

AGENDA

TULARE CITY COUNCIL
TUESDAY, OCTOBER 1, 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 September 17 and September 24, 2019 special/regular meeting. [Submitted by: R. Yoder]
- (3) **Adopt Ordinance 19-05** for a zoning text Amendment to Chapter 10.144 of the City of Tulare Municipal Code revising the City's standards for accessory dwelling units. [Submitted by: M. Anaya]
- (4) Set October 22, 2019 as the date for a presentation by Tischler-Bise regarding the update of the City's development impact fees, and for a public hearing to receive testimony regarding the same. [Submitted by: M. Miller]
- (5) Adopt three-year Memorandum of Understanding with the Tulare Firefighters Association Division Chief Bargaining Group, Tulare Professional Firefighters Association Managers Bargaining Group and Tulare Professional Firefighters Association Non-Management Group – for the period of July 1, 2019 through June 30, 2022. [Submitted by: J. Avila]
- (6) Authorize City Manager to execute the following tolling agreements [Submitted by: J. Avila]:
 - Agreement by and between Fred Ynclan, Jerod Boatman, and the City of Tulare
 - Agreement by and between Jacob Adney, James Kelly, Tim Ramirez and the City of Tulare

VI. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) Proclamation Recognizing Relay for Life of Tulare 2019.
- (2) Parks & Recreation Commission Annual Report presented by Commission Chair Craig Hancock.

VII. MAYOR'S REPORT

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 to **Pass-to-Print Ordinance 19-06** for a zoning text Amendment to Chapters 10.40 and 10.64 of the City of Tulare Municipal Code in order to add solar arrays to the list of uses permitted and conditionally permitted in Commercial (10.40) and Industrial (10.64) zone districts. [Submitted by: M. Anaya]
- b. Public Hearing to **Pass-to-Print Ordinance 19-07** for a zoning text Amendment to Chapter 10.180 of the City of Tulare Municipal Code to revise the City's standards for mobile and stationary sidewalk vendors within the City's limits. [Submitted by: M. Anaya]

(2) City Manager:

- a. Consideration of Council Member Sayre's attendance and other interested attendee to the League of California Cities/California State Association of Counties Homelessness Policy Workshop, Monday, November 4, 2019 at the Sheraton Grand Sacramento Hotel. [Submitted by: R. Hunt]
- b. General discussion on options for the City of Tulare concerning vaping product restrictions, access and marketing to youth. [Submitted by: J. Sigala as discussed at the 9/3 Council meeting and 9/24 Joint meeting]

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) 54956.8b Conference with Real Property Negotiators
Property: Modular buildings located at Mulcahy Middle School and Lincoln Elementary School
Under Negotiation: Direction regarding future use or disposition of modular building
Negotiating parties: Rob Hunt, Mario Zamora, Steve Bonville, Darlene Thompson [Submitted by: S. Bonville]
- (b) 54956.9(d)(2) & (e)(3) Conference with Legal Counsel – Anticipated Litigation
Five (5) items of anticipated litigation [Submitted by: T. Thompson and M. Jeffcoach]

- (c) 54956.9(d)(2) & (e)(2) Conference with Legal Counsel – Anticipated Litigation One (1) *Complaint made by existing City employee* [Submitted by: T. Thompson and M. Jeffcoach]
- (d) 54956.9(d)(4) Conference with Legal Counsel – Anticipated Litigation Two (2) items of anticipated litigation [Submitted by: T. Thompson and M. Jeffcoach]

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.]