

# AGENDA

**TULARE CITY COUNCIL  
TUESDAY, NOVEMBER 5, 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](http://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 October 22, 2019 special/regular meeting. [Submitted by: R. Yoder]
- (3) Approve the reappointment of Committee on Aging Members Pam Malloy and Kathy Perryman. [Submitted by: R. Hunt]
- (4) Declare Priscilla Musgrove's seat on the Committee on Aging vacant, term ending December 31, 2020, vacant and direct staff to post the vacancy and solicit applications. [Submitted by: R. Yoder]
- (5) **Adopt Ordinance 19-09** approving Zone Amendment No. 725, changing the existing zoning designation on approximately 127 acres of property to the following zoning designations: C-3 (Retail Commercial), R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot area), R-M-2 (Multiple-family Residential, 3,000 sq. ft. minimum site area per dwelling unit density standard), R-M-4 (Multiple-family Residential, 1,500 sq. ft. minimum site area per dwelling unit density standard), and PL (Public Lands), to become effective upon annexation into the City limits on property located adjacent to and east of State Route 99 and on the north side of Cartmill Avenue as set forth more specifically on said map. [Submitted by: M. Anaya]
- (6) **Adopt Ordinance 19-10** authorizing the issuance of City of Tulare Water Revenue Bonds, Series 2019 in a principal amount not to exceed \$20 million. Proceeds from the Bonds would be used to fund water system capital improvements and potentially refinance an outstanding equipment lease for savings. The ordinance also approves the form of a bond indenture which includes the same legal provisions as the City's prior issuance of 2017 water revenue bonds; **Adopt Resolution 19-51** approving the form of a Preliminary Official Statement and Continuing Disclosure Agreement, and approving key members of the financing team. The Resolution also authorizes and directs certain officers of the City to take necessary and proper actions for the sale and delivery of the bonds, and authorizes certain staff members to finalize the Preliminary and Final Official Statements. [Submitted by: D. Thompson]

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- (7) Award bid 20-695 to Will Tiesiera Ford and approve the purchase in the amount of \$301,845.04, eight (8) 2020 Ford Police Interceptor Patrol Vehicles. [Submitted by S. Bonville]
- (8) Approve the sale of two (2) portable modular buildings to the Tulare City School District for value received and allow the City Attorney to provide any conforming changes and City Manager or his designee to sign all documents. [Submitted by: S. Bonville]
- (9) Approve the creation and implementation of the Tulare Public Library's Holiday Fine Amnesty Program. [Submitted by: C. Miller]

**VI. SCHEDULED CITIZEN OR GROUP PRESENTATIONS**

- (1) Committee on Aging Annual Report presented by Committee Chair Pam Malloy.

**VII. MAYOR'S REPORT**

- (1) Consideration to authorize Mayor Sigala to execute a letter to Chair Fran Inman of the California Transportation Commission (CTC) urging the CTC to restore the funding for SR-99 and to develop a plan to fully fund the SR-99 corridor goods movement and safety projects in the next ten years. [Submitted by: R. Hunt obo T. Smalley (TCAG)]

**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:

*[On October 1, 2019, the following public hearing item was held and closed, it was subsequently continued to receive more information related to insurance requirements:]*

- a. 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) Community Development:
    - a. **Adopt Resolution 19-52** authorizing application for and receipt of Senate Bill 2 Planning Grant Program Funds (PGP) and authorize the City Manager to execute the City of Tulare Planning Grants Program application, the PGP Grant Documents, any amendments thereto, on behalf of the City of Tulare as

required by Housing and Community Development for receipt of the PGP Grant. [Submitted by: T. Myers]

(3) Engineering/Project Management:

- a. Review and approve the project scope and budget for the design and construction of a new traffic signal at the intersection of Prosperity Avenue and West Street; Authorize the City Manager to sign a contract with QK of Visalia, CA in an amount not to exceed \$92,109 for topographic surveying, design, bidding and construction support services; and authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$9,211) of the contract award amount. [Submitted by: N. Bartsch]
- b. Review, discuss and provide direction on the draft Traffic Calming Pilot Projects Policy and authorize the City Manager to execute final policy incorporating directed revisions. [Submitted by: M. Miller]

(4) City Attorney:

- a. Continued Review of comprehensive Cannabis Ordinance prepared at the direction of the City Council at the September 17 and October 22, 2019 meetings and direction to set for public hearing. [Submitted by: M. Zamora]
- b. PowerPoint presentation on the discussion and direction regarding an Urgency Vaping Ordinance. [Submitted by: M. Zamora]

(5) City Manager:

- a. Consideration by Council Member Sayre to reappoint Michelle Rowsey to the Measure I Citizen Oversight Committee vacancy for a term ending December 31, 2023. [Submitted by: R. Hunt]
- b. Consideration of the reappointment of four members to the City of Tulare Parks & Recreation Commission whose terms are ending December 31, 2019, or delay appointment and direct staff to solicit additional applications for consideration. [Submitted by: R. Hunt]
- c. Select Council Member seats by lot to consider the reappointment of three Planning Commission Members whose terms expire December 31, 2019, or delay appointment and direct staff to solicit additional applications for consideration. [Submitted by: R. Hunt]

**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)(2) & (e)(3) Conference with Legal Counsel – Anticipated Litigation Five (5) items of anticipated litigation
- (b) 54956.9(d)(2) & (e)(2) Conference with Legal Counsel – Anticipated Litigation (1) *Complaint made by existing City employee*
- (c) 54956.9(d)(4) Conference with Legal Counsel – Anticipated Litigation Two (2) items of anticipated litigation
- (d) 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation (1)  
Name of Case: Nunley v. City of Tulare, TCSC Case No. 280739

**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.]