was moved by Council Member Jones, seconded by Vice Mayor Mederos and carried 4 to 0 (Council Member Nunley recused) to approve the item as presented.

- (6) **Authorize the City Manager to execute City of Tulare-State of California Cooperative Agreement No. 06-1695, subject only to minor conforming**

and clarifying changes acceptable to the City Attorney and City Manager, for the EN0082 – Sacramento Street Improvements Project. [Submitted by: N. Bartsch]

- (7) **Receive, review, and file the Monthly Investment Report for November 2018. [Submitted by: D. Thompson]**
- (8) **Authorize the donation of a surplus fire engine to Municipio de Loreto Baja California Sur H. Cuerpo de Bomberos, Baja California Sur, México. [Submitted by: L. Nevarez]** Vice Mayor Mederos pulled the item for staff to provide background on the program. Following Chief Nevarez' comments, it was moved by Vice Mayor Mederos, seconded by Council Member Nunley and unanimously carried to approve the item as presented.
- (9) **Adopt Resolution 19-74 accepting Purchase Proposal and Development Agreement” (“RFP”) RFP #19-672, on City properties APN # 170-232-010-000 and APN #170-232-011-000, 446-450 North N Street, Tulare, from Gerrid Climer in the amount of \$34,000; and direct City Manager to execute the necessary documents with any minor conforming changes. [Submitted by: S. Bonville]**
- (10) **Adopt Resolution 19-75 accepting Purchase Proposal and Development Agreement” (“RFP”) RFP #19-673, on City property APN # 170-263-002-000, 424 North K Street, Tulare, from Gussan Shedid for the amount of \$8,000; and direct City Manager to execute the necessary documents with any minor conforming changes. [Submitted by: S. Bonville]** Mayor Sigala pulled the item for questions and comments which were addressed by General Services Director Steve Bonville. Following comments, it was moved by Council Member Nunley, seconded by Vice Mayor Mederos and unanimously carried to adopt Resolution 19-75 as presented.
- (11) **Approve and authorize the City Manager or his designee to sign Lease Agreement for the Use and Maintenance of Live Oak Park Varsity Baseball Field and Related Facilities with Tulare Joint Union High School District. [Submitted by: R. Hunt]** Vice Mayor Mederos pulled the item to recuse himself from discussions due to his spouse serving on the board to the district and left the room. With no discussion, it was moved by Council Member Jones, seconded Council Member Sayre and carried 4 to 0 (Vice Mayor Mederos recused).

VI. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

There were no items for this section of the agenda.

VII. MAYOR’S REPORT

There were no items for this section of the agenda.

VIII. 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) Finance/City Attorney:

- a. **Continued discussion regarding a request from the Tulare Local Healthcare District Board for funding assistance and provide direction to staff. [Submitted by: D. Thompson; M. Zamora]** Council Member Nunley and Vice Mayor Mederos recused themselves from discussions due to property ownership in the area and left the room. Interim City Attorney Mario Zamora provided a report for the Council's review and consideration.

Jan Smith, Executive Director of the Hospital Foundation, Marnie Fidler, Mike Shaffer, Ken Nunes and Jim Pennington addressed the Council in support of the request. Alberto Aguilar addressed the Council with concerns and urged the City that the request meets policy guidelines.

Kevin Northcraft, Xavier Avila and Zenovia Gutierrez addressed the Council in support of the request for funding.

Comments and questions posed by Council were addressed by Interim City Attorney Zamora, Finance Director Thompson, Interim City Manager Hunt as well as by Hospital Board Chair Northcraft.

Following discussion, it was moved by Mayor Sigala, seconded by Council Member Sayre and carried 2 to 1 (Council Member Jones voting no) to direct staff to draft the necessary item(s) for approval at the February 5 Council Meeting, to include a 5-million-dollar loan with a first deed on Evolutions to the City, said asset or other Hospital assets to be sold within a year to repay loan and consideration of a 4 million dollar line of credit.

(2) City Manager:

- a. **City Council upon review and/or interviews, appoint a new member to the following: Library Board (1) and Aviation Committee (1). [Submitted by: R. Yoder]** Mayor Sigala requested and it was Council consensus that this item be moved up prior to the hospital discussion. Peggy DeMuth briefly addressed the Council. It was moved by Vice

Mayor Mederos, seconded by Council Member Nunley and unanimously carried to appoint Peggy DeMuth to the Library Board. It was further moved by Council Member Nunley, seconded by Council Member Sayre and unanimously carried to appoint John Arriola to the Aviation Committee.

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

Mayor Sigala requested the following items for a future meeting:

Discussion regarding the establishment of a city Homeless Taskforce. It was moved by Council Member Sayre, seconded by Mayor Sigala and carried 4 to 1 (Council Member Jones voting no) to schedule this item.

Study Session on Cannabis and Massage Businesses. It was moved by Mayor Sigala, seconded by Council Member Nunley and unanimously carried to schedule these items.

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

Mayor Sigala adjourned to closed session at 8:44 p.m. for matters as stated by Interim City Attorney Mario Zamora. Council Member Jones left the meeting.

- (a) 54957.6b Conference with Labor Negotiators [Submitted by: J. Avila]
 Represented/Unrepresented Employee(s): CLOCEA, TPOU, Police Management, Misc. Mid-Managers
 Negotiators: Rob Hunt, Darlene Thompson, Janice Avila, Mario Zamora
 [Submitted by: J. Avila; M. Zamora]

Council Member Nunley recused himself from discussions and left the meeting at 9:03 p.m.

- (b) 54956.8b Conference with Real Property Negotiators
 Property: located along Cartmill Avenue between State Route 99 and De La Vina Street. (APN#149-060-016), (APN#149-240-024), (APN#149-060-005), (APN#149-190-061), (APN#149-240-024), (APN#149-230-018), (APN#149-230-005), (APN#149-220-008), and (APN#149-230-014)
 Under Negotiation: Discuss the acquisition status and terms and conditions of the purchase
 Negotiating parties: Rob Hunt, Josh McDonnell, Steve Bonville, Michael Miller, Nick Bartsch, Will Washburn, and Mario Zamora. [Submitted by: N. Bartsch]

XI. RECONVENE CLOSED SESSION

Mayor Sigala reconvened from closed meeting at 9:35 p.m.

XII. CLOSED SESSION REPORT (if any)

Mayor Sigala advised there were no reportable actions.

XIII. ADJOURN REGULAR MEETING

Mayor Sigala adjourned the regular meeting at 9:35 p.m.

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

ATTEST:

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