

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

**March 3, 2020**

**A closed session of the City Council, City of Tulare was held on Tuesday, March 3, 2020, at 6:30 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>6:50 p.m.</sup>

**COUNCIL ABSENT:** Greg Nunley

**STAFF PRESENT:** Rob Hunt, Mario Zamora, Josh McDonnell, Wes Hensley, Janice Avila, Darlene Thompson, Michael Miller, Roxanne Yoder

**I. CALL TO ORDER CLOSED SESSION**

Mayor Sigala called the closed session to order at 6:32 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 6:34 p.m. by City Attorney Mario Zamora.

- (a) 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation (1)  
Name of Case: Nunley vs. City of Tulare, TCSC Case No. 280739 [Submitted by: M. Zamora]
- (b) 54956.9(c) Conference with Legal Counsel – Anticipated Litigation one (1) item  
[Submitted by: D. Thompson & M. Zamora]

**IV. RECONVENE CLOSED SESSION**

Mayor Sigala reconvened from closed session at 7:03 p.m.

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

Mayor Sigala advised that there was no reportable action to item b. Mayor Sigala advised that with regard to item a, that the matter has settled and dismissal has been

filed in the matter. Mr. Greg Nunley dismissed the matter with prejudice. Vice Mayor Mederos clarified that no monetary award has been made by either party. Each party shall be responsible for their own respective attorney's fees. A copy of the settlement is available as a public record.

## **VI. ADJOURN CLOSED SESSION**

Mayor Sigala adjourned closed session at 7:06 p.m.

**A regular session of the City Council, City of Tulare was held on Tuesday, March 3, 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

**COUNCIL ABSENT:** Greg Nunley

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

**STAFF PRESENT:** Rob Hunt, Josh McDonnell, Mario Zamora, Wes Hensley, Luis Nevarez, 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 7:06 p.m.

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

Mayor Sigala led the Pledge of Allegiance and an invocation was given by Council Member Sayre.

## **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.

Michael Powell of the Tulare Baseball Association addressed the Council providing stats of the Association and invited the Council to opening game ceremony on Friday, March 6 at 6 p.m.

Wendi Powell of the Tulare Softball Association addressed the Council inviting them to their opening game ceremony on Saturday, March 7.

**X. COMMUNICATIONS**

There were no items for this section of the agenda.

**XI. CONSENT CALENDAR:**

**It was moved by Vice Mayor Mederos, seconded by Council Member Sayre and unanimously carried 4 to 0 (Council Member Nunley absent) that the items on the Consent Calendar be approved as presented.**

- (1) Authorization to read ordinances by title only.**
- (2) Approve minutes of February 18, 2020 special/regular meeting.  
[Submitted by: R. Yoder]**
- (3) City Council review and approval of the City of Tulare Housing Successor Agency Annual Reports for Fiscal Year 2018-2019. [Submitted by: T. Myers]**
- (4) Accept an easement for public street and utility purposes from Presidio JJR Kensington 111, LLC, a Delaware Limited Liability Company, located at the intersection of Bolton Avenue and Devenshire Street as part of the Kensington Estates 2 subdivision. Authorize the City Manager to sign the Certificate of Acceptance for the same. [Submitted by: M. Miller]**
- (5) Authorize the City Manager to complete and execute the documents necessary to declare as public right-of-way a portion of the "J" Street at Cartmill Avenue well site – Well 4-5: Project WT0038 – North "J" Street Well Project, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [Submitted by: J. Funk]**
- (6) Receive, review, and file the Monthly Investment Report for January 2020. [Submitted by: D. Thompson]**
- (7) Award a contract for Design Build Services RFB #20-694 to Game Time c/o MRC Inc., PO Box 106, Spring Lake, NJ for the supply and installation of new playground equipment with associated improvements at Blain Park and authorize the City Manager to execute the agreement. [Submitted by: C. Miller]**
- (8) Accept as complete the contract with 99 Pipeline, Inc. of Porterville, CA for work on Project EN0083, a street and utility improvement project on Sonora Avenue. 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: N. Bartsch]**

## XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) **Presentation to Women Honorees in recognition of International Women's Day & Women's History Month 2020.** Mayor Sigala presented Maria Elena Grijalva with a Certificate of Recognition. Comments made by Ms. Grijalva. Council Member Sayre presented Bonnie Thiele with a Certificate of Recognition. Comments made by Ms. Thiele. Council Member Jones commented on Council Member Nunley's honoree Donzella Washington in his absence and will ensure that Ms. Washington receives her recognition; additionally, Council Member Jones presented Clara Bernardo with a Certificate of Recognition. Comments made by Ms. Bernardo. Vice Mayor Mederos presented Patricia Hillman with a Certificate of Recognition. Comments made by Ms. Hillman.
- (2) **Presentation by Kaweah Delta Health Care District on Tulare Clinic.** Kaweah Delta Health Care District's Chief Executive Officer Gary Herbst and Vice President of Strategic Planning and Business Development Marc Mertz addressed the Council on the proposed Tulare Clinic.

## XIII. MAYOR'S REPORT

Mayor Sigala commented on the upcoming ICSC trips he, Council Member Jones, Community and Economic Development Director Traci Myers, and Chamber CEO Donnette Silva-Carter would participate in. Additionally, he noted for the Council's information that both he and Council Member Sayre may need to travel to Sacramento in the coming weeks for meetings to address homelessness in the City of Tulare.

## XIV. STUDENT REPORTS

Teens-On-Board City Council representatives Aracelli Espinoza, Tulare Western, Jr.; Amber Munoz, Tulare Western Sr.; and Sebastian Pires, Tulare Western, Jr.; 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 to pass-to-print Ordinance 19-12, an Ordinance revoking and replacing Chapter 5.96 of the City of Tulare Municipal Code allowing Recreational Cannabis Businesses and Establishing Permitting Procedures and Regulations. [Submitted by: M. Zamora]** Mayor Sigala opened the public hearing at 8:47 p.m. Chase Landers addressed the Council with several concerns. Jennifer Mendonca of Token Farms addressed the Council and invited them to tour their facility. With no further public comment,

Mayor Sigala closed the public hearing at 8:49 p.m. Questions posed by Vice Mayor Mederos regarding the existing businesses were addressed by City Attorney Mario Zamora. It was moved by Mayor Sigala, seconded by Council Member Sayre and carried 3 to 0 (Council Members Jones and Nunley absent) to continue this matter to March 17, 2020.

**(2) 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]** Mayor Sigala asked for Council's consideration and received consensus to move this item up on the agenda. Vice Mayor Mederos recused himself on the item due to property ownership in the area. Community Services Director Craig Miller provided a report for the Council's review and consideration. Comments by Council. Mayor Sigala suggested staff look into that location being utilized for an affordable housing development in connection with the NOFA and moved to that regard, seconded by Council Member Sayre. Council Member Jones voiced concerns and stated that he would like to see that location remain earmarked for a park. The motion carried 2 to 1 (Council Member Jones voting no; Council Member Nunley absent) to direct staff as stated.

**(3) Community & Economic Development:**

- a. City Council review and approval of the Notice of Funding Availability (NOFA) for Affordable Housing Development and direction to staff to release said NOFA to solicit Statements of Qualifications from qualified non-profit and/or for-profit developers who desire to partner with the City to carry out local affordable housing, community development and land use goals. [Submitted by: T. Myers]** Council Member Jones expressed concerns with items being taken out of order.

Mayor Sigala indicated that at the last meeting several residents from the Alpine area who voiced disappointment in that item not being heard at the last meeting and wanted to know if it would be heard at this meeting. He stated that the Council advised the residents the matter would proceed provided a quorum was present. Mayor Sigala further stated that the Alpine matter was moved up for that purpose and consensus was given by the Council, but when asked for public comment on the Alpine item at tonight's meeting, no one stepped up to speak. Lastly, Mayor Sigala stated that with Vice Mayor Mederos recused on the Alpine item and the Council's direction to include a potential affordable housing development as part of the NOFA at the location it made sense to move forward with Item 3a as a result. Chief Deputy City Clerk Yoder attempted to clarify what happened at the last meeting, reminding Council Member Jones that when he left early we lost a quorum which upset the residents in attendance. Council Member Jones stated, "you're about to lose a quorum again" and left the meeting at 8:33 p.m.

Community & Economic Development Director Traci Myers addressed Council's questions on the NOFA timeline.

City Attorney Mario Zamora asked for a small recess to discuss with Vice Mayor Mederos his recusal and the loss of a quorum due to Council Member Jones leaving. Mayor Sigala recessed the meeting at 8:36 p.m. At 8:46 p.m. Mayor Sigala reconvened the meeting and advised that due to the loss of a quorum that Item 3 a would be continued to April 7, 2020, that motion was seconded by Council Member Sayre and carried 3 to 0 (Council Member Jones and Nunley absent).

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

**XVII. ADJOURN REGULAR MEETING**

Mayor Sigala adjourned in memory of Rudy Carrasco, Richard Rogers, Patrick Jones and Ray Figueroa the regular meeting at 9:13 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