

AGENDA

**TULARE CITY COUNCIL
TUESDAY, JULY 16, 2019
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.*

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 July 2, 2019 regular meeting. [Submitted by: R. Yoder]
- (3) Approve the cancellation of Tulare City Council meeting scheduled for Tuesday, October 15, 2019, for lack of a quorum, due to three Council Members attending the League of California Cities Annual Conference in Long Beach, California, travel day October 15, conference days October 16-18, 2019. [Submitted by: R. Yoder]
- (4) Approve a short term deferred improvement agreement with Jesse Archer from G and J Heavy Haul, Inc. allowing for the construction of onsite paving at 10810 Avenue 184, Tulare, CA 93274 to be deferred for a maximum of two (2) years. [Submitted by: M. Miller]
- (5) Award Municipal Maintenance Equipment (MME) thru Stertil-Koni the purchase of Heavy Vehicle Lifts using Sourcewell (formerly National Joint Powers Alliance, NJPA) Co-Operative Purchasing Bid in the amount of \$52,777.32. [Submitted by: S. Bonville]
- (6) Authorize the City Manager to execute all necessary Lease Agreement documents for Library space (formally Café Space) of 483 North M Street, City of Tulare, to the Tulare County Office of Education, subject to make minor conforming and clarifying changes. [Submitted by: S. Bonville]
- (7) Authorize a two (2) percent salary increase effective with the pay period beginning on July 6, 2019 and a two (2) percent salary increase effective with the first full pay period in July 2020 for the Police Management group, and authorize the City's negotiating team to execute a sideletter agreement between the City of Tulare and the Police Management Group. [Submitted by: J. Avila]
- (8) Authorize City Manager or designee to sign 2019/2020 Contract with KT/AAA to provide meals and services to the senior citizens in the community. [Submitted by: B. Beck]

VI. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

VII. MAYOR'S REPORT

- (1) Consideration of approving a Letter of Support for Senate Bill 258 (Hertzberg) *Supporting Both Ends of the Leash*. [Requested by: J. Sigala]

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) Public Hearing:
 - a. Public Hearing for public input, receive and tally ballots regarding the re-establishment of the Tower Square Property-Based Business Improvement District (PBID) and **adopt Resolution 19-28** declaring the results of the majority protest proceedings, establishing the PBID and authorizing the levy of district assessments. [Submitted by: T. Myers]
 - b. Public hearing to **adopt Resolution 19-29** regarding placing costs of constructing utility connections and/or sidewalk, curb, gutter, and driveway construction on property rolls in installments. [Submitted by: D. Thompson]
 - c. Public hearing to **adopt Resolution 19-30** confirming diagram and landscape maintenance assessments and levying assessments for fiscal year 2019-20 and authorize the City Manager to execute a Compliance Certification and Hold Harmless Statement in connection thereto. [Submitted by: M. Miller]
 - d. Public Hearing to **adopt Resolution 19-31** adopting a Mitigated Negative Declaration prepared for General Plan Amendment No. 2019-01 and Zone Amendment No 733; and **adopt Resolution 19-32** to approve General Plan Amendment No. 2019-01 providing for a change in land use designation on approximately 3.83-acres from Office Commercial to Community Commercial, and **pass-to-print Ordinance 19-03** approving Zone Amendment No. 733, changing the existing zoning designation on approximately 3.83-acres from C-2 (Office Commercial) to the C-3 (Retail Commercial) zone district on property located south of Prosperity Avenue between Brentwood and Laspina Streets. [Submitted by: J. McDonnell]

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(2) Economic Development:

- a. Consider the adoption of **Resolution 19-33** and provide direction to staff regarding a request by Applicant and property owner, Monterey Dynasty, for the deferral of project-related development impact fees in the sum of \$139,531 associated with a 19,111 sq. ft. clubhouse/youth center located at Cartmill and Retherford Streets under section 8.56.080(B) of the Tulare Municipal Code. [Submitted by: T. Myers]

(3) Transit:

- a. Tulare County Association of Governments request for Council comments on the Draft Task #5 "Coordination Recommendations and Financial Analysis" of the "Reginal Transit Coordination Study". [Submitted by: S. Bonville]

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

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

- (a) 54956.9 (d)(1) Conference with Legal Counsel – Existing Litigation (1)
City of Tulare v. Tulare Lodging Associates A, LLC, et al. , TCSC Case No. VCU268840 [Submitted by: M. Zamora]

XI. RECONVENE CLOSED SESSION

XII. CLOSED SESSION REPORT (if any)

XIII. 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.]