

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

**February 18, 2020**

**A closed session of the City Council, City of Tulare was held on Tuesday, February 18, 2020, at 6:00 p.m., in the Tulare Public Library & Council Chambers, 491 North “M” Street.**

**COUNCIL PRESENT:** Jose Sigala, Dennis A. Mederos, Terry A. Sayre, Carlton Jones<sup>6:09 p.m.</sup>

**COUNCIL ABSENT:** Greg Nunley

**STAFF PRESENT:** Rob Hunt, Josh McDonnell, Wes Hensley, Dave Rossman, Janice Avila, Michael Miller, Mandy Jeffcoach, Roxanne Yoder

**I. CALL TO ORDER CLOSED SESSION**

Mayor Sigala called the closed session to order at 6:01 p.m.

- 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.

There were no public comments.

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

Mayor Sigala adjourned to closed session for items as noted at 6:03 p.m. by Special Counsel Mandy Jeffcoach.

- (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**

Mayor Sigala reconvened from closed session at 7:00 p.m.

**V. CLOSED SESSION REPORT (if any)**

Mayor Sigala advised that there were no reportable actions.

## **VI. ADJOURN CLOSED SESSION**

Mayor Sigala adjourned closed session at 7:00 p.m.

**A regular session of the City Council, City of Tulare was held on Tuesday, February 18, 2020, 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, Carlton Jones<sup>7:08 p.m.</sup>, Greg Nunley

**STUDENTS PRESENT:** Aracelli Espinoza, Amber Munoz

**STAFF PRESENT:** Rob Hunt, Josh McDonnell, Mario Zamora, Special Counsel Mandy Jeffcoach, Wes Hensley, Dave Rossman, Janice Avila, Michael Miller, Traci Myers, Craig Miller, Darlene Thompson, Trisha Whitfield, Nick Bartsch, Roxanne Yoder

## **VII. CALL TO ORDER REGULAR SESSION**

Mayor Sigala called the regular session to order at 7:00 p.m.

## **VIII. PLEDGE OF ALLEGIANCE AND INVOCATION**

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

## **IX. 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.

Donnette Silva-Carter addressed the Council regarding the release of the Sequoia Visitors Guide and involvement at the World Ag Expo's International Business Center.

Carlo Lovos and Alex Marquez addressed the Council regarding upcoming Library events. February 22 there is a Veteran's reception and February 29 a motivational veteran speaker.

Chase Landers addressed the Council with concerns over the city's planning map, the homeless and cannabis.

Pastor Josh Mateine addressed the Council on behalf of Unchained Church of Tulare Community Church and their interest in the acquiring the old library building.

## **X. COMMUNICATIONS**

There were not items for this section of the agenda.

## **XI. CONSENT CALENDAR:**

**It was moved by Council Member Nunley, seconded by Vice Mayor Mederos and unanimously carried that the items on the Consent Calendar be approved as presented with the exception of items 3, 5, 6 and 13.**

- (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]** Item 3 was pulled by Vice Mayor Mederos to recuse due to a business conflict and Council Member Nunley recused due to property ownership. With no discussion, it was moved by Mayor Sigala, seconded by Council Member Jones and carried 3 to 0 (Vice Mayor Mederos and Council Member Nunley recused) to adopt Ordinance 2020-02 as presented.
- (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]** Item 5 was pulled by Vice Mayor Mederos and Council Member Nunley to recuse due to business conflicts. With no discussion, it was moved by Mayor Sigala, seconded by Council Member Sayre and carried 3 to 0 (Vice Mayor Mederos and Council Member Nunley recused) to approve as presented.
- (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]** Item 6 was pulled by Council Member Nunley to recuse due to property ownership. With no discussion, it was moved by Mayor Sigala, seconded by Council Member Jones and carried 4 to 0 (Council Member Nunley recused) to approve as presented.

- (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.**

Item 13 was pulled by Council Member Jones for discussion. Special Counsel Mandy Jeffcoach admonished Council Member Jones due to his previous recusals on these matters, due to being named in the claims. Council Member Jones objected. Discussion ensued. It was moved by Mayor Sigala, seconded by Vice Mayor Mederos and carried 3 to 1 (Council Member Nunley voting no; Council Member Jones recused per Special Counsel) to approve the items as presented.

## **XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS**

- (1) **Animal Services Update by Animal Services Manager Bonnie Heasley.**  
Animal Services Manager Bonnie Heasley provided a PowerPoint presentation for the Council's review and consideration. Informational item only.

## **XIII. MAYOR'S REPORT**

## **XIV. STUDENT REPORTS**

Teens-On-Board City Council representatives Aracelli Espinoza, Tulare Western, Jr.; and Amber Munoz, Tulare Western Sr.; provided 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]** Community & Economic Development Director Traci Myers introduced Housing Grants Specialist Margie Perez and GRC Associates Consultant Robert Vasquez who provided a PowerPoint presentation for the Council's review and consideration and to receive public input. Mayor Sigala opened the public hearing at 7:43 p.m. Receiving no public comment, the public hearing was closed at 7:43 p.m. As this was an informational and public hearing matter, there was no further action by the Council required at this time.

**(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]** Council Member Nunley recused himself due to a business relationship and left the meeting. City Attorney Mario Zamora recused himself from the matter. Special Counsel Mandy Jeffcoach was seated in his place. Council Member Jones left the meeting. City Engineer Michael Miller provided a report for the Council's review, consideration and direction. Ms. Meena Reddy addressed the Council with concerns over the development. Jeff Warren, Esq. addressed the Council on behalf of the developer. Following comments and discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Sayre and carried 2 to 1 (Mayor Sigala voting no; Council Member Nunley recused and absent; Council Member Jones absent) to direct legal counsel, staff and the developer to meet and review outstanding items and benchmarks to be met and return to Council on March 17, 2020 to accept those benchmarks; the developer is granted an extension to meet those benchmarks until June 30, 2020 and shall return to Council on June 16, 2020, to determine whether the developer has met all requirements outlined and if not, legal counsel will notify the bond company of the developer's failure to perform under that bond.

**(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]**

Council Member Nunley had recused himself due to property ownership and left the meeting. Vice Mayor Mederos recused himself due to property ownership in the area. Council Member Jones also left the meeting. The item was continued to March 3 due to the lack of a quorum.

**(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]** Community & Economic Development Director Traci Myers provided a report for the Council's review and consideration. Clarifying comments were made by Council Member Sayre and echoed by Vice Mayor Mederos.

Following a lengthy discussion, it was moved by Mayor Sigala, seconded by Council Member Sayre and unanimously carried to adopt Resolution 2020-06,

as amended, initially forming the committee with five (5) appointments by seat; Council Members Jones and Nunley selected Chuck Miguel and Christopher Canfield respectively, Vice Mayor Mederos selected Carolyn Wong and Council Member Sayre will serve as the elected official. [Mayor Sigala later selected Susan Henard to serve as his appointment.] Additionally, the Council approved that the committee will determine a selection of an additional four (4) members for a total of up to nine (9) members with the committee's first meeting tentatively scheduled for Tuesday, February 25, 2020.

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

Mayor Sigala requested an item and there was consensus for the March 3 meeting to consider Council Member Sayre's request to attend the Monterey ICSC event.

**XVII. ADJOURN REGULAR MEETING**

Mayor Sigala adjourned the regular meeting in memory of former Planning Director Mark Kielty at 9:14 p.m.

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President of the Council and Ex-Officio  
Mayor of the City of Tulare

**ATTEST:**

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Chief Deputy City Clerk and Clerk of the  
Council of the City of Tulare