

AGENDA

**TULARE CITY COUNCIL
TUESDAY, FEBRUARY 18, 2020
Closed Session 6:00 p.m.
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.

6:00 p.m.

I. CALL TO ORDER SPECIAL CLOSED SESSION

II. CITIZEN COMMENTS - Comments from the public are limited to items listed on the agenda (GC 54954.3a). Speakers will be allowed three minutes. Please begin your comments by stating and spelling your name and providing your city of residence.

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

- (a) 54956.9(d)(2) & (e)(2) Conference with Legal Counsel – Anticipated Litigation
One (1) item of anticipated litigation *[This involves the Agreement and Undertaking between the City and Del Lago Place LLC, the status of the improvement and a potential claim on bond.]*

IV. RECONVENE CLOSED SESSION

V. CLOSED SESSION REPORT (if any)

VI. ADJOURN SPECIAL CLOSED SESSION

7:00 p.m. (Or, immediately following Closed Session)

VII. CALL TO ORDER REGULAR SESSION

VIII. PLEDGE OF ALLEGIANCE AND INVOCATION

IX. 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.*

X. 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.*

XI. 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 February 4, 2020 special/regular meeting. [Submitted by: R. Yoder]
- (3) **Adopt Ordinance 2020-02** approving Zone Amendment No. 735, to change the existing zoning designation on approximately 76.5-acres to the R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot area) and R-1-4 (Small-lot Residential) zoning designation on property located on the west side of Morrison Street between Tulare Avenue and the Seminole Avenue alignment. [Submitted by: T. Myers]

- (4) **Adopt Ordinance 2020-03**, adding Chapter 10.162 to the City of Tulare Municipal Code, the Farmland Mitigation Ordinance. [Submitted by: M. Anaya]
- (5) Approve the Parcel Map filed by Tulare Local Health Care District for the division of land located on the south side of Prosperity Avenue between Brentwood and Laspina Streets, and accept the 6' public utility easements shown thereon. [Submitted by: M. Miller]
- (6) Accept the required public works improvements for the Cottonwood Estates No. 2A Subdivision located along the east side of Turner Drive, south of Foster Drive as complete, authorize the City Engineer to sign the Notice of Completion, and direct the City Clerk to file the Notice of Completion with the Tulare County Recorder's Office. [Submitted by: M. Miller]
- (7) Conditionally approve the final map and subdivision improvement agreement for Phase 2 of Kensington Estates subdivision for recordation, and accept all easements and dedications offered to the City, subject to receipt of the signed final map, all fees, and other required items prior to April 18, 2020. [Submitted by: M. Miller]
- (8) Accept street dedication and right of way along east side of Latimer Street, north of Sunset Avenue and along the north side of Sunset Avenue east of Latimer Street. Additionally, accept a public utility grant of easement associated with the Family Dollar development, and authorize the City Manager or his designee to sign Certificates of Acceptance for the same. [Submitted by: M. Miller]
- (9) Approve the Quitclaim Deed for a portion of Lot C of the Willow Glen Phase 1 subdivision map to Presidio JJR Kensington 111, LLC a Delaware Limited Liability Company, located near the northeast corner of Cartmill Avenue and De La Vina Street. Authorize the City Manager to sign the respective Certificate of Conveyance. [Submitted by: M. Miller]
- (10) Receive and accept the City's annual audited financial statements Comprehensive Annual Financial Report (CAFR) for 2018-2019 fiscal year. [Submitted by: D. Thompson – a copy of the CAFR is available on the City's website and in the Office of the City Clerk for viewing purposes]
- (11) Reject the liability claim filed by attorney Ryan P. Sullivan on behalf of Brenda Charlton claiming an unlimited dollar amount for medical costs, pain and suffering, and emotional distress as a result of her interaction and subsequent arrest by the Tulare Police Department on July 25, 2019. [Submitted by: J. Avila]

- (12) Reject the liability claim filed by Karim Shahaby in the amount of \$4,816.80 for damages he alleges happened when his parked vehicle was sideswiped by a Solid Waste truck. [Submitted by: J. Avila]
- (13) Approve the following settlement agreements [Submitted by: J. Avila]:
- Agreement by and between Jacob Adney and the City of Tulare in the amount of \$18,000;
 - Agreement by and between James Kelly and the City of Tulare, in the amount of \$8,000;
 - Agreement by and between Tim Ramirez and the City of Tulare, in the amount of \$18,000.

XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) Animal Services Update by Animal Services Manager Bonnie Heasley.

XIII. MAYOR'S REPORT

XIV. STUDENT REPORTS

XV. 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 and presentation by GRC Associates, Inc. on the City of Tulare's Five-Year Consolidated Plan 2020-2024 and receive community input. [Submitted by: T. Myers]
- (2) Engineering:
- a. Staff to provide an update to Council regarding the status of public improvements conditionally required for the Tesori subdivision. [Submitted by: M. Miller]
- (3) Parks and Recreation:
- a. Provide staff with direction on the vacant 5.62 acres of city owned property located on the southeast corner of Nelder Grove Street and Alpine Avenue. [Submitted by: C. Miller]

(4) City Council:

- a. **Adopt Resolution 2020-06** establishing the formation of a Strategic Action Committee on Homelessness pursuant to the County of Tulare's Pathway Home Strategic Plan; further Council discussion on the details of the Committee such as number of members and objectives of same. [Submitted by: T. Myers]

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

XVII. 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.]