

CORONAVIRUS (COVID-19) ADVISORY

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California due to the threat of COVID-19. On March 12 and 18, 2020, the Governor issued Executive Order N-25-20 and N-29-20, which temporarily suspends portions of the Brown Act addressing the conduct of public meetings.

As such, Tulare City Council Meetings may include teleconference participation by some or all of the City Council Members and City staff. Pursuant to Executive Order N-20-20, teleconference locations utilized by City Council Members shall not be accessible to the public and are not subject to special posting requirements.

For those individuals who choose not to shelter in place and attend the Council meeting, in an effort to promote social distancing, seating in the Council Chamber has been reduced to 12 available seats on a first come, first served basis.

Meetings **will be available** for public viewing via YouTube
https://www.youtube.com/channel/UCdWZiv2o7do1JY0OvGe1_aw/videos

If you are sheltering in place, and wish to provide public comment during the meeting you may do so **by calling 559-366-1849**, if you receive a busy signal please continue to call until you are able to get through.

Note: There will be approximately a 20 second delay in broadcast for viewers. If viewing from YouTube and calling in please mute your speakers.

AGENDA

**TULARE CITY COUNCIL
TUESDAY, October 6, 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 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) 54957.6b Conference with Labor Negotiators
Represented/Unrepresented Employee(s): Fire Unions
Negotiators: Rob Hunt, Janice Avila, Darlene Thompson, Mario Zamora
[Submitted by: J. Avila; M. Zamora]

- (b) 54956.9(d)(2) & (e)(2) Conference with Legal Counsel – Anticipated Litigation
One (1) item of anticipated litigation [Submitted by: M. Jeffcoach]
[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 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 September 15, 2020 special/regular meeting. [Submitted by: R. Yoder]
- (3) Approve the Parcel Map filed by Cornelius Vander Eyk for the division of land located at the southwest corner of Paige Avenue and Blackstone Street for recordation, and accept all easements and dedications offered to the City. [Submitted by: M. Miller]
- (4) Receive the monthly investment report for August 2020. [Submitted by: D. Thompson]
- (5) Authorize the donation of a surplus fire engine to Municipio de Loreto Baja California Sur H. Cuerpo de Bomberos, Baja California Sur, México. [Submitted by: L. Nevarez]
- (6) Reject the liability claim filed by Ted Harvell in an amount in excess of \$25,000 for economic and non-economic damages resulting in a vehicle accident in an uncontrolled residential intersection. [Submitted by: J. Avila]
- (7) Authorize the City Manager to sign a contract with AMS.net, utilizing the Merced County FOCUS contract in the amount of \$57,970.94 subject to minor conforming changes acceptable to the City Manager and City Attorney to provide and install additional security cameras to Tulare Police Department and City Hall. Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$5,797.09). [Submitted by: J. Bowling]
- (8) Authorize the expenditure of State Department of Motor Vehicle Funds (DMV-Fund 37) in the amount of \$55,125.00 for the purchase of three (3) Automated

License Plate Readers (ALPR) as well as associated software, licenses and hardware, including installation of same on existing Tulare Police Department patrol vehicles, from Lehr/Vigilant Solutions (Sacramento, CA). [Submitted by: W. Hensley]

XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

XIII. MAYOR'S REPORT

XIV. 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 **adopt Resolution 2020-46** ordering improvements for Assessment District 2020-01 for the Farrar Estates subdivision located north of Tulare Avenue and west of Morrison Street. [Submitted by: M. Miller]
- b. Public Hearing to **adopt Resolution 2020-47** designating “no commercial parking” zones on segments of Prosperity Avenue and West Street, and authorizing the installation of corresponding signage. [Submitted by: M. Miller]

(2) Engineering:

- a. Receive an update and presentation by Caltrans, and consider the **adoption of Resolution 2020-48** approving a Resolution of Change to the City of Tulare-State of California Freeway Agreement for State Route 99 from 0.5 miles south of Rankin Road to Cartmill Avenue, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [Submitted by: N. Bartsch]

(3) Finance:

- a. **Adopt Resolution 2020-49** authorizing the issuance of City of Tulare Sewer Revenue Refunding Bonds, Series 2020 in an amount not to exceed \$45 million in order to refinance a) the City's outstanding 2012 Sewer Revenue Refunding Notes (the “Series 2012 Notes”), b) a portion of the outstanding Sewer Revenue Refunding Bonds, Series 2015 (the “Series 2015 Bonds”), and c) all or a portion of the outstanding Sewer Revenue Refunding Bonds, Series 2013 (the “Series 2013 Bonds”) in order to reduce debt service and achieve savings; and approve the form of various bond documents, authorizing certain staff members to execute final versions of documents,

direct certain officers of the City to take actions for the sale and delivery of the bonds, approve key members of the financing team, and authorize the sale of the bonds subject to certain provisions. [Submitted by: D. Thompson]

(4) Police:

- a. Receive a presentation regarding the current process and procedures for Code Enforcement complaints, in particular as they relate to vehicle parking in residential zoning districts in the City and receive direction, if any, related thereto. [Submitted by: R. Guerrero]

(5) City Manager:

- a. Update, discussion and receive direction, if necessary, regarding COVID-19, etc. [Submitted by: R. Hunt]

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

XVI. 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.]