

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

July 16, 2019

A regular session of the City Council, City of Tulare was held on Tuesday, July 16, 2019, at 7:00 p.m., in the Tulare Public Library & Council Chambers, 491 North "M" Street.

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

COUNCIL ABSENT: Carlton Jones

STAFF PRESENT: Rob Hunt, Mario Zamora, Janice Avila, Wes Hensley, Luis Nevarez, Steve Bonville, Traci Myers, Michael Miller, Darlene Thompson, Trisha Whitfield, Nick Bartsch, Melissa Hermann

I. CALL TO ORDER REGULAR SESSION

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

II. PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Sigala led the Pledge of Allegiance and an invocation was given by Josh McDonnell.

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.

Jodie Thomas, Friends of the Library, addressed the Council regarding Consent Item 6 pertaining to the rental of the café space at the library displacing the Friends of the Library Book Sale.

IV. COMMUNICATIONS

There were no items for this section of the agenda.

V. CONSENT CALENDAR:

It was moved by Council Member Nunley, seconded by Vice Mayor Mederos and carried 4 to 0 (Council Member Jones absent) that the items on the Consent Calendar be approved as presented with the exception of items 3 and 6.

- (1) **Authorization to read ordinances by title only.**
- (2) **Approve minutes of June 18, 2019 special/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]** Vice Mayor Mederos pulled this item stating it would be desirable to have a meeting scheduled for October 22 as the October 15 meeting would be canceled. City Manager Rob Hunt advised that the item should be tabled to the August 6 meeting to update the wording on the item in order to cancel the October 15 meeting and schedule an October 22 meeting. The item was tabled to the August 6 meeting.
- (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]** City Manager Rob Hunt provided background information. Following discussion, it was moved by Mayor Sigala, seconded by Council Member Nunley, and carried 4 to 0 (Council Member Jones absent) to approve the item with the stipulation that staff would work with the Friends of the Library to assist in their August book sales and moving their books to another location.
- (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

There were no items schedule for this section.

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]** Mayor Sigala provided information for the Council's consideration. With no discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Sayre, and carried 4 to 0 (Council Member Jones absent) to approve the item as presented.

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]** Community Development Deputy Director Traci Myers provided a report for the Council's review and consideration. Mayor Sigala opened the public hearing at 7:41. Receiving no public comment, Mayor Sigala closed the public hearing at 41. The item was trailed to allow time for the clerk to tabulate the ballots. The clerk announced the outcome of the ballots with 13 in support and 0 in opposition. With more than 70% of ballots received in support, it was moved by Council Member Nunley, seconded by Council Member Sayre, and carried 4 to 0 (Council Member Jones absent) to adopt Resolution 19-28 as presented.
 - 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]** Finance Director Darlene Thompson provided a report for the Council's review and consideration. Mayor Sigala opened the public hearing at 7:43. Receiving no public comment, Mayor Sigala closed the public hearing at 7:43. Following discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Nunley, and carried 4 to 0 (Council Member Jones absent) to adopt Resolution 19-29 as presented.
 - 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] City Engineer Michael Miller provided a report for the Council's review and consideration. Mayor Sigala opened the public hearing at 7:48. Receiving no public comment, Mayor Sigala closed the public hearing at 7:48. Questions and comments posed by Council were responded to by staff. Following discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Nunley, and carried 4 to 0 (Council Member Jones absent) to adopt Resolution 19-30 as presented.

- 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]** Due to a quorum issue (Council Member Nunley and Vice Mayor Mederos recused due to business conflict), Mayor Sigala continued this item to the August 20 meeting.

(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]** Community Development Deputy Director Traci Myers provided a report for the Council's review and consideration. Following discussion, it was moved by Council Member Nunley, seconded by Mayor Sigala, and carried 4 to 0 (Council Member Jones absent) to adopt Resolution 19-33 as presented.

(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]** General Services Director Steve Bonville and Ted Smalley of TCAG provided a report for the Council's review and consideration. Questions and comments by Council were responded to by staff and Mr. Smalley. Following discussion, it was moved by Mayor

Sigala, seconded by Council Member Nunley, and carried 4 to 0 (Council Member Jones absent) to support staff's comments as presented.

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

Mayor Sigala requested and it was the consensus of the Council that a joint meeting between the Tulare City School District, Tulare Joint Union School District, and COS be set up within the next couple of months.

Mayor Sigala requested and it was the consensus of the Council that an item to discuss developing a pilot project in all five Council districts for traffic calming measures be agendized for a September meeting. This would include Council members to suggest one street in their district for the pilot project and working with staff on a budget.

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

Mayor Sigala adjourned to closed session at 8:15 p.m. for matters as stated by City Attorney Mario Zamora.

- (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

Mayor Sigala reconvened from closed meeting at 8:38 p.m.

XII. CLOSED SESSION REPORT (if any)

Mayor Sigala advised there was no reportable action.

XIII. ADJOURN REGULAR MEETING

Mayor Sigala adjourned the regular meeting at 8:39 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