TO: Mayor and City Council Members

FROM: Rob Hunt, City Manager

SUBJECT: December 17, 2019 Agenda Items

DATE: December 13, 2019

6:00 p.m.

I. CALL TO ORDER STUDY 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. STUDY SESSION

a. Receive a presentation on the Strategic Plan, Pathway Home: Responding to Homelessness in Tulare County commissioned by the Tulare County Homeless Task Force (the “Plan”); provide staff with any Council direction regarding the Plan. [Submitted by: T. Myers] The Tulare County Homeless Task Force, with financial support from the County and the Cities, commissioned Homebase, a non-profit organization with over three decades of experience in working to prevent and end homelessness, to conduct a strategic plan process for Tulare County that would provide a roadmap for addressing homelessness locally.

In the process of developing the plan, the Homebase consultants conducted over 40 interviews with interested parties, performed a survey which was completed by over 600 members of the communities in Tulare County, held a summit with over 75 stakeholder participants and held several focus groups and topical committee meetings.

The Plan has five overriding goals and outlines action plans for addressing these goals:

1. Increase access to permanent housing
2. Increase access to services to support exits from homelessness
3. Expand services for subpopulations with special needs
4. Preventing homelessness for those at risk
5. Strengthen public engagement and community partnerships

The Plan serves several purposes. It sets a baseline of the current conditions in the County; it identifies the strengths and weaknesses that exist in the current efforts to address homelessness; and it recommends a set of solutions with
goals, specific actions, timelines and responsible parties for a collaborative effort to address homelessness in the County.

The Plan has been presented to the Tulare County Board of Supervisors and will be considered by the Visalia and Porterville City Councils’ in the near future. **Staff recommends Council receive a presentation on the Strategic Plan, Pathway Home: Responding to Homelessness in Tulare County commissioned by the Tulare County Homeless Task Force (the “Plan”); provide staff with any Council direction regarding the Plan, as requested.**

b. **Presentation of the Homelessness Ad Hoc Committee Plan, Recommendations and Direction related to same. [Submitted by: Council Member Sayre]**

c. **Discussion and direction regarding adopting Resolution 19-54 declaring a housing/shelter crisis in the City of Tulare. [Submitted by: T. Myers]** Each year, the Kings/Tulare Homeless Alliance (Alliance) conducts a Point in Time (PIT) count of the number of people experiencing homelessness within Kings and Tulare Counties. The 2019 PIT was held on January 23, 2019. According to the 2019 Kings/Tulare Homeless Alliance Point in time report, there were 146 homeless people within the Tulare city limits. Of the 146 homeless persons interviewed, 123 were unsheltered.

Adopting a Resolution declaring a shelter crisis can afford the City the following opportunities:

1. Immunity from ordinary negligence liability and the ability to suspend strict Compliance with housing, health, or safety requirements in the provision of emergency housing (Chapter 7.8 Shelter Crisis 8698-8698.4 of Title 2 of the California Government Code);

2. Eligibility to become a direct recipient of Homeless Emergency Aid Program funds (HEAP) from the local Continuum of Care (COC); and,

3. If the City does not become a direct recipient of HEAP funds, funds can be spent by the COC within the City for capital projects finished before June 30, 2021, or for rental assistance or rental subsidies.

Although there are no current plans to utilize public buildings or to allow alternative living Arrangements within the City, adopting a Resolution declaring a shelter crisis can place the City in the position of maximum flexibility if the need arises. Alternatively, a Resolution declaring a shelter crisis can be adopted by the Council at any future duly noticed Council meeting. **Staff recommends**
Council consider the adoption of Resolution 19-54 declaring a housing/shelter crisis in the City of Tulare, as requested.

IV. ADJOURN STUDY SESSION

7:00 p.m. (or immediately following Study Session)

V. CALL TO ORDER REGULAR SESSION

VI. PLEDGE OF ALLEGIANCE AND INVOCATION

VII. 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.

VIII. 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.

IX. 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 December 3, 2019 special/regular meeting. [Submitted by: R. Yoder] The minutes of December 3, 2019 special/regular meeting are submitted for your approval. **Staff recommends Council approve as presented.**

(3) Adopt 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] On December 3, 2019, the City Council passed-to-print Ordinance 19-12 by a vote of 3 to 1 (Vice Mayor Mederos voting no; Council Member Nunley absent). **Staff recommends Council adopt 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, as presented.**

(4) Adopt Ordinance 19-08 for the repeal and replacement of Chapter 8.56 of title VIII of the Municipal Code pertaining to development impact mitigation fees. [Submitted by: M. Miller] On December 3, 2019, the City Council passed-to-print Ordinance 19-08 by a vote of 3 to 0 (Council Members Jones and Nunley absent). **Staff recommends Council adopt 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, as presented.**

(5) Extend the conditional approval for the final map and subdivision improvement agreement of Phase 1 of The Greens at Oak Creek subdivision for recordation, and accept all easements and dedications offered to the City, including a Grant of Easement for temporary turnarounds for emergency vehicle purposes and a temporary run-off pond for street runoff, subject to receipt of the signed final map, all fees, and other required items prior to February 19, 2020. [Submitted: M. Miller] Planning Commission Resolution No. 5248 adopted on August 18, 2017 approved the tentative map for The Greens at Oak Creek subdivision located east of Mooney Boulevard (State Route 63) and 1,700 feet north of Tulare Avenue (State Route 137). The overall subdivision comprises approximately 19.5 acres consisting of 88 lots, and is being developed in phases.
Phase 1 of The Greens at Oak Creek subdivision consists of 33 single-family residential lots. The Subdivider is Great Valley Builders, Inc. of Tulare, CA. Due to the configuration of public streets to be constructed by this phase of the subdivision, the Fire department is requiring that two temporary turnarounds for emergency vehicle purposes be provided until such time as a through street connection is constructed by future phases. Additionally, a temporary pond for street runoff purposes will be required until the additional phases are constructed.

At the May 7, 2019 Council meeting, the Subdivider requested and received a 60-day conditional approval for the final map and subdivision improvement agreement of Phase 1 of The Greens at Oak Creek subdivision for recordation. However, the Subdivider was unable to complete all the requirements for recordation prior to the expiration date of the conditional approval. The developer has requested and received the following extensions to the May 7, 2019 conditional approval.

1. July 2, 2019 through August 30, 2019;
2. August 20, 2019 through October 18, 2019;

The Subdivider continues to work to complete the final map, but will be unable to complete all requirements for recordation prior to the December 21, 2019 conditional approval expiration date. As such, the Subdivider is requesting that Council grant a fifth 60-day conditional approval for the final map and subdivision improvement agreement of Phase 1 of The Greens at Oak Creek subdivision for recordation. If approved, the expiration date for the fifth 60-day conditional approval would be February 19, 2020.

Requests for conditional approval of final maps and subdivision agreements have routinely been accommodated. Doing so significantly reduces potential delay in the City’s processing of these development projects. A copy of Planning Commission Resolution No. 5248 and draft final map for Phase 1 of The Greens at Oak Creek subdivision is attached for reference. **Staff recommends Council extend the conditional approval for the final map and subdivision improvement agreement of Phase 1 of The Greens at Oak Creek subdivision for recordation, and accept all easements and dedications offered to the City, including a Grant of Easement for temporary turnarounds for emergency vehicle purposes and a temporary run-off pond for street runoff, subject to receipt of the signed final map, all fees, and other required items prior to February 19, 2020, as presented.**
(6) **Award and authorize the City Manager to sign a contract amendment with Don Berry Construction, Inc. of Selma, CA in an amount not to exceed $1,143,886 for street and utility improvements associated with Project EN0073, a street and utility improvement project on Cartmill Avenue, to extend the project improvement limits to Mooney Boulevard; and authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of the revised contract award amount.**

[Submitted by: N. Bartsch] Capital Improvement Project EN0073 addresses pavement and utility infrastructure improvements along Cartmill Avenue between the Cartmill Avenue Interchange at Highway 99 and Mooney Boulevard. The project modifies the existing traffic signals at the intersections of Cartmill Avenue and Akers Street along with Cartmill Avenue and Hillman Street to provide additional thru lanes and protected left-turn movements for eastbound and westbound traffic, and will install a new traffic signal at the intersection of Cartmill Avenue and Retherford Street. The project also includes installation of new water, sewer and storm drainage facilities needed to facilitate the development of properties along this segment of Cartmill Avenue, including the northeast and southeast quadrants of the Cartmill Avenue interchange. Finally, the additional paved width and construction of median improvements will provide additional operational capacity and addresses traffic safety concerns. These improvements are also expected to reduce the Fire Department’s response time from Fire Station 63 to the Del Lago area.

On March 5, 2019, at its regular meeting, the City Council awarded a contract to Don Berry Construction, Inc., of Selma, CA, in the amount of $6,407,827.10. Since that time, Don Berry Construction, along with their subcontractors, have diligently worked toward completion of this project. Currently, the improvements between the Highway 99 Interchange and De La Vina Street are ahead of schedule and, pending weather, are scheduled to be completed in early 2020. Additionally, the project is currently within the approved and authorized budget.

On May 7, 2019, the City Council provided direction to extend the limits of the project from its current eastern limit at De La Vina Street to Mooney Boulevard. City Staff and its consultants have completed improvement plans to extend the limits of the project and have received a cost proposal from Don Berry Construction to complete the work. The proposed cost of $1,143,886 is consistent with the unit pricing already established as a part of the existing contract. Additionally, this amount is in line with the Engineer’s Estimate and approved budget allocated for this additional work.

As with the existing project improvement between the Highway 99 Interchange and Del La Vina Street, the portion of costs associated with the additional improvements that would have been the responsibility of benefiting properties will
be subject to reimbursement to the City as future development occurs. The benefit to property owners along the Cartmill Avenue corridor of including the additional improvements in the current project is a significant reduction in the scope and magnitude of improvements required for them to develop their properties. **Staff recommends Council award and authorize the City Manager to sign a contract amendment with Don Berry Construction, Inc. of Selma, CA in an amount not to exceed $1,143,886 for street and utility improvements associated with Project EN0073, a street and utility improvement project on Cartmill Avenue, to extend the project improvement limits to Mooney Boulevard; and authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of the revised contract award amount, as presented.**

(7) **Accept as complete the contract with PC Inc. of Grover Beach, CA for work on Project FM0032, a project to replace the Tulare Police Department Standby Generator and site improvements.** 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: J. Bowling] This project is to replace the Tulare Police Department Standby Generator and associated site improvements. The previous generator was original to the building and had become unreliable. Additionally, the previous generator was only set up to power specifically identified areas of the facility. The new generator powers the entire facility. This project was included and approved as a part of the City's 2018 CIP program budget.

On October 16, 2018, the City Council awarded a contract to PC, Inc. of Grover Beach, CA in the amount of $311,565.00. The project was funded through equipment replacement funds.

A summary of contract costs is as follows:

- Approved Contract Amount: $283,241.00
- Contract Change Orders – Various: $5,200.00 (1.84%)
- Total Construction Contract Cost: $288,441.00

Additional work consisted of: changes required to gate for the generator enclosure and other additional work required by code, Additional required Saturday work required by scheduling with SCE and Police Department Dispatch, the addition of waterproof plugs to enable simplified external generator connections in the event of a future generator failure.

All work required of PC Inc. under this contract has been completed in accordance with the approved plans and specifications. **Staff recommends**
Council accept as complete the contract with PC Inc. of Grover Beach, CA for work on Project FM0032, a project to replace the Tulare Police Department Standby Generator and site improvements. 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, as presented.

X. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

(1) Spotlight on Excellence – Employee Recognition. [Submitted by: R. Hunt]

XI. MAYOR’S REPORT

The following items were continued from November 5, 2019 for further consideration and to solicit additional applications, if any:

(1) Consideration of the reappointment of four members to the City of Tulare Parks & Recreation Commission whose terms are ending December 31, 2019, select a new applicant, if any, or delay appointment and direct staff to solicit additional applications for consideration. [Submitted by: R. Hunt]

Four members Parks & Recreation Commission have terms ending December 31, 2019 as follows:

Lori Fishbough, appointed 12/1/15
Nicholas Sherwood, first appointed 12/20/11; last appointed 12/1/15
W. Eric Farrenkopf, first appointed 1/16/01; last appointed 12/1/15
Armando Da Silva, appointed 12/1/15

All have expressed interest in being reappointed and have good attendance.

The Mayor and each Council member shall have the right to nominate Commissioners from the citizens at large and such nominations shall be honored by ratification and confirmation by majority vote of the membership of the Council. Alternatively, the Council may delay reappointment and direct staff to continue soliciting additional applications for consideration. Members whose terms end December 31, 2019, may continue to serve until such time that reappointment or a new appointment is made.

Members of the public who are interested in serving on any Board, Commission or Committee may apply throughout the year, and when vacancy notices are posted, applications are kept on file for two years.

Applications on file at this time with interest in serving on this Commission are as follows:
Ryan Wilson filed November 22, 2019

Staff recommends Council consider the reappointment of four members to the City of Tulare Parks & Recreation Commission whose terms are ending December 31, 2019, select a new applicant, if any, or delay appointment and direct staff to solicit additional applications for consideration, as requested.

(2) Consideration of the reappointment of three members to the City of Tulare Planning Commission whose terms are ending December 31, 2019, select a new applicant, if any, or delay appointment and direct staff to solicit additional applications for consideration. [Submitted by: R. Hunt] On November 21, 2017, the Tulare City Council adopted Resolution 17-57 amended Resolution 3060 establishing a five member Planning Commission and reconfirming previously established rules and procedures, as amended. One of those amendments included appointing members of the Planning Commission by Council Member seat, through attrition.

On July 24, 2018, one of the five seats, currently held by Anthony Olivares, was selected by this method and appointed by the Council District 3 seat held by Council Member Jones. On November 5, 2019, the three seats up for appointment, were selected by lot draw as follows:

- **Council Member Nunley**: Chuck Miguel, first appointed 7/15/03; last appointed 12/1/15
- **Vice Mayor Mederos**: Sandra Miller, first appointed 6/20/06; last appointed 12/1/15
- **Council Member Sayre**: Deanne Rocha, first appointed 5/16/95; last appointed 12/1/15

Mayor Sigala: The remaining member, Joshua Cox, whose term is up December 31, 2021, by default of the draw.

Alternatively, the Council may delay reappointment and direct staff to continue soliciting additional applications for consideration. Members whose terms end December 31, 2019, may continue to serve until such time that reappointment or a new appointment is made.

Members of the public who are interested in serving on any Board, Commission or Committee may apply throughout the year, and when vacancy notices are posted, applications are kept on file for two years, unless withdrawn by applicant. Applications on file at this time with interest in serving on this Commission are as follows:
Carmen Jacobo filed April 24, 2018
Ryan Wilson filed November 22, 2019

Staff recommends Council consider the reappointment of three members to the City of Tulare Planning Commission whose terms are ending December 31, 2019, select a new applicant, if any, or delay appointment and direct staff to solicit additional applications for consideration, as requested.

XII. STUDENT REPORTS

(1) Teens on Board City Council representatives Araceli Espinoza, Tulare Western, Jr.; Amber Munoz, Tulare Western Sr. and Sebastian Pires, Tulare Western, Jr.; to provide student reports.

XIII. CONVENE JOINTLY AS TULARE CITY COUNCIL AND TULARE CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE TULARE REDEVELOPMENT AGENCY –

(1) Successor Agency:


BACKGROUND/EXPLANATION:

Assembly Bill (“AB”) x1 26, AB 1484, and Senate Bill 107 (collectively, the “Dissolution Act”) dissolved redevelopment agencies and led to the creation of successor agencies to wind down the obligations and dispose of the assets of former redevelopment agencies. The City of Tulare (“City”) elected to serve as the Successor Agency to the Tulare Redevelopment Agency (“Successor Agency”). The Dissolution Act requires the Successor Agency to prepare a Recognized Obligation Payment Schedule (“ROPS”). The ROPS must be prepared annually, covers the entire Fiscal Year, and shows all the obligations of the former Tulare Redevelopment Agency (“Former RDA”) and the sources of funds for the repayments. The Successor Agency must also prepare an administrative budget for the upcoming Fiscal Year.
The ROPS must be approved by the Oversight Board to the Successor Agency (“Oversight Board”) and submitted to the State Department of Finance ("DOF"). Pursuant to Health and Safety Code ("HSC") Section 34177(l), DOF provided the ROPS form for successor agencies to use to report enforceable obligations for the period July 1, 2020 through June 30, 2021 (“20-21”). The completed ROPS 20-21, attached as Exhibit “A,” is due to DOF by February 1, 2020 by electronic submission. Pursuant to HSC section 34177(l)(2)(C), a copy of the ROPS must also be submitted to the Tulare County Auditor-Controller (“Auditor-Controller”) and the State Controller’s Office.

DISCUSSION OF ROPS COMPONENTS:
In addition to a list of enforceable obligations and requested funds to pay them during the upcoming Fiscal Year, the ROPS form includes a Report of Cash Balances. On the Report of Cash Balances, successor agencies identify any available funds on hand that can be used to pay enforceable obligations.

After all available funds on hand are allocated, the Successor Agency can request funding for enforceable obligations from the Redevelopment Property Tax Trust Fund (“RPTTF”), through which the Auditor-Controller distributes property tax increment revenue. Allocations of RPTTF require approval by the Oversight Board and DOF.

The following sections elaborate on the enforceable obligations listed on the ROPS and significant aspects of the Cash Balances.

Debt Service Payments (Items 21 through 24)
The Successor Agency refunded the 2010 Tax Allocation Bonds, Series A, B, and C (“2010 Bonds”) with an issue of 2017 Tax Allocation Refunding Bonds, Series A and B (“2017 Bonds”), in order to take advantage of lower interest rates and to reduce the sum of total future debt service payments. The refunding enabled the Successor Agency to retire the 2010 Bonds (ROPS items 1-3). They were replaced with ROPS items 21-24.

Per the 2017 Bonds Indenture, the Successor Agency is required to request funding for each calendar year’s debt service to be received in the January RPTTF distribution. The Successor Agency is therefore requesting RPTTF funding for ROPS items 23 and 24 in the January to June 2021 period as reserve for payments due August 1, 2021. Items 21 and 22 are requests for funding of current debt service payments, meaning the payment is made in the same period as when the revenue is received. In total, the Successor Agency requests to spend $1,425,476 in a reserve balance set aside from the ROPS covering Fiscal Year 2019-20, $366,561 in RPTTF to pay current debt
service during Fiscal Year 2020-21, and $1,456,561 in RPTTF as a reserve for future debt service.

**City-Redevelopment Agency Loan (Item 12)**

The City and the Former RDA entered into a Loan Repayment Agreement ("Agreement") on April 20, 2010, which was subsequently amended on June 29, 2010, February 1, 2011, and March 9, 2011 ("Third Amendment"). In order to assist the Former RDA in carrying out its redevelopment activities, the City advanced funds to the Former RDA from time to time in accordance with cooperation agreements for individual redevelopment projects. The Third Amendment formally acknowledged the number of outstanding advances and established formal repayment terms for the Agreement ("City-RDA Loan"). Under the Dissolution Act, repayment is limited as follows:

Payments on the City-RDA Loan are limited in each Fiscal Year to one half of the difference between the previous Fiscal Year’s residual revenue and the Fiscal Year 2012-13 residual revenue. Residual revenue is the amount of RPTTF revenue—property taxes distributed by the Auditor-Controller—available after deducting from gross revenue the following:

- Auditor-Controller’s and State Controller’s Office administrative fees,
- pass through payments, and
- the amount approved by DOF to pay enforceable obligations.

The City and Successor Agency would like to repay the City-RDA Loan (Item 12) as soon as possible. DOF approved the loan on January 6, 2017. However, there is a disagreement about how the Fiscal Year 2012-13 RPTTF residual revenue is applied. The City and Successor Agency believe that the Auditor-Controller incorrectly calculated the Successor Agency’s Fiscal Year 2012-13 residual RPTTF revenue as published in the RPTTF reports for that year. The City and Successor Agency contacted DOF and the Auditor-Controller to request a revised RPTTF report or direction on an alternative method to establish the correct Fiscal Year 2012-13 residual RPTTF for calculating the City Loan’s maximum annual repayment amount.

DOF and the Auditor-Controller have not disputed that the currently published Fiscal Year 2012-13 residual RPTTF for the Successor Agency is incorrect but have hesitated to issue a revised RPTTF report or otherwise provide an approach that all parties can agree to and implement for the correct residual RPTTF value to be used to calculate the City Loan’s maximum annual payments.
After a discussion with the City, DOF sent an e-mail to the Auditor-Controller indicating that if the Auditor-Controller believes “a change is necessary to accurately reflect the RPTTF that flowed to the ATEs [affected taxing entities],” then DOF “will accept the updated reports for use in calculating their City/Agency loan repayments.”

The County approved Fiscal Year 2012-13 residual RPTTF is $2,502,897. Although the Successor Agency disputes this value and believes it should be $1,524,880, for the purpose of our estimates we are assuming the Fiscal Year 2012-13 residual RPTTF will be $2,502,897. The Fiscal Year 2019-20 residual RPTTF is projected to be approximately $100,00 more than the 2012-13 residual RPTTF amount of $2,502,897. Therefore, the Successor Agency requests the outstanding balance of $21,229,891. We are requesting the outstanding balance because the residual RPTTF amounts are estimates and we are attempting to receive the greatest value of RPTTF to pay this obligation.

**Land O’ Lakes Agreement (Item 4)**

The request for payment to Land O’ Lakes (Item 4) is based on an agreement with the dairy processor. The requested amount of $280,000 is a projection of the future payment based on what this payment has been in recent years. The actual payment amount will depend on the assessed value of Land O’ Lakes properties in the City, as agreed to between the Former RDA and Land O’ Lakes.

To receive payment, Land O’ Lakes is required to submit documentation to the City showing its employment level in the City, as specified in the agreement. If the employment level decreases below 350 full-time equivalent employees, the Successor Agency can reduce or eliminate the payments. To date, Land O’ Lakes has submitted documentation showing it has met the employment threshold every year since the agreement.

**Other Obligations**

HSC Section 34177(j) requires the Successor Agency to prepare an Administrative Budget and submit it to the Oversight Board for approval. The Successor Agency anticipates needing the entire $250,000 minimum annual administrative allocation described in HSC Section 34171(b) and is requesting that amount (ROPS Item 14), all allocated to the first six-month period to maintain a more even cash flow. An Administrative Budget for the fiscal year is attached as Exhibit “B” to the accompanying resolution.

The Successor Agency requests $4,000 to pay fiscal agent fees on the 2017 Bonds (Item 6) and $1,000 to cover the cost of preparing a required annual
continuing disclosure that describes the security of the 2017 Bonds (Item 25). Both are required aspects of the 2017 Bonds' management.

In total, the Successor Agency requests to receive and spend $23,588,013 of RPTTF in Fiscal Year 2020-21, including $1,456,561 that will be set aside as a reserve for August 1, 2021 debt service payments. In addition, the Successor Agency requests to spend $1,425,476 in reserves that will be set aside from Fiscal Year 2019-20 on August 1, 2020 debt service.

**Cash Balances**
The Report of Cash Balances in the current ROPS represents the Successor Agency’s estimate of the true cash balance as of June 30, 2018. It shows the status and progress of the cash balance correction and helps the Successor Agency to identify other funds available to spend on enforceable obligations.

The Cash Balances also show the inflow and outflow of funds held by the Successor Agency. Funds are being spent in a timely manner and consistent with the approvals of the Oversight Board and DOF. The Cash Balances page helps the Successor Agency to identify other funds available to spend on enforceable obligations, detailed as follows:

- The Successor Agency earned $13,790 in interest revenue and $750,547 in property proceeds in Fiscal Year 2017-18. The Successor Agency spent $256,623 of other funds in Fiscal Year 2017-18 leaving the Successor Agency with $544,242 in available other funds cash on hand. $35,430 of this cash on hand is committed to 2019-20 expenditures and requests permission to spend the remaining $508,812 on obligations in Fiscal Year 2020-21.
- $113,027 in property tax revenues received, but not spent, for obligations in Fiscal Year 2015-16 were reclassified by DOF as a reserve balance and re-allocated to expenditures in Fiscal Year 2018-19.
- The Successor Agency expects DOF to re-allocate $531,224 in property tax revenues received, but not spent, for obligations in Fiscal Year 2017-18 for expenditures in Fiscal Year 2020-21.

**ROPS 17-18 Prior Period Adjustment**
As required by HSC section 34186 (c), the Successor Agency prepared a reconciliation between approved and actual payments on enforceable obligations from the ROPS covering Fiscal Year 2017-18 and submitted this reconciliation to the Auditor-Controller prior to October 1, 2019. The reconciliation showed a difference of $531,224 between approved and actual expenditures. This amount is due to full debt service not being paid for the 2010 Tax Allocation Bonds as a result of the 2017 Tax Allocation Refunding
Bonds. As mentioned above, the Successor Agency expects DOF to re-allocate this amount for expenditures in Fiscal Year 2020-21.

**Last and Final ROPS Option**
Pursuant to HSC section 34191.6 (a), beginning January 1, 2016, agencies that have received a Finding of Completion may submit a Last and Final ROPS if all the following conditions are met:

1) The remaining debt is limited to administrative costs and payments pursuant to enforceable obligations with defined payment schedules including, but not limited to, debt service, loan agreements, and contracts.
2) All remaining obligations have been previously listed on the ROPS and approved for payment by DOF pursuant to HSC section 34177 (m) or (o).
3) The agency is not a party to outstanding/unresolved litigation, except as specified in HSC section 34191.6 (a) (3).

A Last and Final ROPS will reduce the administrative burden on the Successor Agency and eliminate the need for Oversight Board meetings to approve the ROPS. (The Oversight Board will still have to convene to approve property sales). The Successor Agency can amend the Last and Final ROPS twice. The Successor Agency would like to submit a Last and Final ROPS as soon as possible. Because of the following items, however, the Successor Agency does not meet the required conditions:

1) Not all remaining obligations were listed on a previous ROPS and approved for repayment by DOF.
2) The Land O’ Lakes Agreement does not have a defined payment schedule. The payment amount each year depends on assessed values in that year.

Furthermore, DOF has oversight over all Last and Final ROPS approvals and has been limiting the Successor Agency administrative allowance to approximately $5,000 per enforceable obligation.

**County Consolidated Oversight Board**
As of July 1, 2018, the Tulare County Consolidated Oversight Board was established pursuant to HSC Section 34179(j). This means that instead of Tulare County’s eight successor agencies each having their own oversight board, one Consolidated Oversight Board reviews actions taken by all of the successor agencies within the County and can direct all of the same successor agencies to perform certain actions. The Consolidated Oversight Board is composed of seven appointed members:
• Eddie Valero, County Board of Supervisors
• Phil Cox, City Selection Committee
• Daniel Smith, Independent Special Districts
• Jeff Ramsay, County Superintendent of Schools
• Christine Statton, Chancellor of the California Community Colleges
• Clinton Sims II, County Board of Supervisors, Public Representative
• As of November 29, 2018, the seat to be appointed by the recognized employee organization representing the largest number of successor agency employees has remained vacant.

The Consolidated Oversight Board has scheduled its general regular meetings to occur annually in January, with special meetings set to be held as needed. The deadline for the Successor Agency to submit its ROPS 20-21 to the Consolidated Oversight Board for the January 10, 2020 meeting is December 27, 2019. This deadline allows for County staff to review the submission and provide feedback, as well as for the Successor Agency to incorporate feedback, if necessary. With the consolidation of the Oversight Boards, it is expected that expenditures may be more stringently monitored, and successor agencies may have to provide additional supporting documentation, especially for the administrative allowance.

FISCAL IMPACT:
ROPS 20-21 must be approved by the Tulare Successor Agency and Tulare County Consolidated Oversight Board and submitted to the State Department of Finance (“DOF”) by February 1, 2020 for the Successor Agency to receive RPTTF, administered by the Tulare County Auditor-Controller (“Auditor-Controller”), and pay enforceable obligations during the ROPS 20-21 period.

Staff recommends Council adopt Resolution 2019-01 of the Successor Agency to the Former Tulare Redevelopment Agency approving and adopting the Recognized Obligation Payment Schedule for the July 1, 2020 through June 30, 2021 period and the Fiscal Year 2020-21 Administrative Budget, as presented.

XIV. ADJOURN AS TULARE CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND REMAIN SEATED AS THE TULARE CITY COUNCIL –

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 19-13 repealing and replacing Sections 9.48.080 and 9.48.140 of existing Chapter 9.48 (Standing, Stopping, Parking) of the Tulare Municipal Code. [Submitted by: M. Miller] Review of Title 9, “Traffic”, of the Tulare Municipal Code identified two sections that are no longer consistent with current parking restrictions employed by the City of Tulare. As such, it is recommended that they be repealed and replaced as follows:

Chapter 9.48, “Standing, Stopping, Parking”, includes the Ordinance Code provisions governing standing, stopping and parking restrictions on City streets. This section has not been updated since 1995, and only provides provisions for parking restriction of ten (10) minutes and one (1) hour. These restrictions no longer meet the needs of the City or the businesses that overwhelmingly generate the requests for parking restrictions.

Section 9.48.080 currently provides for the designation of ten-minute parking zones between the hours of 8:00 a.m. and 6:00 p.m. on each and every day of the week, excepting Saturdays, Sundays and holidays, and on Saturdays between the hours of 8:00 a.m. and 9:00 p.m. in any parking area which shall be designated by green paint or other green material upon the entire curb surface therein with the words “ten minute” in white letters. Based upon feedback from affected businesses, 10 minutes no longer provides sufficient time for customers to conduct short term business transactions. It is recommended that the ten-minute duration of Section 9.48.080 be revised to twenty (20) minutes. This duration would also be more consistent with restrictions employed by neighboring communities (i.e., Visalia, Hanford, Porterville).

Section 9.48.140 currently provides for the designation of one-hour parking zones between the hours of 8:00 a.m. and 6:00 p.m. of each and every day of the week, excepting Sundays and legal holidays, in any parking area which shall be designated by green paint or other green material upon the entire curb surface with the words “One Hour” in white letters. In recent years, the vast majority of mid-term parking restriction requests that the City has received have been for two-hour designations. Greater flexibility in the designation of parking restrictions would be beneficial to business and property owners. It is therefore recommended that Section 9.48.140 be revised to allow for multiple options, including one hour, two-hour three hour and four hour. Again, this would be consistent with other neighboring communities.
All proposed changes to the ordinance that will be enacted if approved by Council are shown in the red-line version attached to this staff report and incorporated here by reference. **Staff recommends Council pass-to-print Ordinance 19-13 repealing and replacing Sections 9.48.080 and 9.48.140 of existing Chapter 9.48 (Standing, Stopping, Parking) of the Tulare Municipal Code, as presented.**

b. **Public Hearing to adopt Resolution 19-55 approving the 2019 Community Development Block Grant (CDBG) Annual Action Plan (APP) Amendment to re-allocate $50,000 of Program Year 2019 funds to the Workforce Investment Board of Tulare County (WIBTC) to provide job readiness, work-based training and job placement services to six low-to-moderate income persons who are facing homelessness or have significant barriers to employment; and authorize the City Manager or his designee to submit the same to HUD on behalf of the City of Tulare.**

[Submitted by: T. Myers] Administration of the Community Development Block Grant (CDBG) program is overseen by the City’s Community & Economic Development Department in cooperation with other City departments. Through the AAP process, staff continues implementing the goals established under the City’s adopted amended 2015-2019 Consolidated Plan and U.S. Department of Housing and Urban Development (HUD) requirements.

On April 16, 2019, City Council approved the Program Year 2019 AAP. The 2019 AAP is the fifth and final annual action plan within the City’s Five-Year (2015-2019) Consolidated Plan. The AAP outlines how the funds will be expended and confirms that the funded activities are consistent with the City’s amended five-year Consolidated Plan.

**PROGRAM YEAR 2019 ANNUAL ACTION PLAN AMENDMENT**

This Program Year 2019 AAP Amendment consists of re-allocating $50,000 from the Bardsley Garden Apartment rehabilitation project to the Workforce Investment Board of Tulare County (WIBTC) to provide six low-to-moderate income Tulare residents who are facing homelessness or have significant barriers to employment, with job readiness, work-based training and job placement. Clients will receive career planning assistance, work-based training, resume preparation assistance, interview skills, and interview clothing and transportation assistance to complete the program successfully.

The basis for the reallocation of funding is two-fold; 1) the change in the project scheduling on the Bardsley Garden rehabilitation project, which prohibits the project from spending down the entire original allocation in this
program year; and 2) the need for the City to assist further with homelessness activities.

The public service activities to be carried out by the WIBTC will assist the City in satisfying the economic development priority of job creation as identified in the 2015-2019 Consolidated Plan. The proposed 2019 AAP Amendment was made available for public review and comment for 30-days from November 18, 2019 through December 17, 2019. **Staff recommends Council adopt Resolution 19-55 approving the 2019 Community Development Block Grant (CDBG) Annual Action Plan (APP) Amendment to re-allocate $50,000 of Program Year 2019 funds to the Workforce Investment Board of Tulare County (WIBTC) to provide job readiness, work-based training and job placement services to six low-to-moderate income persons who are facing homelessness or have significant barriers to employment; and authorize the City Manager or his designee to submit the same to HUD on behalf of the City of Tulare, as presented.**

c. **Public Hearing to adopt Resolution 19-56 accepting and approving expenditures for the State of California, Citizens Option for Public Safety (COPS) 2019/2020 Program funds in the amount of $101,491 to be used to fund (1) Police Officer positions, salary and benefits package. The State of California, Citizens Option for Public Safety (COPS) Program provides funding to local law enforcement entities to provide enhanced public safety services. The 2019/2020 program monies will be used to fund (1) Police Officer position, salary and benefits package. **Staff recommends Council adopt Resolution 19-56 accepting and approving expenditures for the State of California, Citizens Option for Public Safety (COPS) 2019/2020 Program funds in the amount of $101,491 to be used to fund (1) Police Officer positions, salary and benefits package, as presented.**

(2) **City Manager:**

a. **Pursuant to the process adopted by the Council of Cities select one of the two nominees as the Alternate Transit Representative on the Tulare County Association of Governments (TCAG), to fill an unexpired term, ending June 30, 2020. [Submitted by: R. Hunt] There is currently a vacancy on the Tulare County Association of Government Board for the Alternate Transit Representative that must be filled by a City elected official. Per the Tulare County Council of Cities Process for selecting a Transit Representative to the TCAG Board, the Cities were notified of the vacancy and interest from elected officials was sought.**

The following are nominees for the Alternate Transit Representative:
Virginia Gurrola, Council Member, City of Porterville
Brian Poochigian, Council Member, City of Visalia

This position is to fill an unexpired term which ends on June 30, 2020.

Staff recommends Council pursuant to the process adopted by the Council of Cities select one of the two nominees as the Alternate Transit Representative on the Tulare County Association of Governments (TCAG), to fill an unexpired term, ending June 30, 2020, as requested.

b. Review the existing processes with regard to the recruitment, selection and appointment of members to the City of Tulare’s Boards, Commissions and Committees and provide direction to staff related thereto and consider approval of same, subject to any amendments.

[Submitted by: R. Hunt] On May 27, 2008, the City Council approved a policy outlining guidelines and processes, including the historical procedure on appointments for the City of Tulare’s Boards, Commissions and Committees; of which, is updated from time to time by the Clerk’s Office specific to change in Council, Department Organization and contact information, as well as, basic updates for those bodies who by way of separate legislative action warranted same for the following:

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<th>BOARD, COMMISSION OR COMMITTEE</th>
<th>NUMBER OF MEMBERS</th>
<th>CHARTER</th>
<th>MUNICIPAL CODE ORDINANCE</th>
<th>STATE CODE REFERENCE</th>
<th>RESOLUTION</th>
<th>MINUTE ACTION</th>
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The City’s website https://www.tulare.ca.gov/government/boards-commissions-committees hosts information on how to apply to any of the Boards, Commissions and Committees and includes a brochure outlining information on each body, an application and a local appointments list, which denotes the expiration of terms in the coming year, posted in accordance with Government Code 54972.

The Legislature established 54970 et seq. of the Government Code, also known as “The Maddy Act,” for the purpose of increasing public awareness of appointments to be made by any local government. To improve interest in serving, transparency in the process and provide the local appointive powers access to applicants otherwise untapped.

Applications may be submitted at any time throughout the year and are kept on file for two-years. Applications are also accepted when a vacancy has occurred and notice of same posted seeking new applicants.

When terms are expiring and there are no applications on file and incumbents have expressed interest in continuing to serve, staff prepares an item for Council’s consideration for reappointment or direction to solicit additional applicants.

At the November 19, 2019, City Council meeting the Council continued this item to December 17 to review the policy handbook regarding appointments, residency, etc. The appointment processes outlined above have been incorporated into the draft handbook. The City Attorney has reviewed same to ensure there is no conflict in law. Some changes related to appointments may require either Charter, Ordinance or Resolution amendments and subject to processes as required. Staff recommends Council review the existing processes with regard to the recruitment, selection and appointment of members to the City of Tulare’s Boards, Commissions and Committees and provide direction to staff related thereto and consider approval of same, subject to any amendments, as requested.

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

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

(a) 54956.9(d)(2) Conference with Legal Counsel – Anticipated Litigation one (1) item(s) of anticipated litigation
XVIII. RECONVENE CLOSED SESSION

XIX. CLOSED SESSION REPORT (if any)

XX. ADJOURN REGULAR MEETING
AGENDA ITEM:
Receive a presentation on the Strategic Plan, *Pathway Home: Responding to Homelessness in Tulare County* commissioned by the Tulare County Homeless Task Force (the “Plan”); provide staff with any Council direction regarding the Plan.

IS PUBLIC HEARING REQUIRED: ★ Yes  ❌ No

BACKGROUND/EXPLANATION:
The Tulare County Homeless Task Force, with financial support from the County and the Cities, commissioned Homebase, a non-profit organization with over three decades of experience in working to prevent and end homelessness, to conduct a strategic plan process for Tulare County that would provide a roadmap for addressing homelessness locally.

In the process of developing the plan, the Homebase consultants conducted over 40 interviews with interested parties, performed a survey which was completed by over 600 members of the communities in Tulare County, held a summit with over 75 stakeholder participants and held several focus groups and topical committee meetings.

The Plan has five overriding goals and outlines action plans for addressing these goals:

1. Increase access to permanent housing
2. Increase access to services to support exits from homelessness
3. Expand services for subpopulations with special needs
4. Preventing homelessness for those at risk
5. Strengthen public engagement and community partnerships

The Plan serves several purposes. It sets a baseline of the current conditions in the County; it identifies the strengths and weaknesses that exist in the current efforts to address homelessness; and it recommends a set of solutions with goals, specific actions, timelines and responsible parties for a collaborative effort to address homelessness in the County.

The Plan has been presented to the Tulare County Board of Supervisors and will be considered by the Visalia and Porterville City Councils' in the near future.
STAFF RECOMMENDATION:
Receive a presentation on the Strategic Plan, *Pathway Home: Responding to Homelessness in Tulare County* commissioned by the Tulare County Homeless Task Force (the “Plan”); provide staff with any Council direction regarding the Plan.

CITY ATTORNEY REVIEW/COMMENTS: @ Yes ¥ N/A

IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED: @ Yes ¥ No £ N/A
No specific dollar commitment is included in the Plan; however, commitment of the development of City low-barrier housing and other resources are implied.

FUNDING SOURCE/ACCOUNT NUMBER: Unknown.

Submitted by: Traci Myers           Title: Community & Economic Development Director

Date: November 27, 2019           City Manager Approval:__________
Pathway Home:
Responding to Homelessness in Tulare County

November 2019
EXECUTIVE SUMMARY

Tulare County ("County") can overcome the homelessness crisis we are currently facing. It will require a **collaborative effort** engaging all sectors of the community. It will require **one comprehensive plan** that all jurisdictions—the County establishment, cities of Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, Woodlake, and the many other smaller jurisdictions—can adopt and invest in. It will require a **focus on solutions** that can be impactful and have long-term effects. It will require **significant investment in housing**; delay will be costly and result in a worsening crisis. Mostly, it will require **recognizing the humanity** of the thousands of individuals and families impacted by the crisis.

The County has already done a great deal to address homelessness. Over the past five years, the community has adopted a Housing First approach in many programs, working to ensure people have a safe place to sleep at night. The Continuum of Care has established a Coordinated Entry System and—with the assistance of service providers, community-based organizations, developers, the Tulare County Health and Human Services Agency, cities, and others—has obtained federal, state and local funding to increase its ability to provide housing and vital supportive services. This work lays a strong foundation upon which the community can build.

Yet, homelessness continues to increase in Tulare County and across California. The need is urgent. **We are at a critical juncture; we will only succeed through a collaborative effort, with participation from every sector and every jurisdiction.**

Homelessness is a community priority; it impacts everyone, from our neighbors who are unstably housed to those who have already fallen into homelessness, to our first responders, to all who will benefit from **community-wide strategies** that systemically and effectively resolve homelessness. Together we must coordinate **key resources** available across **all sectors** of the community. We are on a precipice and now is the time to focus on meaningful solutions, rather than simply treating the symptoms.

This Strategic Plan: “Pathway Home: Responding to Homelessness in Tulare County,” provides a set of goals tailored for our community that have been proven to be successful. It is a **roadmap** of how to address homelessness, based on local needs and strategies and tactics that work. To effectively address the crisis, the entire community — every corner of the county — needs to participate in solutions. Solutions are far less costly, far more humane, and the only way to create a system that effectively addresses homelessness.
The Goals for the Community are Clear:

- Increase Access to Permanent Housing
- Increase Access to Services to Support Exits from Homelessness
- Expand Services for Subpopulations with Special Needs
- Prevent Homelessness for Those at Risk
- Strengthen Public Engagement and Community Partnerships

**Increase Access to Permanent Housing**

Permanent housing is the primary and most effective solution to ending homelessness. It brings security and safety, allowing individuals and families to focus their efforts on maintaining a job, getting the kids to school, and preserving their health and well-being. For some people experiencing homelessness, additional supportive services are also needed — help with independent living skills, job training, case management — assistance that allows people to achieve stability, long-term self-sufficiency, and most importantly, housing.

**Increase Access to Services to Support Exits from Homelessness**

With more than 70% of people experiencing homelessness in Tulare County living outside — on the streets, in vehicles, by the river — the community needs to address unsheltered homelessness. The cities, County, nonprofits and other partners can collaborate to help those most in need get the services and support they require to exit
homelessness by expanding outreach, targeting services, and developing accessible crisis shelters with tailored, housing-focused programming throughout the area.

Expand Services for Subpopulations with Special Needs

Within Tulare County, there are people at risk of or experiencing homelessness who require special attention. By understanding their special needs and directing services that allow professionals to focus and tailor their care, we can ensure that the system is accessible to some of the most vulnerable members within the community.

Prevent Homelessness for Those at Risk

As the housing crisis in California deepens, more and more people are just one paycheck or medical crisis away from losing their housing. Often it only requires a small intervention to prevent them from becoming homeless — whether it is one-time financial resources to provide a security deposit, legal assistance to prevent eviction, or help learning to balance a budget. Preventing homelessness by supporting individuals and families before they become homeless is not only more humane, but also more cost-effective.

Strengthen Public Engagement and Community Partnerships

Deeper partnerships and greater engagement throughout the region can strengthen and build leadership and community support for solutions to more effectively address homelessness. Collaboration and coordination can enable our community to effectively accomplish more, better, faster. The public and private systems that were created to help people in times of need are often patchwork. Programs have different eligibility requirements, are run by different agencies, and often don’t work collaboratively to address the entire set of needs that an individual or family may present. Improving collaboration and coordination and broadening our investments across the many systems of care in Tulare County can help the community more effectively address homelessness.

There is not one strategy standing alone that will achieve the goal of ending homelessness in Tulare County. To be successful, the community needs a systematic and multi-faceted approach that engages the entire community — it requires investments from both the public and private sectors, dedicated resources with a laser focus on proven strategies, and collaboration and coordination across all sectors.
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**APPENDICES**
I. INTRODUCTION

In 2011, the Continuum of Care on Homelessness that includes Tulare County released “Connecting the Dots,” a Ten-Year Plan to address homelessness in the region. Since then, local partners have made great strides in developing a system to respond to homelessness and reduce its impact on the community.

While homelessness continues to be an evolving challenge in Tulare County and across California, local accomplishments since 2011 have established an invaluable foundation for continued progress in addressing homelessness.

<table>
<thead>
<tr>
<th>Connecting the Dots’ Goals:</th>
<th>Achievements</th>
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| **Expand housing available to homeless individuals and families** | ✓ 146 Permanent Supportive Housing beds added in Tulare County since 2012  
✓ 71 Rapid Rehousing beds added in Tulare County since 2012 (including bi-county SSVF) |
| **Develop a Coordinated Entry System to prioritize available resources** | ✓ Every Door Open Coordinated Entry System has connected over 217 Kings and Tulare County residents to housing interventions as of June 30, 2019 |
| **Support a Housing First approach** | ✓ 100% of CoC and ESG program-funded projects are now Housing First |
| **Establish integrated service teams, outreach events, and a “homeless liaison” in County programs to engage people experiencing homelessness** | ✓ Established HOPE Team and Outreach Case Manager in Visalia, Countywide PATH Outreach and Housing Navigator programs  
✓ Launched the Local Initiatives Navigation Center (LINC) program in Visalia and Tulare  
✓ Project Homeless Connect events are held annually in three cities, serving 693 people in 2019  
✓ HHSA created Homeless Initiatives Program Coordinator position to coordinate HHSA-specific programs |
### Enhance access for homeless people to mainstream benefits

- 2-1-1 provides thousands of Tulare County residents with connections to services
- Staff trained in SOAR connect people to Social Security resources (SSI/SSDI)
- Number of homeless people receiving SSI/SSDI increased by 161% between 2015 and 2019

### Establish a regular forum for people to meet to discuss local homelessness issues

- Tulare Countywide Task Force on Homelessness established in 2017 to coordinate countywide homelessness response
- Kings/Tulare Continuum of Care and local homeless service providers meet several times per month to discuss best practices and strengthen impact

### Provide trainings and community education on issues related to homelessness

- Kings/Tulare Homeless Alliance and the Countywide Task Force provide public trainings and education around homelessness and key strategies for responding
- Annual Kings/Tulare Homeless Alliance Point in Time Count reports use data to explain the state of homelessness in Tulare County
- Kings/Tulare Homeless Alliance best practices trainings support providers in strengthening outcomes
- Kings/Tulare Homeless Alliance implemented a mandatory Case Management curriculum for all CoC-funded providers

Despite these significant steps forward, homelessness in Tulare County – and across California – is continuing to rise, due to high rates of poverty and escalating costs of housing. Without meaningful, coordinated action, homelessness will continue to grow, as more of our community members lose their housing and are unable to overcome the barriers to exiting homelessness.

On a given night in 2019, there were 814 men, women and children experiencing homelessness in Tulare County, with 576 of those people living unsheltered on the streets, in vehicles, or in encampments. More than 90% of these individuals had their last stable residence in Tulare County.
While there are many reasons Tulare County residents may fall into homelessness – reduced work hours, medical bills or an unexpected expense, loss of a relative or mental health issues – these members of the community are living without stable housing or the support to regain it.

This Strategic Plan is based on the latest in available data and established best practices to provide an ambitious but achievable roadmap for meaningfully addressing homelessness in Tulare County. It represents the input of numerous stakeholders, including the private and public sectors, homeless service providers, housing developers, public health and behavioral health experts, and members of the faith-based community, among many others.

This Plan also meets the requirements of the California Department of Housing and Community Development’s No Place Like Home program, to ensure eligibility for state funding sources that can support crucial resources in addressing homelessness in Tulare County.
II. STRATEGIC PLAN AND IMPLEMENTATION

Strategic planning processes are important and impactful. They help facilitate community-wide prioritization of key actions, foster creative and collaborative problem-solving, and provide a platform to consider resource needs and opportunities. A strategic plan is necessary to qualify for certain state and federal funding and can help bring in new resources to implement needed solutions. Having an intentional, shared plan for a coordinated homelessness response positions the Tulare County community to work together and implement the most effective strategies in addressing this community-wide challenge.

The Planning Process

This strategic plan reflects feedback and input from hundreds of community members, developed over a five-month community process. Grounded on prior work, including the Ten-Year Plan (“Connecting the Dots”) and a gaps analysis conducted in the Fall of 2018, the strategic planning process included:

- An **environmental scan** of existing reports, data and research about Tulare County, the cities in the region and the health and economic well-being of the community, including homelessness and the system of care;

- **Stakeholder interviews** with more than 40 representatives from cities, County agencies, health care systems, community-based organizations, service providers, and faith-based organizations;

- **Focus groups** with direct service providers and people with lived experience of homelessness;

- A **half-day Community Summit** with more than 75 elected officials, County staff, city staff, service providers, community-based organizations, law enforcement, faith-based organizations, and individual community members;

- **Topical committee meetings** focused on increasing housing, solutions to addressing unsheltered homelessness, public communications and engagement, and strengthening supportive services for people experiencing homelessness;

- **Nearly 650 completed community surveys**, including feedback from people with lived experience of homelessness, service providers, and community leaders; and

- A series of **presentations and discussions** at public meetings of the Tulare Countywide Task Force on Homelessness.
Through this process, the community identified **the following priorities for a local vision** to respond to homelessness in the County:

- **Create a culture of collaboration and connectivity** throughout the entire region, within and among jurisdictions, across the full spectrum of the homelessness system of care, and in partnership with other safety net systems.
- **Promote a person-centered approach that is trauma-informed, empathetic and effective** for those at risk of or experiencing homelessness.
- **Communicate broadly about local successes and challenges** in dealing with homelessness in a way that is transparent and dispels myths and misunderstandings about homelessness and the local response.
- **Align the system so that there is no redundancy**, resources are committed that match the community's needs, and all key partners are accountable for supporting the solutions.
- **Foster a better understanding of how people enter homelessness** and embrace solutions that prevent homelessness from occurring at all.

**Partners in Ending Homelessness**

The Tulare County region benefits from a strong network of formal and informal partnerships to address homelessness. Key partners, all of whom were involved in developing this Strategic Plan, include people with lived experience of homelessness, family caregivers of people living with severe mental health issues, service providers, and local leaders to set a vision for shared goals and strategies.

**Planning Coordination and Leadership.** The development of this plan has been guided by the leadership of the Tulare Countywide Task Force on Homelessness and the Kings/Tulare Homeless Alliance.

**Strategic Planning Partners.** Together, the Tulare community has leveraged invaluable partnerships and cross-community coordination to respond to homelessness and develop the next steps described in this Strategic Plan. The following is a non-exhaustive list of partners actively engaged in addressing homelessness in Tulare County.
County Government Agencies and Officials

- Tulare County Health and Human Services (including Mental Health, Child Welfare Services, TulareWORKs, Public Health Branch, Kings/Tulare Area Agency on Aging, Alcohol and Other Drugs, Veteran’s Services Office)
- Tulare County Board of Supervisors
- Tulare County Transit Agency
- Tulare County Community Action Agency (CSET)
- Tulare Office of Education
- Tulare County Sheriff’s Office
- Tulare County Administration Office

Additional Partners

- Faith-Based Community Leaders
- Community Service Organizations
- Kings/Tulare Homeless Alliance
- Workforce Investment Board of Tulare County
- United Way of Tulare County
- Kings United Way

City Government Agencies and Officials

- City of Visalia
- City of Tulare
- City of Porterville
- City of Farmersville
- City of Dinuba
- Elected Officials
- Police Departments

Housing

- Housing Authority
- Affordable Housing Developers

Community Based Organizations

- Nonprofit Direct Service Providers
- Resource Centers
Strategic Plan Implementation

The Strategic Plan identifies five goals crucial to addressing homelessness in Tulare County in the years ahead:

- Increase Access to Permanent Housing
- Increase Access to Services to Support Exits from Homelessness
- Expand Services for Subpopulations with Special Needs
- Prevent Homelessness for Those at Risk
- Strengthen Public Engagement and Community Partnerships

Together, these five goals are key to stemming the tide of the escalating crisis and addressing the growing impacts of homelessness on the Tulare County community.

Achieving these goals, however, will require community-wide investment and commitment. Communities successful in addressing homelessness have done so only through partnerships across multiple systems, sectors, and jurisdictions. Through these partnerships, key stakeholders across the community coordinate to commit resources and personnel, support public engagement and understanding of homelessness and its solutions, and actively measure and report successes and challenges.

Successful implementation of this Strategic Plan includes:

- **Leadership and coordination** by the Tulare Countywide Task Force
- **Jurisdictional Action Committees** to carry forward strategies at the local level
- **Dedicated Topical Committees** (e.g., Housing, Supportive Services)
- **Quarterly progress reporting** by Committees to the Task Force
- **Annual evaluation** and public reporting of progress, challenges, and next steps for the year ahead
- **Backbone staffing** to facilitate and coordinate implementation across stakeholders
III. HOMELESSNESS IN TULARE COUNTY

Overview

Homelessness in Tulare County impacts everyone in the community. Despite effective programs and dedicated providers, the number of people experiencing homelessness in Tulare County is continuing to increase, in line with steep increases in homelessness across California. Each year, hundreds of Tulare County residents – neighbors, friends, and co-workers – experience a crisis that results in loss of housing. And once housing is lost, it is increasingly difficult to get back on track.

People become homeless for many reasons. Some are unable to afford skyrocketing rents. Others are working low-wage jobs that don’t pay enough to cover rent, maintain a mortgage, or even put down a security deposit. For those living paycheck-to-paycheck, a few reduced working hours, a costly medical bill, or unexpected family emergency can be enough to result in a housing crisis. Still others are fleeing domestic violence or struggling with mental health issues that can make it difficult to retain stable employment. Older adults are struggling to find housing that is affordable, even with Social Security Insurance (SSI).

While homelessness, its causes and solutions are diverse and vary from person to person, the skyrocketing rates of homelessness in California are significantly driven by dramatic increases in costs of housing across the state.\(^1\) In Tulare County, rental costs have been steadily increasing relative to wages, and the increasing cost of purchasing a home is unattainable for many residents. Median rents in the area increased by 9% between 2012 and 2017,\(^2\) while the median household income increased by only 2% during the same time period.\(^3\)

To truly address the crisis and develop strategies to fit the unique needs of Tulare County, we need to better understand who is experiencing homelessness in the region. The list includes veterans, young families, single adults, people with disabilities, older adults, and youth, 90% of whom had their last stable residence in Tulare County. It includes 814 people who were identified as homeless on a single night in 2019, 576 of whom were found sleeping unsheltered. This section provides a snapshot of some of the people in Tulare County who experience homelessness and the factors that contribute to the growing problem.

\(^1\) High costs of housing drives up homeless rates, UCLA study indicates, Los Angeles Times, June 13, 2018, citing Affordability, Full Employment, and Economic Growth, the UCLA Anderson Forecast, June 2018.
\(^3\) Selected Economic Characteristics 2013-2017 American Community Survey 5-Year Estimates Tulare County, California, American FactFinder, U.S. Census Bureau.
How Many People Are Experiencing Homelessness in Tulare County?

Every year, the Kings/Tulare Continuum of Care (CoC) conducts a “Point in Time” (PIT) Count of people experiencing homelessness on a single night in January. The PIT Count provides the best data available on the size and characteristics of the homeless population over time. In 2019, volunteers identified 814 individuals experiencing homelessness in Tulare County on the night of the count.

The number of people who experience homelessness in Tulare County over the course of a year, however, is much higher. This is because the Point in Time Count only measures the number of people who are homeless on a given day and does not account for the many people who fall in and out of homelessness during the rest of the year. According to the Kings/Tulare Homeless Management Information System (HMIS) database, at least 3,194 people experienced homelessness in Tulare County at some point during 2018.

Like the rest of the state, the number of people experiencing homelessness in Tulare County has increased significantly. Since 2015, the number of people identified as homeless in the Tulare County PIT Count has increased by 178 people, an increase of almost 30%.

These increases are comparable to the increases experienced across California and the Central Valley.

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4 All population data in this report is taken from the PIT Count unless otherwise specified. PIT Count reports can be found on the Kings/Tulare Homeless Alliance website here: [https://www.kthomelessalliance.org/point-in-time](https://www.kthomelessalliance.org/point-in-time). The Point in Time Count uses a definition of homelessness mandated by the U.S. Department of Housing and Urban Development (HUD). This definition counts people as homeless when they are living in a place not meant for human habitation (such as an encampment, tent, or vehicle), emergency shelters, or transitional housing. People who are doubled up or couch surfing are not counted as homeless under this definition.
### Point-in-Time Count Changes: California and the Central Valley

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sacramento Steps Forward</strong></td>
<td>2,659</td>
<td>5,570</td>
<td>+109%</td>
<td>3,900</td>
<td>70%</td>
<td>Not publicly available</td>
<td>n/a</td>
</tr>
<tr>
<td><strong>San Joaquin CoC</strong></td>
<td>1,708</td>
<td>2,629</td>
<td>+54%</td>
<td>1,558</td>
<td>59%</td>
<td>752</td>
<td>29%</td>
</tr>
<tr>
<td><strong>Stanislaus Community System of Care</strong></td>
<td>1,408</td>
<td>1,923</td>
<td>+37%</td>
<td>1,088</td>
<td>57%</td>
<td>285</td>
<td>15%</td>
</tr>
<tr>
<td><strong>Fresno Madera CoC</strong></td>
<td>1,722</td>
<td>2,508</td>
<td>+46%</td>
<td>2,069</td>
<td>82%</td>
<td>698</td>
<td>28%</td>
</tr>
<tr>
<td><strong>Kern County Homeless Collaborative</strong></td>
<td>954</td>
<td>1,330</td>
<td>+39%</td>
<td>805</td>
<td>61%</td>
<td>Not Reported</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>Tulare County (part of Kings/Tulare CoC)</strong></td>
<td>636</td>
<td>814</td>
<td>+28%</td>
<td>576</td>
<td>71%</td>
<td>244</td>
<td>30%</td>
</tr>
<tr>
<td><strong>California</strong></td>
<td>115,738</td>
<td>129,972*</td>
<td>+12%**</td>
<td>89,543*</td>
<td>69%</td>
<td>34,332*</td>
<td>26%</td>
</tr>
</tbody>
</table>

* At the time of publication, California-wide aggregate data was not available for 2019, therefore California data is from 2018.
**Increase for 2015-2018, as California-wide aggregate data for 2019 was not available.

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8 2015 CoC Homeless Populations and Subpopulations Reports, CA-514: Fresno City and County/Madera County CoC, HUD Exchange; 2019 HDX Competition Report, PIT Count Data for CA-514 - Fresno City & County/Madera County CoC.
Where do People Experiencing Homelessness Stay?

The vast majority – at least 71% – of people experiencing homelessness in Tulare County are living unsheltered on the street or another outdoor location, in a vehicle, in abandoned buildings, or encampments. The rate of unsheltered homelessness has increased significantly since 2015 when 56% of people experiencing homelessness were sheltered and only 44% were unsheltered. While homelessness has increased by 178 people since 2015, the number of available emergency shelter beds has decreased by 11.5% over the same time period.

People who live unsheltered are more vulnerable than other people experiencing homelessness. By living unsheltered, they are exposed to greater risks, often are in poorer health, and have less access to health care services. They are more likely to have behavioral health challenges and/or be involved in the criminal justice system. And, they are more likely to experience premature death.

Many of those living without shelter are the community’s most vulnerable residents. Over 83% of homeless veterans, 86% of older adults 55 years and older, and 89% of homeless adults with disabilities are unsheltered. As a result, many of those who most need treatment, care and support are living without shelter, often in remote locations or encampments, disconnected from services.
Who is Experiencing Homelessness in Tulare County?

Homelessness in Tulare County is a crisis both invisible and visible. While the community’s growing unsheltered population has been the source of significant public attention, homelessness for many other residents is more hidden. This can result in misunderstandings about the tremendous diversity of Tulare County residents – families and individuals, young children and seniors – who are experiencing the crisis of homelessness and require additional support to return to housing.

Gender

While men comprise the majority of people experiencing homelessness in the County, over 40% of people experiencing homelessness are women. Seventy-three percent of men experiencing homelessness are living unsheltered, while 67% of women are sleeping without a roof over their heads. Women who are homeless are at particularly high risk of experiencing assault, victimization, and other physical harm, especially if living unsheltered.

Families with Children and Young Adults

The 2019 PIT Count identified 32 households with children and 48 households with unaccompanied or parenting youth (ages 18-24) experiencing homelessness. While the overall number of unaccompanied youth has gone down since 2015 (61 in 2015, 55 in 2019), more and more youth are living unsheltered, increasing from 38% in 2015 to 44% in 2019. Over 1 in 5 homeless families with children are living without shelter.

Over the course of a year, many more Tulare County children experience homelessness than are captured in the PIT Count. Under the federal McKinney-Vento Act, schools are also required to track students experiencing homelessness, using a definition of homelessness that also includes youth who are couch surfing or doubled-up (e.g., with multiple families sharing the same space).11 In the 2017-18 school year, Tulare County schools reported 3,150 school age children experiencing homelessness under that definition.12

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Survivors of Domestic Violence

Domestic violence is a significant cause and consequence of homelessness. In Tulare County, over 10% of those who responded to the survey question (46 out of 436) indicated that they were currently fleeing domestic violence.

People who are fleeing domestic violence often lack the resources or support networks to obtain other permanent housing. Domestic violence survivors are faced with complicated situations and hard choices that make it harder for them to stay safe or find secure permanent housing, such as insufficient credit or rental history. Many women may enter unsafe situations in an effort to escape homelessness.

Older Adults

Consistent with national patterns, the homeless population in Tulare County is rapidly aging. The number of people experiencing homelessness in 2019 who were at least 55 years old (159 people) has almost doubled since 2015 (85 people). Adults age 55 or older now account for 1 out of every 5 individuals who are homeless, and this number is expected to continue to increase, due in part to the high costs of housing and health care that are increasingly unaffordable.\textsuperscript{13}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{chart_age_of_people_experiencing_homelessness.png}
\caption{Age of People Experiencing Homelessness}
\end{figure}

Older adults who are homeless face unique challenges and often require special support. People experiencing homelessness age more rapidly than others who are housed and older adults with extensive histories of homelessness typically present as much older than their biological age reflects.\textsuperscript{14} They may be more challenged with activities of daily living, with poor eyesight, balance, and hearing challenges. Older adults are also more likely to suffer from cognitive impairments and are more likely to present with depression. They may require more

\textsuperscript{13} Demographics of Homelessness Series: The Rising Elderly Population, April 2010.
\textsuperscript{14} Homeless people suffer geriatric conditions decades early, UCSF study shows, UCSF, February 2016.
medical interventions, compared to the general population of people experiencing homelessness. Despite the special needs and vulnerability of seniors experiencing homelessness in Tulare County, 86% of homeless older adults over age 64 were living unsheltered.

Veterans

Forty-eight Veterans of the U.S. military were counted in Tulare County during the 2019 PIT Count with 40 living unsheltered, living in cars, encampments or on the streets. One out of two Veterans are chronically homeless, meaning that they have a disability and have been homeless for an extended length of time (at least a year).

Persons with Disabilities

Over half of the people identified during the 2019 PIT Count have at least one disability – and many have multiple chronic conditions that make it difficult to complete normal day-to-day activities. Some of these individuals became homeless due to complications relating to their disabilities, while many others may have acquired their disabilities or had their disabilities compounded due to the trauma of being homeless.

Of the 532 homeless adults with disabilities, 89% were living without shelter. Close to half are chronically homeless, which means they have been homeless for at least one year.

Of the 453 homeless adults reporting barriers:

- Mental Illness: 45%
- Chronic Health Condition: 47%
- Physical Disability: 40%
- Substance Abuse: 32%
- HIV/AIDS: 1%
- Developmental Disability: 14%

Chronically Homeless

According to the 2019 PIT Count, 244 Tulare County residents were identified as chronically homeless. A person is considered chronically homeless when they have been homeless for at least a year, either 12 months consecutively or over the course of at least 4 separate occasions in the past 3 years. To be chronically homeless, the individual or head of household must also have a disability. Over 95% of chronically homeless persons live unsheltered.

People who are considered chronically homeless have often experienced extensive trauma and have severe service needs. While interventions such as Permanent Supportive Housing have been proven to be extremely effective in supporting people experiencing chronic homelessness
to regain stable housing, people with extensive histories of homelessness often require intensive service engagement and relationship-building with street outreach and other providers to establish a foundation of trust and rapport to successfully exit homelessness.

**Race and Ethnicity**

The burden of homelessness disproportionately impacts certain people of color in Tulare County. While 88% of Tulare County’s population is white, only 77% of the people experiencing homelessness are white. Yet, while only 2% of the Tulare County population are Black, Black people experiencing homelessness comprise 8% of the overall homeless population. In contrast, while 65% of Tulare County residents identify as Hispanic/Latino, this group makes up only 42% of the homeless population.15

15 Tulare County, California Quick Facts, U.S. Census Bureau.
No Place Like Home Target Population/Persons Experiencing Homelessness with Behavioral Health Challenges

Adults/Older Adults with Serious Mental Illness (SMI):

While severe mental illness (SMI) disproportionately impacts people experiencing homelessness, many Tulare County residents who are not experiencing homelessness also suffer from mental illness and other challenges. In the Tulare/Kings/Kern/Inyo County region, 18% of adults (age 18 and older) reported that they had a mental illness. Four percent reported a serious mental illness, 11% received mental health services within the year, and 4% had serious thoughts of suicide.\(^{16}\)

Of the 3,194 people experiencing homelessness who received services in 2018, 17% reported a serious mental illness, while 5% have co-occurring disorders, and 4% have both a physical disability and serious mental illness.\(^{17}\)

The chart below indicates how those with serious mental illness, co-occurring disorders, and physical disability and SMI experience homelessness in the County (whether in permanent supportive housing, Rapid Rehousing, transitional housing, in shelters, or unsheltered).

### SMI/Co-Occurring Disorders in HMIS (2018):

<table>
<thead>
<tr>
<th>Total Persons</th>
<th>Total Homeless</th>
<th>Chronically Homeless</th>
<th>In PSH</th>
<th>In RRH</th>
<th>In TH</th>
<th>In Shelter</th>
<th>Unsheltered</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,194</td>
<td>14%</td>
<td>2.5%</td>
<td>1.3%</td>
<td>5.6%</td>
<td>35%</td>
<td>55%</td>
<td></td>
</tr>
<tr>
<td>SMI</td>
<td>17%</td>
<td>28%</td>
<td>7%</td>
<td>&lt;1%</td>
<td>2%</td>
<td>6%</td>
<td>43%</td>
</tr>
<tr>
<td>Co-occurring disorders</td>
<td>5%</td>
<td>53%</td>
<td>10%</td>
<td>1%</td>
<td>5%</td>
<td>8%</td>
<td>75%</td>
</tr>
<tr>
<td>Physical Disability and SMI</td>
<td>4%</td>
<td>49%</td>
<td>9%</td>
<td>&lt;1%</td>
<td>0%</td>
<td>9%</td>
<td>81%</td>
</tr>
</tbody>
</table>

While only 7% of the total population of Tulare County identified as having a mental or physical disability in 2018, those rates are significantly higher for those experiencing homelessness in 2019.

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\(^{16}\) The National Survey on Drug Use and Health (NSDUH) is an annual survey conducted from January through December of people age 12 or older and is sponsored by the Substance Abuse and Mental Health Services Administration (SAMHSA). The survey collects information from individuals residing in households, noninstitutionalized group quarters (e.g., shelters, rooming houses, dormitories), and civilians living on military bases. Most of the data is reported for the state of California, but there is some information broken down by subregions of a state. Tulare County data is part of region 17R and includes Kings, Kern, and Inyo county information. There is no publicly available data for Tulare County individually. [2014-2016 NSDUH substate region estimates.](https://www.samhsa.gov/data/sites/default/files/NSDUH-2016-Details/NSDUH-2016-Det.pdf)

\(^{17}\) This data is from the Kings/Tulare Homeless Management Information System (HMIS).
Percentage of Homeless Adults who Responded to the Question Whether They were Living with Barriers Including Mental illness, Substance Use Disorder, or Physical Disability (2019 Point-in-Time Count)

<table>
<thead>
<tr>
<th></th>
<th>Mental Illness</th>
<th>Substance Use Disorder</th>
<th>Physical Disability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homeless</td>
<td>45%</td>
<td>32%</td>
<td>40%</td>
</tr>
<tr>
<td>Chronically Homeless</td>
<td>61%</td>
<td>37%</td>
<td>54%</td>
</tr>
</tbody>
</table>

Children with Severe Emotional Disturbance:

Although data regarding the number of children with a serious emotional disturbance is not fully tracked by any single source, there are a variety of resources that identify the number of children and youth receiving mental health services.

Children and youth enrolled in the Medi-Cal program are eligible for Specialty Mental Health Services. Over 6,000 children and young adults up to age 21 (4.6% of Medi-Cal enrollees) received Specialty Mental Health Services in Tulare County in Fiscal Year 2016-17. Of those, more than 4,200, or 69%, had five or more specialty mental health services within the year. Seven hundred Tulare County children and youth received continuous specialty mental services with no breaks in service greater than 90 days for a period of at least 2 years.

Reasons for Homelessness in Tulare County

Poverty and Unemployment

As one of the poorest counties in California, Tulare County residents often experience a dual burden of depressed income and escalating housing costs. Nearly 1 in 4 families were living below the federal poverty line in 2017 (for 2019, that means income of less than $25,750 for a family of four). With a median household income at 33% less than the average statewide, many Tulare County households are living paycheck to paycheck. As a result, a single crisis – an expensive medical bill, lost wages to care for a family member, reduction in work hours or a job loss – can result in loss of home. Tulare County also experiences some of the highest unemployment in the state. In 2018, residents experienced unemployment at twice the rate of California or the U.S. as a whole.
Rates of Unemployment, Poverty, and Median Income: California and the Central Valley

<table>
<thead>
<tr>
<th>Location</th>
<th>Unemployment24</th>
<th>Poverty25</th>
<th>Median Income26</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fresno County</td>
<td>7.3%</td>
<td>21%</td>
<td>$48,730</td>
</tr>
<tr>
<td>Kern County</td>
<td>8.4%</td>
<td>21%</td>
<td>$50,826</td>
</tr>
<tr>
<td>Merced County</td>
<td>8.4%</td>
<td>23%</td>
<td>$46,338</td>
</tr>
<tr>
<td>Sacramento County</td>
<td>4%</td>
<td>14%</td>
<td>$60,239</td>
</tr>
<tr>
<td>San Joaquin County</td>
<td>6.3%</td>
<td>15%</td>
<td>$57,813</td>
</tr>
<tr>
<td>Stanislaus County</td>
<td>6.6%</td>
<td>14%</td>
<td>$54,260</td>
</tr>
<tr>
<td>Tulare County</td>
<td>10%</td>
<td>24%</td>
<td>$44,871</td>
</tr>
<tr>
<td>Total California</td>
<td>3.5%</td>
<td>13%</td>
<td>$67,169</td>
</tr>
<tr>
<td>Total United States</td>
<td>3.4%</td>
<td>12%</td>
<td>$57,652</td>
</tr>
</tbody>
</table>

Rising Costs of Housing

California is in a housing crisis – and particularly an affordable housing crisis. Across the state – and throughout the country – affordable housing is less and less available; rent prices are increasing at an alarming rate, impacting individuals and families working hard at minimum or low-wage jobs, seniors and people with disabilities on fixed incomes, and single-income families with children. More and more people are devoting a significant portion of their income to housing costs. For many, that means homelessness is just one health crisis, missed paycheck, or family tragedy away.

Tulare County is not immune to the crisis. As part of the Central Valley, Tulare County resides in one of the only regions in the state that had a decline in the number of active single-family listings between 2018 and 2019.27 At the same time, the median price of single-family homes in Tulare County increased by 2.5%.28 The minimum qualifying income for a median cost home in Tulare County is 9% higher than the median area household income.29

In 2017, the average family of four in Tulare County spent over $10,000 a year ($842 per month) on housing.30 For 1 in 4 families in Tulare County living below the federal poverty level, housing costs make up at least 40% of their income.31

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24 Metropolitan Statistical Area (MSA), California Counties, Employment Development Division, August 16, 2019. Data for Metropolitan Statistical Areas do not always track exactly to the county geography.
26 Ibid.
27 Median Sold Price of Existing Single Family Homes, California Association of Realtors, July 2019.
28 Active Listings of Existing Single Family Homes, California Association of Realtors, July 2019.
30 Family Budget Fact Sheets, Tulare County, Economic Policy Institute.
31 Tulare County's Housing Emergency Update, California Housing Partnership, May 2019.
The availability of affordable housing in the area has failed dramatically to meet the needs. Little housing for very low-income and low-income families has come on the market in recent years, with relatively few affordable homes in development.\textsuperscript{32} Reports indicate that there is little inventory for first-time home buyers (the percent of first-time home buyers in 2018 was 33%, significantly lower than the historical norm of 40%).\textsuperscript{33}

**Causes of Homelessness**

Homelessness is impacting a tremendous number of Tulare County residents, from single adults and families to veterans and youth. The causes of homelessness in Tulare County are equally diverse, from medical emergencies to domestic violence and divorce. However, the primary causes of homelessness are loss of employment and evictions. In fact, in 2019, more than 1-in-3 people experiencing homelessness in the county reported unemployment or eviction as the cause of homelessness.

Comparing 2015 to 2019, housing-related issues are increasing as the reason for why Tulare County residents experience homelessness. In 2015, 1 in 6 people experiencing homelessness indicated housing-related issues as their reason for homelessness (evictions, no affordable housing, foreclosure and/or substandard housing). Fewer than 5 years later, nearly 1 in 4 identified housing-related issues (eviction, foreclosure, sub-standard housing, or no affordable housing) as the reason for homelessness.

\begin{figure}
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\includegraphics[width=\textwidth]{2019_Causes_of_Homelessness.png}
\caption{2019 Causes of Homelessness}
\end{figure}

\textsuperscript{32} Final Regional Housing Needs Plan for Tulare County, 2014-2023, Tulare County Association of Governments (TCAG), May 2014.
\textsuperscript{33} Tulare County bucks national home-buying trends: Schools remain most important, USA Today, November 3, 2018.
IV. TULARE COUNTY’S HOMELESS RESPONSE SYSTEM: THE OPPORTUNITIES AND CHALLENGES

Overview

Tulare County has a tremendous system of passionate, impactful providers dedicated to addressing homelessness. While resources specific to homelessness are limited, they are being targeted to the people who most need them, with programs that are using the best available approaches and a system that works hard to connect people as quickly as possible.

In recent years, the Kings/Tulare Homeless Alliance, Tulare County Health and Human Services Agency (HHSA), and local homeless service providers have successfully secured new state and federal funding, and are targeting this funding toward effective, proven strategies to support families and individuals exit homelessness. Without these extraordinary efforts, the impacts of homelessness on the Tulare County community would be much worse.

At the same time, the region continues to struggle with some of the highest rates of people becoming homeless for the first time, people returning to homelessness from permanent housing, and people living without shelter, as compared with comparably sized Continuums of Care in California. The fact is, the community in Tulare County does not have nearly enough services available to meet the growing need.

Looking ahead to 2025, the Tulare community has the opportunity to build on this strong foundation in a long-lasting way. With an effort focused around key areas – leadership and coordination, permanent solutions, connecting people to the system (including special subpopulations), and homelessness prevention – the community will be well positioned to enhance and improve the current system and anticipate and address the challenges ahead. This section provides an overview of the current system and the challenges that must be addressed in order to meaningfully impact homelessness in Tulare County.
Leadership & Coordination

Homelessness is a community-wide challenge that requires partnership between numerous jurisdictions, agencies, and sectors. Communities that are making headway in addressing homelessness have invested in effective, centralized leadership to coordinate efforts and implement shared strategies, ensuring that community resources are being used as effectively as possible. While the Tulare community has established a strong foundation for coordinated partnerships between providers through the Continuum of Care, greater investment and collaboration is needed by jurisdictional and system-level stakeholders to collectively achieve shared goals.

**Collective Impact** is an established approach for solving complex regional challenges – such as homelessness – across multiple partners, sectors and systems. To succeed, this approach requires:

- A common agenda and coordinated plan of action to achieve shared objectives and strategies
- Continuous communication, including developing trust and a common vocabulary
- Shared measurement systems for monitoring impact
- A “backbone” person to plan, manage, and support the initiative, supporting stakeholders to work together with a sense of focus and urgency

Successful strategic plan implementation requires community-wide engagement, including established systems of accountability and regular public messaging and communication between all partners. Investment in centralized, backbone staffing is crucial to coordinate key stakeholders in working together, tracking successes and addressing challenges, and ensuring the public is engaged and informed about homelessness and local solutions.

Current System

In Tulare County, the Kings/Tulare Homeless Alliance (KTHA) and the Tulare Countywide Task Force on Homelessness provide centralized countywide leadership and coordination, while the Homeless Management Information System (HMIS), Every Door Open Coordinated Entry System, and United Way of Tulare County 2-1-1 Hotline provide infrastructure to distribute resources and monitor programs and outcomes between multiple partners.

**The Tulare Countywide Task Force on Homelessness** was launched in 2017 to coordinate the countywide homelessness response. Representatives from city jurisdictions, county agencies, nonprofit providers, the faith community, and other partners meet monthly to align the work being done to address homelessness. As a cross-system entity, the Task Force is well-positioned to guide countywide coordination around shared strategies. The Task Force commissioned this Strategic Plan to establish a roadmap for moving forward and strengthening community-wide impact on homelessness.
The Kings/Tulare Homeless Alliance (KTHA) leads the homelessness Continuum of Care (CoC) for both Tulare and Kings Counties. In this role, KTHA applies for important sources of federal and state funding and works closely with direct service providers to build strong, coordinated programs to address homelessness. KTHA also manages countywide systems, such as Coordinated Entry, to strengthen the community’s homelessness response.

- Coordinates monthly CoC meetings, including training and support for service providers to maximize impact.
- Coordinates several community-wide initiatives, such as Coordinated Entry, the Case Managers Roundtables, Project Homeless Connect, and the annual Point in Time Count.
- Manages the annual HUD Continuum of Care application process, successfully growing Kings/Tulare Counties annual federal CoC funding to $2,354,941 – a 285% increase since 2012.
- Manages the Landlord Mitigation Fund and the Housing Flex Fund.
- Coordinates the Local Initiatives Navigation Centers in both Visalia and Tulare.

System Infrastructure

The Kings/Tulare Every Door Open Coordinated Entry System was launched in 2015 to ensure the limited homelessness resources available are used as efficiently as possible for the
people most in need. Coordinated Entry provides a centralized approach to connect the region’s most vulnerable homeless residents to housing through a single community-wide assessment tool and program matching system.

- In the four years from mid-2015 to June 30, 2019, Every Door Open provided 1,637 assessments to Tulare County households experiencing homelessness.
- During the same time period, Every Door Open enrolled over 150 Tulare County households to permanent housing, including 77 in PSH and over 60 in RRH.
- Through monthly Case Manager Roundtable meetings, Every Door Open coordinates outreach, service matching, and eligibility documentation to expedite the use of available resources.

**United Way of Tulare County 2-1-1** is a centralized non-emergency phone number and website that connects thousands of community members each year to a wealth of services and resources related to housing, health, behavioral health, income, legal issues, education and other needs.

- Refers people to the Every Door Open Coordinated Entry System (550 referrals in 2018), ensuring access for people in need who might not connect to the system in other ways.
- Connects households at risk of homelessness to resources that prevent them from becoming homeless and help them stay housed.
- In 2018, 2-1-1 received 472 calls regarding At Risk/Homeless Housing Related Assistance Programs (an increase from 65 calls in 2017), 184 calls about Homeless Permanent Supportive Housing, 734 calls about homeless shelter, 137 calls about rental assistance, and 1,404 calls about low-income/subsidized housing.

The Kings/Tulare County **Homeless Management Information System (HMIS)** is a centralized database for tracking service delivery and impact, operated by Kings United Way. Through the HMIS, the community monitors the performance of individual programs and the overall system for continued improvement. The data collected through HMIS helps ensure the Tulare community understands the homeless population and can tailor its services to meet those needs. HMIS also supports coordinated service provision for individuals that may move frequently and are often difficult to track. The HMIS meets state and federal requirements, ensuring competitiveness for funding.

- The HMIS is used by 21 agencies to track hundreds of PSH, RRH, transitional housing, and emergency shelter beds in Kings and Tulare Counties. Since upgrading to a new software in 2008 the HMIS’s effectiveness has continued to expand.
- The HMIS held the data for 3,194 individuals experiencing homelessness in Tulare County in 2018, an increase from 2,951 in 2017.
- The HMIS generates annual “System Performance Measures,” that track progress and challenges in addressing homelessness, including housing stability of formerly homeless households and the number of people in the community falling into homelessness for the first time.
Challenges

Lack of county-wide consensus around solutions and next steps to addressing homelessness.

Tulare County has made significant strides in community-wide collaboration since the 2011 “Connecting the Dots” strategic plan. However, more is needed to coordinate resources, align the homeless response across jurisdictions, and further break down siloes that impair communication and collaboration.

- Tulare County lacks a shared set of strategies agreed to by all stakeholders countywide. As a result, people and agencies that should be working together are working in isolation, which causes duplication. The lack of coordination also spreads resources thinly across solutions that are not always the most effective in addressing homelessness, rather than focusing resources on the most impactful next steps.
- The lack of funding for dedicated full-time staffing to support county-wide coordination means that the community is missing out on opportunities for partnership and increasing overall resources.

Public misunderstandings about homelessness and the most impactful solutions.

Homelessness is growing across the state of California, and there are many myths and misconceptions around why people are homeless and the programs and services that work best in solving the problem. Rising costs of housing, combined with wages that are not keeping pace, are driving rising rates of homelessness in Tulare County and across the state. A deeper understanding of homelessness and its solutions will strengthen community support for critical next steps.

- The most common causes of homelessness in Tulare County are unemployment and eviction. While many people experiencing homelessness have a disability that is a barrier to regaining stable housing, this disability is often the result of their homelessness rather than its cause. Only 13% of people experiencing homelessness became homeless because of mental health issues or substance use disorder.
- The vast majority – at least 90% – of people experiencing homelessness in Tulare County had their last stable residence in Tulare County.
- There are several programs and services in Tulare County that are extremely effective in addressing homelessness – the problem is, there is not nearly enough of these programs and services to meet the need.

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34 37% of people experiencing homelessness reported becoming homeless because of eviction or unemployment in the 2019 PIT Count.
Permanent Housing Solutions

Permanent housing programs, such as Permanent Supportive Housing (PSH) and Rapid Rehousing (RRH), are well-established as some of the most cost-effective and successful strategies to address homelessness.

These programs provide subsidized housing, combined with the supportive services the household needs to retain that housing and attain long-term stability. Services can include case management, connections to employment and public benefits, and medical, mental health, and substance use treatment. The programs tailor services to the unique needs of each household and successfully support many Tulare County residents each year to permanently exit homelessness and regain self-sufficiency.

Housing First

Most PSH and RRH programs in Tulare County have adopted a Housing First/Low Barrier approach. Housing First is a well-accepted national best practice that eliminates barriers to housing, ensuring individuals and families can exit homelessness as quickly as possible. Under a Housing First approach, people experiencing homelessness are supported in returning to housing as quickly as possible, often through supportive housing programs that have no pre-requisites, preconditions, or program participation requirements. Housing First does not mean “no rules,” but it does mean no unnecessary rules that could prevent people from entering the program.

The Housing First approach has been extremely successful in reducing the length of time households are homeless, preventing returns to homelessness, and supporting participants’ long-term stability and well-being. Research suggests Housing First program participants are 2.5 times more likely to be housed after 18-24 months than other programs.35

Multiple studies show that Housing First significantly reduces the costs of homelessness on communities, for example:

- A study of 700 veterans across 14 medical centers showed a 32% reduction in VA health care costs for those receiving a Housing First intervention, with intensive inpatient costs down by 54%.36

• The City of Albuquerque saw a 64% reduction in jail costs and 84% reduction in costs for in-patient medical and mental health visits after one year of using a Housing First approach.\textsuperscript{37}
• Another study found that providing a Housing First intervention saved the system $2,449 per person per month.\textsuperscript{38}

In Tulare County, 81 households have entered Housing First Permanent Supportive Housing from 2017 to mid-2019. Year-over-year, approximately 95% continue to remain stably housed. While the exact cost savings has not been calculated specifically for Tulare County, the community’s PSH programs have likely saved tens of thousands of dollars in first responder and emergency service costs.

The Current System

PSH and RRH Programs

The Tulare County region has a variety of PSH and RRH programs, funded through several sources including Continuum of Care, Emergency Solutions Grant, CalWORKS, HUD’s Veterans Affairs Supportive Housing (VASH), Supportive Services for Veteran Families (SSVF), Housing Authority program vouchers, and the Mental Health Services Act (MHSA). The primary source of funding used for PSH and RRH in Tulare County is from the HUD Continuum of Care program; in the 2018 competition, the CoC won $1,960,095, for PSH and RRH across Kings and Tulare Counties.

Increasing these resources has also increased the number of people moving from homelessness to permanent housing. While 52 people exited street outreach to permanent housing in 2016-17, that number doubled in 2017-18 to 105, increasing the percent of people who are working with street outreach staff and have successful outcomes from 45% to 62%.

**Permanent Supportive Housing** provides long-term housing with intensive supportive services to persons with disabilities. These programs typically target people with extensive experiences of homelessness and multiple vulnerabilities and needs who would not be able to retain housing without significant support.

**Rapid Rehousing** provides housing subsidies and tailored supportive services for up to 24-months, with the goal of helping people to transition during that time period to more permanent housing. RRH is funded primarily through CoC and ESG programs, TulareWORKS, and Supportive Services for Veteran Families.

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\textsuperscript{37} Paul Guerin, Anne Minssen, City of Albuquerque Heading Home Initiative Cost Study Report Phase 1, Institute for Social Research, May 2016. Available at \url{http://isr.unm.edu/reports/2013/city-of-abq-heading-home-initiative-cost-study-phase-1.pdf}

The Moving On Initiative is a partnership with the Housing Authority of Tulare County that provides support to PSH participants who have stabilized and no longer need intensive supportive services. The program supports these households to move out of PSH, which creates vacancies in PSH for additional people currently experiencing homelessness. The Housing Authority has provided 10 vouchers to support this program, with some additional vouchers provided by Self-Help Enterprises – helping to guarantee that limited PSH resources are dedicated to the households that most need them.

 Programs that Support Effective Use of PSH/RRH Resources

Tulare County has several important programs that help connect people to housing once they have been matched to a program. The programs help make sure that resources are not wasted and are being used as quickly as possible.

Permanent housing programs are most effective when they are combined with:

1. Services that address barriers to accessing and retaining housing, including flexible housing funds, landlord engagement, and housing navigation;
2. Intensive supportive services after entering housing – especially for people with extremely high needs; and
3. A low-barrier Housing First approach.
**Housing Navigators** help people experiencing homelessness find apartments and housing that can be financially supported through various programs. The assistance increases housing stability for those in supportive housing and ensures that programs can be accessed despite barriers. KTHA employs two full-time housing navigators to help people experiencing homelessness with tasks such as locating vacancies, compiling mandatory eligibility documentation, developing landlord relationships, and lease negotiations.

**The Tulare County Landlord Risk Mitigation Fund** provides flexible funds that encourage landlords to rent to people exiting homelessness by providing incentives such as extra security deposits. The Risk Mitigation fund is intended to address landlord concerns about renting to households that may have past evictions, poor credit, or criminal histories that are keeping them from obtaining housing. The project was established in November 2018 with over $100,000 available to landlords.

**The Flexible Housing Fund,** launched in July 2019, supports individuals and families to exit homelessness more quickly by providing one-time resources that help households overcome financial barriers to housing. This may include financial assistance to cover one-time security deposits, money to reverse utility arrearages or to pay utility deposits, coverage of moving expenses, or other assistance. A special partnership recently launched with Anthem Blue Cross provides flexible housing resources for Anthem members who have been matched to a Housing Authority Mainstream Voucher Program (MVP) voucher, increasing the overall resources available to the Flexible Housing Fund.
Landlord Engagement

Many communities – even those in high cost rental markets – are highly successful in working with landlords and property managers to identify units for people exiting homelessness. Building relationships, including understanding and addressing landlords’ concerns, is key.

Several landlord engagement strategies have proven especially effective in engaging landlords and property managers as partners in addressing homelessness:

- **Access Through Outreach**: Develop a message and ensure it reaches landlords and property managers. Get the word out about the program in landlord and business association publications and at meetings and gatherings. Engage participating landlords to tell their stories of success with the program to their peers.

- **Develop Messaging**: While there are many advantages to participating in a housing program, landlords often have anxiety and concerns about renting to people who were recently homeless. Develop materials that help explain the advantages and the approaches the program takes to ensure the landlord’s property will be respected, the client will be supported, and rent will be paid.

- **Address Barriers for Individual Tenants**: Create a portfolio for the client, including letters of support from community members who know the client or information about the client’s background and the steps they have taken. Help with criminal record expungement and credit repair. Provide opportunities for the potential tenants to meet landlords one-on-one to create a personal connection.

- **Landlord Risk Mitigation**: Ensure landlords have somebody they can call if they have concerns and explain the risk mitigation fund that provides compensation if issues arise. When a client is not a good fit for a unit, programs should move quickly to prevent the need for an eviction proceeding.

- **Build Lasting Relationships with Landlords Over Time**: Support the landlord to have a positive experience with clients and continue building the relationship between the landlord and program over time. Landlords often appreciate the ability to fill vacant units quickly without the cost of advertising and having guaranteed monthly rent.

Challenges

There are far too few PSH and RRH resources to meet the need.

While the Tulare County community is accomplishing a great deal with limited funds, the available supportive housing resources are insufficient to meet the need. In 2018, for example, an average of 23.3 new households were assessed as needing either RRH or PSH each month (approximately 280 total households in 2018). At the same time, because of the scarcity in PSH and RRH resources, only 6 households were enrolled in PSH or RRH each month on average.
The community needs more housing resources, faster. For example, while the number of people identified as chronically homeless at a single point in time has increased by 36% from 2016 to 2019 (180 to 244 people, respectively), the number of total PSH beds only increased by 7% (from 223 to 238 beds) during the same timeframe.

Many opportunities exist in Tulare County to realign resources to more effectively address homelessness by focusing on solutions rather than treating symptoms and by coordinating resources between different partners. One example is using Medi-Cal to provide supportive services whenever possible.

### Assessments and Interventions: First Six Months 2019 (Jan – June)

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<th>Identified as Needing PSH</th>
<th>Number PSH Enrollments</th>
<th>Identified as Needing RRH</th>
<th>Number RRH Enrollments</th>
<th>Number of HDAP Enrollments</th>
<th>Number of MVP Enrollments</th>
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<td>13</td>
<td>108</td>
<td>12</td>
<td>2</td>
<td>3</td>
</tr>
</tbody>
</table>

Even when PSH and RRH resources are available, it can be challenging to find units for program participants to rent.

Tulare County has a shortage of affordable housing, especially for single adults who have extremely low incomes. And while there are often vouchers available – through the Housing Authority or Continuum of Care PSH or RRH programs, for example – those vouchers often sit unused because of difficulty locating a unit that will accept the program’s participant as a renter.

Housing resources could be used more quickly to end homelessness for more households if it was easier to find housing. On average, it takes a household over 65 days to locate and move into housing after enrollment in a RRH or PSH program in Tulare County.

Landlords are invaluable partners in helping people exit homelessness and get back on their feet. PSH and RRH-type programs can actually benefit participating landlords, due to the reliable source of rent and the support of the program in locating new tenants when needed. Yet landlords are often reluctant to rent to people who were recently homeless or who have bad credit, histories of past evictions, or other challenges. Landlord engagement initiatives have had meaningful success in other communities, for example by connecting landlords to others who have had positive experiences with the program and introducing them to prospective renters and people experiencing homelessness to hear their stories.

The Tulare County community does not have a coordinated landlord engagement or targeted messaging campaign to educate landlords about the benefits of participating in
these programs. Resources and staffing are needed to lead a community-wide landlord engagement program or marketing campaign.

✓ **Both the Landlord Mitigation and Flexible Housing Funds are extremely valuable programs in helping to get people connected to units faster. However, these pilot programs are new to Tulare County and have minimal resources to support infrastructure or staffing for administration of the program and will need continued investment over time. Contributing to these funds is a meaningful way the public can support ending homelessness for additional Tulare County households.**

✓ **The pace of affordable housing development dedicated to people who are extremely low-income or in Permanent Supportive Housing is not nearly enough to keep up with the need. Most Tulare County new development is higher-end housing that is out of reach to many residents. A 5-year permanent supportive housing development pipeline would ensure important steps are being taken to increase available units over time.**

### Connecting People to Housing-Focused Services

Many people experiencing homelessness in Tulare County have been homeless for an extended period of time. These individuals are often disconnected from the resources they need to exit homelessness and achieve stability. Supporting people with extensive histories of homelessness and related trauma requires significant outreach and engagement.

In recent years, community partners have been assertive in applying for grants and taking advantage of opportunities to increase the resources and programs that support people who are living outside. These programs include street/encampment outreach, emergency shelters and warming centers, and “one-stop” programs where people can access many different services in a single location. Each of these programs provides housing-focused assistance that helps people use the resources available to them to exit homelessness as quickly as possible.

While long-term solutions to homelessness require community-wide investment in permanent solutions – especially supportive housing – housing-focused services help people connect to these long-term solutions and address the barriers that keep them from becoming housed. The goal is to help people exit homelessness as soon as possible. Once housed, people can work on the underlying challenges that undermine their stability.
Housing Focused Case Management

Case management is a crucial supportive service for people experiencing, exiting, and at risk of homelessness. For people who are currently homeless, Housing Focused Case Management is a best practice that focuses on the specific challenges and barriers keeping the family or individual from regaining housing. While people experiencing homelessness often have complex needs, these are generally more effectively addressed after they are housed.

Clients and case managers work together to develop and implement a dynamic “Housing Stability Plan” that is revised and refined over time. The process includes:

- **Assessing Barriers to Housing** – What are the specific barriers preventing this household from getting into permanent housing *right now?* What strengths and resources does the client have? Strengths can include, for example, a family or faith network, work experience, a powerful story, strong survival skills, etc.

- **Goal Setting & Action Planning** – What are the client’s housing goals and what steps will they take to achieve those goals? Using client-centered approaches that emphasize client choice, the case manager and client work together to develop a plan. The plan defines the role of the client and the role of the case manager, and the bite-sized steps each will take between frequent meetings.

- **Support Long-Term Housing Stability** – Housing-focused case management continues after the client has entered housing, to ensure they remain for the long-term. Case managers assist during move in, for example by helping the client to meet new neighbors. Some households need extensive support to address the underlying causes of their homelessness and attain stability over time, including, for example:
  - Treatment to address physical, mental or behavioral (e.g., substance use) issues
  - Job training and workforce development
  - Tenant education and support to ensure lease compliance

- **Best Practice Techniques** such as Motivational Interviewing and Trauma Informed Care are key to client engagement and participation in voluntary services.
The Current System

Street and Encampment Outreach

Street and Encampment Outreach Teams meet people where they are to provide connections to services. Many people with extensive histories of homelessness are disconnected from the network of services that could help them return to housing. They often have deep-seated trauma and negative experiences with the safety net system that may make them reluctant to engage with providers.

When outreach workers go to where people are living, they can build trust, better understand the circumstances that people are facing, and offer advice and support in a more meaningful and relevant way, which can provide a better chance for people to move to more supportive environments. Outreach specialists use proven engagement techniques, such as Trauma Informed Care, Critical Time Intervention, and Motivational Interviewing, to build relationships of trust and help people connect to the services and support they need to find and keep housing.

Call Out:

Many of the people who are unsheltered in Tulare County have been homeless for a long time – over 49% in 2019 were homeless at least a year and many others have been homeless for decades. These individuals often need significant time to build relationships with outreach staff before they are ready to move on to housing. While most people do not want to live outside, their years of trauma often make it difficult for them to keep appointments or engage with services without intensive support.

Street Outreach programs in Tulare County include Projects for Assistance in Transition from Homelessness (PATH), the City of Visalia’s multi-disciplinary Homeless Outreach and Proactive Enforcement (HOPE) Team comprised of the City of Visalia police officers partnered with a County mental health professional, and Visalia Outreach Case Management that provides an outreach worker to provide case management in the City of Visalia. Together these agencies and organizations partner to identify individuals experiencing homelessness and connect them to Coordinated Entry and other services.

- Street outreach programs served a total of 153 people in the first half of 2019.
- The number of people who exited to permanent housing from street outreach programs doubled from 2016-17 to 2017-18, from 52 people to 105.
Emergency Shelters and Warming Centers

Emergency shelters and warming centers provide safe places for people to stay at night and help connect people to services and the Coordinated Entry System. When the programs are housing-focused and low-barrier, they are an important part of the system to engage people and help them exit homelessness to permanent housing.

Best Practice: Housing-Focused Crisis Shelters

Housing-focused crisis shelters (sometimes also called “emergency shelters”) are an important part of a community’s response to homelessness. While they help people stay safe from the dangers of living outside, they are also a valuable link to permanent housing, especially for people who have been homeless for an extended period of time and might be reluctant to engage in services.

The most effective shelters are “housing focused,” meaning that they are low-barrier and tailor their services to support the household with the goal of exiting homelessness. These programs do not require participation in services as a condition of stay, but instead offer voluntary case management that assists households to create an action plan to get housing.

To be most effective, a housing-focused crisis shelter should have:

- **Admission policies that screen-in** rather than screen-out potential participants with the greatest barriers to housing;
- **Minimal rules and restrictions** that focus on behavioral expectations to help ensure client and staff safety – few rules, not “no rules”;
- **Case management and other services** that help connect people to housing, including Coordinated Entry System assessments;
- **Accommodations** that welcome partners, pets, and possessions so that people do not face separation;
- **Flexible access to shelter and services**, including extended hours of operation, arrangements for late arrivals, non-restricted mealtimes, and lenient curfew policies.

**Emergency Shelters** provide 138 beds for homeless single adults and families across Tulare County in Dinuba, Porterville, Tulare, and Visalia. They include meals, showers, and connections to the Coordinated Entry System and other services. Two **Domestic Violence Shelters** – one in Porterville and one in Visalia – provide an additional 39 emergency shelter beds to survivors of domestic violence and their children. The City of Porterville partnered with Turning Point to establish a **Navigation Center**, a low-barrier, housing-focused shelter that will provide comprehensive onsite services to support participants in exiting homelessness permanently.

**St. Paul Episcopal Church’s Warming Center** provides a place for people experiencing homelessness to sleep during winter. The Warming Center intentionally removes barriers to entry by providing kennels for people with dogs, requiring no service participation, and offering
space for people to store their personal belongings. While people stay at the center, they have access to public health nurses, mental health crisis workers, Adult Protective Services, and substance use treatment services.

- In 2018-19 season, the Warming Center served as many as 125 individuals in one night, with an average of 105 people per night in February 2019.
- The Warming Center connected 502 people to the Coordinated Entry System and HMIS – approximately 50% of these individuals were new to the system.39

Drop-In Multi-Service Programs

**Drop-In (or “One Stop”) Programs** bring together multiple service providers at a single location. By providing immediate access to several different services onsite, these drop-in programs build relationships between service providers and people experiencing homelessness and connect them to the services they need to exit homelessness.

**Local Initiatives Navigation Centers (LINC)** are drop-in programs that take place weekly in Visalia and bi-monthly in Tulare City, to connect individuals to public benefits, assistance for Veterans and families, documentation and identification cards, substance use treatment, access to the Coordinated Entry System, and other services.

- Started in Visalia in April 2018 with an additional site in Tulare initiated in March 2019.
- Served 93 people as of June 2019 – 27 people received Coordinated Entry assessments and 58 people were helped to complete their program eligibility documentation, which helped them to obtain housing more quickly.

**The Dream Center for Transitional Age Youth (TAY)**, launched in 2019 by the Tulare County Office of Education (TCOE), provides a one-stop navigation center for youth. In addition to TCOE resources, the center includes staff from Tulare County Child Abuse Prevention Council, TulareWORKs, and Tulare County Child Welfare Services who connect participants to benefits, family connections, the Independent Living Program, and other resources.

**Annual Project Homeless Connect events**, coordinated by Kings/Tulare Homeless Alliance, bring together a variety of community members and services each January in the cities of Porterville, Tulare, and Visalia. Participants receive a wide variety of services, including public benefits advocacy, behavioral health care, employment services, HIV testing, meals, veteran services, and substance use treatment.

Challenges

Tulare County has a large number of people experiencing long-term homelessness who require intensive engagement and support.

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Ending homelessness for individuals and families who have long been homeless often requires frequent and repeated engagement over time. With only a few outreach resources available for the many hundreds of people experiencing chronic, long-time, unsheltered homelessness in the current system, most people are not getting connected to services and support. Furthermore, those drop-in centers that do exist are only open a few days per month and are not distributed evenly across the county.

- 244 people identified in the 2019 Point in Time Count were chronically homeless – 30% of the total count. Yet, people experiencing chronic homelessness comprise only 14.4% of people in the Homeless Management Information System (HMIS) – indicating that many households with very high needs are not engaged with the homeless system of care.

- People experiencing unsheltered homelessness in Tulare County have extremely high needs. More than 85% have a disabling condition, 45% have a mental illness, and 19% are older adults, at least 55+ years old. Fifty-nine percent of people experiencing unsheltered homelessness have been homeless for at least a year.

- Existing outreach teams are dramatically understaffed. Successful outreach often requires multiple contacts before there is enough trust to move forward with other services. The city of Visalia’s HOPE Team has found that the average contact with unsheltered individuals is 45 minutes. Their experience is that at initial contact, services are refused 9 out of 10 times, even when people later end up engaging with the HOPE team and accepting services after trust is established.  

Tulare County currently has no low-barrier shelter options anywhere in the county and there are not nearly enough shelter beds to meet the need.

- Only 50 of the community’s 177 year-round shelter beds are dedicated to serving single males, despite men making up the vast majority of the county’s homeless population.

- None of the shelters were operating at full capacity at the time of the 2019 Point in Time Count. The average shelter utilization for 2018 was 85%, with 15% of available beds left vacant. Yet, in 2018, 519 people were experiencing unsheltered homelessness on any given night.

- While the St. Paul’s Warming Center was low-barrier and successful in engaging people who had not previously connected to the system, the Warming Center only operates from December to February and is not fully funded.

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Comprehensive Supportive Services and Temporary Housing

The majority of adults experiencing homelessness in Tulare County – 71% – have a disability or significant impairment, including chronic physical impairments, mental illness, substance use disorder, or combinations of multiple conditions. While many were disabled prior to losing their housing, many others acquired their disability as a result of living on the streets or without stable housing – an experience that is extremely dangerous and traumatic.

To return to housing successfully and for the long-term, people experiencing homelessness often require ongoing treatment and support – both before and after they are housed.

The Current System

Supportive Services for Health and Wellness

Nonprofits, community groups, and county agencies provide a variety of services that can help people to exit homelessness and stay housed for the long-term. Programs such as mental health treatment, employment and job training, health care, and substance use recovery can meaningfully help people attain greater stability.

While some of these programs are dedicated to people experiencing homelessness, others are resources available to everyone in the community. Ensuring that these programs are available and accessible for people experiencing homelessness allows the community to get the most out of its existing resources.

Mental Health treatment is available to Tulare County residents through programs funded with Medi-Cal and state Mental Health Services Act (MHSA) resources. Treatment may include individual, group or family therapy, psychiatric evaluation and consultation, crisis emergency assistance and services coordination. Tulare County HHSA provides clinic-based integrated mental health services to individuals with a serious mental illness. They also provide mobile mental health services, which connects with and offers treatment options to people who have been unable to access other existing services. Additionally, Tulare County HHSA staffs three one-stop centers that provide mental health and other services to youth ages 12 through 24.

- The HHSA Mental Health Department fast tracks HOPE Team clients to increase accessibility of clinical mental health programs for people experiencing homelessness.
- The Transitional Living Center (TLC), a 53-bed augmented board and care residential facility, provides food, shelter and other basic needs alongside individual and group therapy, and other mental health supportive services.
- The County’s Full Services Partnership Program (FSP) is available to people who experience frequent hospitalizations or incarceration, as well as those who are at risk of or experiencing homelessness due to a mental health disorder. The FSP program provides basic needs and other support services, and also helps people with housing.
Alcohol and Other Drug treatment is provided through HHSA and a variety of service providers, including residential and outpatient treatment for people with substance use disorders. For example:

- HHSA, Kaweah Delta and various other programs offer substance use treatment and dual-diagnosis outpatient services for those with substance abuse and mental health issues at several sites across Tulare County.
- HHSA has detox beds available for individuals who are suffering from alcohol or substance use issues while they wait placement in other programs.

Medical Services are available to people experiencing homelessness through HHSA’s Public Health Branch, hospitals and other clinical partners.

- The HHSA Public Health Branch coordinates with other programs and agencies to conduct outreach, for example, providing infectious disease prevention services at encampments along the St. Johns River.
- Kaweah Medical Bridge Project offers supportive services for people at risk of or experiencing homelessness based on service needs. Six staff provide connections to medical services, Medi-Cal and other public benefits. The Kaweah team receives 1,200 referrals a year and works closely with County agencies, the Coordinated Entry System Housing Navigators, and the HOPE team.
- A new Street Medicine initiative connects doctors to people living on the streets and in encampments. Street Medicine, also known as “Backpack Medicine,” is an important way to engage people who are not otherwise connected to the system.

Connection to Income and Benefits

Public Benefits Enrollment support is provided by HHSA and nonprofit agencies to access programs such as CalFresh, TulareWORKS, Medi-Cal, Medicare, General Assistance, SSI and SSDI. These resources help people exit homelessness or retain their housing by providing cash assistance, access to medical and behavioral health services, job training, and support with transportation and child care.

- The SSI/SSDI Outreach, Access and Recovery (SOAR) program increases access to Social Security disability benefits, which provides long-term income that can help pay rent and cover other household expenses. All CoC-funded programs working with people experiencing homelessness are trained in SOAR.

Workforce Development services are offered by the County and nonprofit providers, including education, job training and placement services to ensure people have a pathway to jobs. For example:

- Community Services Employment Training (CSET) offers workforce development and training programs at one-stop locations in Visalia, Porterville, Tulare and Dinuba.
TulareWORKs provides job skills training, work experience, subsidized employment and job search assistance throughout the county.

In 2018, the City of Visalia, in collaboration with the Workforce Investment Board, launched the Environmental Cleanup Project (ECO) to provide a 12-week transitional job program for individuals who are homeless.

Temporary Housing to Support Specialized Assistance.

Transitional Housing provides temporary housing accommodations and supportive services. While many households benefit most from direct connections to permanent housing programs such as RRH or PSH (which are often more cost-effective over the long term), transitional housing can also be an effective support. In particular, certain subpopulations, such as people fleeing domestic violence and transitional age youth, can meaningfully benefit from a transitional housing environment.

- 212 people participated in a Transitional Housing program in 2018. 45% of transitional housing participants who exited transitional housing in 2018 moved into permanent housing.
- Tulare County has 133 year-round Transitional Housing beds, with 48 additional beds for people fleeing domestic violence, operated by Family Services of Tulare County and Central California Family Crisis Center.
- Crossroads Transitional Housing for Youth, run by Uplift Family Services, has two 10-bed transitional housing sites (one in Porterville and one in Visalia) for youth aged 18 to 25 years old.

Bridge Housing offers temporary housing, typically for people who have been matched with a permanent housing opportunity such as PSH or RRH and are looking for a unit to rent. The program supports people to stay connected with their housing navigators and other service providers to make sure the permanent housing resource is able to be used as quickly as possible. While no Bridge Housing is currently available, a new program (Eden House) is under development that will provide 22 Bridge Housing beds for Visalia and Tulare City residents for a limited time while they seek housing.
## Permanent Housing

<table>
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<th><strong>Permanent Supportive Housing</strong></th>
<th>Provides long-term housing with intensive supportive services to persons with disabilities.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rapid Rehousing</strong></td>
<td>Provides housing subsidies and supportive services for up to 24 months, with the goal of helping people to transition to self-sufficiency and retain their housing unit independently.</td>
</tr>
</tbody>
</table>

## Temporary Housing

<table>
<thead>
<tr>
<th><strong>Transitional Housing</strong></th>
<th>Provides temporary housing accommodations and supportive services for up to 24 months, with the goal of the participant moving on to permanent housing after the program concludes.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bridge Housing</strong></td>
<td>Offers temporary housing, typically for people who have been matched with a permanent housing opportunity such as PSH or RRH and are looking for a unit to rent.</td>
</tr>
<tr>
<td><strong>Emergency Shelter</strong></td>
<td>Provides beds for homeless single adults and families, often including meals, showers, case management support, and connections to the Coordinated Entry System and other services.</td>
</tr>
</tbody>
</table>

## Housing Not Dedicated to People Experiencing Homelessness

<table>
<thead>
<tr>
<th><strong>Senior Housing</strong></th>
<th>Provides care that meets the needs of an aging population, ranging from independent living to 24-hour care.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Board &amp; Care</strong></td>
<td>Licensed residential care facilities for people with special needs that provide intensive support and assistance with daily living.</td>
</tr>
</tbody>
</table>
Challenges

Resources that could help address homelessness are being underutilized.

While there are many resources in the community that could help people exit homelessness, these resources are not always accessible for people experiencing homelessness.

- For example, while many people experiencing homelessness are eligible for public benefits, 64% of people reported in 2019 that they have no financial resources, including public benefits.
- When people are enrolled in Medi-Cal, SSI and other federally or state funded benefits programs, it increases the overall resources available in the community to address homelessness. Yet only 13% of PIT survey respondents were on SSI, 5% on SSDI, and 2% on Temporary Assistance for Needy Families (TANF).

Many of the resources that could be used to address homelessness are not tailored to the intensive needs of people who have been homeless for a long time.

- Barriers, such as long wait times, make it difficult for people who are eligible for mental health and substance use disorder treatment to take advantage of the services. Programs such as county mental health services have begun taking important steps to increase access, but much more is needed to build better coordination and opportunities for warm handoffs.
- Sufficient staffing is a significant challenge in Tulare County, as there are not enough qualified people to meet the needs of the community; many available staff positions remain open and unfilled.
- While a diagnosis of a serious mental illness opens the doors for accessing robust services, it can be challenging for some individuals to work with a clinician to obtain a diagnosis.

Transportation to services is challenging for people experiencing homelessness.

Many of the services and housing options in Tulare County are concentrated in certain parts of the county. These resources are often inaccessible for people experiencing homelessness who live outside of urban areas. The lack of affordable public transportation between urban and outlying areas is a significant barrier for low-income and people with disabilities living in Tulare County. It also restricts the viable locations for creating new housing resources for people who are low income or experiencing homelessness and who need to be near transit centers and services.

- While the community has successfully increased one-stop drop-in sites in certain cities in Tulare County, multi-disciplinary mobile teams would be extremely valuable in reaching those in more remote locations.
✓ Service providers and outreach workers spend considerable time transporting clients to appointments, but significantly more transportation support is needed to help people get to appointments and access benefits and services.

Preventing Homelessness Before It Starts

Living without stable housing, even briefly, is a traumatizing experience, and many never recover from the physical, emotional and financial impacts. By preventing homelessness, we can help individuals and families avoid the economic, social, mental, and physical challenges that result from homelessness – often at a much lower cost than it takes to serve people after they lose their housing.

Homelessness Diversion

Communities across the country are integrating “homelessness diversion” programs (also sometimes called “Assisted Rapid Resolution”) into their Coordinated Entry Systems. These programs provide crisis resolution support – often a combination of financial assistance and supportive services – to prevent homelessness for households who are currently housed but at imminent risk of becoming homeless.

Homelessness diversion programs provide a variety of interventions to help prevent people from becoming homeless. However, a one-size-fits-all approach is not the most effective or cost efficient. Instead, diversion programs tailor services to meet the needs, strengths, and preferences of each client, which ensures that each person receives the minimum amount of support necessary to prevent homelessness, while conserving limited resources and serving as many people as possible. The programs decrease the likelihood of a household entering an emergency shelter and are less expensive than providing assistance once a household becomes homeless.

At a minimum, effective diversion programs can:

✓ Target people most at risk of falling into homelessness
✓ Use problem solving conversations to support clients in using their strengths and existing resources to avoid becoming homeless
✓ Provide support with interventions such as short-term cash assistance, landlord mediation, education on legal rights and responsibilities, credit repair and financial literacy assistance, employment assistance, conflict resolution, and referrals to mainstream resources
✓ Reach people who may not otherwise connect with the system through relationships with schools, social services programs, and other partners
✓ Create a network of providers trained in problem solving conversation techniques
The Current System

KTHA will be launching a new Homelessness Diversion program as part of the Coordinated Entry System. The Coordinated Entry System Housing Navigators will assist clients at risk of homelessness to problem solve and identify alternative housing solutions. The Housing Navigators will also provide referrals to community partners that offer services and supports to low-income households in Tulare County, including those at risk of homelessness.

- A single, centralized assessment will be rolled out in October 2019 to prioritize prevention resources for those who would most benefit.
- Housing Navigators will receive training on homelessness diversion best practices and work with people at risk of homelessness to identify their strengths and resources to overcome barriers to staying housed.
- The program will connect people to many different community programs and agencies who provide services that can help prevent homelessness, such as financial assistance and negotiation support for households with overdue utility bills, eviction prevention and tenant rights services.

Intensive Supportive Services are available to support certain households with extremely high needs retain their housing.

- The Housing Stabilization Pilot Program is a one-year pilot targeting people who were recently homeless and have intensive service needs. The program provides participants with clinical and supportive services to prevent them from returning to homelessness.
- For individuals who need significant services because their mental health diagnosis makes it difficult for them to hold a job, be able to go to school, or participate in healthy relationships, HHSA’s Assertive Community Treatment (ACT) Teams provide frequent case management, sometimes daily, along with psychiatry and other supportive services.

Challenges

With more and more Tulare County households spending more and more of their income on rent, there are an increasing number of people falling into homelessness. Once somebody has fallen into homelessness, it can be extremely difficult to return to housing.

- The Kings/Tulare Continuum of Care had almost 30% more people who are experiencing first time homelessness in 2017-18 than other comparable CoCs in California (1,696 people in the Kings/Tulare CoC, compared with 1,325 people in comparable CoCs).41

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Six percent more formerly-homeless people returned to homelessness in 2017-18 after one year in Tulare County than comparable CoCs (18% returns in Tulare County, compared with 12% in other CoCs).42

Most prevention resources are disconnected from the homeless system, requiring development of a comprehensive network of new partners to collaborate and coordinate to be more effective at addressing prevention.

Staffing for the diversion program and resources for prevention, such as limited-time subsidies, is extremely limited in Tulare County yet necessary to create a strong prevention program.

Preventing Criminalization of Homelessness

Criminalizing homelessness is ineffective and expensive and, in some cases, illegal.43 In fact, in order to receive California State No Place Like Home (NPLH) funding, communities are required to describe what actions they are taking to avoid the criminalization of homelessness.

Criminalizing homelessness includes laws that punish people for being homeless, such as bans on public camping or panhandling, or encampment eviction processes that move people from one location to another.

These kinds of approaches can be extremely expensive to communities:

- A recent Cost Study found that Orange County spent $23.7 million on homelessness in one year by police departments, jail/prison, and the Sherriff’s Department’s Homeless Liaison program.44
- An evaluation of criminalization and enforcement related to homelessness in Seattle and Spokane, Washington, found that the cities spent a minimum of $3.7 million on enforcement over a period of 5 years.45

Evicting people from sidewalks and alleys when they are sleeping outside does not force them to leave the region nor does it end their homelessness. Instead most people simply relocate to sleep in a different part of the community. These processes are expensive and require the use of public resources such as law enforcement to carry out the evictions – resources that would be better spent in longer-term solutions.

42 Id
43 In Martin v. City of Boise, No. 15-35845 (9th Cir. 2019), the 9th Circuit ruled that the Cruel and Unusual Punishments Clause of the 8th Amendment precludes enforcement of a statute prohibiting sleeping outside against homeless individuals with no access to shelter. Available at http://cdn.ca9.uscourts.gov/datastore/opinions/2018/09/04/15-35845.pdf
45 Howard, Joshua, David Tran & Sara Rankin, At What Cost: The Minimum Cost of Criminalizing Homelessness in Seattle and Spokane, Homeless Rights Advocacy Project, Seattle University School of Law, 2015. Available at https://digitalcommons.law.seattleu.edu/cgi/viewcontent.cgi?article=1000&context=hrap
Unfortunately, once people have been forced to move to a new location in Tulare County, their
service providers may no longer be able to find them, resulting in missed opportunities to
connect to housing, benefits, or other resources needed to help them exit homelessness.
Outreach teams, low-barrier places for people to go during the day, and supportive housing
options are more effective than criminalizing homelessness, and meaningfully address the
impacts of homelessness on everyone in the community.

The Current System

The Tulare County community reduces criminalization of homelessness by cross-system
partnerships with law enforcement, providing training and education, and with alternative
approaches to engage with people experiencing homelessness.

Partnering Law Enforcement with Mental Health. Through a partnership between the Visalia
Police Department and HHSA Mental Health, a multi-disciplinary team of police officers and
mental health professionals (the HOPE Team) provides outreach to people experiencing
homelessness and facilitates connections to housing and supportive services. The HHSA
Mental Health Branch also provides Crisis Intervention Training to law enforcement officers.

Engaging Law Enforcement Partners on the Task Force. The Tulare Countywide Task Force
on Homelessness includes a dedicated seat for law enforcement participation, supporting
engagement and representation of law enforcement in collaboration with other agencies serving
people experiencing homelessness. Task Force agendas include presentations from the Tulare
County Sheriff and other representatives of law enforcement.

Specialty Courts. Tulare County has multiple specialty courts, including a Drug & Recovery
Court, Mental Health Court, and Veterans Court, serving participants including people
experiencing homelessness. Through collaboration between Tulare County Superior Court,
Probation, and other community partners, these courts provide alternatives to jail and
connections to resources, including housing, employment, and behavioral health services.

Challenges

While Tulare County’s high rates of unsheltered homelessness are impacting everyone
in the community, evicting people from encampments is costly and ineffective.

- **With no daytime drop-in centers or low barrier shelters – and relatively few shelter beds
  of any kind – Tulare County has a very large population of people who live outside
  because they have nowhere else to go. With 576 people living outside on a given night,
  the community has some of the highest rates of unsheltered homelessness in the state,
  compared with other local CoCs.**

- **The Tulare County community is spending significant resources on enforcement
  approaches. Unfortunately, these approaches do not help address the growing number

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46 In 2019, 71% of people experiencing homelessness in Tulare County were unsheltered, as compared with San Joaquin County
(59%), Stanislaus County (57%), and Kern County (61%). See Part III (“How Many People Are Experiencing Homelessness in
Tulare County?”).
of people who are homeless in Tulare County. To stem the growth in homelessness, the community needs more street and encampment outreach, homelessness prevention, and supportive housing options.

Systems in Place to Support the No Place Like Home (NPLH) Program

Tulare County is well positioned to support the No Place Like Home (NPLH) Program and develop permanent supportive housing for individuals living with serious mental illness who are homeless, chronically homeless, or at-risk of chronic homelessness.

The Current System

Collecting and Reporting No Place Like Home Data

Tulare County currently has many of the systems in place to collect the data required to satisfy NPLH program guidelines. The data is collected through both the CoC and the County. Moving forward, the two entities will determine how best to collaborate and share learnings and information to best serve individuals through NPLH.

The HMIS in Tulare County is operated by Kings United Way and uses ClientTrack, a robust system for administering data, including for the NPLH Program. HMIS tracks universal and program-specific data for all projects funded through the CoC and other sources. HMIS data can be easily accessed and aggregated for the submission of annual compliance reports, demographic data required by §214(e) of the NPLH program guidelines, and project performance reports. The County has plans to gather information from property managers and lead service providers, as appropriate, to complete the necessary NPLH reports and audits.

In addition, HHSA annually collects data and reports on mental health program and expenditures in the Tulare County Mental Health Services Act Three-Year Integrated Program and Expenditure Plan to the State for the Mental Health Services Act (MHSA). Within that report, HHSA addresses a number of key activities targeted at serving people in the County at risk of or experiencing homelessness, including provision of community services and supports, supportive housing, and specialized mental health services. In 2017/2018, the County developed a more expanded demonstration of data, outcomes, and consumer experiences and expressed an intent to continue to more thoroughly develop outcomes across all programs to more comprehensively demonstrate success in future MHSA plans.

Included in the effort to expand and improve data collection, the County has introduced two evidence-based outcome tools, one for children and one for adults. As efforts are underway to improve service to NPLH target populations, the CoC and County HHSA together can undertake efforts to better track people as they are served in all systems in the County, coordinate more effectively across systems, and identify barriers and additional partnerships to track outcomes for special populations.
Equal Access through Coordinated Entry

People experiencing homelessness will be referred to any NPLH-funded units via the Every Door Open Coordinated Entry System. All referrals are made on a nondiscriminatory basis. The system is widely advertised in English and Spanish in order to reduce language barriers and is designed to create a centralized queue that prioritizes the most intensive interventions and placements for the most vulnerable individuals and families.

Every Door Open coordinates local resources and assesses individuals to determine their homelessness status, vulnerability factors, housing needs, risks of harm, and interaction with emergency services. Further, Every Door Open has multiple access points, including but not limited to outreach teams, 2-1-1, partner agencies, housing navigators and homeless service providers. The CoC has implemented HUD's Equal Access Rule and is consistently working to identify and address any access issues. Lastly, Every Door Open works to prioritize individuals for placement who have experienced chronic homelessness or demonstrate high service needs.

Publicly Posted Plan

A Ten-Year Plan, “Connecting the Dots,” was launched in 2011 and is currently available on the Kings/Tulare Homeless Alliance website. Tulare County has made significant progress on the Strategic Plan and it is now time to reflect and identify next steps. This Strategic Plan, “Pathway Home: Responding to Homelessness in Tulare County,” will serve to update and enhance the 2011 strategic plan and will be accessible to the public on the websites of the Tulare Countywide Task Force on Homelessness and the Kings/Tulare Homeless Alliance.

Challenges to Serving NPLH Target Population

Many persons experiencing homelessness who are part of the NPLH Target Population are also among Tulare County’s residents with the most extensive experience of homelessness. They face similar challenges to those described above, including disconnect from the systems of care and challenges accessing resources not dedicated for people experiencing homelessness. Challenges in accessing and serving individuals in this population often include:

- Extensive lived experience of homelessness, often in remote locations across Tulare County
- Limited transportation options for individuals outside of urban areas
- Insufficient integration between systems, programs and services that support households with multiple, complex needs

A general challenge for people in the NPLH Target Population is that they may have difficulty receiving the treatment they need to address their mental or emotional health issues. An assessment by the Tulare County HHSA found that the County experiences a shortage of specialty medical care providers, including mental health providers. The shortage limits access

47 2017 Tulare County Community Health Assessment; available at: https://tchhsa.org/eng/assets/File/Public%20Health/Tulare%20County%20CHA%20(2017_03_28)%20FINAL.pdf. The report states
to providers and results in lengthy wait times for referrals. In addition, more resources are needed to more fully serve people who experience compound barriers of homelessness, mental health disorders, and who do not speak English.

that while the California statewide average for mental health providers is 281 per 100,000 residents, Tulare County only has 216 per 100,000 residents.
Communities across California are watching friends, co-workers and family members struggle to meet their basic needs, including keeping a roof over their heads. While the Tulare County community has made meaningful progress in setting up a homeless response that has prevented or ended homelessness for hundreds of residents, significantly more investment is needed to fully address the impacts of homelessness across the county.

Priorities and Goals for Effectively Addressing Homelessness

This strategic planning process has involved extensive community engagement, review of the data, and research to better understand our current homelessness system of care. Based on that information and feedback, the community identified Five Goals that will be critical to effectively address homelessness over the next five years.

- Increase Access to Permanent Housing
- Increase Access to Services to Support Exits from Homelessness
- Expand Services for Subpopulations with Special Needs
- Prevent Homelessness for Those at Risk
- Strengthen Public Engagement and Community Partnerships
**Expand Permanent Housing**: Permanent housing – and the supports needed to retain and maintain it – is the solution to homelessness. By expanding permanent housing options, such as Permanent Supportive Housing and Rapid Rehousing, hundreds more people in Tulare County will have a home that provides security and protection – hand-in-hand with the vital supports many residents require to achieve stability and long-term self-sufficiency.

**Address Unsheltered Homelessness**: Connecting and building trust with people experiencing homelessness is essential in a region where more than 71% live without shelter – on the streets, in cars, under bridges, by the river. By expanding outreach, targeting services, and developing crisis shelters throughout the area, the community will focus attention and resources to help those most in need get the services and support they require.

**Support Subpopulations with Special Needs**: Within Tulare County, there are residents at risk of or experiencing homelessness who require special attention. By directing services to people who need more focused and tailored care, the community will ensure that the system is accessible to some of the most vulnerable members in need.

**Prevent Homelessness**: Often many people at risk of homelessness need a minimal amount of help or intervention to retain their housing. Whether it is one-time financial resources to provide a security deposit, legal assistance to prevent eviction, or help learning to balance a budget, the more the system can provide supports and services to prevent homelessness in the first place, the more the community will be able to use the limited resources on hand to end homelessness altogether – while at the same time protecting additional individuals and families from the traumas associated with homelessness.

**Deepen Partnerships and Engagement**: Strengthening and building leadership and community support for solutions to homelessness will enable our community to effectively accomplish more, better, faster. Collaboration across different regions within the County can expand understanding of the causes of homelessness and identify the most effective approaches to address it. A stronger network can also celebrate success, reflect and course correct, and monitor and evaluate to ensure continued progress.
GOAL 1: INCREASE ACCESS TO PERMANENT HOUSING FOR PEOPLE EXPERIENCING HOMELESSNESS

**Measure 1:** An additional 400 new Permanent Supportive Housing opportunities – with at least 200 built and an additional 200 in the pipeline – and 200 new Rapid Rehousing opportunities are available for people experiencing homelessness in Tulare county.

**Measure 2:** Reduce by 25% the average length of time between assessing a person for need to the time they are matched to a program or services (from a 286.5 day average).

**Measure 3:** Reduce by 25% the average length of time between when a person is matched to a program or services to the time they are actually housed (from a 65.48 day average).

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Increase Access to Permanent Housing for People Experiencing Homelessness

- **Strategy 1.1** – Increase the development of units available for Permanent Supportive Housing for Tulare County residents with disabilities who need intensive supportive services to retain housing.

- **Strategy 1.2** – Expand flexibility and availability of resources to subsidize and operate supportive housing for people exiting homelessness.

- **Strategy 1.3** – Expedite households’ ability to make quick use of available resources to attain permanent housing.

- **Strategy 1.4** – Increase participating landlords and rental units that are available to people exiting homelessness through landlord engagement and risk mitigation strategies.
Detailed Strategies and Next Steps:

Strategy 1.1 – Increase the development of units available for Permanent Supportive Housing for Tulare County residents with disabilities who need intensive supportive services to retain housing.

1.1.1. Establish a 5-year Countywide Housing Development Pipeline that identifies an achievable path to establish new housing so that households with members who have disabilities can exit homelessness and attain stability.

Next Steps Include:

- Establish a Housing Committee of local developers, Housing Authority, city and county staff, and experienced service providers to develop and facilitate implementation of the Countywide Housing Development Pipeline.
- Secure commitment by each municipality to support development of a pro-rata portion of dedicated Permanent Supportive Housing inventory by the end of 2025.
- Develop systems to increase local capacity to respond quickly to development opportunities and expand capital funding and resources available to meet the development goals.
- See Appendix A for Proposed Action Plan.

1.1.2 Evaluate the feasibility and next steps for non-traditional housing options, such as repurposed motels and accessory dwelling units.

Next Steps Include:

- Ensure local zoning codes take advantage of changes in state laws to support development of “accessory” and “junior accessory” dwelling units and conduct a public outreach campaign to encourage homeowners to take advantage of these opportunities.
- Consider small homes options, e.g., Austin, TX model.

Strategy 1.2 – Expand flexibility and availability of resources to subsidize and operate supportive housing for people exiting homelessness.

1.2.1 Engage all stakeholders, including cities, county agencies, and the CoC, in growing the federal and state funding available for supportive housing through new and existing programs.
Next Steps Include:

- Evaluate uses of existing and new federal/state funding streams that could be invested in long term solutions to reduce the impacts of homelessness.
- Jurisdictions and agencies stay aware of new opportunities and plan to apply for funding.
- Ensure local resources are available to match federal and state funding opportunities to take advantage of these resources.
- Strengthen competitiveness for federal and state funding opportunities, including by demonstrated adoption of a strategic plan, implementation of best practices, and tracking progress.

1.2.2 Direct mainstream supportive service resources toward ending homelessness, including Medi-Cal and Mental Health Services Act (MHSA) funding.

Next Steps Include:

- Maximize mainstream vouchers and other housing subsidies that can be used to address homelessness in order to increase total resources available for supportive housing.
- Conduct an analysis of funding streams that can be used for housing resources and supportive services to identify opportunities to enhance alignment – e.g., ensuring Medi-Cal is optimized.

1.2.3 Continue growing the Moving on Program in partnership with the Housing Authority to use vouchers to open up supportive housing for households who need intensive services.

Strategy 1.3 – Expedite households’ ability to make quick use of available resources to attain permanent housing.

1.3.1 Continue development and expansion of the Flexible Housing Fund program, which provides financial support to individuals and families with moving costs, addresses the limitations of housing subsidies to respond to rapidly rising housing costs, and tackles other financial barriers that can prevent people from successfully exiting homelessness.

Next Steps Include:

- Monitor and evaluate the success and challenges of the recently launched Flexible Housing Fund pilot project to track outcomes, identify most efficient uses of resources, and demonstrate success.
- Expand the fund to continue serving an increasing number of households each year.
1.3.2 Strengthen access to resources to support households with expungement, credit assistance, and document readiness to ensure they can use available housing subsidies as quickly as possible.

1.3.3 Establish a shared housing program that can increase the housing available to single adults by using 2- and 3-bedroom homes for single adults exiting homelessness.

Strategy 1.4 – Increase participating landlords and rental units that are available to people exiting homelessness through landlord engagement and risk mitigation strategies.

1.4.1 Invest in staffing to develop and lead a year-round landlord engagement campaign to educate the public and recruit landlords.

**Next Steps Include:**

- Develop an annual plan for an ongoing landlord engagement campaign, with collective messaging, outreach strategies, reporting dashboards, and a plan for monitoring and improvement.
- Undertake an outreach and communications campaign to support landlords in understanding the benefits of partnership and risk mitigation approaches.
- Additional strategies may include recognition programs by elected officials, landlord legal resources/classes, landlord participation bonuses, and presentations by participating landlords who have had positive experiences serving formerly homeless residents.
- Ensure all case managers are trained on landlord relationship development and retention, expand housing specialist positions, and train all agencies and staff on landlord engagement talking points.

1.4.2 Expand the landlord mitigation program to increase resources and support to landlords who rent to people exiting homelessness.

**Next Steps Include:**

- Engage private partners, such as service agencies and the faith community, to contribute resources to the Landlord Mitigation and Flexible Housing Funds by bringing greater awareness of the programs, highlighting successful efforts with landlords and sharing information about the cost-savings to the community and positive impact for people who exited homelessness.
- Strengthen resources for supporting housing retention and landlord engagement after households have exited homelessness to cultivate positive landlord relationships for the long-term, including:
Expand intensive case management supports for housed individuals with high needs, and
Increase provider training to prioritize landlord relationship development and crisis support.
GOAL 2: INCREASE ACCESS TO CRITICAL SERVICES TO SUPPORT TULARE COUNTY’S HOMELESS RESIDENTS EXIT HOMELESSNESS

Measure 1: 115 new housing-focused low-barrier shelter beds are available to people experiencing homelessness in Tulare County.

Measure 2: Fewer than 50% of households experiencing homelessness in Tulare County are living without shelter.

Measure 3: Over 50% of households served by street outreach, crisis shelters, transitional housing, and Rapid Rehousing programs exit to permanent housing destinations.

Measure 4: At least 40% of households in homeless-dedicated crisis shelter and housing programs have some form of income.

Strategy 2.1 – Expand housing-focused crisis shelter options for households experiencing homelessness.

Strategy 2.2 – Establish a mobile multi-disciplinary program to support health and wellness and provide connections to benefits and other resources to exit homelessness.

Strategy 2.3 – Expand effectively coordinated countywide street and encampment outreach.

Strategy 2.4 – Deepen housing-focused emphasis and programming at locations people experiencing homelessness regularly access.
Detailed Strategies and Next Steps

Strategy 2.1 – Expand housing-focused crisis shelter options for households experiencing homelessness.

2.1.1 Establish at least three new housing-focused crisis shelters (one in each of Tulare County’s three largest jurisdictions), that use evidence-based practices to support households in exiting homelessness, minimize barriers that prevent people from participating, and are open around the clock to provide resources, services and a space for people to remain during the day.

Next Steps Include:
- Create jurisdictional action committees in each major municipality to develop and implement a local plan, coordinate across jurisdictions, and report to the Countywide Task Force.
- See Appendix B for Proposed Action Plan.

2.1.2 Evaluate approaches for increasing crisis shelter options for special populations.

Next Steps Include:
- Work with hospitals to increase medical respite beds for discharging and medically fragile individuals.
- Establish a safe parking program for individuals and families experiencing vehicular homelessness.
- Explore bridge housing approaches for youth, families and other special sub-populations based in a multi-bedroom home shared housing model.

Strategy 2.2 – Establish a mobile multi-disciplinary program to support health and wellness and provide connections to benefits and other resources to exit homelessness.

2.2.1 Create a mobile outreach van program that includes medical, behavioral health, and housing navigation services and can access people experiencing homelessness outside of urban areas.

Next Steps Include:
- Evaluate options for obtaining an outreach van, including a community-based “Call to Service” fundraising campaign with service organizations and faith-based partners who may be interested in sponsoring the program, to grow community engagement in addressing homelessness.
- Explore approaches for publicizing community support (e.g., printing supporting organizations’ names on the van), and locating the van on the
property of volunteering community groups for a weekly rotating schedule across the region.

✓ Coordinate multiple service providers, such as KTHA Housing Navigators and HHSA public health and mental health services for the mobile outreach program.

Strategy 2.3 – Expand effectively coordinated countywide street and encampment outreach.

2.3.1 Expand available outreach programs in each jurisdiction to reach more households who are disconnected from services and provide intensive engagement and support, including dedicated outreach in Porterville and City of Tulare areas.

2.3.2 Ensure existing outreach teams provide access to housing-focused case management, Coordinated Entry, HMIS, public benefits enrollment and other critical housing-focused resources.

Strategy 2.4 – Deepen housing-focused emphasis and programming at locations people experiencing homelessness regularly access.

4.4.1 Ensure staff trained on housing-focused approaches and housing navigation are available at crisis shelters, day centers, transit centers and libraries, and workforce development one-stop locations.

4.4.2 Establish a shared community-wide understanding across all homelessness service providers of best practices for implementing housing-focused approaches, including housing-focused case planning.

4.4.3 Continue strengthening coordination with mainstream (non-homeless-dedicated) resources such as legal aid, credit repair services, public benefits advocacy and appeals, workforce development and community volunteers.

Next Steps Include:

✓ Work with mainstream providers to identify gaps and opportunities for enhancing access to housing-focused services for households in exiting homelessness.
GOAL 3: EXPAND SERVICES FOR SUBPOPULATIONS WITH SPECIAL NEEDS

Measure 1: Fewer than 10% of formerly homeless households return to homelessness within one year after exiting to permanent housing.

Measure 2: Double the number of transitional age youth (16-24 years old) served by street outreach, emergency shelters, and supportive housing programs.

Measure 3: Reduce by 50% the number of persons age 55+ who are unsheltered.

Expand Services for Subpopulations with Special Needs

Strategy 3.1 – Anticipate and address the growing needs of older adults experiencing homelessness in Tulare County.

Strategy 3.2 – Strengthen the system of care targeting youth and young adults to ensure culturally competent service delivery and engagement.

Strategy 3.3 – Evaluate, track, and implement training and program modifications to address disparities in system access and service provision for special subpopulations, including for people of color, non-English speakers, and persons identifying as LGBTQ+.
Detailed Strategies and Next Steps

Strategy 3.1 – Anticipate and address the growing needs of older adults experiencing homelessness in Tulare County.

3.1.1 Support better connections to clinical diagnosis and disability documentation for seniors to establish eligibility for SSI, including strengthening system of clinicians trained in working with people experiencing homelessness with complex needs.

3.1.2 Identify and build connections with existing housing resources for seniors to support older adults experiencing homelessness.

Strategy 3.2 – Strengthen the system of care targeting youth and young adults to ensure culturally competent service delivery and engagement.

3.2.1 Conduct youth focus groups to identify priority needs and gaps in system accessibility for youth experiencing homelessness in Tulare County.

3.2.2 Monitor impact of the new Visalia youth Dream Center and consider expanding the model to Porterville and/or Tulare City.

3.2.3 Expand partnerships with schools and colleges, the child welfare system, the juvenile justice system, and runaway and homeless youth providers to address gaps and ensure coordinated and culturally competent access to a youth-informed system of care.

Next Steps Include:

- Ensure youth access to Coordinated Entry and supportive housing resources, outreach and crisis shelter, and behavioral health and other supportive services.
- Consider Host Homes, TH-RRH or other models to increase options for youth experiencing homelessness.

Strategy 3.3 – Evaluate, track, and implement training and program modifications to address disparities in system access and service provision for special subpopulations, including for people of color, non-English speakers, and persons identifying as LGBTQ+.

3.3.1 Assess and evaluate racial disparities in service access and provision, including in numbers receiving Coordinated Entry System assessment, matched to a housing program, entering housing, and retaining housing.
Provide cultural humility and implicit bias trainings and support for Coordinated Entry and direct service program staff, including outreach, emergency shelter, housing navigation, and housing program staff.

3.3.2 Add or modify Point in Time Count and HMIS measures to collect targeted data about special subpopulations, including persons identifying as LGBTQ+.

Next Steps Include:

- Conduct focus groups and planning sessions to strategically expand PIT and HMIS coverage for tailored tracking of special populations.
- Enhance tracking of LGBTQ+ population experiencing homelessness by adding questions to the communitywide survey, engaging peer outreach, and leveraging peers in identifying locations for PIT.
- Ensure subpopulation fields in HMIS are tailored and being used by staff conducting intake. Train intake staff on cultural competency and ensuring equal access.
GOAL 4: PREVENT HOMELESSNESS FOR THOSE AT RISK

Measure 1: After 2020, the number of people experiencing homelessness for the first time will be reduced by 5% each year, achieving a 20% annual reduction by 2025.

Measure 2: Reduce by 50% the number of households that return to homelessness in 6 months after exiting to permanent housing.

4 Prevent Homelessness for Those at Risk

Strategy 4.1 – Establish a coordinated homelessness prevention and problem solving (homelessness diversion) system to help people at high risk of homelessness remain housed.

Strategy 4.2 – Strengthen partnerships with criminal justice, child welfare, and healthcare systems to coordinate support for households at high risk of homelessness.

Strategy 4.3 – Increase support for formerly homeless households with intensive service needs to attain long-term housing stability.

Strategy 4.4 – Expand access to income, including employment and benefits, for people experiencing homelessness and recently homeless households.
Detailed Strategies and Next Steps

Strategy 4.1 – Establish a coordinated homelessness prevention and problem solving (homelessness diversion) system to help people at high risk of homelessness remain housed.

4.1.1 Develop prevention system protocols for identifying, prioritizing, and serving households at risk of homelessness.

**Next Steps Include:**

- Pilot a countywide assessment tool (PR-VI-SPDAT) to prioritize households at risk for homelessness and establish eligibility criteria.
- Conduct a system mapping process that can identify “intercepts” or points of contact within the social services systems to strengthen access to households at risk.

4.1.2 Identify and align resources for prevention and identify gaps in availability of crucial resources.

**Next Steps Include:**

- Work with 2-1-1 to inventory the available prevention resources countywide and strengthen coordination across prevention partners.
- Increase resources available for temporary crisis assistance and landlord mediation to prevent homelessness.

4.1.3 Train partners in problem solving conversation techniques.

4.1.4 Establish a monitoring protocol, including a field in HMIS to identify households who fall into homelessness for the first time, and to track impact of interventions.

Strategy 4.2 – Strengthen partnerships with criminal justice, child welfare, and healthcare systems to coordinate support for households at high risk of homelessness.

4.2.1 Support systems to identify and track people experiencing homelessness, and ensure cross-system partners are familiar with the Every Door Open Coordinated Entry System.

Strategy 4.3 – Increase support for formerly homeless households with intensive service needs to attain long-term housing stability.

4.3.1 Identify a sustainable funding source to continue the Housing Stabilization Pilot Program, providing intensive services for formerly homeless households with
extremely high needs in 2021 and beyond.

4.3.2 Expand availability of Assertive Community Treatment (ACT) teams to support Medi-Cal eligible households in retaining their housing and achieving long-term stability.

Next Steps Include:

- Coordinate ACT and Housing Stabilization Programs with Coordinated Entry to prioritize households for support and leverage Medi-Cal resources.

Strategy 4.4 – Expand access to income, including employment and benefits, for people experiencing homelessness and recently homeless households.

4.4.1 Monitor impact and consider expansion of the Environmental Cleanup Project (ECO), and evaluate other opportunities for supporting households in accessing entry level jobs.

4.4.2 Ensure all eligible program participants are enrolled in the public benefits for which they are eligible.

Next Steps Include:

- Expedite access to clinicians who can provide disability documentation, including by ensuring clinicians are trained to work with people experiencing homelessness.

- Consider development of a program that helps connect municipal and county jobs with people with disabilities and participants of Rapid Rehousing programs.
GOAL 5: STRENGTHEN PUBLIC ENGAGEMENT AND COMMUNITY-WIDE PARTNERSHIPS TO ENSURE RESOURCES TO ADDRESS HOMELESSNESS ARE BEING USED AS EFFECTIVELY AS POSSIBLE

Measure 1: All incorporated municipalities and key stakeholder groups have adopted the Strategic Plan to Address Homelessness in Tulare County.

Measure 2: Stakeholders are working together communitywide to implement a shared set of strategies to address homelessness in line with the roadmap in the Strategic Plan.

Strategy 5.1 – Deepen public understanding of homelessness and its solutions.

Strategy 5.2 – Centralize the countywide homelessness response strategy to avoid duplication and get the most value out of limited resources.

Strategy 5.3 – Increase participation by key stakeholders and essential community partners in meaningful solutions to address homelessness in Tulare County.
Detailed Strategies and Next Steps

**Strategy 5.1 – Deepen public understanding of homelessness and its solutions.**

5.1.1 Roll out the Strategic Plan, using the process to support community-wide engagement and alignment around a single roadmap for next steps in addressing homelessness in Tulare County.

5.1.2 Coordinate endorsement of the Strategic Plan by key partners to support alignment around a shared set of goals and strategies to most effectively target homelessness.

5.1.3 Establish a year-round communication strategy to educate the public about homelessness and the local homelessness response, addressing common myths and celebrating progress in Strategic Plan implementation.

**Strategy 5.2 – Centralize the countywide homelessness response strategy to avoid duplication and get the most value out of limited resources.**

5.2.1 Leverage the Tulare Countywide Task Force on Homelessness to be the central, countywide coordinating body for developing, implementing, and monitoring the Strategic Plan’s strategies to address homelessness in Tulare County.

5.2.2 Develop a year-round structure for Countywide Strategic Plan implementation and reporting.

**Next Steps Include:**

- Establish a Countywide Task Force Steering Committee to lead the development of the communication strategy, coordinate the Task Force’s Strategic Plan implementation process, and make recommendations to the Task Force.

- Create an annual implementation calendar that provides for:
  - Identifying annual implementation goals, strategies of focus for the upcoming year and key stakeholders for those strategies.
  - Establishing stakeholder committees as needed to achieve strategies of focus, with a process for regular updates to the Countywide Task Force.
  - Annual or bi-annual analysis of progress in implementation of strategies of focus, identification of challenges and approaches for addressing challenges.

5.2.3 Establish Jurisdictional Action Committees to coordinate local Strategic Plan implementation in each municipality and report to Countywide Task Force.
5.2.4 Establish a central “backbone” position, funded by each jurisdiction, to coordinate communitywide Strategic Plan implementation and progress.

Strategy 5.3 – Increase participation by key stakeholders and essential community partners in meaningful solutions to address homelessness in Tulare County.

5.3.1 Involve philanthropy, service organizations, and faith community in supporting critical initiatives such as public engagement and education campaigns, the flexible housing and risk mitigation funds, and volunteer opportunities.

Next Steps Include:

- Support opportunities for community members to engage and connect with people experiencing homelessness, such as volunteer food service, that then connect to larger solution-focused campaigns.

- Coordinate an Impact or “Call to Service” Campaign across multiple entities, for example to fund and host rotating sites for a mobile van providing multi-disciplinary services. (See Strategy 2.2)

5.3.2 Include diverse stakeholders in Strategic Plan implementation processes and committees to support engagement across sectors and ensure that all partners with a stake in addressing homelessness are part of the solution.
### Proposed Action Plan for Strategy 1.1 (Increase Development of Units Available for Permanent Supportive Housing)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Steps</th>
<th>Responsible Parties</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Develop the Pipeline Plan and countywide leadership and commitment to fulfil its goals.</td>
<td>Establish a Housing Committee of local developers, Housing Authority, city and County staff, and experienced service providers to develop and facilitate implementation of the Countywide Housing Development Pipeline.</td>
<td>Countywide Task Force</td>
<td>2019</td>
</tr>
<tr>
<td></td>
<td>Draft the Pipeline Plan.</td>
<td>Housing Committee</td>
<td>2020</td>
</tr>
<tr>
<td></td>
<td>Secure commitment by each municipality to develop and/or fund a pro-rata portion of dedicated Permanent Supportive Housing inventory by the end of 2025.</td>
<td>Visalia, Porterville, Tulare City</td>
<td>2020</td>
</tr>
<tr>
<td>Develop systems to increase community capacity to respond quickly to development opportunities.</td>
<td>Conduct a Tulare County Request for Qualifications process to establish a pre-qualified pool of developers who have experience developing affordable and supportive housing.</td>
<td>County Board of Supervisors</td>
<td>2020</td>
</tr>
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<tr>
<td>Establish processes for jurisdictions to provide robust and frequent early identification of property, surplus property, and site inventory available or expected to come available for development, including properties in need of rehabilitation.</td>
<td>Visalia, Porterville, Tulare City</td>
<td>2020</td>
<td></td>
</tr>
<tr>
<td>Develop local policies to fast-track affordable development into the already existing housing pipeline (e.g., CEQA exemptions, zoning by right, or reduce/deferred waiving impact development fees) and require housing development that is dedicated to Permanent Supportive Housing and Extremely Low-income Households.</td>
<td>Visalia, Porterville, Tulare City</td>
<td>2021</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expand capital funding and resources available to meet the development goals.</th>
<th>Expand locally-dedicated resources to provide matching resources to take advantage of state and federal opportunities, including exploring strategic opportunities to pool state or other resources across jurisdictions.</th>
<th>County, Visalia, Porterville, Tulare City</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expand availability of project-based vouchers, property and financial resources for capital.</td>
<td>Housing Authority, County</td>
<td>Ongoing</td>
<td></td>
</tr>
<tr>
<td>Identify and apply for relevant state and federal funding or resource opportunities (e.g., Housing Authority vouchers).</td>
<td>County, Visalia, Porterville, Tulare City</td>
<td>2022</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX B

Proposed Action Plan for Strategy 2.1 (Expand Housing-Focused Crisis Shelter Options/Low Barrier Shelter)

<table>
<thead>
<tr>
<th>Activity</th>
<th>Steps</th>
<th>Responsible Parties</th>
<th>Timeline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establish a Jurisdictional Action Committee in each of the three largest city jurisdictions to coordinate priority strategies (e.g., Low-Barrier Shelter)</td>
<td>Establish a Jurisdictional Action Committee with key stakeholders necessary to successfully design, develop, and implement a crisis shelter, including elected representatives, city staff, HHSA and direct service provider partners.</td>
<td>County, Visalia, Porterville, Tulare City, Other Partners</td>
<td>2020</td>
</tr>
<tr>
<td></td>
<td>Action committee representatives across jurisdictions meet monthly to coordinate and address challenges, and report to Countywide Task Force.</td>
<td>Jurisdictional Action Committees</td>
<td>Throughout</td>
</tr>
<tr>
<td></td>
<td>Committees identify and coordinate resources from each partner (e.g., County services, state/federal funding, city-owned property, nonprofit service providers, etc.).</td>
<td>Jurisdictional Action Committees</td>
<td>2020</td>
</tr>
<tr>
<td><strong>Develop a plan to establish a low barrier, housing-focused crisis shelter.</strong></td>
<td>Identify potential physical sites accessible to transportation and services and work with partners to settle on a location.</td>
<td>Jurisdictional Action Committees</td>
<td>2020</td>
</tr>
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<tr>
<td></td>
<td>Identify potential sources of start-up and operating funding and resources, including the appropriate resources from each partner to support the shelter.</td>
<td>Jurisdictional Action Committees</td>
<td>2020</td>
</tr>
<tr>
<td></td>
<td>Identify an operating agency (either an existing nonprofit, a nonprofit not currently operating in Tulare County, or a new agency).</td>
<td>Jurisdictional Action Committees</td>
<td>2020</td>
</tr>
<tr>
<td><strong>Prepare for shelter launch</strong></td>
<td>Mobilize support and community education and engagement to communicate the critical role and impact of housing-focused crisis shelters on addressing homelessness and its impacts on the community.</td>
<td>County, Visalia, Porterville, Tulare City, Other Partners</td>
<td>2020</td>
</tr>
<tr>
<td></td>
<td>Establish operating policies, procedures and integrated service provision across multiple partners. Coordinate with and between service providers to ensure program participants are offered robust and integrated service delivery and housing-focused supports.</td>
<td>Operating agency, in collaboration with the Action Committee</td>
<td>2021</td>
</tr>
<tr>
<td></td>
<td>Develop low barrier housing-focused policies and procedures and retain service staffing.</td>
<td>Operating agency</td>
<td>2021</td>
</tr>
</tbody>
</table>
APPENDIX C

Examples of Jurisdictional Priority Strategies for 2020

This strategic plan identifies an ambitious but achievable vision for meaningfully addressing homelessness over the next five years. In 2020, individual jurisdictions are encouraged to focus on the individual strategies that will be most effective in addressing homelessness locally. The following identifies recommended strategies/steps from the goals above that individual jurisdictions may choose as areas of focus.

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1 – Permanent Supportive Housing Development</td>
<td>Participate in development of 5-year Countywide Housing Development Pipeline plan &amp; commit to supporting local allocation of PSH units. Explore opportunities such as small homes.</td>
</tr>
<tr>
<td>1.2 – Increase Resources Available for Supportive Housing</td>
<td>Ensure the community is accessing available state/federal resources: apply for new state/federal funding opportunities, identify sources of match funds, and evaluate opportunities to align existing federal/state resources to more effectively address homelessness.</td>
</tr>
<tr>
<td>2.1 – Expand Housing-Focused Crisis Shelter Options</td>
<td>Establish a housing-focused low barrier shelter that uses evidence-based practices to support people in exiting homelessness.</td>
</tr>
<tr>
<td>2.3 – Expand Effectively Coordinated Street and Encampment Outreach</td>
<td>Establish or expand dedicated homelessness outreach, such as a multi-disciplinary HOPE team of police and HHSA mental health ride-along staff (already exists in Visalia).</td>
</tr>
<tr>
<td><strong>2.4 – Deepen Housing-Focused Programming</strong></td>
<td>Support co-location of housing navigation staff and other housing-focused resources at drop-in sites, transit centers, and other locations regularly accessed by people experiencing homelessness.</td>
</tr>
<tr>
<td><strong>5.1 – Deepen Public Understanding of Homelessness and Its Solutions</strong></td>
<td>Endorse the Countywide Strategic Plan and support the local community in understanding the causes of homelessness, its solutions, and the strategic steps being taken locally to address the crisis.</td>
</tr>
<tr>
<td><strong>5.2 – Centralize the Countywide Homelessness Response Strategy</strong></td>
<td>Establish a local jurisdictional Action Committee on homelessness to support local implementation of key strategies and coordinate with the Countywide Task Force to avoid duplication and efficient use of resources. Partner with other jurisdictions to fund a centralized “backbone” position to coordinate community-wide Strategic Plan implementation, and ensure progress, effective coordination of resources, and meaningful outcomes.</td>
</tr>
</tbody>
</table>
AGENDA ITEM:
Discussion and direction regarding adopting Resolution 19-___ declaring a housing/shelter crisis in the City of Tulare.

IS PUBLIC HEARING REQUIRED: @Yes  ¤ No

BACKGROUND/EXPLANATION:
Each year, the Kings/Tulare Homeless Alliance (Alliance) conducts a Point in Time (PIT) count of the number of people experiencing homelessness within Kings and Tulare Counties. The 2019 PIT was held on January 23, 2019. According to the 2019 Kings/Tulare Homeless Alliance Point in time report, there were 146 homeless people within the Tulare city limits. Of the 146 homeless persons interviewed, 123 were unsheltered.

Adopting a Resolution declaring a shelter crisis can afford the City the following opportunities:

1. Immunity from ordinary negligence liability and the ability to suspend strict Compliance with housing, health, or safety requirements in the provision of emergency housing (Chapter 7.8 Shelter Crisis 8698-8698.4 of Title 2 of the California Government Code);

2. Eligibility to become a direct recipient of Homeless Emergency Aid Program funds (HEAP) from the local Continuum of Care (COC); and,

3. If the City does not become a direct recipient of HEAP funds, funds can be spent by the COC within the City for capital projects finished before June 30, 2021, or for rental assistance or rental subsidies.

Although there are no current plans to utilize public buildings or to allow alternative living Arrangements within the City, adopting a Resolution declaring a shelter crisis can place the City in the position of maximum flexibility if the need arises. Alternatively, a Resolution declaring a shelter crisis can be adopted by the Council at any future duly noticed Council meeting.

STAFF RECOMMENDATION:
Discussion and direction regarding adopting Resolution 19-___ declaring a housing/shelter crisis in the City of Tulare.
CITY ATTORNEY REVIEW/COMMENTS: ¢ Yes  ® N/A

IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:  ® Yes  ¢ No  £ N/A

FUNDING SOURCE/ACCOUNT NUMBER:
Unknown.

Submitted by: Traci Myers  Title: Community & Economic Development Director
Date: December 9, 2019  City Manager Approval:__________

Attachments: Resolution 19-_____
RESOLUTION 19-____

RESOLUTION OF THE TULARE CITY COUNCIL DECLARING A SHELTER CRISIS PURSUANT TO SB 850 (CHAPTER 48, STATUTES OF 2018 AND GOVERNMENT CODE SECTION 8698.2)

WHEREAS, California’s Governor Edmund G. Brown, Jr. and the members of the California Legislature have recognized the urgent and immediate need for funding at the local level to combat homelessness; and

WHEREAS, the Governor and Legislature have provided funding to local governments under the Homeless Emergency Aid Program as part of SB 850 and the 2018-19 Budget Act (Chapter 48, Statutes of 2018); and

WHEREAS, The Governor and Legislature require jurisdictions seeking an allocation through the Homeless Emergency Aid Program to declare a Shelter Crisis pursuant to Government Code Section 8698.2; and

WHEREAS, the City of Tulare has developed a homelessness plan and undertaken multiple efforts at the local level to combat homelessness; and

WHEREAS, the City of Tulare finds that the Kings and Tulare Counties 2019 Point in Time count identified a total of 146 homeless people within the Tulare City limits; 123 of which were unsheltered.

WHEREAS, the City of Tulare finds that the number of homeless is significant, and these persons are without the ability to obtain shelter; and

WHEREAS, the City of Tulare finds that the health and safety of unsheltered person in the City of Tulare is threatened by a lack of shelter; and

WHEREAS, the Tulare City Council affirms the City of Tulare’s commitment to combatting homelessness and creating or augmenting a continuum of shelter and service options for those living without shelter in our community.

NOW, THEREFORE, BE IT RESOLVED, the Tulare City Council hereby finds and declares the existence of a shelter crisis, pursuant to Government Code section 8698.2 in the City of Tulare and authorized the City of Tulare’s participation in the Homeless Emergency Aid Program.

PASSED, APPROVED, AND ADOPTED this ____ day of December, 2019.

______________________________
President of the Council and Ex-Officio
Mayor of the City of Tulare
ATTEST:

STATE OF CALIFORNIA )
COUNTY OF TULARE  ) ss.
CITY OF TULARE )

I, Rob A. Hunt, City Clerk of the City of Tulare, certify the foregoing is the full and true Resolution 19-___ passed and adopted by the Council of the City of Tulare at a regular meeting held on December ______, 2019, by the following vote:

Aye(s) __________________________________________________________

Noe(s) _________________ Absent/Abstention(s) _____________________.

Dated:       ROB A. HUNT, CITY CLERK

By Roxanne Yoder, Chief Deputy
ACTION MINUTES OF TULARE
CITY COUNCIL, CITY OF TULARE

December 3, 2019

A closed session of the City Council, City of Tulare was held on Tuesday, December 3, 2019, 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

COUNCIL ABSENT:  Carlton Jones, Greg Nunley

STAFF PRESENT:  Rob Hunt, Megan Dodd, Tim Thompson (Special Counsel), Josh McDonnell, Janice Avila, Michael Miller, Jim Funk, Nick Bartsch

I.  CALL TO ORDER CLOSED SESSION

Mayor Sigala called the closed session to order at 6:00 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 on the agenda at 6:02 p.m.

(1)  54956.9(d)(2) & (e)(3) Conference with Legal Counsel – Anticipated Litigation  
Six (6) items of anticipated litigation

(2)  54956.9(d)(2) & (e)(2) Conference with Legal Counsel – Anticipated Litigation  
(1) Complaint made by existing City employee

(3)  54956.9(d)(4) Conference with Legal Counsel – Anticipated Litigation  
Two (2) items of anticipated litigation

(4)  54956.8b Conference with Real Property Negotiators  
Property:  located at the intersection of Oaks Street and Prosperity Avenue  
Under Negotiation:  Price, terms and conditions of purchase  
Negotiating parties:  Rob Hunt, Mario Zamora, Michael Miller, Jim Funk
Vice Mayor Mederos recused himself from discussions due to property ownership for Item 5, creating a quorum issue, as such this matter trailed to the end of the meeting to allow Council Member Jones’ attendance to makeup the Council’s quorum.

(5) 54956.8b Conference with Real Property Negotiators
Property: located along Cartmill Avenue between De La Vina Street and Mooney Boulevard. (APN#149-060-029), (APN#149-380-031) and (APN#149-390-022)
Under Negotiation: Price, terms and conditions of purchase
Negotiating parties: Rob Hunt, Mario Zamora, Josh McDonnell, Michael Miller, Nick Bartsch, Will Washburn

IV. RECONVENE CLOSED SESSION

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

V. CLOSED SESSION REPORT (if any)

Mayor Sigala advised there was no reportable action.

VI. ADJOURN CLOSED SESSION

Mayor Sigala adjourned closed session at 7:03 p.m.

A regular session of the City Council, City of Tulare was held on Tuesday, December 3, 2019, 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 8:33 p.m.

COUNCIL ABSENT: Greg Nunley

STAFF PRESENT: Rob Hunt, Josh McDonnell, Mario Zamora, Tim Thompson (Special Counsel), Wes Hensley, Luis Nevarez, Janice Avila, Steve Bonville, Craig Miller, Michael Miller, Traci Myers, Darlene Thompson, Trisha Whitfield, Nick Bartsch, Jim Funk, Roxanne Yoder

VII. CALL TO ORDER REGULAR SESSION

Mayor Sigala called the regular session to order at 7:03 p.m.

VIII. PLEDGE OF ALLEGIANCE AND INVOCATION

Jason Bender 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.

Euler Torrez, ROOX Agency, addressed the Council regarding their planning efforts for Viva Downtown Tulare events and future Census efforts.

Donnette Silva-Carter, Chamber CEO, addressed the Council regarding the upcoming Business after Hours and Holiday Open House on December 12, 5:30 to 7 p.m. and introduced the Leadership Tulare 2019/20 class. Lastly, Ms. Silva-Carter commented on the Annual Chamber Awards to be held on January 24, 2020.

Manuel Martinez addressed the Council with frustration over a homeless woman that is going to the restroom in public.

X. COMMUNICATIONS

City Manager Rob Hunt advised Council that we are in receipt of a Resolution from the Tulare Joint Union High School District in opposition of General Business Public Hearing Item 1b (Cannabis Ordinance). The communication to be taken up at that time.

XI. CONSENT CALENDAR:

It was moved by Vice Mayor Mederos, seconded by Council Member Sayre and carried 3 to 0 (Council Members Jones and 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 November 19, 2019 special/regular meeting(s).
[Submitted by: R. Yoder]

(3) Authorize the City Manager to sign a contract change order with Agee Construction, Inc. of Clovis, CA in an amount not to exceed $102,649.57 for additional street improvements associated with Project EN0076, “O” Street Improvement Project between Bardsley Avenue and Pleasant Avenue; Approve the revised project budget (attached) and accept as complete the contract with Agee Construction, Inc. for work on Project EN0076. 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: J. Funk]
(4) Receive, review, and file the Monthly Investment Report for October 2019.  
[Submitted by: D. Thompson]

(5) Adopt Ordinance 19-11 amending Chapter 3.08 of Title 3 of the City Code, Fire Prevention Code, pertaining to the California Fire Code (CFC).  
[Submitted by: R. Leonardo]

XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

There were no items for this section of the agenda.

XIII. MAYOR'S REPORT

There were no items for this section of the agenda.

XIV. STUDENT REPORTS

(1) Introduction of Teens on Board City Council representatives Araceli Espinoza, Tulare Western, Jr.; Amber Munoz, Tulare Western Sr. and Sebastian Pires, Tulare Western, Jr.; and 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.

Due to the absence of two Council Members, Items 1b and 2a were taken out of order.

(1) Public Hearing:

[Council Member Jones arrived at 8:33 p.m.]

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. City Manager Rob Hunt provided a report for the Council’s review and consideration. Mayor Sigala opened the public hearing at 8:30 p.m.

Laura Fonseca, Tulare Joint Union High School District Board Member addressed the Council on behalf of the Board and a Resolution they passed and highlighted three key points from same that outline statistics and the concerns over the use of cannabis in youth. The text of Resolution 2020-05 adopted November 21, 2019, by the Board is as follows:
Chase Landers addressed the Council on the pros and cons of recreational cannabis.

Frank Arano addressed the Council in support of recreational cannabis.

Gabriel Jacquez addressed the Council in opposition of recreational cannabis.

Adrianna Hooker-McGrew addressed the Council in support of recreational cannabis.
Jonathan Reyes addressed the Council in support of recreational cannabis.

With no further public comment, Mayor Sigala closed the public hearing at 8:51 p.m.

Student Members Sebastian Pires, Araceli Espinoza and Amber Munoz commented on the ease of access and use on campus.

Questions and comments were made by the Council. It was moved by Council Member Jones, seconded by Council Member Sayre and carried 3 to 1 (Vice Mayor Mederos voting no; Council Member Nunley absent) to pass-to-print Ordinance 19-12, as presented.

[The following Public Hearing was held and closed on October 22, 2019. Staff was directed to meet with the Building Industry Association. The item was continued to December 3, 2019, to consider the adoption of a Resolution & Ordinance related to same.]

b. Identify preferred alternative and consider adoption of Resolution 19-47 to establish new Development Impact Fees for residential development in the City of Tulare with direction to pass-to-print Ordinance 19-08 for the repeal and replacement of Chapter 8.56 of title VIII of the Municipal Code pertaining to development impact mitigation fees. [Submitted by: M. Miller] City Engineer Michael Miller provided a report for the Council’s review and consideration. Mayor Sigala re-opened the public hearing at 7:26 p.m. Brian Todd, BIA, addressed the Council in support of staff’s recommendation. With no further public comment, Mayor Sigala closed the public hearing at 7:28 p.m. Questions and comments posed by Council were addressed by City Manager Hunt.

Following discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Sayre and carried 3 to 0 (Council Members Jones and Nunley absent) to adopt Resolution 19-47 approving Option 2 (Community Parks) as presented; it was further moved by Vice Mayor Mederos, seconded by Council Member Sayre and carried 3 to 0 (Council Members Jones and Nunley absent) to pass-to-print Ordinance 19-08, as presented.

(2) Engineering:

a. Consider a request by Del Lago Place, LLC to grant a time extension for completion of public improvements for the Tesori subdivision, and if approved, authorize the City Manager to enter an amended subdivision improvement agreement reflecting said extension. [Submitted by: M. Miller] Assistant City Attorney Megan Dodd recused herself on this matter. Special Counsel Tim Thompson was seated in her stead. City Engineer Michael Miller provided a report for the Council’s review and consideration.
Mr. Ron Jones of Kahn, Soares and Conway addressed the Council and advised that he had been retained to represent Mr. Bullock, but since has determined that his firm has a conflict and is no longer able to represent Mr. Bullock. Mr. Bullock addressed the Council and requested a 90-day extension to find representation.

Vice Mayor Mederos requested that the audio of the May 2, 2017, City Council meeting specific to the Bella Oaks Subdivision item be played. Following the playback of this 30-minute audio section, comments and questions were posed by the Council. Mr. Bullock briefly addressed. Following discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Sayre, and carried 2 to 1 (Mayor Sigala voting no) to allow a three-month extension to allow the developer to complete all items as outlined in the punch-list provided by the City Engineer.

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

Mayor Sigala requested the following items for future meetings as noted:

- Presentation and Discussion on the Census January 7, 2020.
- Study Session regarding next steps on Cannabis process February 4, 2020.

It was unanimously approved by the members present (Council Member Nunley absent) to add the proposed items as requested.

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

Mayor Sigala adjourned to closed session for the remaining item that was trailed from the 6 p.m. session at 9:27 p.m., as noted. Vice Mayor Mederos remained recused on this item.

(5) **54956.8b Conference with Real Property Negotiators**

Property: located along Cartmill Avenue between De La Vina Street and Mooney Boulevard. (APN#149-060-029), (APN#149-380-031) and (APN#149-390-022)

Under Negotiation: Price, terms and conditions of purchase

Negotiating parties: Rob Hunt, Mario Zamora, Josh McDonnell, Michael Miller, Nick Bartsch, Will Washburn

XVIII. **RECONVENE CLOSED SESSION**

Mayor Sigala reconvened from closed session at 9:54 p.m.
XIX. CLOSED SESSION REPORT (if any)

Mayor Sigala advised there was no reportable action.

XX. ADJOURN CLOSED SESSION

Mayor Sigala adjourned closed session at 9:54 p.m.

XXI. REGULAR MEETING

Mayor Sigala adjourned the regular meeting at 9:54 p.m.

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

ATTEST:

______________________________
Chief Deputy City Clerk and Clerk of the
Council of the City of Tulare
ORDINANCE 19-12

AN ORDINANCE AMENDING CHAPTER 5.96 OF THE CITY OF TULARE MUNICIPAL CODE ALLOWING RECREATIONAL CANNABIS BUSINESSES AND ESTABLISHING PERMITTING PROCEDURES AND REGULATIONS

THE CITY COUNCIL OF THE CITY OF TULARE DOES ORDAIN AS FOLLOWS:

Section 1. PURPOSE. The provisions of this ordinance are intended to permit and regulate legal cannabis businesses in the City of Tulare.

Section 2. CODE ENACTMENT.

Tulare Municipal Code Chapter 5.96 “Marijuana Dispensaries” is hereby revoked in its entirety, and replaced in full with the following:

Chapter 5.96
COMMERCIAL CANNABIS BUSINESSES

5.96.010 Purpose
It is the purpose of this Chapter to allow retail sales, under a Retail License, of recreational and medicinal cannabis from persons or entities that are duly licensed and authorized under state and local law in the City of Tulare.

Manufacturing, cultivation, distribution, or any other activity required to have a State License, is not permitted in any zone within the City.

5.96.020 Cannabis Permitted Uses and Zoning.

Retail sales shall only be allowed in a storefront, in an area zoned C-4 or C-3, but at least 1,000 feet away from each other, at least 600 feet away from any school, and in compliance with all other State and local laws. (See Chapter 10 for zoning designations.) No distinction shall be made between medicinal and recreational sales.

5.96.030 Commercial Cannabis Business Minimum Operational Requirements and Restrictions.

The following operational requirements and restrictions shall apply to all Commercial Cannabis Businesses:

A. State Law. The Commercial Cannabis Business shall at all times be in compliance with State Law and the implementing regulations, as they may be amended from time to time, as well as
all required State license(s) under State Law, and any other applicable State law. The Operator shall obtain required licenses under State Law prior to opening for business. If the Operator uses the approved Cannabis operations for commercial recreational cannabis, the Operator shall meet or exceed the health and safety requirements of State Law in any operations relating to recreational cannabis.

B. Register of Employees. The Operator shall maintain a current register of the names of persons required to have Employee Permits. The register shall be available to the City Manager or their designee at all times, and immediately upon request.

C. Signage. Signage which advertises the business shall be allowed. However, there shall be no signage, markings, text, logos, artwork, etc., on the Premises, or off-site, which in any way evidences that Commercial Cannabis Businesses are occurring on the property. Interior building signage evidencing Commercial Cannabis Business is occurring on the property is permissible provided the signage is not visible outside of the building. Signage must comply with all other City requirements for signage.

D. Cannabis Consumption. No cannabis shall be smoked, ingested or otherwise consumed on the Premises. Adequate signage of this prohibition shall be displayed throughout the facility.

E. Alcoholic Beverages. Alcohol for personal consumption shall not be provided, stored, kept, located, sold, dispensed, or used on the Premises.

F. Distribution. Distribution of cannabis into City limits to a Cannabis Business shall be conducted according to State law.

G. Minors. It shall be unlawful for any Operator to employ any person who is not at least twenty-one (21) years of age, or any older age if set by the State.

H. Distance separation from schools and residences. Commercial Cannabis Business shall comply with the distance separation requirements from residences and schools as required by State law. In addition, a Cannabis operation shall not be located within six hundred (600) feet from any existing residence, school, or proposed school site as identified in the General Plan. Measurements shall be from property boundary to property boundary. For purposes of this section, school means any public or private school providing instruction in kindergarten or grades 1-12, inclusive, but does not include any private school in which education is primarily conducted in private homes.

I. Hours of Operation. Commercial cannabis operations shall be allowed to operate between 8:00 am and 8:00 pm. Deliveries to the commercial cannabis business may only take place, and must be completed, during regular business hours.

J. Building and Related Codes. Commercial cannabis operations shall be subject to the following requirements:
1. The Premises in which the Cannabis business occur shall comply with all applicable local, State and federal laws, rules, and regulations including, but not limited to, building codes and the Americans with Disabilities Act, as certified by the Building Official of the City. The Operator shall obtain all required building permits and comply with all applicable City standards.

2. The Responsible Party shall ensure that the Premises has sufficient electrical load for the storage of Cannabis. The use of generators is prohibited other than for temporary emergency use.

3. Employee training records and safety equipment must be maintained, and all equipment must be compliant with State safety regulations in §§40100 – 41099 and as they may be amended. The Tulare Police Department shall inspect and approve the Premises for use of the products prior to City's issuance of a certificate of occupancy, or otherwise prior to opening for business, to ensure compliance with this requirement.

K. Odor control. Cannabis businesses shall provide a sufficient odor absorbing ventilation and exhaust system so that odor generated inside the facility that is distinctive to its operation is not detected outside the Premises, outside the building housing the Cannabis business, or anywhere on adjacent property or public rights-of-way. As such, Cannabis businesses must install and maintain the following equipment or any other equipment which the City's Building Official determines has the same or better effectiveness, if a smell extends beyond a property line:

1. An exhaust air filtration system with odor control that prevents internal odors and pollen from being emitted externally; or an air system that creates negative air pressure between the cannabis facility's interior and exterior so that the odors generated inside the cannabis facility are not detectable outside the cannabis facility.

L. Secure Building. All commercial cannabis operations shall occur entirely inside of a building that shall be secure, locked, and fully enclosed, with a ceiling, roof or top. The building shall include a burglar alarm monitored by an alarm company or private security company. The building, including all walls, doors, and the roof, shall be of solid construction meeting the minimum building code requirements for industrial structures (including, without limitation, commercial greenhouse structures), and include material strong enough to prevent entry except through an open door. Notwithstanding the foregoing, the roof may be of solid translucent material provided other security measures exist to ensure that the Cannabis Operation cannot be seen, heard or smelled beyond the property line. The precise building construction and material to be used shall be identified and provided to the City prior to construction and provided with the application.

M. Premises Security. The City Council shall set Premises Security requirements by resolution and the Chief of Police shall enforce.
5.96.040 Mobile Deliveries & Business License

Mobile deliveries from a Commercial Cannabis Business with a Regulatory Permit shall be allowed within the City limits. Commercial Cannabis Businesses located outside of City limits and who deliver into the City limits must obtain a City of Tulare Business License and pays all appropriate fees and taxes when due.

All deliveries shall be conducted in accordance with regulations and standards approved by the Chief of Police.

5.96.050 Regulatory Permit Required

All Commercial Cannabis Businesses shall be required to have a Regulatory Permit issued by the City of Tulare. The City Council shall set Regulatory Permit requirements by resolution and the Chief of Police shall enforce said regulations.

The total number of Regulatory Permits shall be fixed at five (5), consisting of three (3) recreational (Type 10-A) and two (2) medicinal (Type 10-M only) Permit holders, but subject to amendment by the City Council.

Any Commercial Cannabis Businesses in operation at the time of enactment of this ordinance shall be required to comply this Chapter in order to sell recreational cannabis.

Regulatory Permits are granted to, and are held in the name of, the Responsible Party. Regulatory Permits are not transferrable or assignable.

5.96.060 Employee Permit Required

A. Every employee or independent contractor working at a Commercial Cannabis Business or involved in transportation/delivery related services for a Cannabis Business shall obtain an Employee Permit. It shall be the duty of the Commercial Cannabis Business to ensure that Employee Permits are obtained from the Tulare Police Department prior to the employee or independent contractor commencing work. Persons who are listed as a Business Owner on a Regulatory Permit shall not be required to obtain an Employee Permit if such person also serves as an employee or contractor. All Responsible Parties, except the Business Owner, shall be required to obtain an Employee Permit.

B. Each employee and independent contractor shall be required to provide the following information under penalty of perjury, so that the Tulare Police Department can perform a background check:

1. Name, current resident address, and telephone number.

2. Date of birth.
3. Tax identification number.

4. Height, weight, color of eyes, and hair.

5. Photographs for identification purposes.

6. Be fingerprinted by the Police Department.

7. Such other identification and information as deemed necessary by the Chief of Police and pertinent to the Employee Permit.

8. Authorization for the City, its agents and employees to seek verification of the information contained within the application.

9. The name of the Business Owner holding the Regulatory Permit and the Operator for which such person is proposed to work.

5.96.070 Application Fees

Every new application for a Regulatory Permit, Employee Permit, or renewal shall be accompanied by a nonrefundable fee, as established by resolution of City Council. This fee shall be in addition to any other business license, tax, or permit fee imposed by this Code or other governmental agencies. The fee shall include an amount to cover the costs of fingerprinting, photographing, background checks as well as general ongoing monitoring for compliance and processing of the application.

5.96.080 Investigation and Action on Application.

A. Upon the filing of a properly completed application for a regulatory or employee permit and the payment of the fee, the Chief of Police shall conduct an investigation of the application, including a background check of the applicant and all employees and independent contractors. All applicants for a Regulatory Permit and Employee Permit shall be required to submit to a fingerprint-based criminal history records check conducted by the Tulare Police Department.

B. For Regulatory Permits, after the background checks and investigation are complete, and in no case later than ninety (90) days after receipt of a properly completed application, the City shall issue a recommendation that the City Council approve or deny a Regulatory Permit in accordance with the provisions of this section. The recommendation for approval shall include conditions the City deems reasonable under the circumstances to protect the public health, safety, and welfare of the community. The recommendation shall be forwarded to the City Council for action following any required noticing and public hearings and may be processed concurrently with any other entitlements necessary for the Cannabis Operation.
C. For Employee Permits, after the background checks and investigation are complete, and in no case later than thirty (30) days after receipt of a properly completed application, the Chief of Police shall either approve or deny an Employee Permit. At the discretion of the Chief of Police, Employee Permits may be conditionally approved pending the background investigation.

5.96.90 Term of Permits and Renewals.

A. Regulatory and employee permits issued under this Chapter shall expire on December 31st each year. Applications for renewal shall be made at least forty-five (45) days prior to the expiration date of the permit and shall be accompanied by the nonrefundable fee referenced in this section. When made less than forty-five (45) days before the expiration date, the expiration of the permit will not be stayed. Applications for renewal shall be acted on similar to applications for permits except that the Chief of Police shall renew annual permits for additional one-year periods if the circumstances and information provided with the initial application have not materially changed. Fees, or portions thereof, shall not be adjusted on a pro-rata basis.

5.96.100 Grounds for Denial of Regulatory Permit.

The grounds for denial of a Regulatory Permit shall be one or more of the following:

A. The business or conduct of the business at a particular location is prohibited by any local or State law, statute, rule or regulation.

B. The Business Owner or Operator has been issued a local or State permit related to Cannabis operations at any other location in California, or another state, and that permit was suspended or revoked, or the Business Owner or Operator has had disciplinary action relating to the permit.

C. The Business Owner or Operator has knowingly made a false statement of material fact or has knowingly omitted to state a material fact in the application.

D. Consistent with State Law or other applicable State law, the Business Owner or Operator, or any Responsible Person, has been:
   1. Convicted of a serious or violent offense as listed under California Penal Code sections 667.5 and 1192.7(c); or
   2. Convicted of any of the offenses listed in Business and Professions Code section 19323; or
   3. Convicted of a misdemeanor involving moral turpitude as defined under State law (generally crimes relating to theft and dishonesty) within the five (5) years preceding the date of the application; or
4. Convicted of a felony involving the illegal use, possession, transportation, distribution or similar activities related to controlled substances, as defined in the Federal Controlled Substances Act, unless the individual has received a Certificate of Rehabilitation as defined in the Act; or

5. Has engaged in misconduct related to the qualifications, functions or duties of a permittee, such as lying on an application, falsifying legal documents, or anything that would otherwise ban the permittee from obtaining a State license under State Law.

6. Consistent with State Law or other applicable State law, the Business Owner or Operator has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.

7. The Business Owner or Operator is under twenty-one (21) years of age, or any older other age set by the State.

8. The Cannabis Operation does not comply with the zoning ordinance standards of the City of Tulare or the development standards set forth in this Title.

9. The required annual business license fee, annual regulatory fee or revenue raising fee has not been paid.

E. The number of regulatory permits authorized by this Chapter has been reached.

5.96.110 Grounds for Denial of Employee Permit.

The grounds for denial of an Employee Permit shall be one or more of the following:

A. The applicant has been issued a local or State permit related to Cannabis production at any other location in California, or another state, and that permit was suspended or revoked, or the applicant has had disciplinary action relating to the permit.

B. Consistent with State Law or other applicable law, the applicant has been:

1. Convicted of a serious or violent offense as listed under California Penal Code sections 667.5 and 1192.7(c); or

2. Convicted of any of the offenses listed in Business and Professions Code section 19323; or

3. Convicted of a misdemeanor involving moral turpitude as defined under State law (generally crimes relating to theft and dishonesty) within the five (5) years preceding the date of the application; or
4. Convicted of a felony involving the illegal use, possession, transportation, distribution or similar activities related to controlled substances, as defined in the Federal Controlled Substances Act, unless the individual has received a Certificate of Rehabilitation as defined in State Law; or has engaged in misconduct related to the qualifications, functions or duties of a permittee.

5. Consistent with State Law or other applicable State law, the applicant has engaged in unlawful, fraudulent, unfair, or deceptive business acts or practices.

6. The applicant has committed any act, which, if done by a permittee, would be grounds for suspension or revocation of a permit.

7. An applicant is under twenty-one (21) years of age, or any older age set by the State.

5.96.120 Notice of Decision and Final Action.
A. Regulatory Permit. Action on the Regulatory Permit shall be as follows:

1. The Chief of Police shall cause a written notice of his or her recommendation on the issuance or denial of a Regulatory Permit, and the date and time when the City Council will consider action on the Regulatory Permit, to be personally delivered or mailed to the applicant by certified U.S. mail, postage prepaid.

2. Following a public hearing before the City Council, the Council may grant the Regulatory Permit subject to such conditions as it deems reasonable under the circumstances to protect the public health, safety, and welfare of the community, or it may deny the issuance of the Regulatory Permit for any of the grounds specified in this section. The decision of the Council shall be final, subject to judicial review.

B. Employee Permit. Action on the Employee Permit shall be as follows: 1. The Chief of Police shall cause a written notice of his or her determination on the issuance or denial of an Employee Permit to be personally delivered or mailed to the applicant by certified U.S. mail, postage prepaid. The Chief of Police decision on an Employee permit shall be final, subject to judicial review.

5.96.130 Suspension and Revocation of Regulatory Permit or Employee Permit.
A. Regulatory Permit. The City Council may suspend or revoke the Regulatory Permit of a Commercial Cannabis Operation when any of the following occur:

1. The Cannabis Operation is conducted in violation of any provision of this section, State Law, or any other applicable State law.

2. The Cannabis Operation is conducted in such a manner as to create a public or private nuisance.
3. A failure to pay the Regulatory Fee or Revenue Raising Fee required by this section.

4. A failure to take reasonable measures to control patron conduct, where applicable, resulting in disturbances, vandalism, or crowd control problems occurring inside of or outside the Premises, traffic control problems, or obstruction of the operation of another business.

5. A failure to comply with the terms and conditions of the Regulatory Permit.

6. Any act which would be considered grounds for denial of the Regulatory Permit in the first instance.

B. Employee Permit. The Chief of Police may suspend or revoke an Employee Permit when the permittee or the employee has committed any one or more of the following acts:

1. Any act which would be considered a ground for denial of the permit in the first instance.

2. Violates any provision of this section, State Law, or any other applicable law relating to the Cannabis Operation.

3. Violates or fails to comply with the terms and conditions of the Employee Permit.

C. Procedures for Revoking Regulatory Permits. For Regulatory Permits, the procedures and timelines for revoking a permit shall be the same as stated in Section 10.116.100 of this code, except that all matters shall be heard by the City Council in the first instance, and there shall be no further appeal following the City Council’s decision.

D. Procedures/or Revoking Employee Permits. Prior to suspension or revocation of an Employee Permit, the Chief of Police shall conduct a hearing. Written notice of the time and place of such hearing shall be served upon the permittee at least five (5) calendar days prior to the date set for such hearing. The notice shall contain a brief statement of the grounds to be relied upon for revoking or suspending the permit. Notice may be given either by personal delivery or by certified U.S. mail, postage prepaid. Any permittee aggrieved by the decision of the Chief of Police in suspending or revoking an Employee Permit shall have no appeal rights and the Chief of Police decision shall be final, subject to judicial review as set forth in this section.

E. Immediate Suspension. The Chief of Police may immediately suspend or revoke a Regulatory Permit and an Employee Permit without notice or a hearing, subject to the appeal rights set forth herein, under either of the following circumstances:

1. The Business Owner or Operator is convicted of a public offense in any court for the violation of any law which relates to the Cannabis Operation, or in the case of an
Employee Permit, the employee is convicted of a public offense in any court for the violation of any law which relates to the permit.

2. The Chief of Police determines that immediate suspension is necessary to protect the public health, safety, and welfare of the community. The Chief of Police shall articulate the grounds for the immediate suspension in writing and the suspension shall only be for as long as necessary to address the circumstances which led to the immediate suspension.

5.96.140 Effect of Denial or Revocation.

When the City Council shall have denied a Regulatory Permit or revoked a Regulatory Permit, or the Chief of Police shall have denied or revoked an Employee Permit, no new application for a Regulatory Permit and no new application for an Employee Permit shall be accepted and no Regulatory Permit or Employee Permit shall be issued to such person or to any corporation in which he or she shall have any beneficial interest for a period of one (1) year after denying or revoking the Regulatory Permit or Employee Permit.

5.96.150 Abandonment.

In addition to the suspension or revocation of a Regulatory Permit, a Regulatory Permit shall be deemed abandoned if Cannabis Business ceases for a period of more than ninety (90) consecutive days. Before restarting operations, a new Regulatory Permit shall be secured. The 90-day period shall be tolled during periods of force majeure, which shall be defined as follows: war; insurrection; strikes; lock-outs; riots; floods; earthquakes; fires; casualties; supernatural causes; acts of the "public enemy"; epidemics; quarantine restrictions; freight embargoes; lack of transportation; unusually severe weather; inability to secure necessary labor, materials or tools; delays of any contractor, subcontractor or supplier; or any other causes beyond the reasonable control of the permittee.

5.96.160 Water Availability.

As a condition of opening for business, the Premises Owner, Business Owner, Operator, and all Responsible Parties shall be deemed to have acknowledged and agreed to the following if the Cannabis Operation is connected to the City's water system.

The City cannot provide any guarantees that City water will be available for operations. Under circumstance where the City cannot or elects to not provide water, the Cannabis Operation may be required to find alternative sources of water supply. The Premises Owner, Business Owner, and Operator assume all risk associated with water supply to the Site, including all costs associated therewith.

The Premises Owner, Business Owner, Operator, and all Responsible Parties shall hold harmless, release, indemnify, and defend the City, its officers, employees, and agents, from any
liability associated with the curtailment of water because of the foregoing. This release includes any damages to the Premises Owner, Business Owner, Operator, and all Responsible Parties, its employees and contractors, and third parties, and includes the risk of lost revenue, profits and consequential damages.

If the Premises Owner, Business Owner, Operator, or Responsible Party procures their own source of water they must comply with all State and Federal water reporting laws and procedures.

5.96.170 Other Licenses, Permits, Taxes, Fees, or Charges.

Except as expressly provided in this Chapter, nothing contained in this Chapter shall be deemed to repeal, amend, be in lieu of, replace or in any way affect any requirements for any permit or license required by, under or by virtue of any provision of any other title or Chapter of this Code or any other ordinance or resolution of the City, nor be deemed to repeal, amend, be in lieu of, replace or in any way affect any tax, fee or other charge imposed, assessed or required by, under or by virtue of any other title or Chapter of this Code or any other ordinance or resolution of the City. Any references made or contained in any other title or Chapter of this Code to any permits, licenses, taxes, fees, or charges, or to any schedule of license fees, shall be deemed to refer to the permits, licenses, taxes, fees or charges, or schedule of license fees, provided for in other titles or Chapters of the Tulare City Code unless otherwise expressly provided.

5.96.180 Violation Deemed Misdemeanor.

Any person who violates any provision of this Chapter or who other than by a sworn statement, knowingly or intentionally misrepresents to any officer or employee of the City any material fact herein required to be provided is guilty of a misdemeanor punishable as provided in Section 5.04.610 of this Code. A person who on a sworn statement states as true a material fact that he or she knows to be false is guilty of perjury. 5.96.190 Actions to Collect.

The amount of any tax, fee, penalty and/or interest imposed pursuant to this Chapter shall be deemed a debt owed to the City. An action may be commenced in the name of the City in any court of competent jurisdiction, for the amount of any delinquent tax, fees, penalties and interest thereon.

5.96.200 Severability.

If any provision of this Chapter, or its application to any person or circumstance, is determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Chapter or the application of this Chapter to any other person or circumstance and, to that end, the provisions hereof are severable.

5.96.210 Remedies Cumulative.
All remedies prescribed under this Chapter shall be cumulative and the use of one or more remedies by the City shall not bar the use of any other remedy for the purpose of enforcing the provisions hereof.

5.96.220 Amendment or Repeal.

This Chapter may be repealed or amended by ordinance of the Tulare City Council.

5.96.230 Penalties.

Any entity that fails to pay the fees required by this chapter within fifteen (15) days after the due date shall pay in addition to the taxes a penalty for nonpayment in the sum equal to twenty-five percent (25%) of the total amount due. Additional penalties will be assessed in the following manner: ten percent (10%) shall be added on the first day of each calendar month following the month of the imposition of the twenty-five percent (25%) penalty if the fee remains unpaid – up to a maximum of one hundred percent (100%) of the fee payable on the due date. Receipt of the fee payment by the City shall govern the determination of whether the fee is delinquent. Postmarks will not be accepted as adequate proof of a timely payment.

5.96.240 Definitions

The following definitions apply to this Chapter:

"Applicant" means a person who is required to file an application for a permit under this section.

"Business Owner" means the owner(s) of the Cannabis Business. For publicly traded companies, owner means the chief executive officer or any person or entity with an aggregate ownership interest of 5% or more. For all other businesses, other than publicly traded companies, an owner is an individual that has an aggregate ownership of interest other than a lien or encumbrance, of 20% or more in the commercial cannabis business.

"Cannabis" means all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, or any other strain or varietal of the genus Cannabis that may exist or hereafter be discovered or developed that has psychoactive or medicinal properties, whether growing or not, including the seeds thereof. "Cannabis" also means 1) cannabis as defined by Section 11018 of the Health and Safety Code as enacted by Chapter 1407 of the Statutes of 1972, and amended by the California Control, Regulate and Tax Adult Use of Cannabis Initiative, 2) industrial hemp as defined by Section 11018.5 of the Health and Safety Code, 3) cannabidiol ("CBD") in any form, and 4) as defined by other applicable State law.

"Cannabis business" or "cannabis industry" means any business activity in the City relating to cannabis, including but not limited to cultivation (including nurseries), transportation, distribution, manufacture, compounding, conversion, processing, preparation, testing, storage, packaging, delivery and sales (wholesale and/or retail sales) of cannabis or cannabis products, whether or not carried on for gain or profit. A cannabis business does not include any business
whose only relationship to cannabis or cannabis products is the production or sale of cannabis accessories.

“Cannabis cultivation area” means the total aggregate area(s) of cannabis cultivation by a cannabis business as measured around the outermost perimeter of each separate and discrete area of cannabis cultivation at the dripline of the canopy expected at maturity and includes, but is not limited to, the space between plants within the cultivation area, the exterior dimensions of garden beds, garden plots, hoop houses, green houses, and each room or area where cannabis plants are grown, excluding non-production areas, as determined by the City Manager or his or her designee.

"Cannabis product" means any product containing cannabis, including, but not limited to, flowers, buds, oils, tinctures, concentrates, extractions, edibles and those products described in Section 11018.1 of the Health and Safety Code.

"Canopy" means all areas occupied by any portion of a cannabis plant, inclusive of all vertical planes, whether the areas are contiguous or noncontiguous. The plant canopy need not be contained to a single parcel of land in determining the total square footage that will be subject to tax under this Chapter. If mature plants are being cultivated using a shelving system, the surface area of each level shall be included in the total canopy calculation.

“Chief of Police” means the Chief of the Tulare Police Department or his or her designee.

“City” means the City of Tulare, either the entity or its territorial limits, as the context requires.

“City Council” or “Council” means the City Council of the City of Tulare.

"Collector" means the City’s Director of Finance or Chief Financial Officer or his or her designee.

"Commercial cannabis cultivation" means cultivation conducted by, for, or as part of a cannabis business. Commercial cannabis cultivation does not include personal medical cannabis cultivation, or cultivation for personal recreational use as authorized under the "Control, Regulate and Tax Adult Use of Marijuana Act” approved by the State’s voters on November 8, 2016, for which the individual receives no compensation whatsoever.

“Commercial Cannabis Business” or “Cannabis Business” or “Cannabis Operation” means any commercial cannabis activity allowed under State Law and the implementing regulations, as State Law and the implementing regulations may be amended from time to time, and all uses permitted under any subsequently enacted State law pertaining to the same or similar uses for recreational cannabis.

“Cannabis Operator” means the person or persons responsible for the Commercial Cannabis Business regardless of the type of entity; e.g. partnership, corporation, etc.

“Cannabis production” means the processes associated with the processing, extraction, manufacturing, testing, distribution and transportation of medical and non-medical cannabis products.
"Commercial Cannabis Regulatory Permit" or "Regulatory Permit" means the permit required under this section to have a Cannabis Business.

“Commingling” means the physical aggregation of harvest batches or nonmanufactured cannabis products by a licensee.

"Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis. “Cultivation” also includes nurseries. In addition, and without limiting the foregoing, “cultivation” includes “cultivation” as defined in California Business and Professions Code section 19300.5 and any successor statute, as may be adopted and amended from time to time.

“Delivery” means the commercial transfer of marijuana cannabis or marijuana cannabis products to a customer. “Delivery” also includes the use by a retailer of any technology platform owned and controlled by the retailer, or independently licensed under this division, that enables customers to arrange for or facilitate the commercial transfer by a licensed retailer of marijuana or marijuana products.

“Delivery employee” means an individual employed by a licensed dispensary who delivers cannabis goods from the licensed dispensary premises to a physical address.

"Dispensary" means a facility where cannabis or cannabis products, are offered, either individually or in combination, for retail sale, including an establishment that engages in delivery of cannabis or cannabis products as part of a retail sale. In addition, and without limiting the foregoing, “dispensary” includes “dispensary” as defined in California Business and Professions Code section 19300.5 and any successor statute, as may be adopted or amended from time to time.

"Distributor" means a person engaged in procuring cannabis from a cultivator, and/or procuring cannabis products from a manufacturer, for sale to a licensed commercial cannabis business. In addition, and without limiting the foregoing, “distributor” includes “distributor” as defined in California Business and Professions Code section 19300.5 and any successor statute, as may be adopted or amended from time to time.

"Distribution" means the procurement, sale, and transport of cannabis or cannabis products between licensees.

"Employee" means each and every person engaged in the operation or conduct of any cannabis business, whether as owner, member of the owner's family, partner, associate, agent, manager or solicitor, and each and every other person employed or working in such cannabis business for a wage, salary, commission, barter or any other form of compensation.

"Gross Receipts" means the total amount of revenue a Cannabis Operation received from all sources during its accounting period, without subtracting any costs or expenses.

“Indoor cultivation” means the cultivation of cannabis within a structure using artificial light, at a rate greater than 25 watts per square foot.
"Manufacturer" means a person who conducts the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, or that packages or repackages cannabis or cannabis products or labels or re-labels its container. In addition, and without limiting the foregoing, “manufacturer” includes “manufacturer” as defined in California Business and Professions Code section 19300.5 and any successor statute, as may be adopted or amended from time to time.

“Mixed-light cultivation” means the cultivation of cannabis using light deprivation and/or artificial lighting below a rate of 25 watts per square foot.”

"Nursery" means a person who produces cannabis clones, immature plants, and/or seeds for wholesale distribution, used specifically for the planting, propagation, and cultivation of cannabis. In addition, and without limiting the foregoing, “nursery” includes “nursery” as defined in California Business and Professions Code section 19300.5 and any successor statute, as may be adopted or amended from time to time.

"Operator" means the Business Owner and any other person designated by the Business Owner as responsible for the day to day Cannabis business operation.

"Personal medical cannabis cultivation" means cultivation, by either a qualified patient who cultivates cannabis exclusively for his or her personal medical use or by a caregiver who cultivates cannabis exclusively for medical use by qualified patients and who is exempt from State licensing requirements under the State Medical Cannabis Regulation and Safety Act.

“Premises” means the designated structure or structures and land specified in the application that is owned, leased, or otherwise held under the control of the applicant or licensee where the commercial cannabis activity will be or is conducted. The premises shall be a contiguous area and shall only be occupied by one licensee.

“Regulatory Permit” means a permit issued by the City of Tulare that is required to be obtained prior to any operation of a Commercial Cannabis Business.

"Responsible Party" shall mean the Business Owner, Operator, manager(s), and any employee having significant control over the cannabis businesses operations.

“Retail License” means a storefront retailer (Type 10) licensee, issued by the California Bureau of Cannabis Control, which sells cannabis goods to customers at its premises or by delivery. A storefront retailer must have a licensed physical location (premises), including address, where commercial cannabis activities are conducted.

"State" means the State of California.

“State Law” means all regulations and laws in the State of California.

"State license," means a State license issued pursuant to California Business & Professions Code Sections 19300, et seq. or other applicable State law.

“Testing means a laboratory, facility, or entity in the State, that offers or performs tests of cannabis or cannabis products and that is both of the following:
1) Accredited by an accrediting body that is independent from all other persons involved in commercial marijuana cannabis activity in the State.

2) Registered and Licensed by the State Department of Public Health.

“Transport” means the transfer of cannabis or cannabis products from the permitted business location of one licensee to the permitted business location of another licensee, for the purposes of conducting commercial cannabis activity authorized pursuant to this chapter.

Section 3. CEQA REVIEW. The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) [there is no possibility the activity in question may have a significant effect on the environment]. In addition to the foregoing general exemption, the City Council further finds that the ordinance is categorically exempt from review under CEQA under the Class 8 categorical exemption [regulatory activity to assure the protection of the environment]. The City Manager is hereby directed to ensure that a Notice of Exemption is filed pursuant to CEQA Guidelines section 15062 [14 C.C.R. § 15062].

Section 4. NO LIABILITY. The provisions of this ordinance shall not in any way be construed as imposing any duty of care, liability or responsibility for damage to person or property upon the City of Tulare, or any official, employee or agent thereof.

Section 5. PENDING ACTIONS. Nothing in this ordinance or in the codes hereby adopted shall be construed to affect any suit or proceeding pending or impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance or code repealed by this ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Tulare hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

Section 7. CONSTRUCTION. The City Council intends this ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this ordinance shall be construed in light of that intent. To the extent the provisions of the Tulare Municipal Code as amended by this ordinance are substantially the same as provisions in the Tulare Municipal Code existing prior to the effectiveness of this ordinance, then those amended provisions shall be construed as continuations of the earlier provisions and not as new enactments.

Section 8. EFFECTIVE DATE. The foregoing ordinance shall take effect thirty (30) days from the date of the second reading and passage hereof, on February 26, 2019. Prior to the expiration of fifteen (15) days from the enactment hereof a certified copy of this ordinance shall be posted
in the office of the City Clerk pursuant to Government Code section 36933(c)(1) and a summary shall be published once in the Visalia Times Delta/Tulare Advance-Register a newspaper printed and published in the City of Visalia, State of California, together with the names of the Council members voting for and against the same.

PASSED, ADOPTED AND APPROVED THIS ______DAY OF __________, 2019

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

ATTEST:

Chief Deputy City Clerk and Clerk of the Council of the City of Tulare
ORDINANCE 19-08

AN ORDINANCE OF THE COUNCIL OF THE CITY OF TULARE
REPEALING AND REPLACING CHAPTER 8.56

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TULARE AS FOLLOWS TO WIT:

SECTION 1: Chapter 8.56 of Title 8 of the Tulare Municipal Code is hereby repealed and amended as follows:

Chapter 8.56
DEVELOPMENT IMPACT MITIGATION FEES

§ 8.56.010 Legislative findings.

The City Council of the City of Tulare hereby finds and declares as follows.

(A) The State of California, through the enactment of Cal. Gov't Code §§ 66001 through 66009 has, among other things, determined the nexus that must be established in the enactment of development impact fees.
(B) The imposition of development impact fees is one of the preferred methods of ensuring that development bears a proportionate share of the cost of public facilities and service improvements necessary to accommodate new development. This must be done in order to promote and protect the public health, safety and welfare.

(C) This chapter recognizes that all new development within the City will result in additional growth and that the growth will place additional burdens on various City facilities, infrastructure and services. This chapter further recognizes the types of land development that will generate impacts necessitating the acquisition of land and construction of public facilities and expansion of services and infrastructure in order to meet and accommodate them.

(D) All land uses within the City should bear a proportionate financial burden in the construction and improvement of public facilities and services necessary to serve them.

(E) The cost of providing public facilities and service improvements occasioned by development projects within the City of Tulare exceeds the revenue generated by fees exacted from the development projects.

(F) The City of Tulare hereby adopts the Impact Fee report from TischlerBise dated October 22, 2019 which establishes the costs for providing public facilities and service improvements occasioned by development projects within the City of Tulare.

(G) The development impact fees established by this chapter are based upon the costs which are generated through the need for new facilities and other capital acquisition costs required, incrementally by new development within the City of Tulare.

(H) The fees established by this chapter do not exceed the reasonable cost of providing public facilities occasioned by development projects within the City of Tulare.

(I) The fees established by this chapter relate rationally to the reasonable cost of providing public facilities occasioned by development projects within the City of Tulare, which public facilities are consistent with the General Plan and the various Elements of the General Plan of the City of Tulare.

(J) The public facilities and anticipated future development herein referenced are based upon an analysis of existing land use and zoning.

(K) The fees established by this chapter are consistent with the goals and objectives of the City’s General Plan and are designed to mitigate the impacts caused by new development throughout the City. Development impact fees are necessary in order to finance the required public facilities and service improvements and to pay for new development’s fair share of their construction costs.

(L) Imposition of fees to finance public facilities and service improvements is necessary in order to protect the public health, safety and welfare.
§ 8.56.020 Definitions.

For purposes of this chapter, the following terms, phrases, words and their derivations shall have the meanings respectively ascribed to them by this section.

CITY COUNCIL. In addition to the City Council of the City of Tulare, the Tulare Board of Public Utilities Commissioners whenever the Board is the appropriate decision making body as established by the City Charter.

DEVELOPMENT PROJECT. Any project undertaken for the purpose of development. DEVELOPMENT PROJECT shall include a project involving the issuance of a permit for construction or reconstruction, remodeling, or any work requiring any permit under the ordinances of the City of Tulare, as the same presently exist or may be amended from time to time hereafter. The term DEVELOPMENT PROJECT shall also include permits for erection of manufactured housing or structures, and structures moved into the City.

FEE. A monetary exaction, other than a tax or special assessment, which is charged by the City to an applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project, but does not include fees specified in Cal. Gov’t Code § 66477, fees for processing applications for governmental regulatory actions or approvals, or fees collected under development agreements adopted pursuant to Cal. Gov’t Code Article 2.5 (commencing with § 65864) of Chapter 4, Division 1, Title 7.

LOW-DENSITY. Property located in City of Tulare zoning classifications A, UR and RA.

PUBLIC FACILITIES. Includes public improvements, public services and community amenities.

§ 8.56.030 Establishment of development fees and providing for their adoption by resolution.

The following development impact fees are hereby established and imposed on the issuance of all building permits for development within the City to finance the cost of the following categories of public facilities and improvements required by new development. The development impact fees consist of the following fees that are hereby established:

(A) Fire. A development impact fee is hereby established for Fire that includes components for facilities, apparatus and a proportionate share of the cost of the City’s development impact fee study.

(B) General Government. A development impact fee is hereby established for General Government that includes components for facilities, corporation yard
improvements, and a proportionate share of the cost of the City’s development impact fee study.

(C) Library. A development impact fee is hereby established for the Tulare City Library that includes components for materials, facilities, and a proportionate share of the cost of the City’s development impact fee study.

(D) Parks. A development impact fee is hereby established for Parks that includes components for community parks, recreation facilities, trails, and a proportionate share of the cost of the City’s development impact fee study.

(E) Police. A development impact fee is hereby established for Police that includes components for facilities, vehicles, and a proportionate share of the cost of the City’s development impact fee study.

(F) Transportation. A development impact fee is hereby established for Transportation that includes components for local streets, grade separations, bridges, state highways, and a proportionate share of the cost of the City’s development impact fee study.

(G) Storm Drainage. A development impact fee is hereby established for Storm Drainage that includes components for pipelines, basins, pump stations and a master plan.

(H) Wastewater. A development impact fee is hereby established for Wastewater that includes components for collection system improvements, treatment plant improvements, the wastewater master plan, and a proportionate share of the cost of the City’s development impact fee study.

(I) Water. A development impact fee is hereby established for Water that includes components for pipelines, wells, storage, the water master plan, and a proportionate share of the cost of the City’s development impact fee study.

(J) Groundwater Recharge. A development impact fee is hereby established for Groundwater Recharge that includes components for recharge facilities and surface water.

§ 8.56.040 Imposition of development impact fee.

(A) Any person who, after the effective date of the ordinance codified in this chapter, seeks to develop land within the City by applying for a building permit or applying for any discretionary land use permit, is hereby required to pay the appropriate development impact fees established pursuant to this chapter as the same may be applicable, in the manner, amount and for the purposes therein referenced.
(B) No permits or extension of permits for the activities referenced in division (A) of this section shall be granted unless and until the appropriate development impact fees hereby required have been paid to the City.

(C) Notwithstanding anything to the contrary set forth in division (A) of this section or in any other provision of this chapter, the development impact fees as established pursuant to this chapter shall not apply to any development project which has heretofore received a tentative map approval or other discretionary land use approval from the City, prior to the effective date of the ordinance codified in this chapter, nor to any application for approval which was submitted in completed form to the City prior to October 22, 2019; provided that:

(1) Any portion of a development project which has already received discretionary approval, or for which a completed application has been submitted prior to October 22, 2019, which requires future discretionary approvals, shall be subject to the fees in effect at the time of such further approvals. For purposes of this division (C)(1) only, a design review application requirement is not deemed to be an additional discretionary land use permit with reference to existing lots of 20,000 square feet or less zoned multiple family, commercial or industrial;

(2) Any portion of an existing development project, or an existing lot zoned multi-family, commercial or industrial, consisting of 20,000 square feet or less, which requires no further discretionary land use approvals, other than design review application approval, not completed within two years of the effective date of the ordinance codified in this chapter shall be subject to the development impact fees in effect as of the time that building permits are issued. For purposes of this division (C)(2) only, completion within two years of the effective date hereof, shall mean the existence of a lot created by an approved map which requires no additional discretionary land use permit or approval; and

(3) Provided further that any existing approvals, which expire after October 22, 2020, shall be required to pay the development impact fees in existence at the time of issuance of a building permit, as a condition of the granting of any extension of time for the approval.

(D) Any person who, after the effective date of this chapter, installs a second dwelling unit on a single family parcel, in accordance with Chapter 10.144 of the Municipal Code, is hereby required to pay development impact fee equal to 50% of the appropriate fees for single-family residences otherwise established pursuant to this chapter.

Editor's note: Ord. 1723 was adopted as an emergency measure on January 4, 1994, to clarify the City Council's intent, when § 8.56.040 was originally adopted. As an emergency measure Ord. 1723 went into effect immediately.
§ 8.56.050 Annual adjustment.

Each fee imposed by this chapter shall be adjusted on July 1 of each fiscal year, beginning on July 1, 2020, by resolution of the City Council, or as soon thereafter as practical. In the alternative, the Council may elect, by resolution, to automatically adjust fees by a percentage equal to the Engineering Cost Index as published by Engineering News Record for the preceding 12 months or any other index, which the Council adopts by resolution. Any such automatic adjustments shall not apply to fees which are based on variable factors which themselves result in an automatic adjustment or those which are specifically indicated otherwise.

§ 8.56.060 Creation of special funds.

Each fee collected pursuant to this chapter shall be deposited in a special fund created to hold the revenue generated by each such fee. Monies within each such fund may be expended only by appropriation by the City Council for specific projects which are of the same category as that for which the money was collected. In this regard, the following special funds are hereby created and established for the purposes indicated.

(A) A Fire DIF Fund is hereby established. The Fire DIF Fund is a fund for the deposit of fees collected for, and the payment of, the actual or estimated cost of fire stations and apparatus, including any required acquisition of land, and a proportionate share of the costs of the City’s development impact fee study.

(B) A General Government DIF Fund is hereby established. The General Government DIF Fund is a fund for the deposit of fees collected for, and the payment of, the actual or estimated costs of constructing and improving the general municipal facilities within the City, including the corporation yard and related facility planning studies, including any required acquisition of land, and a proportionate share of the costs of the City’s development impact fee study.

(C) A Library DIF Fund is hereby established. The Library DIF Fund is a fund for the deposit of fees collected for, and the payment of, the actual or estimated costs of materials and facilities within the City, including any required acquisition of land, and a proportionate share of the costs of the City’s development impact fee study.

(D) A Parks DIF Fund is hereby established. The Parks DIF Fund is a fund for the deposit of fees collected for, and the payment of, the actual or estimated costs of constructing and improving community parks and recreation facilities, community centers, and trails that serve the entire City, not just a specific neighborhood, including any required acquisition of land, and a proportionate share of the costs of the City’s development impact fee study.

(E) A Police DIF Fund is hereby established. The Police DIF Fund is a fund for the deposit of fees collected for, and the payment of, the actual or estimated costs of law
enforcement buildings and vehicles, including any required acquisition of land, and a proportionate share of the costs of the City’s development impact fee study.

(F) A Transportation DIF Fund is hereby established. The Transportation DIF Fund is a fund for the deposit of fees collected for, and the payment of, the actual or estimated costs of the design, upgrading or improvement of City arterials, intersections, traffic signals, railroad grade separations, bridges and state highway improvements, including any required acquisition of land, and a proportionate share of the costs of the City’s development impact fee study.

(G) A Storm Drainage DIF Fund is hereby established. The Storm Drainage DIF Fund is a fund for the deposit of fees collected for, and the payment of, the actual or estimated costs of constructing and improving the storm drain facilities within the City, including any required acquisition of land, preparation of the Storm Drain Master Plan, and a proportionate share of the costs of the City’s development impact fee study.

(H) A Wastewater DIF Fund is hereby established. The Wastewater DIF Fund is a fund for the deposit of fees collected for, and the payment of, the actual or estimated costs of constructing and improving the sewer collection system and wastewater treatment facilities within the City, including any required acquisition of land, preparation of Wastewater Master Plans, and a proportionate share of the costs of the City’s development impact fee study.

(I) A Water DIF Fund is hereby established. The Water DIF Fund is a fund for the deposit of fees collected for, and the payment of, the actual or estimated cost of constructing and improving the potable water supply, water distribution, and holding facilities within the City, including any required acquisition of land and/or the purchase of any required water rights, and a proportionate share of the costs of the City’s development impact fee study.

(J) A Groundwater Recharge DIF Fund is hereby established. The Groundwater Recharge DIF Fund is a fund for the deposit of fees collected for, and the payment of, the actual or estimated costs of land acquisition, construction, and equipment to develop groundwater recharge facilities, the capital cost of diverting seasonal surface water to recharge basins, and a proportionate share of the costs of the City’s development impact fee study.

§ 8.56.070 Computation of fees.

Residential projects shall pay a development impact fee based on a per unit basis, excepting that Storm Drainage and Groundwater Recharge fees will be calculated on a per acre basis. Non-residential projects shall pay development impact fees based on a per square foot of building area basis, excepting that Wastewater and Water fees will be based upon water meter size, and Storm Drainage and Groundwater Recharge fees will be calculated on a per acre basis. Public properties shall be classified into either the residential, commercial or industrial land use category, and shall pay fees pursuant to
that classification, as determined by the Director of Planning of the City (herein “Planning Director”) or his or her duly authorized designee. All fees due hereunder shall be determined and calculated by the City Engineer (herein “City Engineer”) or his duly authorized designee. The City Engineer or his or her designee shall have the further authority to determine the specific amount of development impact fees to be assessed against a use which is not specifically or typically associated with the various land use zone districts for which the development impact fees are established. In the determination and calculation, the City Engineer shall establish a written record of the calculation and nexus to infrastructure impacts for the projects identified above.

§ 8.56.080 Payment of fees.

The fees established pursuant to this chapter shall be paid for the property on which a development project is proposed at the time of the issuance of any required building permit, except as otherwise provided below.

(A) Fees imposed on residential development shall be collected in accordance with the provisions of Cal. Gov’t Code § 66007, as the same presently exists or may hereafter be amended from time to time. An applicant for a residential building permit may request that payment be deferred until the date of final inspection. The request shall be approved when the property owner posts proper security in the form of cash deposit, letter of credit or other similar instrument retrievable at the time a request is made for final inspection and fees paid, or executes a contract to pay the fee at the time a request is made for final inspection. The form and manner of the security or contract shall be approved by the City Manager.

(B) Fees imposed on industrial and commercial development may be deferred by action of the City Council. The action shall consist of the adoption of a resolution consistent with the following terms and conditions:

(1) A determination is made that such action will promote and stimulate economic development within the City. The City Council shall make specific findings setting forth how the subject project accomplishes this goal;

(2) Establish a specific timetable for payment in full of the deferred fees. The City Council may also require a percentage to be paid with the issuance of a building permit. In no event shall deferral of payment in full be permitted for more than five years;

(3) Interest on the unpaid portion of deferred impact fees shall accrue at a rate equal to the Local Agency Investment Fund (LAIF) interest rate in effect at the time the resolution is adopted and shall be articulated in the resolution. Interest shall be due and payable, in full, with the final payment, although interest may be paid earlier at the election of the party developing the project;
(4) A written guarantee of payment in full of the impact fees, in the form of a surety bond or some other form of surety instrument as may be acceptable to the City Engineer and the City Attorney, shall be executed and delivered to the City prior to the issuance of a building permit for the project. Interest in real property may be deemed an appropriate form of surety; and

(5) A determination is made that the deferral of the fees shall not materially affect the financial ability of the City to satisfy its then current five year capital improvement program.

(C) Development impact fees shall be paid prior to map recordation or deed recordation on parcels intended for water well sites, storm drainage basins, park, police, fire or other government facilities.

(D) The term “building permit” as used herein includes any permits required for construction, reconstruction, remodeling, moving structures into the City, and the like, such as electrical and plumbing permits, moving permits and the like.

(E) The fees created pursuant to this chapter shall be calculated on the basis of building area, or number of units, as set forth in the resolution referenced in § 8.56.030 of this chapter. All fees collected shall be promptly deposited in the appropriate fund referenced in § 8.56.060 of this chapter. All fees paid pursuant to this chapter shall be the fees in effect at the time of collection; provided that fees collected pursuant to division (B) hereinabove shall be those in effect at the time the City Council adopts the required resolution.

§ 8.56.090 Fee adjustments.

(A) A developer of any project subject to the fees described herein may apply to the City Council for a reduction, adjustment, or waiver of any one or more of the fees, based upon the absence of any reasonable relationship or nexus between the impacts of that development and either the amount of the fee(s) charged or the type of facilities to be financed. The application shall be made in writing and filed with the City Clerk not later than:

(1) Ten days prior to the public hearing on the development permit application for the project; or

(2) If no development permit is required, at the time of the filing of the request for a building permit.

(B) The application shall state in detail the factual basis for the claim of waiver, reduction or adjustment.

(C) The City Council shall consider the application at the public hearing on the permit application or at a separate public hearing held within 60 days after the filing of
the fee adjustment application, whichever is later. The hearing shall be noticed and conducted in the same fashion and manner as prescribed by the laws of the City for hearing on development permits. The decision of the City Council shall be final.

(1) If a reduction, adjustment or waiver is granted, any change in use within the project shall invalidate the waiver, adjustment or reduction of the fee if the change in use would render the same inappropriate.

(2) The City Council may, from time to time, and as the need may arise, set forth, by resolution, specific limitations which will apply to reductions, adjustments or waivers of development impact fees which may be made pursuant to this section. In this regard, this chapter shall be considered enabling and directory.

§ 8.56.100 Use of funds.

(A) Funds collected from development impact fees shall be used for the purpose of:

(1) Paying the actual or estimated costs of constructing and/or improving the public facilities within the City to which the specific fee or fees relate, including any required acquisition of land or rights-of-way therefor;

(2) Reimbursing the City for the development’s share of those public facilities already constructed by the City or to reimburse the City for costs advanced, including, without limitation, administrative costs incurred with respect to a specific public facilities project; or

(3) To reimburse other developers who have constructed public facilities described in the resolution adopted pursuant to § 8.56.030 of this chapter, where those facilities were beyond that needed to mitigate the impact of the developer’s project or projects.

(B) In the event that bonds or similar debt instruments are issued for advanced provision of public facilities for which development impact fees may be expended, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities provided are of the type to which the fees involved relate.

(C) At least once each fiscal period, the City Manager of the City of Tulare (herein “City Manager”), or his or her duly authorized designee, shall present to the City Council a proposed five-year capital improvement program for the various public facilities referenced in the resolution adopted pursuant to § 8.56.030 of this chapter assigning monies (including any accrued interest) from the funds referenced in § 8.56.060 of this chapter to specific improvement projects and related expenses. Monies, including any accrued interest, not assigned in any fiscal period shall be retained in the same fund until the next fiscal period except as provided by the refund provisions of § 8.56.110 of this chapter.
(D) Funds may be used to provide refunds as described in § 8.56.110

(E) The City shall be entitled to make loans of funds collected from one fund to another, provided that the loans are properly recorded in the records of the Finance Department and repaid with interest equal to the interest earned by the City on its funds invested with the Local Agency Investment Fund (LAIF) through the state.

§ 8.56.110 Refund of fees paid.

(A) If a building permit expires without commencement of construction, then the fee payer shall be entitled to a refund, without interest, of the impact fee paid as a condition for its issuance, except that the City shall retain 1% of the fee to offset a portion of the costs of collection and refund. The fee payer must submit an application for such a refund to the City Manager within 30 calendar days of the expiration of the permit. Failure to timely submit the required application for refund shall constitute a waiver of any right to the refund.

(B) In the event any fee collected pursuant to this chapter remains unexpended or uncommitted in any fund established pursuant to § 8.56.060 five or more years after deposit of the fee, the City shall make findings once each fiscal year to identify the purpose to which the fee is to be put and to demonstrate a reasonable relationship between the fee and the purpose for which it was charged.

(C) The unexpended or uncommitted portion of the fee, and any interest accrued thereon, for which need cannot be demonstrated pursuant to division (B) of this section shall be refunded to the then-current record owner or owners of lots or units of the development project or projects on a prorated basis.

(D) The provisions of Cal. Gov't Code § 66001(d), (e) and (f) shall apply fully to any refund of fees remaining unexpended or uncommitted in any such City fund for five or more years after deposit, and the provisions of divisions (B) and (C) of this section shall be subordinate to the section and shall be applied consistent therewith.

§ 8.56.120 Exemptions.

(A) Any claim of exemption with respect to any one or more of the fees referenced in § 8.56.030 of this chapter must be made no later than the time of application for a building permit.

(B) The following shall be exempted from payment of the development impact fees of this chapter:

(1) Alterations or renovations of an existing building or structure where no additional dwelling units are created, water meter size is not increased, and/or the use is not changed; and
(2) The replacement of a destroyed or partially destroyed or damaged building or structure with a new building or structure of the same size and use.

(3) Effective January 1, 2020, Accessory Dwelling Units are subject to the fee exemptions and/or fee restrictions provided for within California Government Code § 65852.2.

§ 8.56.130 Credits.

(A) New development that, through demolition or conversion, will eliminate existing development is entitled to a fee credit if the existing development is a lawful use under the Zoning Ordinance, including a nonconforming use.

(B) New development that will replace development that was partially or totally destroyed by fire, flood, earthquake, mudslide or other casualty or Act of God, is entitled to a fee credit if the development that was partially or totally destroyed was a lawful use under the Zoning Ordinance, including a nonconforming use, at the time thereof.

(C) Credit for the eliminated development or development that was partially or totally destroyed (as above specified) shall be calculated by the City Engineer in accordance with the fee schedule set forth in the resolution adopted pursuant to § 8.56.030 of this chapter and shall be applied to new development on the same site.

§ 8.56.140 Developer construction of facilities.

(A) In-lieu fee credits for construction of improvements.

(1) A developer that has been required by the City to construct any facilities or improvements (or a portion thereof) described in the resolution adopted pursuant to § 8.56.030 of this chapter as a condition of approval of a development permit may request an in-lieu credit of the specific development impact fee(s) involved for the same development. Upon request, an in-lieu credit of fees shall be granted for facilities or improvements that mitigate all or a portion of the need therefor that is attributable to and reasonably related to the given development. To be eligible for in-lieu fee credits, the facilities or improvements must be constructed at prevailing wage rates.

(2) Only costs proportional to the amount of the improvement or facility that mitigates the need therefor attributable to and reasonably related to the given development shall be eligible for in-lieu credit, and then only against the specific, relevant fee(s) involved to which the facility or improvement relates.

(3) Fees required under this chapter shall be reduced by the actual construction costs of the facilities or improvements that relate to the fees, as demonstrated by the applicant and reviewed and approved by the City Engineer, all consistent with the provisions of divisions (A)(1) and (2) above. Subject to the applicable provisions of division (B) of this section, if the cost of the facilities or improvements is greater than
required relevant fees, this chapter does not create an obligation on the City to pay the applicant the excess amount.

(4) An amount of in-lieu credit that is greater than the specific fee(s) required under this chapter may be reserved and credited toward the fee of any subsequent phases of the same development, if determined appropriate by the City Engineer. The City Engineer may set a time limit for reservation of the credit.

(5) Credits shall be calculated by the City Engineer in accordance with the fee schedule set forth in the resolution adopted pursuant to § 8.56.030 of this chapter.

(B) **Developer construction of facilities exceeding needs related to development project.** Whenever an applicant is required, as a condition of approval of a development permit, to construct any facility or improvement (or a portion thereof) described in the resolution adopted pursuant to § 8.56.030, which facility or improvement is determined by the City to exceed the need therefor attributable to and reasonably related to the given development project, a reimbursement agreement with the applicant and a credit against the specific relevant fee which would otherwise be charged pursuant to this chapter on the development project, shall be offered. The credit shall be applied with respect to that portion of the improvement or facility which is attributable to and reasonably related to the need therefor caused by the development, and shall be determined, administered and processed in accordance with and subject to the provisions of this section. The amount to be reimbursed shall be that portion of the cost of the improvement or facility which exceeds the need therefor attributable to and reasonably related to the given development. The reimbursement agreement shall contain terms and conditions mutually agreeable to the developer and the City, and shall be approved by the City Council. To be eligible for reimbursement by the City, the facilities or improvements must be constructed at prevailing wage rates.

(C) **Site-related improvements.** Credit shall not be given for site-related improvements, including, but not limited to, traffic signals, right-of-way dedications or providing paved access to the property, which are specifically required by the project in order to serve it and do not constitute facilities or improvements specified in the resolution referenced in § 8.56.030 of this chapter.

(D) **Determination of credit.** The developer seeking credit and/or reimbursement for construction of improvements or facilities, or dedication of land or rights-of-way, shall submit the documentation, including without limitation, engineering drawings, specifications and construction cost estimates based upon prevailing wage rates, and utilize such methods as may be appropriate and acceptable to the City Engineer to support the request for credit or reimbursement. The City Engineer shall determine credit for construction of improvements or facilities based upon either these cost estimates or upon alternative engineering criteria and construction cost estimates if he or she determines that such estimates submitted by the developer are either unreliable or inaccurate. Prior to City approval of a Notice of Completion and subsequent execution of an Oversized Construction Reimbursement Agreement per Chapter 8.64:
Oversized Construction Reimbursement in which final reimbursement costs are defined, the maximum credit given for construction of improvements shall not exceed 80% of their estimated cost. The City Engineer shall determine whether facilities or improvements are eligible for credit or reimbursement.

(E) **Time for making claim for credit.** Any claim for credit must be made no later than the application for a building permit, or within 60 days of completion of the construction dedication, whichever occurs first. Any claim not so made shall be deemed waived.

(F) **Transferability of credit; City Council approval.** Credits shall not be transferable from one project or development to another without the approval of the City Council.

(G) **Appeal of determinations of City Engineer.** Determinations made by the City Engineer pursuant to the provisions of this section may be appealed to the City Council by filing a written request with the City Manager, together with a fee established by resolution of the City Council, within ten calendar days of the determination of the City Engineer.

§ 8.56.150 **Review.**

(A) Except for the first year the ordinance codified in this chapter is in effect, no later than six months following the end of each fiscal year, the City Manager shall prepare a report for the City Council identifying the balancing of fees in the various funds established pursuant to § 8.56.060 of this chapter, the facilities constructed, and the facilities to be constructed. In preparing the report, the City Manager shall adjust the estimated costs of the public improvements in accordance with the approved cost adjustment criteria established pursuant to § 8.56.050 of this chapter.

(B) At a noticed public hearing, the City Council shall review the report and the development impact fees to determine whether the fee amounts continue to be reasonably related to the impact of development and whether the described public facilities are still needed. The Council may revise the development impact fees to include additional projects not previously foreseen as being needed.

(C) The report prepared by the City Manager and its review by the City Council, as well as any findings thereon, shall be subject to the provisions of Cal. Gov’t Code § 66001(d), to the extent applicable (which shall be controlling in the event of any conflict).

§ 8.56.160 **Controlling state law.**

The provisions of this chapter and any resolution adopted pursuant hereto, shall at all times be subject and subordinate to the provisions of Cal. Gov’t Code Chapter 5 (commencing with § 66000), Division 1, of Title 7, as the same presently exist or may hereafter be amended from time to time, to the extent the same are applicable. In the
event of any conflict between the provisions of this chapter and the state law, the latter shall control.

§ 8.56.170  Superseding provisions.

The provisions of this chapter and any resolution adopted pursuant hereto, shall supersede any previous ordinance or resolution to the extent the same is in conflict herewith.

§ 8.56.180  Severability.

If any section, phrase, sentence or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, the portion shall be deemed a separate, distinct and independent provision; and the holding shall not affect the validity of the remaining portions hereof.

SECTION 2:  All ordinances and parts in conflict herewith are hereby repealed.

SECTION 3:  This ordinance shall be in full force and effect thirty (30) days from and after its passage, adoption and approval.

PASSED, ADOPTED AND APPROVED this _______ day of ______________, 2019.

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

ATTEST:

_______________________________
Chief Deputy City Clerk and Clerk of the Council of the City of Tulare
AGENDA ITEM:
Extend the conditional approval for the final map and subdivision improvement agreement of Phase 1 of The Greens at Oak Creek subdivision for recordation, and accept all easements and dedications offered to the City, including a Grant of Easement for temporary turnarounds for emergency vehicle purposes and a temporary run-off pond for street runoff, subject to receipt of the signed final map, all fees, and other required items prior to February 19, 2020.

IS PUBLIC HEARING REQUIRED:  □ Yes  ☒ No

BACKGROUND/EXPLANATION:
Planning Commission Resolution No. 5248 adopted on August 18, 2017 approved the tentative map for The Greens at Oak Creek subdivision located east of Mooney Boulevard (State Route 63) and 1,700 feet north of Tulare Avenue (State Route 137). The overall subdivision comprises approximately 19.5 acres consisting of 88 lots, and is being developed in phases.

Phase 1 of The Greens at Oak Creek subdivision consists of 33 single-family residential lots. The Subdivider is Great Valley Builders, Inc. of Tulare, CA. Due to the configuration of public streets to be constructed by this phase of the subdivision, the Fire department is requiring that two temporary turnarounds for emergency vehicle purposes be provided until such time as a through street connection is constructed by future phases. Additionally, a temporary pond for street runoff purposes will be required until the additional phases are constructed.

At the May 7, 2019 Council meeting, the Subdivider requested and received a 60-day conditional approval for the final map and subdivision improvement agreement of Phase 1 of The Greens at Oak Creek subdivision for recordation. However, the Subdivider was unable to complete all the requirements for recordation prior to the expiration date of the conditional approval. The developer has requested and received the following extensions to the May 7, 2019 conditional approval.

1. July 2, 2019 through August 30, 2019;
2. August 20, 2019 through October 18, 2019;

The Subdivider continues to work to complete the final map, but will be unable to complete all requirements for recordation prior to the December 21, 2019 conditional approval expiration date. As such, the Subdivider is requesting that Council grant a fifth 60-day conditional approval for the final map and subdivision improvement agreement of Phase 1 of The Greens at Oak Creek subdivision for recordation. If approved, the expiration date for the fifth 60-day conditional approval would be February 19, 2020.
Requests for conditional approval of final maps and subdivision agreements have routinely been accommodated. Doing so significantly reduces potential delay in the City’s processing of these development projects. A copy of Planning Commission Resolution No. 5248 and draft final map for Phase 1 of The Greens at Oak Creek subdivision is attached for reference.

**STAFF RECOMMENDATION:**
Extend the conditional approval for final map and subdivision improvement agreement for Phase 1 of The Greens at Oak Creek subdivision for recordation, and accept all easements and dedications offered to the City, including two temporary turnarounds for emergency vehicle purposes and a temporary drainage basin for street runoff, subject to receipt of the signed final map, all fees, and other required items prior to February 19, 2020.

**CITY ATTORNEY REVIEW/COMMENTS:**  ■ Yes  □ N/A
The final map will be reviewed for compliance with applicable legal requirements prior to recordation.

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:**  □ Yes  □ No  ■ N/A
(If yes, please submit required budget appropriation request)

**FUNDING SOURCE/ACCOUNT NUMBER:**  N/A

Submitted by:  Michael Miller    Title: City Engineer
Date:  December 17, 2019    City Manager Approval: __________
RESOLUTION NO. 5248

A RESOLUTION OF THE CITY OF TULARE PLANNING COMMISSION
APPROVING TENTATIVE SUBDIVISION MAP 2017-07-
THE GREENS AT OAK CREEK

WHEREAS, the City of Tulare Planning Commission held a regular meeting on
August 28, 2017 to consider a request by Great Valley Land Builders, LLC to subdivide
19.5 acres into an 88-lot single family residential subdivision on property located
approximately 1,700 feet north of Tulare Avenue, east of Mooney Boulevard (APN 172-
100-001, 172-070-003); and

WHEREAS, the City of Tulare Planning Commission determined that the
proposed subdivision map is consistent with applicable Tulare General Plan; and,

WHEREAS, the City of Tulare Planning Commission determined that the design
or improvements of the proposed subdivision are consistent with the Tulare General Plan;
and,

WHEREAS, the City of Tulare Planning Commission determined that the site is
physically suitable for the type of development proposed; and,

WHEREAS, the City of Tulare Planning Commission determined that the site is
physically suitable for the proposed density of the development; and,

WHEREAS, the City of Tulare Planning Commission determined that the design
of the subdivision or the type of improvements are not likely to cause substantial
environmental damage or substantial and avoidable injury to fish or wildlife or their
habitat; and,

WHEREAS, the City of Tulare Planning Commission determined that the design
of the proposed subdivision or the type of improvements will not conflict with easements,
aquired by the public at large, for access through or use of the property within the
proposed subdivision; and,

NOW, THEREFORE, BE IT RESOLVED, the City of Tulare Planning
Commission determined that a Mitigated Negative Declaration was prepared pursuant to
the California Environmental Quality Act of 1970 and State CEQA Guidelines; and,

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning
Commission of the City of Tulare makes the following specific findings based on the
evidence presented:
1. That the proposed location of the Tentative Subdivision Map is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.

2. That the proposed location of the Tentative Subdivision Map and the conditions under which it would be built or maintained will not be detrimental to the public health, or welfare, or materially injurious to properties or improvements in the vicinity.

3. That the proposed Tentative Subdivision Map will be in keeping with existing and future land uses on the site.

4. That an Initial Study was prepared for the project, which disclosed that environmental impacts are determined to be not significant, with mitigation, and that the Mitigated Negative Declaration is hereby adopted (Resolution 5245).

BE IT FURTHER RESOLVED, that the Planning Commission hereby approves Tentative Subdivision Map 2017-07, subject to the following:

1) Final subdivision map proposed to be recorded shall be in substantial conformance with the approved tentative map.

2) Applicant to comply with conditions as required by the Engineering/Public Works Department, Fire Department, and Recreation, Parks & Library Department.

3) Comply with the requirements outlined in the Caltrans letter dated, May 9, 2017.

4) Adequate permanent or temporary fire protection facilities as approved by the Fire Chief, shall be installed prior to the issuance of any building permits and prior to the storage of combustible materials on site.

5) Final acceptance of the tract shall be contingent upon the subdivider’s providing within and/or outside the tract, drainage disposal facilities, as required to receive drainage and dispose for drainage and storm waters from this tract. Said facilities shall be subject to the approval of the Public Works/Engineering Department.

6) Six-foot public utility easements shall be granted along all front yards as required for public utilities.

7) Final subdivision map shall depict all easements.

8) The applicant shall comply with the requirements of the Public Works Director and City Engineer regarding sewage disposal and water supply facilities.

9) All lots shall meet the provisions of the applicable zoning district.
10) Streets names will be consistent with street names approved by the Street Naming Committee, and approved by the Economic & Community Development Director.

11) Applicant to record a “Right to Farm” notice on final map.

12) Applicant to establish a landscape maintenance district prior to recordation of the final map. All landscape plans within the landscape maintenance district shall be consistent with city standards and approved by the Economic & Community Development Director and/or Community Services Director.

13) Applicant shall submit four copies of a landscape and irrigation plan consistent with the City’s landscape ordinance.

14) A 10-foot block wall is required along the west boundary of the project site, adjacent to Mooney Boulevard. Final block wall design is subject to the Economic & Community Development Director approval.

15) Noise buffering in new development along major streets, highways, and railroad tracks is required.

16) Applicant shall record a note on final map indicating that all residential lots are subject to a landscape maintenance district pursuant to the Landscape and Lighting Act.

17) Applicant to comply with San Joaquin Valley Air Pollution Control District regulations regarding dust control during construction.

18) Applicant to comply with San Joaquin Valley Air Pollution Control District Rule 9510 for the final map.

19) Recording of the final map is subject to the approval of General Plan Amendment 2017-02 and Zone Amendment No. 720.

20) Applicant to comply with all conditions within the MND Mitigation Monitoring and Reporting Program per adopted Resolution 5245.

21) Applicant to provide and locate mailbox clusters as approved by the U.S. Postmaster, Tulare.

22) Any changes to phase lines or order of phasing is subject to approval from the Community & Economic Development Director and City Engineer.

23) The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of
the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission’s conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later challenging such exactions.

24) Applicant to provide a retaining wall where ever adjacent lot grades exceed six inches.

25) All mitigation measures from the Mitigated Negative Declaration (Resolution 5245) are hereby incorporated as Conditions of Approval.

Engineering:

The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(a), these conditions constitute a written notice of the amount of such fees, and a description of the dedications, reservations, and other exactions. The Owner/Developer is hereby notified that the 90-day protest period, commencing from the date of approval of the project, begins as of the date of Planning Commission’s conditional approval of the project. If the Owner/Developer fails to file a protest regarding any of the fees, dedication requirements, reservation requirements, or other exactions contained in this notice, complying with all the requirements of Government Code Section 66020, the Owner/Developer will be legally barred from later challenging such exactions.

SOILS:

The Subdivider shall submit a preliminary soils report for structural foundation, which shall be prepared by a Registered Civil Engineer based upon adequate soil test borings. Said report shall be submitted to the City Engineer or Chief Building Official.

The Subdivider shall have the soils investigated and make recommendations as to the correct method of trench backfill for the soils encountered in the subdivision so as to assure 90% relative compaction between the select bedding around the pipe to within 2 feet of the subbase. The top 2 feet shall be compacted to 95% relative compaction. Compaction tests are required on all trenches. All soils testing shall be performed at the sole cost of the Subdivider. The Subdivider shall establish an account with a licensed and certified soil-testing firm acceptable to the City Engineer prior to the start of construction for compaction testing of trench backfill and fills. The City shall order and direct all compaction tests.

STREETS:

Street widths shall be as shown on approved tentative map, unless otherwise noted in Attachment "A."

Resolution 5248
Tentative Subdivision Map- 2017-07- The Greens at Oak Creek
R-Value tests shall be taken for the design of all pavement areas to be constructed by this project. The spacing of said R-Value tests shall not be more than 400 feet apart, per linear foot of paving.

The structural section of all streets shall be not less than the thicknesses shown in Item 1 of Attachment "A," except that a greater thickness may be required by soils test results and engineered structural section calculations. The design of the pavement structural section for streets shall be asphalt concrete over aggregate base materials.

All streets shall have the City standard cross section with curb, gutter and sidewalk.

All utility services shall be placed in the streets prior to paving.

Compaction tests are required on all street subgrades. All soil testing shall be performed at the sole cost of the Subdivider.

Knuckles and transition curves to knuckles shall have 50-foot radii.

The centerlines of all streets shall be the continuations of the centerlines of existing streets, or shall be offset at least two hundred (200) feet.

The centerline curve radius for roadway design shall be a minimum of 250 feet for local streets, 600 feet for collector streets, and 1,200 feet for arterial streets. Provision for a smaller radius shall be subject to the approval of the City Engineer.

Street monuments shall be installed at locations as required by the City Engineer.

Driveway widths and spacing shall conform to City Code requirements.

Side lines of all lots wherever practicable shall be at right angles or radials to the centerline of the street.

Property line radii are to be 20 feet at all street intersections.

The maximum slope adjacent to the back of any public sidewalk shall not exceed 5:1 for the first 5 feet. For Landscape and Lighting Act District parcels, the maximum slope between the back of the sidewalk and the wall or fence shall not exceed 10:1.

Turnarounds are required at all dead end streets, except where refuse pickup on lot frontages does not require the refuse collection vehicle to back up.

A barricade and a 2" x 8" rough redwood header shall be provided at dead end streets. As an option, an additional 1-foot of paving beyond the required limits of paving may be installed in lieu of a redwood header.

In conformance with Section 8.24.040 (A) 7 of the City of Tulare Municipal Code, "each street intersection shall be as near to a right angle as practicable."

If work by the Subdivider or his contractors render any existing City street to be in a condition unacceptable to the City Engineer, or his authorized representatives, said street must be restored to a condition as good as or better than before the development’s construction activities began. Said repair work must be completed within 2 weeks of the damage having occurred, or in accordance with a schedule authorized by the City Engineer. Thenceforth, the Subdivider shall maintain the street in its repaired state for the duration of the development’s construction activities.
The City shall reimburse the Subdivider for oversize street improvements, which are limited to those improvements included in the City’s current development impact fee program. These include:

- Asphalt concrete and aggregate base material costs associated with arterial street pave-out widths greater than 20 feet (i.e., Subdivider is responsible for first 20 feet), and/or structural section thicknesses that exceed what would have been required for a collector standard roadway
- Modifications to the median island in Mooney Boulevard (State Route 63)
- Traffic signal improvements

All street improvements for which oversize reimbursement will be requested are subject to review and approval of costs by the City Engineer prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

UTILITY RELOCATIONS AND UNDERGROUNDING REQUIREMENTS:

The Subdivider shall be responsible for all costs associated with the removal, relocation, and undergrounding of utilities as necessary to accommodate installation of the required public improvements. All utility lines, including but not limited to electric, communications, street lighting and cable television, shall be required to be placed underground in accordance with Section 8.24.160 (B) 3 of the City of Tulare Municipal Code. The cost of such relocations and undergrounding shall be included in the subdivision bonds.

SANITARY SEWERS:

Sanitary sewers shall be installed to City standards.

Sewer laterals shall be installed to the property lines of all lots before the streets are surfaced. Laterals shall be located 8 feet from the centerline of each lot, unless otherwise approved to accommodate driveway approach locations.

All sewer lines shall pass both mandrel and air pressure tests, and shall be subject to video inspection by the City. The cost of one video inspection of the Development’s entire sewer line improvements shall be paid prior to recordation of the final map at the rate established at the time of recordation of the final map. The cost of any additional video inspections required shall be paid at the rate established at the time of inspection.

The City shall reimburse the Subdivider for oversize costs for any facilities designated “masterplan facilities” by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be
made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

STORM DRAINAGE:
The storm drain layout shall be designed to City standards.
All pipe sizes where necessary shall be adjusted to carry the design flow at the final design slope.
All gutter runs shall be limited to 1000 feet by installing pipe and storm water inlets.
The minimum fall around curb returns shall be 0.3 foot.
All storm drain lines shall be subject to video inspection by the City. The cost of one video inspection of the Development’s entire storm drain line improvements shall be paid prior to recordation of the final map at the rate established at the time of recordation of the final map. The cost of any additional video inspections required shall be paid at the rate established at the time of inspection.
The City shall reimburse the Subdivider for oversize costs for any facilities designated “masterplan facilities” by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

FIRE HYDRANTS:
Fire hydrants are to be located as required by the Fire Chief and City Engineer.

EASEMENTS:
Easements will be required for all utilities outside of dedicated rights-of-way. Six-foot Public Utility Easements will be required along all street frontages.
The Subdivider shall submit to the City of Tulare a title report for areas outside of the parcel to be developed where easements are to be dedicated for City utilities.

WATER SUPPLY:
Water mains shall be installed to City standards.
Water services shall be installed to the property line of all lots before the streets are surfaced. Services shall be located either 8 feet from the centerline of each lot or 2 feet from property line. The minimum horizontal distance between water services and sewer laterals shall be 10 feet.
The Engineer shall propose locations for water services that will accommodate ultimate driveway approach locations.

Resolution 5248
Tentative Subdivision Map- 2017-07- The Greens at Oak Creek
Individual 1" polyethylene water services with meter boxes and meter idlers per City standards shall be installed to all single-family residential lots.

The City shall reimburse the Subdivider for oversize costs for any facilities designated “masterplan facilities” by the City Engineer, subject to review and approval of costs prior to installation. Within 90 days following the notice of completion of the project, the Subdivider shall file with the City Engineer a financial statement, in the form specified by the City Engineer, stating and supporting the cost of constructing the oversize improvements. If the financial statement is not filed within this time period, the Subdivider shall not be eligible for any reimbursements. Oversize payments will be made in accordance with a separate oversize reimbursement agreement to be executed after completion of all subdivision improvements. Payment will be subject to the availability of funds.

Pressure, leakage, and purity tests are required on all City water system installations at the sole cost of the Subdivider.

STREET NAMES:

Street names shall be approved by the Director of Planning and Building.

Street name sign posts shall be installed at each intersection as required by the City Traffic Engineer, and the Subdivider shall pay for the new street name signs and mounting hardware prior to recordation of the final map, at the rate established at the time of recordation of the final map. Actual installation of the street name signs shall be completed by City personnel at such time that the development reaches a sufficient state of completion.

TRAFFIC SIGNS:

Types, sizes and locations of traffic signs shall be as required by the City Traffic Engineer and City standards.

PAVEMENT DELINEATION:

The Subdivider shall install traffic striping, pavement markers, and pavement markings as required by the City Traffic Engineer.

STREET LIGHTS AND ELECTRICAL SERVICE:

The Subdivider must make provisions for the underground installation of electrical services and street lighting. Pole type shall be marbelite. Fixture type shall be LED unless otherwise approved by City Engineer. Design of the street lighting system shall comply with applicable City standards, and shall be subject to the approval of the City Engineer. Subdivider shall provide the City Engineer with an AutoCAD drawing file used as the basis of street light layout. The cost of the systems shall be included in the subdivision bonds.

GAS SERVICE:

The Subdivider must make provisions for the installation of a gas distribution system in all streets and at the sizes determined by the Southern California Gas Company.

PRIVATE IRRIGATION PIPELINES:

Existing private irrigation pipelines will need to be removed within street right of ways.
IRRIGATION CANALS:
Other than TID’s Main Canal, if any portion of an existing irrigation canal (including ditch banks and maintenance access roads) falls within the development, said ditch shall be piped, relocated, or abandoned and shall be so designated on the plan drawings. The proposed method of piping shall be shown on one of the master plans, if full piping does not occur within the first phase. Alternatively, irrigation canals may be incorporated into a landscaped trail if approved by the City of Tulare and the affected irrigation district. The TID Main Canal can be left open, with the installation of fencing and an adjacent 25’ alley or multi-use trail, as approved by the City and TID.

TELEPHONE/CABLE:
The Subdivider must make provisions for the installation of underground telephone and cable service.

EXISTING STRUCTURES:
Any existing structures within the subdivision boundary shall be removed.

WELLS:
Any existing wells on the site shall be abandoned and sealed in accordance with City standards.

ELEVATIONS:
Any elevations shall be based on the official City of Tulare datum.

GENERAL CONDITIONS:
All design and construction shall be in accordance with all applicable City Standards, Specifications, Ordinances, and Standard Operating Procedures, unless specifically modified elsewhere in these conditions. These engineering considerations are intended to deal with major issues apparent to this office while reviewing this tentative map. Nothing in these conditions precludes our office from applying other conditions/modifications necessary for good design, operation, and maintenance of existing and future City facilities, as might become apparent during design review and/or construction.

ADDITIONAL REQUIREMENTS:
Submit closures and tabulation of areas (square feet) of all lots within the subdivision. A blue line area shall also be submitted.

Provide the City of Tulare with three (3) prints of the final map of the subdivision, and three (3) prints of the improvement drawings for final checking.

Following approval of the final map, provide the City of Tulare with an electronic copy.

Following approval of the improvement drawings, provide the City of Tulare with one reproducible copy, four (4) prints and an electronic copy. This shall be done prior to scheduling any pre-construction conferences or commencing any improvements. The reproducible copy of the improvement plans shall be on high-quality mylar.

Submit to the City of Tulare a title report for the parcel(s) to be developed.
The Subdivider's engineer will be required to certify in writing that all lot grading has been performed in accordance with the approved lot-grading plan prior to issuance of any building permits.

Prior to constructing any improvement that involves City reimbursements, the Subdivider shall submit to the City copies of their contractor’s bid prices to be reviewed and approved by the City Engineer. If the Subdivider fails to obtain approval of reimbursable costs before the start of construction, the City reserves the right to reduce the reimbursable cost if deemed excessive by the City Engineer.

Prior to the start of construction, a meeting will be called by the City Engineer with the Subdivider, Contractor and all concerned including utility companies to coordinate and schedule work in order to avoid all possible delays due to conflicts of operation and to guarantee that all City requirements are met. The Contractor shall perform no construction in the field until after this meeting.

This project involves construction activity including clearing, grading and excavation which may require your filing a Notice of Intent with the State Water Resources Control Board under the General Permit to discharge storm water associated with construction activity, the preparation of a storm water pollution prevention plan, and monitoring program.
ATTACHMENT "A"

The engineering considerations checked below shall be made a condition of approval of the subject subdivision.

☒ 1) Roadway design criteria shall be as indicated below. Structural section design shall be based upon the indicated traffic index:

<table>
<thead>
<tr>
<th>Roadway</th>
<th>Classification</th>
<th>Traffic Index</th>
<th>Sidewalk Width</th>
<th>Sidewalk Configuration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mooney Blvd. (SR63)</td>
<td>Per State</td>
<td>Per State</td>
<td>10 ft</td>
<td>Adjacent</td>
</tr>
<tr>
<td>b) Local Streets</td>
<td></td>
<td></td>
<td>5 ft</td>
<td>Adjacent</td>
</tr>
</tbody>
</table>

☒ The Subdivider shall be responsible for the following minimum Arterial improvements:

☒ Improvements to Mooney Blvd. (State Route 63) per Caltrans requirements.

☒ The Subdivider shall be responsible for the following minimum improvements along existing non-arterial streets adjacent to this development:

☐ Full paveout, from lip of gutter to the existing edge of pavement
☐ Reconstruction of the following portions of existing pavement:
☐ Rehabilitation of the following portions of existing pavement, by methods approved by the City Engineer

☒ Other: Connection to existing Muirfield Avenue and Aberdeen Street

☒ 2) A master plan for street layout for the entire development shall be submitted for approval prior to approval of any portion thereof.

☒ 3) Backing lot treatment and formation of an assessment district for maintenance of block walls and landscaping improvements shall apply to the following frontages: Mooney Blvd. (State Route 63).

☒ 4) Waiver of direct access rights shall be provided as follows: Mooney Blvd. (State Route 63).

☐ 5) The development shall incorporate the following traffic calming measures:

☐ 6) The development shall incorporate the following bicycle/pedestrian facilities:

☐ 7) The development shall incorporate City standard bus turnout(s) at the following location(s):

Resolution 5248
Tentative Subdivision Map- 2017-07- The Greens at Oak Creek
8) A Transportation Impact Study (TIS) identifying project impacts and proposed mitigation measures shall be submitted to both the City and the Tulare County Association of Governments (TCAG) for review, and shall be subject to the approval of the City Engineer. The TIS shall conform to current CEQA "state of the practice" standards, the Caltrans "Guide For The Preparation of Traffic Impact Studies", and City of Tulare General Plan requirements. The TIS shall address provisions for pedestrian, bicycle and transit access to the project. In evaluating the project's impact to existing roadway facilities, the TIS shall utilize the current transportation modeling forecasts provided by TCAG, and shall specifically address the project impacts and any appropriate mitigations to the following facilities: Intersection of Seminole Avenue and Mooney Blvd. (State Route 63).

9) The Subdivider shall submit a plan for landscaping/street trees and irrigation along streets with backing lot treatment to be approved by the Director of Parks and Community Services.

10) The sanitary sewer alignments shall be 6 feet north and/or east of street centerline, unless other alignments are approved by the City Engineer, or as follows: ________.

11) A master plan for sanitary sewer for the entire development shall be submitted for approval prior to approval of any portion of the system.

12) A master plan for storm drainage for the entire development shall be submitted for approval prior to approval of any portion of the system.

13) The storm drain alignments shall be 11 feet south and/or west of centerline unless other alignments are approved by the City Engineer, or as follows: ________.

14) The water main alignments shall be 6 feet south and/or west of street centerline, unless other alignments are approved by the City Engineer, or as follows: ________.

15) A master plan for water for the entire development shall be submitted for approval prior to approval of any portion of the system.

16) Individual water services (1 ½" minimum) with meter boxes shall be installed to all R-M-2 lots.

17) A water sampling station shall be installed as follows: ________.

18) Miscellaneous Comments:

An assessment district in conformance with the Landscaping and Lighting Act of 1972 shall be formed to provide funding for the maintenance and servicing of landscaping improvements, sidewalks, and fences/block walls within common lot areas (including areas of backing lot treatment), and for street maintenance on local streets within the project boundaries. Where feasible, the District should be set up to include adjacent areas of future development to take advantage of the operational efficiencies that result from a single district, thereby realizing cost savings to the assessed properties.
ATTACHMENT "B"

The Subdivider shall pay to the City at the time of approval of the final map all applicable fees, including, but not limited to, those checked below:

**Benefit Districts**

☐ 1) Sewer front foot charges: $25.00 per front foot for frontages on ____.
☐ 2) Sewer Lift Station Fee of $____ per acre.
☐ 3) Water front foot charges: $17.50 per front foot for frontages on ____.
☐ 4) Street front foot charges: $____ per front foot for frontages on ____.
☐ 5) Benefit District Creation Fee (if applicable): $1,008.19 per district.
☐ 6) Other: ____

**Special In-Lieu Fees**

☐ 6) Traffic Signals Fee: $____.
☐ 7) TID Ditch Piping Fee: $____.
☐ 8) Sewer Main Fee: $____.
☐ 9) Water Main Fee: $____.
☐ 10) Street Fee: $____.
☐ 11) Other Fees: $____.

**Plan Check, Inspection, and Impact Fees**

☒ 12) Engineering Inspection Fee to be based on a percentage of the estimated cost of construction.
☒ 13) Development Impact Fees to be paid with Building Permit.
☒ 14) Engineering Plan Review Fee to be paid at time of submittal.
☒ 15) Final Map Plan Check Fee to be paid at time of submittal.

All fees shall be based on the current fee schedule in effect at the time of recordation of the final map.
Fire:

The Fire Prevention Bureau conveys the following updated comments for Tentative Subdivision Map 2017-07, GPA 2017-02, ZA 720, LMD 2017-01:

1. The project must comply with all of the latest applicable codes and standards.

2. When any portion of the facility or building to be protected is more than 400 feet from an existing hydrant, on a fire apparatus access road as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

3. Depending on the location of the existing fire hydrant(s), additional fire hydrants may be required. Fire hydrant spacing shall be as follows:
   a. Commercial development, one hydrant shall be installed at 300-foot intervals.
   b. Residential development, one hydrant shall be installed at 500-foot intervals.

Or as required by Appendix C California Fire Code.

4. An approved water supply for fire protection shall be made available prior to combustible materials arriving on the site.

5. An approved fire apparatus access roads shall be provided for every facility, building or portion of a building constructed or moved into or within the City of Tulare. It shall extend to within 150 feet of all portions of the facility and all portions on the exterior walls of the first story of the buildings as measured by an approved route around the exterior of the building or facility. The road shall be a minimum of 20’ wide and have a minimum height clearance of 13’6”

6. All roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities and comply with CFC 2010 Section D102.1

7. Additional access may be required per CFC 2013 Chapter 5. The Fire Code Official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access. Areas identified as “Fire Lanes” must be identified as such per requirements set forth in the California Vehicle Code.
   a. The street configuration for phase one is approved as submitted. Phase two of the development will require the connection of the phase one roads so as not to impede emergency vehicle circulation.
8. All dead-end access roads in excess of 150 feet must be provided with an approved turn-around complying with City standards.

Cal Trans:

Attached hereto

PASSED, APPROVED AND ADOPTED this twenty-eighth day of August, 2017 by the following recorded vote:

AYES: Miguel, Henne, Miller, Chase, Killion

NOES: 0

ABSENT: Razo

ABSTAIN: 0

JEFF KILLION, CHAIRMAN
City of Tulare Planning Commission

JOSH MCDONNELL, SECRETARY
City of Tulare Planning Commission
May 9, 2017

Ms. Amy M. Wilson
Contract Planning Technician
City of Tulare
411 East Kern Street
Tulare, CA 93274

Dear Ms. Wilson:

Thank you for the opportunity to provide a preliminary review of a Tentative Subdivision proposing 88 lots for single family development. The 19.5 acre site is located on the east side of State Route (SR) 63, approximately 1,100 feet north of SR 137 (Tulare Ave).

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability. The Local Development -Intergovernmental Review (LD-IGR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the following comments consistent with the State’s smart mobility goals that support a vibrant economy and sustainable communities:

1. Alternative transportation policies should be applied to the development. An assessment of multi-modal facilities should be conducted. This assessment should be used to develop an integrated multi-modal transportation system to serve and help alleviate traffic congestion caused by the project and related development in this area of the City. The assessment should include the following:

   a. Pedestrian walkways should link this subdivision to an internal project area walkways, transit facilities, as well as other walkways in the surrounding area.

   b. The consideration of bicycles as an alternative mode of transportation needs more attention. The project should offer internal amenities to encourage bicycle use. These include parking, security, and/or lockers. However, internal bicycle paths should be
coordinated with local and regional pathways to further encourage the use of bicycles for
commuter and recreational purposes.

c. If transit is not available within ¼-mile of the site, transit should be extended to provide
services within the vicinity of the project.

2. Based on the site plan, the project has no direct access to the State Highway System. The
project has two indirect access points via the intersection of SR 63 at Seminole Avenue and
via the intersection of SR 137 at Hazelbine Street.

3. The project is required to construct highway frontage improvements including: curb, gutter,
and sidewalks. Please refer to the development north of Seminole Avenue for the sidewalk
width.

4. A minimum of a 6-foot sidewalk (10-foot preferred), measured from the back of the curb is
required.

5. All curb, gutter and sidewalk, and curb ramps need to meet current ADA standards or other
applicable State or Federal accessibility and safety requirements.

6. Any portion of the sidewalk or any landscaping that is within the State Right of Way shall be
maintained per a “District 6” approved maintenance agreement.

7. The project is required to construct a raised median along SR 63 throughout the project’s
frontage.

8. To accommodate the additional vehicle trips, the existing dedicated right turn lane on
northbound SR 63 to eastbound Seminole Avenue should be lengthened to at least 580 feet.

9. According to our Transportation Concept Report (TCR), this segment of SR 63 in the
vicinity of the proposed project is planned to be a 6-lane conventional highway within 138
feet of right of way (69 feet from the centerline). Caltrans right-of-way maps shows this
segment existing at 110 feet (55 feet from the centerline). An irrevocable offer of dedication
to Caltrans of 14 feet of right-of-way is needed to accommodate the ultimate configuration of
SR 63. Dedications required by the Lead Agency need to be shown on a revised site plan
and forwarded for our review. A summary of the requirements for right-of-way dedications
is enclosed.

10. An encroachment permit must be obtained for all proposed activities for placement of
encroachments within, under or over the State highway rights-of-way. Activity and work
planned in the State right-of-way shall be performed to State standards and specifications, at
no cost to the State. Engineering plans, calculations, specifications, and reports (documents)
shall be stamped and signed by a licensed Engineer or Architect. Engineering documents for
encroachment permit activity and work in the State right-of-way may be submitted using
English Units. The Permit Department and the Environmental Planning Branch will review
and approve the activity and work in the State right-of-way before an encroachment permit is

"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California’s economy and livability"
issued. The Streets and Highways Code Section 670 provides Caltrans discretionary approval authority for projects that encroach on the State Highway System. Encroachment permits will be issued in accordance with Streets and Highway Codes, Section 671.5, “Time Limitations.” Encroachment permits do not run with the land. A change of ownership requires a new permit application. Only the legal property owner or his/her authorized agent can pursue obtaining an encroachment permit. Please call the Caltrans Encroachment Permit Office - District 6: 1352 W. Olive, Fresno, CA 93778, at (559) 488-4058.

11. Dust control measures shall be implemented on the site in a manner to prevent dust from entering the State right-of-way.

12. No water from the proposed project shall flow into the State right-of-way without approval from the District Hydraulic Engineer.

If you have any other questions, please call David Deel, Associate Transportation Planner at (559) 488-7396.

Sincerely,

MICHAEL NAVARRO, Chief Planning North Branch

Enclosure
CALTRANS DISTRICT 6
CENTRAL REGION SOUTHEAST SURVEYS OFFICE

REQUIRED INFORMATION FOR R/W Dedications

1. A Copy of the vesting deed(s) for the subject property (or a copy of the Title Report, if you have one).

2. Copy of the Assessor's Map.

3. Assessor's Parcel Number (APN) of the property.

4. State whether the property is within city limits or in an unincorporated area.

5. If the property is a lot of a Tract or a parcel of a Parcel Map, provide a copy of the recorded map(s).

6. Provide copies of any record map or deed cited in the documents provided.

7. A Legal description of the dedication parcel signed and sealed by a Licensed Professional Land Surveyor or a Civil Engineer registered prior to 1982 on 8½" X 11" paper. Label EXHIBIT "A" at the top of the legal description (see attached sample legal).

8. A Plat showing pertinent survey data, such as basis of bearings, bearings, distances, and curve data, where applicable, and the area of the dedication parcel on 8½" X 11" or 11" X 17" paper. If the parcel is located in unsubdivided land, show ties to the nearest two section corners and/or quarter-section corners (see attached sample plat).

9. A Copy of the traverse calculations for the dedication parcel to include error of closure and area.

(continued)
10. A Copy of the CONDITIONS OF APPROVAL by the local agency (City/County) for the Parcel Map, Tract Map, or development plans describing the location and amount of right-of-way to be dedicated.

11. Any requirements from CALTRANS PERMITS or CALTRANS PLANNING describing the location and amount of right-of-way to be dedicated.

NOTE:

If any of the above listed items are not submitted, it will either cause a delay or halt in the Dedication process.

If there are any questions, please contact Kuldeep Brar, Caltrans Surveys Department, at 559-445-6573.

Mail packet of information to:

DEPARTMENT OF TRANSPORTATION
CENTRAL REGION SOUTHEAST SURVEYS
855 “M” STREET
SUITE 200
FRESNO, CA. 93721

ATTN: Kuldeep Brar

Rev. 1/25/11
AGENDA ITEM:
Award and authorize the City Manager to sign a contract amendment with Don Berry Construction, Inc. of Selma, CA in an amount not to exceed $1,143,886 for street and utility improvements associated with Project EN0073, a street and utility improvement project on Cartmill Avenue, to extend the project improvement limits to Mooney Boulevard; and authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of the revised contract award amount.

IS PUBLIC HEARING REQUIRED:  □ Yes  ✗ No

BACKGROUND/EXPLANATION:
Capital Improvement Project EN0073 addresses pavement and utility infrastructure improvements along Cartmill Avenue between the Cartmill Avenue Interchange at Highway 99 and Mooney Boulevard. The project modifies the existing traffic signals at the intersections of Cartmill Avenue and Akers Street along with Cartmill Avenue and Hillman Street to provide additional thru lanes and protected left-turn movements for eastbound and westbound traffic, and will install a new traffic signal at the intersection of Cartmill Avenue and Retherford Street. The project also includes installation of new water, sewer and storm drainage facilities needed to facilitate the development of properties along this segment of Cartmill Avenue, including the northeast and southeast quadrants of the Cartmill Avenue interchange. Finally, the additional paved width and construction of median improvements will provide additional operational capacity and addresses traffic safety concerns. These improvements are also expected to reduce the Fire Department’s response time from Fire Station 63 to the Del Lago area.

On March 5, 2019, at its regular meeting, the City Council awarded a contract to Don Berry Construction, Inc., of Selma, CA, in the amount of $6,407,827.10. Since that time, Don Berry Construction, along with their subcontractors, have diligently worked toward completion of this project. Currently, the improvements between the Highway 99 Interchange and De La Vina Street are ahead of schedule and, pending weather, are scheduled to be completed in early 2020. Additionally, the project is currently within the approved and authorized budget.

On May 7, 2019, the City Council provided direction to extend the limits of the project from its current eastern limit at De La Vina Street to Mooney Boulevard. City Staff and its consultants have completed improvement plans to extend the limits of the project and have received a cost proposal from Don Berry Construction to complete the work. The proposed cost of $1,143,886 is consistent with the unit pricing already established as a part of the existing contract. Additionally, this amount is in line with the Engineer’s Estimate and approved budget allocated for this additional work.
As with the existing project improvement between the Highway 99 Interchange and Del La Viña Street, the portion of costs associated with the additional improvements that would have been the responsibility of benefiting properties will be subject to reimbursement to the City as future development occurs. The benefit to property owners along the Cartmill Avenue corridor of including the additional improvements in the current project is a significant reduction in the scope and magnitude of improvements required for them to develop their properties.

**STAFF RECOMMENDATION:**
Award and authorize the City Manager to sign a contract amendment with Don Berry Construction, Inc. of Selma, CA in an amount not to exceed $1,143,886 for street and utility improvements associated with Project EN0073, a street and utility improvement project on Cartmill Avenue, to extend the project improvement limits to Mooney Boulevard; and authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of the revised contract award amount.

**CITY ATTORNEY REVIEW/COMMENTS:** ☐ Yes ☒ N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:** ☐ Yes ☒ No ☐ N/A

**FUNDING SOURCE/ACCOUNT NUMBER:**
EN0073-050-0601

Submitted by: Nick Bartsch
Title: Senior Project Manager

Date: December 5, 2019
City Manager Approval: __________
AGENDA ITEM:
Accept as complete the contract with PC Inc. of Grover Beach, CA for work on Project FM0032, a project to replace the Tulare Police Department Standby Generator and site Improvements. 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.

IS PUBLIC HEARING REQUIRED:  ☑ Yes  ☐ No

BACKGROUND/EXPLANATION:
This project is to replace the Tulare Police Department Standby Generator and associated site improvements. The previous generator was original to the building and had become unreliable. Additionally, the previous generator was only set up to power specifically identified areas of the facility. The new generator powers the entire facility. This project was included and approved as a part of the City's 2018 CIP program budget.

On October 16, 2018, the City Council awarded a contract to PC, Inc. of Grover Beach, CA in the amount of $311,565.00. The project was funded through equipment replacement funds.

A summary of contract costs is as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approved Contract Amount</td>
<td>$283,241.00</td>
</tr>
<tr>
<td>Contract Change Orders – Various</td>
<td>$5,200.00</td>
</tr>
<tr>
<td>Total Construction Contract Cost</td>
<td>$288,441.00</td>
</tr>
</tbody>
</table>

Additional work consisted of: changes required to gate for the generator enclosure and other additional work required by code, Additional required Saturday work required by scheduling with SCE and Police Department Dispatch, the addition of waterproof plugs to enable simplified external generator connections in the event of a future generator failure.

All work required of PC Inc. under this contract has been completed in accordance with the approved plans and specifications.

STAFF RECOMMENDATION:
Accept as complete the contract with PC Inc. of Grover Beach, CA for work on Project FM0032, a project to replace the Tulare Police Department Standby Generator and site Improvements. 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.

CITY ATTORNEY REVIEW/COMMENTS:  ☐ Yes  ☑ N/A
IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED: ☐ Yes ☒ No ☐ N/A

FUNDING SOURCE/ACCOUNT NUMBER:
FM0032-050-0600
623 – Equipment Replacement

Submitted by: Jason Bowling  Title: Information Technology Manager

Date: December 9, 2019  City Manager Approval: ________
NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. The City of Tulare, a Municipal Corporation, whose address is 411 East Kern Avenue, Tulare, California, is the owner of the real property, public works, or structure hereinafter described.

2. The nature of the title of the stated owner is: In fee

3. On the 17th day of December, 2019, a work of improvement on real property hereinafter described was completed pursuant to a contract to which Title 15 of Part 4 of Division 3 of the Civil Code applies.

4. The name of the Contractor who performed said work of improvements pursuant to such contract with the City of Tulare is PC, Inc., whose address is 960 W. Grand, Suite G, Grover Beach, CA 93444. The surety on said contract is AmTrust Surety.

5. The real property or public works or structure is described as follows:

Tulare P.D. Standby Generator and Site Improvements, Project FM0032

Dated: December 17th, 2019

CITY OF TULARE
A Municipal Corporation,

By: ____________________________

Josh McDonnell, General Services

VERIFICATION

I am the City Engineer of the City of Tulare and am authorized to make this verification on behalf of the City. I have read the foregoing Notice of Completion, know the contents thereof, and believe it to be true and correct to the best of my knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _________________, 2019 at Tulare, California.

By: ____________________________

Josh McDonnell, General Services
AGENDA ITEM:
Consideration of the reappointment of four members to the City of Tulare Parks & Recreation Commission whose terms are ending December 31, 2019, select a new applicant, if any, or delay appointment and direct staff to solicit additional applications for consideration.

IS PUBLIC HEARING REQUIRED:  
Yes  
No

BACKGROUND/EXPLANATION:
Four members Parks & Recreation Commission have terms ending December 31, 2019 as follows:

Lori Fishbough, appointed 12/1/15
Nicholas Sherwood, first appointed 12/20/11; last appointed 12/1/15
W. Eric Farrenkopf, first appointed 1/16/01; last appointed 12/1/15
Armando Da Silva, appointed 12/1/15

All have expressed interest in being reappointed and have good attendance.

The Mayor and each Council member shall have the right to nominate Commissioners from the citizens at large and such nominations shall be honored by ratification and confirmation by majority vote of the membership of the Council. Alternatively, the Council may delay reappointment and direct staff to continue soliciting additional applications for consideration. Members whose terms end December 31, 2019, may continue to serve until such time that reappointment or a new appointment is made.

Members of the public who are interested in serving on any Board, Commission or Committee may apply throughout the year, and when vacancy notices are posted, applications are kept on file for two years.

Applications on file at this time with interest in serving on this Commission are as follows:

Ryan Wilson filed November 22, 2019

STAFF RECOMMENDATION:
Consideration of the reappointment of four members to the City of Tulare Parks & Recreation Commission whose terms are ending December 31, 2019, select a new applicant, if any, or delay appointment and direct staff to solicit additional applications for consideration.
CITY ATTORNEY REVIEW/COMMENTS:  T  Yes  @  N/A

IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:  @  Yes  £  No  Q  N/A

Submitted by:  Rob Hunt  
Title:  City Manager

Date:  November 21, 2019  
City Manager Approval:  __________
AGENDA ITEM:
Consideration of the reappointment of three members to the City of Tulare Planning Commission whose terms are ending December 31, 2019, select a new applicant, if any, or delay appointment and direct staff to solicit additional applications for consideration.

IS PUBLIC HEARING REQUIRED:  @ Yes  T No

BACKGROUND/EXPLANATION:
On November 21, 2017, the Tulare City Council adopted Resolution 17-57 amended Resolution 3060 establishing a five member Planning Commission and reconfirming previously established rules and procedures, as amended. One of those amendments included appointing members of the Planning Commission by Council Member seat, through attrition.

On July 24, 2018, one of the five seats, currently held by Anthony Olivares, was selected by this method and appointed by the Council District 3 seat held by Council Member Jones. On November 5, 2019, the three seats up for appointment, were selected by lot draw as follows:

Council Member Nunley:  Chuck Miguel, first appointed 7/15/03; last appointed 12/1/15
Vice Mayor Mederos:  Sandra Miller, first appointed 6/20/06; last appointed 12/1/15
Council Member Sayre:  Deanne Rocha, first appointed 5/16/95; last appointed 12/1/15

Mayor Sigala:  The remaining member, Joshua Cox, whose term is up December 31, 2021, , by default of the draw.

Alternatively, the Council may delay reappointment and direct staff to continue soliciting additional applications for consideration. Members whose terms end December 31, 2019, may continue to serve until such time that reappointment or a new appointment is made.

Members of the public who are interested in serving on any Board, Commission or Committee may apply throughout the year, and when vacancy notices are posted, applications are kept on file for two years, unless withdrawn by applicant.

Applications on file at this time with interest in serving on this Commission are as follows:

Carmen Jacobo filed April 24, 2018
Ryan Wilson filed November 22, 2019
STAFF RECOMMENDATION:
Consideration of the reappointment of three members to the City of Tulare Planning Commission whose terms are ending December 31, 2019, select a new applicant, if any, or delay appointment and direct staff to solicit additional applications for consideration.

CITY ATTORNEY REVIEW/COMMENTS:   @ Yes   T  N/A

IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED: @ Yes £ No Q N/A

Submitted by: Rob Hunt
Title: City Manager
Date: November 21, 2019
City Manager Approval: __________
AGENDA ITEM:
Adopt Resolution 2019-01 of the Successor Agency to the Former Tulare Redevelopment Agency approving and adopting the Recognized Obligation Payment Schedule for the July 1, 2020 through June 30, 2021 period and the Fiscal Year 2020-21 Administrative Budget.

IS PUBLIC HEARING REQUIRED:  ® Yes  ¤ No

SUMMARY:
The Successor Agency to the Tulare Redevelopment Agency will consider a resolution approving the Recognized Obligation Payment Schedule for the July 1, 2020 through June 30, 2021 period and the Fiscal Year 2020-21 Administrative Budget.

BACKGROUND/EXPLANATION:
Assembly Bill (“AB”) x1 26, AB 1484, and Senate Bill 107 (collectively, the “Dissolution Act”) dissolved redevelopment agencies and led to the creation of successor agencies to wind down the obligations and dispose of the assets of former redevelopment agencies. The City of Tulare (“City”) elected to serve as the Successor Agency to the Tulare Redevelopment Agency (“Successor Agency”). The Dissolution Act requires the Successor Agency to prepare a Recognized Obligation Payment Schedule (“ROPS”). The ROPS must be prepared annually, covers the entire Fiscal Year, and shows all the obligations of the former Tulare Redevelopment Agency (“Former RDA”) and the sources of funds for the repayments. The Successor Agency must also prepare an administrative budget for the upcoming Fiscal Year.

The ROPS must be approved by the Oversight Board to the Successor Agency (“Oversight Board”) and submitted to the State Department of Finance (“DOF”). Pursuant to Health and Safety Code (“HSC”) Section 34177(l), DOF provided the ROPS form for successor agencies to use to report enforceable obligations for the period July 1, 2020 through June 30, 2021 (“20-21”). The completed ROPS 20-21, attached as Exhibit “A,” is due to DOF by February 1, 2020 by electronic submission. Pursuant to HSC section 34177(l)(2)(C), a copy of the ROPS must also be submitted to the Tulare County Auditor-Controller (“Auditor-Controller”) and the State Controller’s Office.

DISCUSSION OF ROPS COMPONENTS:
In addition to a list of enforceable obligations and requested funds to pay them during the upcoming Fiscal Year, the ROPS form includes a Report of Cash Balances. On the Report of Cash Balances, successor agencies identify any available funds on hand that can be used to pay enforceable obligations.

After all available funds on hand are allocated, the Successor Agency can request funding for enforceable obligations from the Redevelopment Property Tax Trust Fund (“RPTTF”), through
which the Auditor-Controller distributes property tax increment revenue. Allocations of RPTTF require approval by the Oversight Board and DOF.

The following sections elaborate on the enforceable obligations listed on the ROPS and significant aspects of the Cash Balances.

**Debt Service Payments (Items 21 through 24)**
The Successor Agency refunded the 2010 Tax Allocation Bonds, Series A, B, and C (“2010 Bonds”) with an issue of 2017 Tax Allocation Refunding Bonds, Series A and B (“2017 Bonds”), in order to take advantage of lower interest rates and to reduce the sum of total future debt service payments. The refunding enabled the Successor Agency to retire the 2010 Bonds (ROPS items 1-3). They were replaced with ROPS items 21-24.

Per the 2017 Bonds Indenture, the Successor Agency is required to request funding for each calendar year’s debt service to be received in the January RPTTF distribution. The Successor Agency is therefore requesting RPTTF funding for ROPS items 23 and 24 in the January to June 2021 period as reserve for payments due August 1, 2021. Items 21 and 22 are requests for funding of current debt service payments, meaning the payment is made in the same period as when the revenue is received. In total, the Successor Agency requests to spend $1,425,476 in a reserve balance set aside from the ROPS covering Fiscal Year 2019-20, $366,561 in RPTTF to pay current debt service during Fiscal Year 2020-21, and $1,456,561 in RPTTF as a reserve for future debt service.

**City-Redevelopment Agency Loan (Item 12)**
The City and the Former RDA entered into a Loan Repayment Agreement (“Agreement”) on April 20, 2010, which was subsequently amended on June 29, 2010, February 1, 2011, and March 9, 2011 (“Third Amendment”). In order to assist the Former RDA in carrying out its redevelopment activities, the City advanced funds to the Former RDA from time to time in accordance with cooperation agreements for individual redevelopment projects. The Third Amendment formally acknowledged the number of outstanding advances and established formal repayment terms for the Agreement (“City-RDA Loan”). Under the Dissolution Act, repayment is limited as follows:

- Payments on the City-RDA Loan are limited in each Fiscal Year to one half of the difference between the previous Fiscal Year’s residual revenue and the Fiscal Year 2012-13 residual revenue. Residual revenue is the amount of RPTTF revenue—property taxes distributed by the Auditor-Controller—available after deducting from gross revenue the following:
  - Auditor-Controller’s and State Controller’s Office administrative fees,
  - pass through payments, and
  - the amount approved by DOF to pay enforceable obligations.

The City and Successor Agency would like to repay the City-RDA Loan (Item 12) as soon as possible. DOF approved the loan on January 6, 2017. However, there is a disagreement about how the Fiscal Year 2012-13 RPTTF residual revenue is applied. The City and Successor Agency believe that the Auditor-Controller incorrectly calculated the Successor Agency’s Fiscal Year 2012-13 residual RPTTF revenue as published in the RPTTF reports for that year. The City and Successor Agency contacted DOF and the Auditor-Controller to request a revised RPTTF report or direction on an alternative method to establish the correct Fiscal Year 2012-13 residual RPTTF for calculating the City Loan’s maximum annual repayment amount.
DOF and the Auditor-Controller have not disputed that the currently published Fiscal Year 2012-13 residual RPTTF for the Successor Agency is incorrect but have hesitated to issue a revised RPTTF report or otherwise provide an approach that all parties can agree to and implement for the correct residual RPTTF value to be used to calculate the City Loan’s maximum annual payments.

After a discussion with the City, DOF sent an e-mail to the Auditor-Controller indicating that if the Auditor-Controller believes “a change is necessary to accurately reflect the RPTTF that flowed to the ATEs [affected taxing entities],” then DOF “will accept the updated reports for use in calculating their City/Agency loan repayments.”

The County approved Fiscal Year 2012-13 residual RPTTF is $2,502,897. Although the Successor Agency disputes this value and believes it should be $1,524,880, for the purpose of our estimates we are assuming the Fiscal Year 2012-13 residual RPTTF will be $2,502,897. The Fiscal Year 2019-20 residual RPTTF is projected to be approximately $100,00 more than the 2012-13 residual RPTTF amount of $2,502,897. Therefore, the Successor Agency requests the outstanding balance of $21,229,891. We are requesting the outstanding balance because the residual RPTTF amounts are estimates and we are attempting to receive the greatest value of RPTTF to pay this obligation.

**Land O’ Lakes Agreement (Item 4)**
The request for payment to Land O’ Lakes (Item 4) is based on an agreement with the dairy processor. The requested amount of $280,000 is a projection of the future payment based on what this payment has been in recent years. The actual payment amount will depend on the assessed value of Land O’ Lakes properties in the City, as agreed to between the Former RDA and Land O’ Lakes.

To receive payment, Land O’ Lakes is required to submit documentation to the City showing its employment level in the City, as specified in the agreement. If the employment level decreases below 350 full-time equivalent employees, the Successor Agency can reduce or eliminate the payments. To date, Land O’ Lakes has submitted documentation showing it has met the employment threshold every year since the agreement.

**Other Obligations**
HSC Section 34177(j) requires the Successor Agency to prepare an Administrative Budget and submit it to the Oversight Board for approval. The Successor Agency anticipates needing the entire $250,000 minimum annual administrative allocation described in HSC Section 34171(b) and is requesting that amount (ROPS Item 14), all allocated to the first six-month period to maintain a more even cash flow. An Administrative Budget for the fiscal year is attached as Exhibit “B” to the accompanying resolution.

The Successor Agency requests $4,000 to pay fiscal agent fees on the 2017 Bonds (Item 6) and $1,000 to cover the cost of preparing a required annual continuing disclosure that describes the security of the 2017 Bonds (Item 25). Both are required aspects of the 2017 Bonds' management.

In total, the Successor Agency requests to receive and spend $23,588,013 of RPTTF in Fiscal Year 2020-21, including $1,456,561 that will be set aside as a reserve for August 1, 2021 debt service payments. In addition, the Successor Agency requests to spend $1,425,476 in reserves that will be set aside from Fiscal Year 2019-20 on August 1, 2020 debt service.
Cash Balances
The Report of Cash Balances in the current ROPS represents the Successor Agency’s estimate of the true cash balance as of June 30, 2018. It shows the status and progress of the cash balance correction and helps the Successor Agency to identify other funds available to spend on enforceable obligations.

The Cash Balances also show the inflow and outflow of funds held by the Successor Agency. Funds are being spent in a timely manner and consistent with the approvals of the Oversight Board and DOF. The Cash Balances page helps the Successor Agency to identify other funds available to spend on enforceable obligations, detailed as follows:

- The Successor Agency earned $13,790 in interest revenue and $750,547 in property proceeds in Fiscal Year 2017-18. The Successor Agency spent $256,623 of other funds in Fiscal Year 2017-18 leaving the Successor Agency with $544,242 in available other funds cash on hand. $35,430 of this cash on hand is committed to 2019-20 expenditures and requests permission to spend the remaining $508,812 on obligations in Fiscal Year 2020-21.
- $113,027 in property tax revenues received, but not spent, for obligations in Fiscal Year 2015-16 were reclassified by DOF as a reserve balance and re-allocated to expenditures in Fiscal Year 2018-19.
- The Successor Agency expects DOF to re-allocate $531,224 in property tax revenues received, but not spent, for obligations in Fiscal Year 2017-18 for expenditures in Fiscal Year 2020-21.

ROPS 17-18 Prior Period Adjustment
As required by HSC section 34186 (c), the Successor Agency prepared a reconciliation between approved and actual payments on enforceable obligations from the ROPS covering Fiscal Year 2017-18 and submitted this reconciliation to the Auditor-Controller prior to October 1, 2019. The reconciliation showed a difference of $531,224 between approved and actual expenditures. This amount is due to full debt service not being paid for the 2010 Tax Allocation Bonds as a result of the 2017 Tax Allocation Refunding Bonds. As mentioned above, the Successor Agency expects DOF to re-allocate this amount for expenditures in Fiscal Year 2020-21.

Last and Final ROPS Option
Pursuant to HSC section 34191.6 (a), beginning January 1, 2016, agencies that have received a Finding of Completion may submit a Last and Final ROPS if all the following conditions are met:

1) The remaining debt is limited to administrative costs and payments pursuant to enforceable obligations with defined payment schedules including, but not limited to, debt service, loan agreements, and contracts.
2) All remaining obligations have been previously listed on the ROPS and approved for payment by DOF pursuant to HSC section 34177 (m) or (o).
3) The agency is not a party to outstanding/unresolved litigation, except as specified in HSC section 34191.6 (a) (3).

A Last and Final ROPS will reduce the administrative burden on the Successor Agency and eliminate the need for Oversight Board meetings to approve the ROPS. (The Oversight Board will still have to convene to approve property sales). The Successor Agency can amend the Last and Final ROPS twice. The Successor Agency would like to submit a Last and Final ROPS as soon as possible. Because of the following items, however, the Successor Agency does not meet the required conditions:
1) Not all remaining obligations were listed on a previous ROPS and approved for repayment by DOF.
2) The Land O’ Lakes Agreement does not have a defined payment schedule. The payment amount each year depends on assessed values in that year.

Furthermore, DOF has oversight over all Last and Final ROPS approvals and has been limiting the Successor Agency administrative allowance to approximately $5,000 per enforceable obligation.

**County Consolidated Oversight Board**
As of July 1, 2018, the Tulare County Consolidated Oversight Board was established pursuant to HSC Section 34179(j). This means that instead of Tulare County’s eight successor agencies each having their own oversight board, one Consolidated Oversight Board reviews actions taken by all of the successor agencies within the County and can direct all of the same successor agencies to perform certain actions. The Consolidated Oversight Board is composed of seven appointed members:

- Eddie Valero, County Board of Supervisors
- Phil Cox, City Selection Committee
- Daniel Smith, Independent Special Districts
- Jeff Ramsay, County Superintendent of Schools
- Christine Statton, Chancellor of the California Community Colleges
- Clinton Sims II, County Board of Supervisors, Public Representative
- As of November 29, 2018, the seat to be appointed by the recognized employee organization representing the largest number of successor agency employees has remained vacant.

The Consolidated Oversight Board has scheduled its general regular meetings to occur annually in January, with special meetings set to be held as needed. The deadline for the Successor Agency to submit its ROPS 20-21 to the Consolidated Oversight Board for the January 10, 2020 meeting is December 27, 2019. This deadline allows for County staff to review the submission and provide feedback, as well as for the Successor Agency to incorporate feedback, if necessary. With the consolidation of the Oversight Boards, it is expected that expenditures may be more stringently monitored, and successor agencies may have to provide additional supporting documentation, especially for the administrative allowance.

**FISCAL IMPACT:**
ROPS 20-21 must be approved by the Tulare Successor Agency and Tulare County Consolidated Oversight Board and submitted to the State Department of Finance (“DOF”) by February 1, 2020 for the Successor Agency to receive RPTTF, administered by the Tulare County Auditor-Controller (“Auditor-Controller”), and pay enforceable obligations during the ROPS 20-21 period.

**STAFF RECOMMENDATION:**
Adopt Resolution 2019-01 of the Successor Agency to the Former Tulare Redevelopment Agency approving and adopting the Recognized Obligation Payment Schedule for the July 1, 2020 through June 30, 2021 period and the Fiscal Year 2020-21 Administrative Budget.

**CITY ATTORNEY REVIEW/COMMENTS:**  @ Yes  £ N/A
IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:  ☑ Yes  ❄ No  ❗ N/A

Submitted by: Darlene Thompson  Title: Finance Director
Date: 12/09/19  City Manager Approval: __________

WHEREAS, the City of Tulare elected to serve as the Successor Agency to the former Tulare Redevelopment Agency ("Successor Agency") pursuant to Assembly Bill x1 26 ("ABx1 26") as codified in the California Health & Safety Code ("HSC"); and

WHEREAS, ABx1 26 was amended by Assembly Bill 1484 and Senate Bill 107 (collectively, the "Dissolution Act"); and

WHEREAS, among the duties of successor agencies under the Dissolution Act as amended is the preparation of an annual Recognized Obligation Payment Schedule ("ROPS"), per HSC Section 34177 (I), that includes the ensuing two six-month periods for consideration by an oversight board and the California Department of Finance ("DOF") for purposes of administering the wind-down of financial obligations of the former Redevelopment Agency; and

WHEREAS, HSC Section 34177 (I) further requires that the proposed ROPS be transmitted to the oversight board, after which time the oversight board may approve the ROPS and the Successor Agency’s transmittal of the adopted ROPS to DOF, the County Auditor-Controller, and the State Controller’s Office for their consideration; and

WHEREAS, the Tulare County Consolidated Oversight Board ("Oversight Board"), formed July 1, 2018, has jurisdiction over the Successor Agency; and

WHEREAS, the proposed ROPS 20-21 covering Fiscal Year 2020-21, attached hereto as Exhibit “A”, has been prepared and is consistent with the provisions of the Dissolution Act and in the format made available by DOF; and

WHEREAS, the Successor Agency is required to prepare an annual administrative budget and submit it to the Oversight Board per HSC Section 34177 (j); and

WHEREAS, the Successor Agency prepared the Fiscal Year 2020-21 Administrative Budget in accordance with the Dissolution Act, attached hereto as Exhibit “B”; and
WHEREAS, the Oversight Board will review the ROPS 20-21 and Administrative Budget on January 10, 2020; and

WHEREAS, the Successor Agency desires to approve the ROPS 20-21 and the Fiscal Year 2020-21 Administrative Budget and transmit them to various parties as required by the Dissolution Act.

NOW, THEREFORE, THE SUCCESSOR AGENCY TO THE FORMER TULARE REDEVELOPMENT AGENCY DOES HEREBY RESOLVE, ORDER, AND DETERMINE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Approval of the ROPS 20-21. The Successor Agency hereby approves and adopts the ROPS 20-21 covering the period of July 1, 2020 to June 30, 2021 in substantially the form attached hereto as Exhibit A, as required by the Dissolution Act. The Successor Agency accepts changes made by the Consolidated Oversight Board in advance in order to enable the Successor Agency to submit the ROPS 20-21 to DOF by the deadline of February 1, 2020.

Section 3. Approval of Successor Agency Fiscal Year 2020-21 Administrative Budget. Pursuant to the Dissolution Act, the Successor Agency approves the Fiscal Year 2020-21 Administrative Budget for the period July 1, 2020 to June 30, 2021 submitted herewith as Exhibit B, which is incorporated herein by this reference.

Section 4. Posting and Transmittal. The City Manager or another representative of the Successor Agency is hereby authorized and directed to post a copy of the ROPS 20-21 on the City’s website and transmit a copy of the ROPS 20-21 to the offices of the Tulare County Auditor-Controller, the State Controller’s Office, and the State of California Department of Finance.

/////
PASSED, APPROVED, AND ADOPTED this 17th day of December 2019 by the Successor Agency to the City of Tulare Redevelopment Agency.

______________________________
Successor Agency Chair

ATTEST:

STATE OF CALIFORNIA )
COUNTY OF TULARE ) SS.
CITY OF TULARE )

I, Roxanne Yoder, Chief Deputy City Clerk of the City of Tulare, and Successor Agency Secretary, certify the foregoing is the full and true SA Resolution 2019-01 passed and adopted by the Successor Agency to the City of Tulare Redevelopment Agency at a regular meeting held on December 17, 2019, by the following vote:

Aye(s)________________________________________________________

Noe(s)__________________________Absent/Abstention(s)_______________

Dated:      SUCCESSOR AGENCY SECRETARY

______________________________
Roxanne Yoder
**Recognized Obligation Payment Schedule (ROPS 20-21) - Summary**

Filed for the July 1, 2020 through June 30, 2021 Period

<table>
<thead>
<tr>
<th>Current Period Requested Funding for Enforceable Obligations (ROPS Detail)</th>
<th>20-21A Total</th>
<th>20-21B Total</th>
<th>ROPS 20-21 Total</th>
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<td>(July - December)</td>
<td>(January - June)</td>
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<tr>
<td><strong>A</strong> Enforceable Obligations Funded as Follows (B+C+D):</td>
<td>$1,425,476</td>
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<td>$1,425,476</td>
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<td><strong>B</strong> Bond Proceeds</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
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<td><strong>C</strong> Reserve Balance</td>
<td>$1,425,476</td>
<td>-</td>
<td>$1,425,476</td>
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<td><strong>D</strong> Other Funds</td>
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<td><strong>E</strong> Redevelopment Property Tax Trust Fund (RPTTF) (F+G):</td>
<td>$21,484,891</td>
<td>$2,103,122</td>
<td>$23,588,013</td>
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<td><strong>F</strong> RPTTF</td>
<td>$21,234,891</td>
<td>$2,103,122</td>
<td>$23,338,013</td>
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<td><strong>G</strong> Administrative RPTTF</td>
<td>$250,000</td>
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<td>$250,000</td>
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<td><strong>H</strong> Current Period Enforceable Obligations (A+E):</td>
<td>$22,910,367</td>
<td>$2,103,122</td>
<td>$25,013,489</td>
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</tbody>
</table>

Certification of Oversight Board Chairman:

Pursuant to Section 34177 (o) of the Health and Safety Code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named successor agency.

Signature  
Title  

---
<table>
<thead>
<tr>
<th>Ser.</th>
<th>Project Name/Debt Obligation</th>
<th>Contract/Agreement</th>
<th>Term/Description/Project Scope</th>
<th>Project End</th>
<th>Total Outstanding Debt or Obligation</th>
<th>ROPS 20-21 Total</th>
<th>Bond Proceeds</th>
<th>Reserve Balance</th>
<th>Other Funds</th>
<th>RPTTF</th>
<th>Admin RPTTF</th>
<th>Total Debt or Obligation</th>
<th>Total Proceeds</th>
<th>Total Reserve Balance</th>
<th>Total Other Funds</th>
<th>Total RPTTF</th>
<th>Total Admin RPTTF</th>
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<td>Tulare Recognized Obligation Payment Schedule (ROPS 20-21) - ROPS Detail</td>
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<td>Bond Proceeds Reserve Balance Other Funds RPTTF Admin RPTTF Total Debt or Obligation Total Proceeds Total Reserve Balance Total Other Funds Total RPTTF Total Admin RPTTF Total Total</td>
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<td>Refunding Bonds - Series A 2/1/2017 8/1/2040 U S Bank Bonds issued to refund 2010 bonds All Areas</td>
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<td>Refunding Bonds - Series B 2/1/2017 8/1/2040 U S Bank Bonds issued to refund 2010 bonds All Areas</td>
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<td>Successor Agency Cash Reserve After 6/27/12</td>
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<td>Estate Group, Consultant and Broker; Anderson Real Estate Group, Troy Guy - All Areas</td>
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<td>Broker opinions of value and other costs of misrepresentation correction</td>
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<td>Cash balance imbalance and property disposition not paid from sale</td>
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<td>Board of Supervisors name; City of Tulare - Loan</td>
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<td>Tulare Recognized Obligation Payment Schedule (ROPS 20-21) - ROPS Detail</td>
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<td>Successor Agency Cash Reserve After 6/27/12</td>
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<td>23</td>
<td>Reserve for next period's debt service</td>
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<td>24</td>
<td>Attorney Cost</td>
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<td>25</td>
<td>Estate Group, Consultant and Broker; Anderson Real Estate Group, Troy Guy - All Areas</td>
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<td>26</td>
<td>Broker opinions of value and other costs of misrepresentation correction</td>
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<td>27</td>
<td>Cash balance imbalance and property disposition not paid from sale</td>
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<td>28</td>
<td>Board of Supervisors name; City of Tulare - Loan</td>
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<td>29</td>
<td>Board of Supervisors name; City of Tulare - Loan</td>
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<td>30</td>
<td>Board of Supervisors name; City of Tulare - Loan</td>
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<td>31</td>
<td>Bond Proceeds Reserve Balance Other Funds RPTTF Admin RPTTF Total Debt or Obligation Total Proceeds Total Reserve Balance Total Other Funds Total RPTTF Total Admin RPTTF Total Total</td>
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<td>33</td>
<td>Tulare Recognized Obligation Payment Schedule (ROPS 20-21) - ROPS Detail</td>
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<td>34</td>
<td>(Report Amounts in Whole Dollars)</td>
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<td>35</td>
<td>Refunding Bonds - Series A 2/1/2017 8/1/2040 U S Bank Bonds issued to refund 2010 bonds All Areas</td>
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<td>36</td>
<td>Refunding Bonds - Series B 2/1/2017 8/1/2040 U S Bank Bonds issued to refund 2010 bonds All Areas</td>
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<td>37</td>
<td>Successor Agency Cash Reserve After 6/27/12</td>
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<td>38</td>
<td>Reserve for next period's debt service</td>
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<td>Reserve for next period's debt service</td>
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<td>Attorney Cost</td>
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<td>41</td>
<td>Estate Group, Consultant and Broker; Anderson Real Estate Group, Troy Guy - All Areas</td>
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<td>42</td>
<td>Broker opinions of value and other costs of misrepresentation correction</td>
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<td>43</td>
<td>Cash balance imbalance and property disposition not paid from sale</td>
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<td>44</td>
<td>Board of Supervisors name; City of Tulare - Loan</td>
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<td>45</td>
<td>Board of Supervisors name; City of Tulare - Loan</td>
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</tbody>
</table>
### Tulare Recognized Obligation Payment Schedule (ROPS 20-21) - Report of Cash Balances

July 1, 2017 through June 30, 2018  
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 [l], Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see Cash Balance Tips Sheet.

<table>
<thead>
<tr>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
<th>G</th>
<th>H</th>
</tr>
</thead>
</table>
| **ROPS 17-18 Cash Balances**  
 **(07/01/17 - 06/30/18)** |   |   |   |
| **Beginning Available Cash Balance (Actual 07/01/17)** |   |   |   |
| RPTTF amount should exclude “A” period distribution amount |   |   |   |
| Bond Proceeds | Reserve Balance | Other Funds | RPTTF |
| Bonds issued on or before 12/31/10 | Bonds issued on or after 01/01/11 | Prior ROPS RPTTF and Reserve Balances retained for future period(s) | Rent, Grants, Interest, etc. | Non-Admin and Admin |
| 4,165,038 | 113,027 | 36,528 | 41,882 |

$4,165,038 in bond proceeds were transferred in full in 2017-18 per the approved bond proceed expenditure agreement. $113,027 in reserve balance is retained for FY 18-19 expenditures. 
From other funds, $1,098 was committed to FY 17-18 expenditures and $35,430 is committed to FY 19-20 expenditures. $41,882 in RPTTF is 16-17 PPA.

<table>
<thead>
<tr>
<th>1</th>
<th>Beginning Available Cash Balance (Actual 07/01/17)</th>
<th></th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>RPTTF amount should exclude “A” period distribution amount</td>
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<td></td>
</tr>
<tr>
<td>Bond Proceeds</td>
<td>Reserve Balance</td>
<td>Other Funds</td>
<td>RPTTF</td>
<td></td>
</tr>
<tr>
<td>Bonds issued on or before 12/31/10</td>
<td>Bonds issued on or after 01/01/11</td>
<td>Prior ROPS RPTTF and Reserve Balances retained for future period(s)</td>
<td>Rent, Grants, Interest, etc.</td>
<td>Non-Admin and Admin</td>
</tr>
<tr>
<td>4,165,038</td>
<td>113,027</td>
<td>36,528</td>
<td>41,882</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2</th>
<th>Revenue/Income (Actual 06/30/18)</th>
<th></th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>RPTTF amount should tie to the ROPS 17-18 total distribution from the County Auditor-Controller</td>
<td></td>
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</tr>
<tr>
<td>Bond Proceeds</td>
<td>Reserve Balance</td>
<td>Other Funds</td>
<td>RPTTF</td>
<td></td>
</tr>
<tr>
<td>4,165,038</td>
<td>0</td>
<td>0</td>
<td>764,337</td>
<td></td>
</tr>
</tbody>
</table>

Other funds consist of $750,547 in net property proceeds + $13,790 in net interest revenue. County distributed $2 more in RPTTF than was approved.

<table>
<thead>
<tr>
<th>3</th>
<th>Expenditures for ROPS 17-18 Enforceable Obligations (Actual 06/30/18)</th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>RPTTF amount should tie to the ROPS 17-18 total distribution from the County Auditor-Controller</td>
<td></td>
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</tr>
<tr>
<td>Bond Proceeds</td>
<td>Reserve Balance</td>
<td>Other Funds</td>
<td>RPTTF</td>
<td></td>
</tr>
<tr>
<td>4,165,038</td>
<td>0</td>
<td>256,623</td>
<td>1,936,469</td>
<td></td>
</tr>
</tbody>
</table>

Bond proceeds transferred to City in transfer agreement. Other funds spent on ROPS items 4, 6, 14, and 19.

<table>
<thead>
<tr>
<th>4</th>
<th>Retention of Available Cash Balance (Actual 06/30/18)</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>RPTTF amount retained should only include the amounts distributed as reserve for future period(s)</td>
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</tr>
<tr>
<td>Bond Proceeds</td>
<td>Reserve Balance</td>
<td>Other Funds</td>
<td>RPTTF</td>
<td></td>
</tr>
<tr>
<td>4,165,038</td>
<td>0</td>
<td>256,623</td>
<td>1,936,469</td>
<td></td>
</tr>
</tbody>
</table>

$1,936,469 in reserve balance is committed to FY 18-19 expenditures. From other funds, $35,430 is committed to FY 19-20 expenditures. $508,812 is requested for FY 20-21 expenditures.

<table>
<thead>
<tr>
<th>5</th>
<th>ROPS 17-18 RPTTF Prior Period Adjustment</th>
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</thead>
<tbody>
<tr>
<td>RPTTF amount should tie to the Agency's ROPS 17-18 PPA item submitted to the CAC</td>
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</tr>
<tr>
<td>Bond Proceeds</td>
<td>Reserve Balance</td>
<td>Other Funds</td>
<td>RPTTF</td>
<td></td>
</tr>
<tr>
<td>4,165,038</td>
<td>113,027</td>
<td>544,242</td>
<td>531,224</td>
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</tr>
</tbody>
</table>

$531,224 represents the PPA from ROPS 17-18.

<table>
<thead>
<tr>
<th>6</th>
<th>Ending Actual Available Cash Balance (06/30/18)</th>
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<tbody>
<tr>
<td>C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 + 5)</td>
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<tr>
<td>Bond Proceeds</td>
<td>Reserve Balance</td>
<td>Other Funds</td>
<td>RPTTF</td>
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<tr>
<td>0</td>
<td>0</td>
<td>0</td>
<td>41,884</td>
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</tbody>
</table>

Ending actual balance is $2 higher than 16-17 PPA because actual RPTTF distribution was $2 higher.
<table>
<thead>
<tr>
<th>Item #</th>
<th>Notes/Comments</th>
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<tbody>
<tr>
<td></td>
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<tr>
<td>Expense Category</td>
<td>Responsibility</td>
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<tr>
<td>---------------------------</td>
<td>---------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Personnel Costs</strong></td>
<td></td>
</tr>
<tr>
<td>City Manager Department</td>
<td>• Provide direction to other staff and consultants as needed</td>
</tr>
<tr>
<td>City Attorney Department</td>
<td>• Provide general legal services as needed</td>
</tr>
<tr>
<td>Finance Department</td>
<td>• Process payment of enforceable obligations</td>
</tr>
<tr>
<td></td>
<td>• Maintain documentation of Agency records</td>
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<td></td>
<td>• Coordinate with consultant to answer questions and provide documentation as</td>
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<tr>
<td></td>
<td>requested by Oversight Board, County Auditor-Controller, and Department of Finance</td>
</tr>
<tr>
<td>Successor Agency Staff</td>
<td>• Administration and implementation of Agency wind-down</td>
</tr>
<tr>
<td><strong>Total Personnel Costs</strong></td>
<td></td>
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<tr>
<td><strong>Services</strong></td>
<td></td>
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<tr>
<td>Consultants</td>
<td>• Prepare ROPS, PPA, staff reports, and resolutions</td>
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<td>• Assist with calculations for and administration of the Land O’ Lakes Owner</td>
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<td></td>
<td>Participation Agreement</td>
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<tr>
<td></td>
<td>• Coordinate with and answer questions for Oversight Board, County Auditor-</td>
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<td>Controller, and Department of Finance</td>
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<td></td>
<td>• Monitor and project cash flow to ensure sufficient revenues for obligations and</td>
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<td>to inform Agency staff of expected revenues</td>
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<tr>
<td>Financial Services</td>
<td>• Audits and other financial services as needed</td>
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<tr>
<td><strong>Total Services Costs</strong></td>
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<td><strong>Total Budget</strong></td>
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<td><strong>Total Budget Costs</strong></td>
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AGENDA ITEM:

IS PUBLIC HEARING REQUIRED:  ■ Yes  □ No

BACKGROUND/EXPLANATION:
Review of Title 9, “Traffic”, of the Tulare Municipal Code identified two sections that are no longer consistent with current parking restrictions employed by the City of Tulare. As such, it is recommended that they be repealed and replaced as follows:

Chapter 9.48, “Standing, Stopping, Parking”, includes the Ordinance Code provisions governing standing, stopping and parking restrictions on City streets. This section has not been updated since 1995, and only provides provisions for parking restriction of ten (10) minutes and one (1) hour. These restrictions no longer meet the needs of the City or the businesses that overwhelmingly generate the requests for parking restrictions.

Section 9.48.080 currently provides for the designation of ten-minute parking zones between the hours of 8:00 a.m. and 6:00 p.m. on each and every day of the week, excepting Saturdays, Sundays and holidays, and on Saturdays between the hours of 8:00 a.m. and 9:00 p.m. in any parking area which shall be designated by green paint or other green material upon the entire curb surface therein with the words “ten minute” in white letters. Based upon feedback from affected businesses, 10 minutes no longer provides sufficient time for customers to conduct short term business transactions. It is recommended that the ten-minute duration of Section 9.48.080 be revised to twenty (20) minutes. This duration would also be more consistent with restrictions employed by neighboring communities (i.e., Visalia, Hanford, Porterville).

Section 9.48.140 currently provides for the designation of one-hour parking zones between the hours of 8:00 a.m. and 6:00 p.m. of each and every day of the week, excepting Sundays and legal holidays, in any parking area which shall be designated by green paint or other green material upon the entire curb surface with the words “One Hour” in white letters. In recent years, the vast majority of mid-term parking restriction
requests that the City has received have been for two-hour designations. Greater flexibility in the designation of parking restrictions would be beneficial to business and property owners. It is therefore recommended that Section 9.48.140 be revised to allow for multiple options, including one hour, two-hour three hour and four hour. Again, this would be consistent with other neighboring communities.

All proposed changes to the ordinance that will be enacted if approved by Council are shown in the red-line version attached to this staff report and incorporated here by reference.

**STAFF RECOMMENDATION:**

**CITY ATTORNEY REVIEW/COMMENTS:** ☐ Yes  ☐ No  ☐ N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:**  ☐ Yes  ☐ No  ☐ N/A

**FUNDING SOURCE/ACCOUNT NUMBER:**
Signed: Michael Miller    Title: City Engineer
Date: December 9, 2019    City Manager Approval: ____________
ORDINANCE 19-13


WHEREAS, it has been determined Sections 9.48.080 and 9.48.140 of the Tulare Municipal Code are no longer consistent with the majority of the requests for restricted parking received by the City from local business entities, including the Tulare Downtown Association, and

WHEREAS, it is desired to amend said sections of the Tulare Municipal Code to provide greater flexibility in the designation of parking restrictions and to better reflect the needs of local businesses.

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TULARE AS FOLLOWS, TO WIT:

SECTION 1: Section 9.48.080 of the Tulare Municipal Code of Ordinances is hereby amended and replaced as follows:

§ 9.48.080 Ten-minute areas.

No person shall leave standing or parked upon any street within the congested business district any vehicle longer than ten minutes between the hours of 8:00 a.m. and 6:00 p.m. on each and every day of the week, excepting Saturdays, Sundays and holidays, and on Saturdays between the hours of 8:00 a.m. and 9:00 p.m. in any parking area which shall be designated by green paint or other green material upon the entire curb surface therein with the words “ten minute” in white letters.


§ 9.48.080 Twenty-minute parking.

A. Green curb marking shall mean no standing or parking for a period of time longer than twenty (20) minutes at any time between eight a.m. and five p.m. on any day except Sunday and legal holidays.

B. When authorized signs or curb markings have been determined by the Chief of Police to be necessary and are in place giving notice thereof, no operator of vehicle shall stop, stand or park said vehicle adjacent to any such legible curb marking or sign in violation thereof.

SECTION 2: Section 9.48.140 of the Tulare Municipal Code of Ordinances is hereby amended and replaced as follows:

§ 9.48.140 One-hour parking.

No person shall leave standing or parked upon any street, avenue, or lane within the city any vehicle longer than one hour between the hours of 8:00 a.m. and 6:00 p.m. of each and every day of the week, excepting Sundays and legal holidays, in any parking area which shall be designated by green paint or other green material upon the entire curb surface with the words “One Hour” in white letters.


§ 9.48.140 One hour, two-hour, three hour and four-hour parking.

A. When authorized signs have been determined by the Chief of Police to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle between the hours of eight a.m. and five p.m. of any day except Sundays and legal holidays for a period of time longer than one hour.

B. When authorized signs have been determined by the Chief of Police to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle between the hours of eight a.m. and five p.m. of any day except Saturday(s), Sunday(s), and legal holidays for a period of time longer than two hours.

C. When authorized signs have been determined by the Chief of Police to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle between the hours of eight a.m. and five p.m. of any day except Saturday(s), Sunday(s), and legal holidays for a period of time longer than three hours.

D. When authorized signs have been determined by the Chief of Police to be necessary and are in place giving notice thereof, no operator of any vehicle shall stop, stand or park said vehicle between the hours of eight a.m. and five p.m. of any day except Saturday(s), Sunday(s), and legal holidays for a period of time longer than four hours.


SECTION 3: This ordinance shall be in full force and effect thirty (30) days from and after its passage, adoption and approval.

SECTION 4: All ordinances and parts of ordinances in conflict herewith are hereby repealed.
PASSED, ADOPTED AND APPROVED THIS ___ day of __________, 20__.

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

ATTEST:

_________________________
Chief Deputy City Clerk of
The Council of the City of Tulare
AGENDA ITEM:
Public Hearing to adopt Resolution 19-___ approving the 2019 Community Development Block Grant (CDBG) Annual Action Plan (APP) Amendment to re-allocate $50,000 of Program Year 2019 funds to the Workforce Investment Board of Tulare County (WIBTC) to provide job readiness, work-based training and job placement services to six low-to-moderate income persons who are facing homelessness or have significant barriers to employment; and authorize the City Manager or his designee to submit the same to HUD on behalf of the City of Tulare.

IS PUBLIC HEARING REQUIRED:  ☒ Yes  ☐ No

BACKGROUND/EXPLANATION:
Administration of the Community Development Block Grant (CDBG) program is overseen by the City’s Community & Economic Development Department in cooperation with other City departments. Through the AAP process, staff continues implementing the goals established under the City’s adopted amended 2015-2019 Consolidated Plan and U.S. Department of Housing and Urban Development (HUD) requirements.

On April 16, 2019, City Council approved the Program Year 2019 AAP. The 2019 AAP is the fifth and final annual action plan within the City’s Five-Year (2015-2019) Consolidated Plan. The AAP outlines how the funds will be expended and confirms that the funded activities are consistent with the City’s amended five-year Consolidated Plan.

PROGRAM YEAR 2019 ANNUAL ACTION PLAN AMENDMENT
This Program Year 2019 AAP Amendment consists of re-allocating $50,000 from the Bardsley Garden Apartment rehabilitation project to the Workforce Investment Board of Tulare County (WIBTC) to provide six low-to-moderate income Tulare residents who are facing homelessness or have significant barriers to employment, with job readiness, work-based training and job placement. Clients will receive career planning assistance, work-based training, resume preparation assistance, interview skills, and interview clothing and transportation assistance to complete the program successfully.

The basis for the reallocation of funding is two-fold; 1) the change in the project scheduling on the Bardsley Garden rehabilitation project, which prohibits the project from spending down the entire original allocation in this program year; and 2) the need for the City to assist further with homelessness activities.

The public service activities to be carried out by the WIBTC will assist the City in satisfying the economic development priority of job creation as identified in the 2015-2019 Consolidated Plan.
The proposed 2019 AAP Amendment was made available for public review and comment for 30-days from November 18, 2019 through December 17, 2019.

**STAFF RECOMMENDATION:**
Adopt Resolution 19-___ approving the 2019 Community Development Block Grant (CDBG) Annual Action Plan (APP) Amendment to re-allocate $50,000 of Program Year 2019 funds to the Workforce Investment Board of Tulare County (WIBTC) to provide job readiness, work-based training and job placement services to six low-to-moderate income persons who are facing homelessness or have significant barriers to employment.

**CITY ATTORNEY REVIEW/COMMENTS:** ☑ Yes ☑ N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:** ☑ Yes ☑ No ☑ N/A

**FUNDING SOURCE/ACCOUNT NUMBER:**
Community Development Block Grant Funding for Program Year 2019 (Fund 077).

**Signed:** Traci Myers  **Title:** Community & Economic Development Director

**Date:** December 17, 2019  **City Manager Approval:** ______________

Attachments:
Proposed Program Year 2019 Annual Action Plan Amendment
RESOLUTION 19-____

A RESOLUTION OF THE TULARE CITY COUNCIL
APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
2019 ANNUAL ACTION PLAN (AAP) AMENDMENT

WHEREAS, the City of Tulare is designated an entitlement jurisdiction by the U.S. Department of Housing and Urban Development (HUD) to receive an annual allocation of Community Development Block Grant (CDBG) funds for implementing projects and programs within the City; and

WHEREAS, CDBG program funds are allocated in accordance with local plans and priorities identified in the 2015-2019 five-year Consolidated Plan; and

WHEREAS, the Program Year 2019 Annual Action Plan (AAP) Amendment represents the fifth and final year of the City’s Five-Year (2015-2019) Consolidated Plan; and

WHEREAS, the Program Year 2019 AAP Amendment consists of reallocating $50,000 from the Bardsley Garden Apartment rehabilitation to the Workforce Investment Board of Tulare County (WIBTC) to provide six (6) low-to moderate income Tulare residents who are facing homelessness or have significant barriers to employment, with job readiness, work-based training and job placements; and

WHEREAS, the basis for the reallocation of funding is two-fold; 1) the change in the project scheduling on the Bardsley Garden rehabilitation project, which prohibits the project from spending down the entire original allocation in this program year; and 2) the need for the City to assist further with homelessness activities; and

WHEREAS, the public service activities to be carried out by the WIBTC will assist the City in satisfying the economic development priority of job creation as identified in the 2015-2019 Consolidated Plan.

WHEREAS, the public hearing on the Program Year 2019 AAP Amendment was duly noticed in a newspaper of general circulation; and

WHEREAS, the public comment period on the Program Year 2019 AAP Amendment was from November 18, 2019 - December 17, 2019 and no comments were received; and

WHEREAS, the 2019 AAP Amendment reflects projects that meet the City’s objectives set forth in the 2015-2019 five-year Consolidated Plan; and
NOW THEREFORE BE IT RESOLVED by the Tulare City Council the Program Year 2019 CDBG Annual Action Plan Amendment is hereby approved. The City Manager or his designee is directed to submit the same to HUD on behalf of the City of Tulare.

PASSED, APPROVED, AND ADOPTED this 17th day of December, 2019.

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

ATTEST:

STATE OF CALIFORNIA )
COUNTY OF TULARE   ) ss.
CITY OF TULARE       )

I, Rob A. Hunt, City Clerk of the City of Tulare, certify the foregoing is the full and true Resolution 19-___ passed and adopted by the Council of the City of Tulare at a regular meeting held on December 17, 2019 by the following vote:

Aye(s) __________________________________________________________

Noe(s) _______________ Absent/Abstention(s) _________________.

Dated: ROB A HUNT, CITY CLERK

By Roxanne Yoder, Chief Deputy City Clerk
### City of Tulare

#### 2019 CDBG Action Plan Amendment

<table>
<thead>
<tr>
<th>Revenue</th>
<th>2018</th>
<th>2019</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allocation Balance</td>
<td>561,740</td>
<td>649,801</td>
<td>1,211,541</td>
</tr>
<tr>
<td>Program Income</td>
<td></td>
<td>55,000</td>
<td>55,000</td>
</tr>
<tr>
<td><strong>Total Projected Budget</strong></td>
<td><strong>$ 561,740</strong></td>
<td><strong>$ 704,801</strong></td>
<td><strong>$ 1,266,541</strong></td>
</tr>
</tbody>
</table>

#### Expenses

**Administration:**

| Total Admin & Planning | $ - | $ 140,931 | $ 140,931 |

**Public Services:**

- Graffiti Abatement: 30,700
- KTHA/CoC Project Homeless Connect: 10,000
- Family Services Tulare Co: 15,000
- Kings View - Homeless Assistance: 15,000
- AmVets - Homeless Veteran Support: 12,500
- United Way - Subsistence Payments: 12,500
- Brooks Chapel - Emergency Aid: 10,000

**Total Public Services**

| $ - | $ 105,700 | $ 105,700 |

**Housing Devlp & Renovation:**

- Habitat for Humanity: 40,000
- Bardsley Garden Senior Apartments - Rehab: 298,710

**Total Housing Devlp & Renovation**

| $ 40,000 | $ 298,710 | $ 338,710 |

**Public Facility Improvements:**

- EN0082 Sacramento and Maple: 390,000
- Family Services Transitional Housing Maintenance: 8,400
- Tulare Lighthouse Rescue Mission - Install showers: 14,040
- Tulare Emergency Aid: 75,000
- F Street & King ADA Ramps: 34,300
- City of Tulare - Parkwood Meadows: 99,000

**Total Public Facility Improvements**

| $ 521,740 | $ 109,460 | $ 631,200 |

**Economic Development:**

- WIBTC - Job Training: 50,000

**Total Economic & Development**

| $ - | $ 50,000 | $ 50,000 |

**Total Expenditures**

| $ 561,740 | $ 704,801 | $ 1,266,541 |
AGENDA ITEM:
Public Hearing to adopt Resolution 19-___ accepting and approving expenditures for the State of California, Citizens Option for Public Safety (COPS) 2019/2020 Program funds in the amount of $101,491 to be used to fund (1) Police Officer positions, salary and benefits package.

IS PUBLIC HEARING REQUIRED: ☒ Yes ☐ No

BACKGROUND/EXPLANATION:
The State of California, Citizens Option for Public Safety (COPS) Program provides funding to local law enforcement entities to provide enhanced public safety services. The 2019/2020 program monies will be used to fund (1) Police Officer position, salary and benefits package.

STAFF RECOMMENDATION:
Adopt Resolution 19-___ accepting and approving expenditures for the State of California, Citizens Option for Public Safety (COPS) 2019/2020 Program funds in the amount of $101,491 to be used to fund (1) Police Officer positions, salary and benefits package.

CITY ATTORNEY REVIEW/COMMENTS: ☐ Yes ☒ N/A

IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED: ☐ Yes ☒ No ☐ N/A

FUNDING SOURCE/ACCOUNT NUMBER:
033 COPS State Grant

Signed: Wes Hensley
Title: Chief of Police

Date: 11/27/19
City Manager Approval: _________
RESOLUTION 19-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TULARE ACCEPTING FUNDS FROM THE STATE OF CALIFORNIA, CITIZENS OPTION FOR PUBLIC SAFETY (COPS) 2019/2020 PROGRAM.

WHEREAS, the City of Tulare has been approved to receive funding from the State of California, Citizens Option for Public Safety, in the amount of $101,491.

WHEREAS, the Grant Advisory Committee has reviewed the proposed expenditure of the Citizens Option for Public Safety Program funds,

WHEREAS, a public hearing was held by the City Council of the City of Tulare on December 17, 2019, regarding the proposed use of said funds, as recommended by the Grant Advisory Committee. At said hearing, the public was given the opportunity to provide written and/or oral comments regarding the proposed expenditures.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Tulare and as follow, to wit:

Section 1. The State of California, Citizens Option for Public Safety (COPS) Program funds in the amount of $101,491 is hereby accepted. The City Manager, as Chief Executive Officer of the City of Tulare, is hereby authorized to execute all necessary documents pertinent to said grant.

Section 2. The expenditure of (COPS) funds totaling $101,491 as recommended by the Grant Advisory Board is hereby approved and authorized funding for salary and benefits for (1) Police Officer.

PASSED, ADOPTED AND APPROVED this 17th of December, 2019.

____________________________________
President Pro Tem of the Council and EX-Officio Mayor Pro Tem of the City of Tulare

ATTEST:

State of California )
County of Tulare   ) ss.
City of Tulare     )

I, Rob Hunt, City Clerk of the City of Tulare, certify the foregoing is the full and true Resolution 19-___ passed and adopted by the Council of the City of Tulare at a regular meeting held on December 17, 2019 by the following vote:

Aye(s)_______________________________________________________________________
Noe(s)_______________________________________________________________________

Dated:       Rob Hunt, CITY CLERK,

By Roxanne Yoder, Chief Deputy
AGENDA ITEM:
Pursuant to the process adopted by the Council of Cities select one of the two nominees as the Alternate Transit Representative on the Tulare County Association of Governments (TCAG), to fill an unexpired term, ending June 30, 2020.

IS PUBLIC HEARING REQUIRED:  T Yes £ No

BACKGROUND/EXPLANATION:
There is currently a vacancy on the Tulare County Association of Government Board for the Alternate Transit Representative that must be filled by a City elected official. Per the Tulare County Council of Cities Process for selecting a Transit Representative to the TCAG Board, the Cities were notified of the vacancy and interest from elected officials was sought.

The following are nominees for the Alternate Transit Representative:

Virginia Gurrola, Council Member, City of Porterville
Brian Poochigian, Council Member, City of Visalia

This position is to fill an unexpired term which ends on June 30, 2020.

STAFF RECOMMENDATION:
Pursuant to the process adopted by the Council of Cities select one of the two nominees as the Alternate Transit Representative on the Tulare County Association of Governments (TCAG), to fill an unexpired term, ending June 30, 2020.

CITY ATTORNEY REVIEW/COMMENTS: @ Yes  T N/A

IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:  @ Yes £ No  T N/A

FUNDING SOURCE/ACCOUNT NUMBER:

Submitted by: Rob Hunt  Title: City Manager

Date: December 9, 2019  City Manager Approval: __________
AGENDA ITEM:
Review the existing processes with regard to the recruitment, selection and appointment of members to the City of Tulare’s Boards, Commissions and Committees and provide direction to staff related thereto and consider approval of same, subject to any amendments.

IS PUBLIC HEARING REQUIRED:  ☑ Yes  ☐ No

BACKGROUND/EXPLANATION:
On May 27, 2008, the City Council approved a policy outlining guidelines and processes, including the historical procedure on appointments for the City of Tulare’s Boards, Commissions and Committees; of which, is updated from time to time by the Clerk’s Office specific to change in Council, Department Organization and contact information, as well as, basic updates for those bodies who by way of separate legislative action warranted same for the following:

<table>
<thead>
<tr>
<th>BOARD, COMMISSION OR COMMITTEE</th>
<th>NUMBER OF MEMBERS</th>
<th>CHARTER</th>
<th>MUNICIPAL CODE ORDINANCE</th>
<th>STATE CODE REFERENCE</th>
<th>RESOLUTION</th>
<th>MINUTE ACTION</th>
<th>BALLOT MEASURE</th>
<th>HANDBOOK</th>
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<tbody>
<tr>
<td>Board of Public Utilities</td>
<td>5</td>
<td>Sect. 52</td>
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<td>Appointments/removals by the Mayor and confirmed by the Council.</td>
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<td>Parks &amp; Recreation Commission</td>
<td>7</td>
<td>Ch. 2.04</td>
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<td>The Mayor and each Council member shall have the right to nominate Commissioners from the citizens at large and such nominations shall be honored by ratification and confirmation by majority vote of the membership of the Council.</td>
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<td>Police Department Citizen Complaint Review Board</td>
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<td>Ch. 2.12</td>
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<td>Each member of the City Council shall select and appoint one member to the Board, subject to approval of the appointment by the remainder of the Council. The remaining two members shall be selected at large by the City Council as a whole.</td>
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<td>Housing &amp; Building Board of Appeals</td>
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<td>Ch. 4.32.010</td>
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<td>Appointments/removals made by majority vote of the Council per handbook.</td>
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<td>Planning Commission</td>
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<td>X</td>
<td>17-57</td>
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<tr>
<td>Appointments/removals by seat as set forth by Resolution.</td>
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<td>Measure I Citizen Oversight Committee</td>
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<td>05-5261</td>
<td>5/16/2017 X</td>
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<td>Appointments/removals by seat as set forth by guidelines established 5/16/17.</td>
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<td>Committee on Aging</td>
<td>5</td>
<td>5/2/1972</td>
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<td>Appointments/removals made by the Mayor with the approval of the City Council.</td>
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<td>Aviation Committee</td>
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<td>7/6/1971</td>
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<td>Appointments/removals made by the Mayor with the approval of the City Council.</td>
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<td>Library Board</td>
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<tr>
<td>Appointments/removals made by majority vote of the Council per handbook.</td>
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The City’s website [https://www.tulare.ca.gov/government/boards-commissions-committees](https://www.tulare.ca.gov/government/boards-commissions-committees) hosts information on how to apply to any of the Boards, Commissions and Committees and includes a brochure outlining information on each body, an application and a local appointments list, which denotes the expiration of terms in the coming year, posted in accordance with Government Code 54972.

The Legislature established 54970 et seq. of the Government Code, also known as “The Maddy Act,” for the purpose of increasing public awareness of appointments to be made by any local government. To improve interest in serving, transparency in the process and provide the local appointive powers access to applicants otherwise untapped.

Applications may be submitted at any time throughout the year and are kept on file for two-years. Applications are also accepted when a vacancy has occurred and notice of same posted seeking new applicants.

When terms are expiring and there are no applications on file and incumbents have expressed interest in continuing to serve, staff prepares an item for Council’s consideration for reappointment or direction to solicit additional applicants.

At the November 19, 2019, City Council meeting the Council continued this item to December 17 to review the policy handbook regarding appointments, residency, etc. The appointment processes outlined above have been incorporated into the draft handbook. The City Attorney has reviewed same to ensure there is no conflict in law. Some changes related to appointments may require either Charter, Ordinance or Resolution amendments and subject to processes as required.

**STAFF RECOMMENDATION:**
Review the existing processes with regard to the recruitment, selection and appointment of members to the City of Tulare’s Boards, Commissions and Committees and provide direction to staff related thereto and consider approval of same, subject to any amendments.

**CITY ATTORNEY REVIEW/COMMENTS:** ☑ Yes ☐ N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:** ☑ Yes ☐ No ☐ N/A

Submitted by: Rob Hunt  
Title: City Manager

Date: November 21, 2019  
City Manager Approval: __________
City of Tulare

Board/Commission/Committee Handbook

Prepared by the Office of the City Clerk
Welcome and thank you for your willingness to serve as a member to one of Tulare’s Commissions, Committees, or Boards. As a member, you will be responsible for making important decisions as well as serve in an advisory capacity to the City Council in addressing specific issues.

This handbook is designed to serve as a reference for the basic protocols that generally apply to all advisory bodies. Reviewing this document will ensure you have a sense of your responsibilities. As a new member, you may want to meet with the department head responsible for your commission/board/committee or the Chair for your commission/board/committee to get a better sense of your role and the business of the body. Along with familiarizing yourself with your legislative body’s foundational documents, you may want to review agendas and minutes from recent meetings to bring you up-to-date on current issues. All agendas and minutes are available on the City’s website at www.tulare.ca.gov.

We hope this handbook will assist you towards a satisfying and productive experience. The vitality and strength of our community results from the willingness of people like you to serve.

Office of the City Clerk
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411 East Kern Avenue
Tulare, California 93274

City Council

Jose Sigala  District 1  329-9864 (c)
Terry A. Sayre  District 2  972-4124 (c)
Carlton Jones  District 3  302-8552 (c)
Dennis A. Mederos  District 4  901-3892 (c)
Greg Nunley  District 5  799-6993 (c)

City Contacts

Rob Hunt  City Manager  684-4312
Josh McDonnell  Deputy City Manager  684-4210
Mario Zamora  City Attorney  584-6656
Wes Hensley  Police Chief  684-4246
Luis Nevarez  Fire Chief  684-4367
Janice Avila  Human Resources Director  684-4203
Darlene Thompson  Finance Director  684-4255
Trisha Whitfield  Public Works Director  684-4319
Craig Miller  Community Services Director  684-4315
Traci Myers  Comm. & Econ Dev. Director  684-4230
Roxanne Yoder  Chief Deputy City Clerk  684-4200
Melissa Hermann  Deputy City Clerk/Records Co.  684-4206
Graffiti Abatement  684-4279
Animal Control  685-5047
Code Enforcement  687-2288
Structure of Government

Form of Government

Within California, there are two types of cities: general law cities and charter cities. General Law cities adhere to the provisions and requirements established as general law by the state for cities and are governed by the provisions of the California Government Code and other applicable State statutes. The City of Tulare is a charter city, which has been incorporated under its own charter. The charter cities in California are not subject to many of the planning and zoning statutes promulgated by the state, and thus have broader powers to enact land use regulations and other rules of process than do general law cities.

City Council

The City of Tulare is governed by a Council/Manager form of government. Under this form of government, the elected City Council sets the policies for the operation of the Tulare City Government. The City Council consists of five members, elected by district, but representing the city’s interests as a whole. The City Council also appoints the City Manager, the City Clerk and the City Attorney who serve at the pleasure of the City Council.

Council Members in Districts 1, 3, and 5 are elected beginning in November 2012, and Council Members in Districts 2 & 4 are elected beginning in November 2014. Council Members serve four-year terms. The Mayor and Vice Mayor are selected by the Council for two-year terms. The Mayor is the presiding officer of the Council and the official spokesperson and ceremonial representative of the City.

City Manager

The administrative responsibility of the city rests with the City Manager who is appointed by the City Council. The City Manager's office provides support and assistance to the Mayor and City Council, conducts legislative analysis, and participates in numerous regional, state and federal organizations that support the objectives of the City of Tulare.

The City Manager provides supervision and direction to all City departments and performs economic development activities citywide. In addition to providing oversight of all City operations, the general administrative functions of the City Manager's office include budget management, agenda review, purchasing, public relations, public information and marketing activities, legislative analysis, telecommunications franchise management, and liaison to the Chamber of Commerce and other government agencies.
City Clerk

The City Clerk’s Division is responsible for compiling and maintaining original city records, including a record of all of the proceedings of the City Council. Other duties assigned to this Division include compiling and maintaining central files, legislative history, ordinances and resolutions, and serves as the main communication point between citizens and the municipal government.

City Attorney

The City Attorney serves as legal advisor of the Council, the City Manager, and all other officers, boards, commissions, and departments of the City.

Departments

The various departments within the City provide expertise in their designated areas and service to the members of the public, business community, and City Council.

Human Resources Department

The Human Resources Department provides support in areas of labor and employee relations, employee training and development, health and safety, recruitment and selection, compensation and classification, employee benefits administration and the administration of the City’s worker’s compensation and general liability programs, as well as safety and regulatory compliance.

General Services Department

The General Services Department oversees the activities of the following divisions: Transit, Facilities Maintenance, Fleet Maintenance, Property Services, Airport, and Cycle Park.

Finance Department

The Finance Department is responsible for providing general accounting/financial services such as accounts payable and receivable, payroll, recording and maintaining the City’s general ledger, purchasing, providing support and assistance in the annual budget process including revenue projections, preparing internal and external financial reporting and various annual report to the State Controller and other governmental agencies. The Finance Department also oversees the financial side of the Transit Division.
Community Services Department

The Community Services Department is comprised of the following divisions: Parks, Recreation, Library, and Senior Services. This department maintains and manages the Community Centers, organizes and coordinates the recreational programs and sports leagues for all ages including organized activities during summer and winter vacations. Other facilities and activities include the Senior Center as well as the Library which is responsible for the acquisition, organization, and maintenance of the City’s collection of library materials and for the provision of services and programs to facilitate public access and utilization of library resources to meet their informational, educational, and recreational needs and interests.

Community and Economic Development Department

The Community and Economic Development Department, consisting of Planning, Building, and Engineering divisions, is responsible for the long-range planning for the City as well as current planning, including day-to-day interaction with developers and property owners that desire to either build or make improvements to property. The Planning Division must address a rapidly expanding scope of planning related laws including, but not limited to implementation of the Air Quality Master Plan, Transit Oriented Development Plan, and Americans with Disabilities Act (ADA). Community and Economic Development also monitors compliance with General Plan policies and State Law related to these functions.

The Engineering Division, which includes Project Management, provides project design, surveying, inspection, and construction management for capital improvement projects. This division also reviews plans and inspects construction of new developments to ensure compliance with applicable laws and ordinances, City standards, specifications, masterplans, and sound engineering design methods; provides Traffic Engineering planning and design to assure the safe and efficient movement of people and products; and provides long range planning for the City’s streets, utilities, and drainage infrastructure.

Public Works Department

The Public Works Department repairs city streets and sidewalks, paints traffic markings, installs and maintains traffic signage, maintains street lighting and traffic signal systems, and provides street sweeping services. This department also cleans and repairs sewer and storm drain systems, oversees the water department, manages the City’s solid waste functions, and operates the wastewater treatment facility.

Police Department

The Police Department consists of various divisions including Administration, Patrol, Investigation, and Traffic Safety. The Tulare Police Department continues to
actively support proven crime prevention programs and to explore new and innovative methods to reduce crime in Tulare.

The Code Enforcement and Animal Control Division is responsible for enforcing the Municipal Code, Building Code and the City’s Zoning Ordinance; operation of the City’s Animal Shelter as well as handling animal related complaints, dog licensing, and nuisance abatement.

Fire Department

The Fire Department is responsible for fire combat and suppression, medical emergencies, fire prevention, fire safety education, the City’s hazardous materials program, and emergency preparedness. The department provides safety education programs and information on life and safety for City residents, schools, and businesses.
Policies and Procedures

Relationship to Council, Staff, and Media

Upon referral by the Council, or as otherwise dictated by the Charter or the City’s Municipal Code, the Boards, Commissions, and Committees shall study referred matters and return their recommendations and advise to the Council. With each such referral, the Council may authorize the City staff to provide certain designated services to aid in the study. Upon its own initiative, the Boards, Commissions, and Committees shall identify and raise issues to Council’s attention and from time to time survey pertinent matters and make recommendations to the Council.

Boards, Commissions, and Committees should not become involved in the administrative or operational matters of City departments unless specifically provided in their prescribed powers and duties. Members may not direct staff to initiate major programs, conduct large studies, or establish department policy without specific approval of the City Council. City staff assigned to furnish staff services shall be available to provide general staff assistance, such as preparation of agenda/notice materials and minutes, general review of department programs and activities, and to perform limited studies, program reviews, and other services of a general staff nature. Additional or other staff support may be provided upon a formal request to the City Council. The responsibility for setting policies for the City rests with the City’s duly elected representatives, the City Council.

Members of Boards, Commissions, and Committees should refer all media inquiries to City staff and not provide statements or positions on any issues on behalf of the City.

Recommendations, Requests, and Reports

City staff for the Boards, Commissions, and Committees may submit requests for direction and support from the City Council file reports and facilitate any other communications needed for proper function of the Board, Commission, or Committee. Such requests shall be communicated to the City Manager in advance so that they may be listed on the agenda. The Chairperson shall attend the City Council meeting to address any questions. The Council will receive such reports and recommendations and, after suitable study and discussion, respond or give direction.

Council Referrals

The staff representative shall transmit to the designated Board, Commission, or Committee all referrals and requests from the City Council for advice and recommendations. Boards, Commissions, and Committees shall expeditiously consider
and act on all referrals and requests made by the City Council and shall submit reports and recommendations to the City Council on these assignments.

Public Appearance of Board, Commission, and Committee Members

When a Board, Commission, or Committee member appears in a non-official, non-representative capacity before the public, for example in a Council meeting, the member shall indicate that he or she is speaking only as an individual. Conversely, when a member who is present at a Council meeting is asked to address the Council on a matter pertaining to his or her Board, Commission or Committee, the member should represent the viewpoint of the particular body as a whole (not a personal opinion).

Disbanding of Advisory Body

Upon recommendation by the Chair of the Board, Commission, or Committee or appropriate staff, any standing or special Advisory Body, established by the City Council and whose members were appointed by the City Council, may be declared disbanded due to lack of business, by majority vote of the City Council.
Boards, Commissions, and Committees

Terminology and Definitions

Typically, Boards and Commissions are formed by Ordinance/Charter and the members take the Oath of Office; Committees are formed by Resolution or minute action of the Council. Changes to those formed by Ordinance/Charter generally require an amendment to the municipal code or to the Charter by the electorate.

The following terms and definitions are applied to Boards, Commission, and Committees in general:

AD HOC COMMITTEE – Committees established for a specific purpose and a defined period of time. Formed for or concerned with one specific purpose (e.g. Ad Hoc Compensation Committee); formed or used for specific or immediate problems or needs.

BOARD – A group of persons having managerial, supervisory, or advisory powers or function. In parliamentary law, a board is a form of deliberative assembly and is distinct from a committee, which is usually subordinate to a board or other deliberative assembly with the Board having greater autonomy and authority.

COMMISSION – A group of people officially authorized to perform certain duties or functions vested with certain powers or authority.

COMMITTEE – A group of people officially delegated to perform a function, such as investigating, considering, reporting, or acting on a matter.

TASK FORCE – A temporary grouping of individuals and resources for the accomplishment of a specific objective.

Board of Public Utilities

The Board of Public Utilities was established by the Tulare City Charter and is charged with the responsibility of regulating and managing the utility divisions of the City. Those divisions include Solid Waste (refuse collection and street sweeping), Water, Sewer and Wastewater. Pursuant to Charter Section 52 this five-member Board is appointed by the Mayor and confirmed by the City Council for four-year terms. The Board meets at 4:00 p.m. on the first and third Thursday of each month. Meetings are held at the Tulare Public Library & Council Chambers.
Planning Commission

The Planning Commission was established by the Tulare City Charter and is responsible for considering and making decisions regarding land use, planning and zoning in accordance with the scope of city ordinances, development standards and state planning laws. A wide variety of issues are under the purview of the Planning Commission, including subdivisions, annexations, design review, zoning and environmental impact assessments. Pursuant to Resolution 17-57 the five-member Planning Commission is appointed by the City Council Members, by seat, with members serving a four-year term. Members serve four-year terms. The Planning Commission meets on the second and fourth Monday of each month at 7:00 p.m. Meetings are held at the Tulare Public Library & Council Chambers.

Parks and Recreation Commission

The Parks and Recreation Commission established by City Ordinance is a seven-member advisory board appointed by the City Council to act on matters of recreational importance to all segments of the community, including recreational programs, facilities, park development. The Commission also serves as an advisory body to City Council & staff regarding street trees to be removed or planted, standards for landscape enhancement and tree preservation policy. Pursuant to Municipal Code Chapter 2.04 the Mayor and each Council Member shall have the right to nominate Commissioners from the citizens at large and such nominations shall be honored by ratification and confirmation by majority vote of the membership of the Council. Members serve four-year terms and meet on the second Tuesday of the month at 6:30 a.m. at the Claude Meitzenheimer Community Center.

Library Board

The Library Board established by the Tulare City Charter is a five-member advisory board appointed by the City Council for four-year terms to advise the staff and Council on all matters relating to library service. Meetings are held on the third Wednesday of each month at 4:00 p.m. in the Tulare Public Library.

Committee on Aging

The five-member Committee on Aging is responsible for advising the Parks, Library & Recreation Department on matters of senior citizen interest including such areas as recreation, social and nutritional services. Pursuant to Minute Action of the Council on May 2, 1972, Members shall be appointed by the Mayor with the approval of the City Council. Members serve four-year terms. Meetings are held the third Wednesday of each month at 12:00 p.m. at the Senior Community Center.
Aviation Committee

The Tulare Aviation Committee, a five-member advisory board. Pursuant to Minute Action of the Council on July 6, 1971, Members shall be appointed by the Mayor with the approval of the City Council. The Committee is charged with the responsibility of making recommendations to the Council and staff in all areas related to city airport use, improvements and development of Mefford Field. Committee members serve a four-year term. Regular meetings of the Committee are held quarterly beginning in January on the fourth Monday of the month at 6:00 p.m. in the City Hall Community Room.

Police Department Citizen Complaint Review Board

The Police Department Citizen Complaint Review Board, is charged with the responsibility of reviewing the Police Department's investigation of citizen complaints in specific areas and providing an independent review to the Chief of Police. The Board does not recommend or review disciplinary action against Police Department employees. Pursuant to Municipal Code Chapter 2.12 the Board shall consist of seven members. Each member of the City Council shall select and appoint one member to the Board, subject to approval of the appointment by the remainder of the Council, and two appointed at-large to two-year terms. An eighth, non-voting member is selected by the Police Officers Union to sit on the Board. Board meetings are held on the second Tuesday of the month at 5:30 p.m. in the City Hall Community Room.

Housing/Building Board of Appeals

The Housing and Building Appeals Board consists of five members. Pursuant to Municipal Code Chapter 4.32.010 the Board of Appeals was created as set forth in the provisions of the Uniform Building Code. Appointed by the City Council to serve four-year terms. Members should have familiarity with building and construction industry. The Board meets on an "as needed" basis to hear and decide appeals of orders, decisions or determinations made by building officials regarding construction related activity or structures declared to be a public nuisance. The Board is served by a City staff liaison for administrative support.

Measure I Citizen Oversight Committee

The Measure I Citizen Oversight Committee, pursuant to ballot language, Resolution 05-5261 and by guidelines approved May 16, 2017, consists of five members appointed by City Council Members, by seat, to serve four-year terms. The Committee will meet twice annually, once to be briefed on the annual budget (mid-year) and again to review the Annual Audit Report, specific to Measure I. Members must live in Tulare.
Meetings and Officers

Agendas, Notices, and Minutes

All meetings shall be open and public and shall conduct business through published agendas, public notices and minutes and follow all of the Brown Act provisions governing public meetings.

Support staff for each advisory body shall be responsible for properly noticing and posting all regular, special, cancelled and adjourned meetings. Copies of all meeting agendas, notices and minutes shall be provided to the City Council, City Manager, City Attorney, City Clerk and other appropriate staff, as requested. An agenda generally consists of the following:

- Call to Order
- Citizen Comments
- Communications
- Consent Calendar
- General Business
- Items of Interest
- Adjournment

All items of business to be discussed at a meeting shall be briefly described on the agenda. The description should set forth the proposed action to be considered so that members of the public will know the nature of the action under review and consideration. If action is taken on any items that are not on the agenda or not noticed properly, those actions will not be valid.

Written minutes of all regular and special meetings must be kept as the official record of business transacted and are taken by the Secretary to the Advisory Body or a staff member if a Secretary is not appointed. Minutes should include a brief summary of any pertinent discussions and should contain mainly a record of the actions taken by the Advisory Body at the meeting. Minutes are approved at the next meeting of the Advisory Body and any corrections to the minutes may be made during the meeting and prior to the approval. Original agendas and minutes shall be filed and maintained by support staff in accordance with the City’s adopted Records Retention Schedule.

Members should carefully read the agenda and all agenda materials in advance so that they can be prepared for the meeting and get clarification and answers to questions from staff if needed. They should come prepared with issues to raise on all sides of the matter under consideration. Members also need to review each agenda item ahead of the meeting to determine if they may have a potential or actual conflict due to property or monetary interests or for any other reason prescribed by law.
Conduct of Meetings and Parliamentary Procedures

Unless otherwise specified by State law or City regulations, conduct of all meetings shall generally follow basic parliamentary procedures, similar to Rosenberg’s Rules of Order, but not exclusive thereto. A majority of members shall constitute a quorum and a quorum must be seated before meeting is called and an official action is taken. The Chair of each advisory body shall preside at all meetings and the Vice Chair shall assume the duties of the Chair when the Chair is absent.

Meeting Locations and Dates

Meetings may be held in the Council Chambers or other designated City facilities, as noticed. Regular meetings shall have a fixed date and time established by the Advisory Body or the City Council. Changes to the established regular dates and times are subject to the approval by the City Council.

Selection of Chair and Vice Chair

The Chair and Vice Chair of each Advisory Body shall be selected in January of each year, or as set forth by Charter or in approved bylaws, by a majority of its members and shall serve for one year or until their successors are selected.

Other Rules and Regulations

Each Advisory Body may adopt other rules and procedures, as it feels necessary to effectively and efficiently accomplish its duties. Such rules are subject to Council approval before becoming effective and should not be in conflict with this Handbook, any rules or regulations related to the function or operation of the Advisory Body adopted by Council or contained in City Charter or Code.
Membership

Appointments and Oaths

The City Council is the appointing body for all Boards, Commissions and Committees. All members serve at the pleasure of the City Council for designated terms. All appointments and reappointments may be made at a regularly scheduled or special City Council meeting and require an affirmative vote of a majority of the Council present, unless appointment is otherwise described. Prior to taking office, all members must complete an Oath of Allegiance as required by the City Charter. All oaths are administered by the City Clerk or his/her designee. Appointments made during the middle of the term are for the unexpired portion of that term.

Application and Selection Process

The application process begins when a vacancy occurs due to term expiration, resignation, removal or death of a member of an Advisory Body. The application period will normally run for a period of four weeks from the date the vacancy occurs. If there is more than one concurrent vacancy in a Commission, the application period may be extended. Any candidate that wishes to be considered must fill out an application. Applications are available from the City Clerk’s office. Applicants are required to complete and return the application form, along with any additional information they would like to transmit, by the given deadline. Applications sent by fax or email are accepted. Applications are kept on file for two years. The City Clerk shall notify members whose terms are about to expire whether or not they are eligible for reappointment. If reappointment is sought, the incumbent shall notify the City Clerk’s Office.

After the deadline for receipt of applications, the City Clerk shall schedule the application reviews at the next available regular Council meeting. All applications received will be submitted and made a part of the Council agenda packet for their review and consideration. If there are no applications received by the deadline, the City Clerk will extend the application period for an indefinite period of time until sufficient applications are received.

Following an appointment, the City Clerk shall notify successful and unsuccessful applicants in writing. Appointees will receive copies of the City’s Non-Discrimination and Sexual Harassment policies.

Attendance

An Attendance Policy shall apply to all Advisory Bodies. Provisions of this policy are listed below.
Any member of any City Council appointed board, commission and/or committee who is absent from either:

(1) Three consecutive regular meetings; or

(2) Fifty percent or more of all meetings within any consecutive 12-month period of time, shall automatically be removed from the board, commission and/or committee, unless the City Council shall find and determine that there was good cause to excuse the absences.

Good cause shall include but not be limited to: illness, injury, hospitalization, other medical emergencies or temporary requirements and obligations of employment or family matters.

City Council may consider removal of a member on its own volition, with or without the consensus from the Advisory Body.

While it is expected that members be present at all meetings, the support staff or Chair should be notified if a member knows in advance that he/she will be absent.

Compensation

Members of Advisory Bodies shall serve without compensation unless specifically provided for in the City Charter for their services.

Qualifications, Compositions, Numbers

Unless stated otherwise in an Advisory Body’s By-Laws or by statute, or provided for by the Council, City Charter or Code, all Members shall maintain their principal place of residence or business within the sphere of influence of in the City of Tulare at the time of their appointment and throughout the term of service. Current members of any other City Board, Commission, or Committee are disqualified for membership if there is a direct conflict between the bodies. Members shall be permitted to retain membership while seeking any elective office. However, members shall not use the meetings, functions or activities of such bodies for purposes of campaigning for elective office.

If at any time during their term any member shall cease to maintain their principal place of residence or business within the City's sphere of influence in the City of Tulare, then such person shall become ineligible to continue to serve as a member of the Board, Commission & Committee and said position shall be declared vacant by the City Council. No Board, Commission, or Committee member shall hold any paid office or employment in the City Government, unless stated otherwise in their bylaws.
Reappointments, Resignations, Removals

Incumbents seeking a reappointment are required to notifying the staff liaison of which will be transmitted to the City Clerk by the given deadline. There is no limit to the number of terms a member may serve. Resignations must be submitted in writing to the City Clerk, who will distribute copies to City Council and appropriate staff. The City Council may remove a member by a majority vote of the Council without cause, notice or hearing.

Term of Office

Unless specified otherwise, the term of office for members of all Advisory Bodies shall be four (4) years unless a resignation or a removal has taken place. The term of office for all members shall expire on December 31 of the 4th year. All current members of the Boards, Commissions and Committees will have their terms adjusted appropriately to expire on December 31. If a person is appointed to fill an unexpired term and serves less than two years, that time will not be considered a full term. However, if a person is appointed to fill an unexpired term and serves two years or more, that time will be considered a full term. Terms are staggered to be overlapping four-year terms, so that not all terms expire in any one year. If a member resigns before the end of his/her term, a replacement serves out the remainder of that term.

Vacancies, New Terms and the Maddy Act

Vacancies are created due to resignations, removals or death. Vacancies are posted by the City Clerk. Whenever an unscheduled vacancy occurs in any Advisory Body, a special vacancy notice shall be posted within 20 days after the vacancy occurs. Appointment shall not be made for at least ten working days after posting of the notice (Government Code 54974).

Seats on the Advisory Boards will also become available at the end of each term. On or before December 31 of each year, an appointment list of all regular advisory Boards, Commissions and Committees of the City Council shall be prepared by the City Clerk and posted in the usual and customary location for posting City notices. This list is also available to the public (Government Code 54972, Maddy Act).

The Legislature established 54970 et seq. of the Government Code, also known as "The Maddy Act," for the purpose of increasing public awareness of appointments to be made by any local government. To improve interest in serving, transparency in the process and provide the local appointive powers access to applicants otherwise untapped.
Legal Requirements

Certain limitations have been placed upon the powers of both the City Council and its appointed commissions by both statutory and case law. In certain instances, application of these restraints may be crucial in the governmental process. In instances of doubt, the City Attorney’s advice or formal opinion should be sought.

Conflict of Interest

As specified in state law, it is illegal for an Advisory Body member to have an interest in any contract, sale, purchase, finding or transaction in which the member is involved in an official capacity. Conflict of interest may disqualify the member and invalidate any action where such conflict exists. Any interest, whether personal, private, general or sentimental that would tempt a member to act in any manner other than the best public interest should be examined and official action accordingly restricted. An interest that is common to all similarly situated persons is not disqualifying to an action.

Pursuant to the Conflict of Interest Code, members may be required to file a Statement of Economic Interest with the City Clerk to disclose personal interests in investments, real property and income. This is done within 30 days of appointment date and annually thereafter. A Statement is also required within 30 days of leaving office. The Conflict of Interest Code has been established and adopted by the City Council pursuant to the California Fair Political Practices Act (Government Code Section 87300 et seq.). Copies of the code are available from the City Clerk.

Ethics

Effective January 1, 2006, state law (AB 1234) requires that local officials that receive compensation, salary, stipends, or expense reimbursements must receive training in public service ethics laws and principles every two years. The requirement applies to the Board of Public Utilities and the Planning Commission, and can be fulfilled online at http://localethics.fppc.ca.gov/ab1234/ and the certificate of completion should be forwarded to the City Clerk’s office.

Open Meetings – The Brown Act

The Ralph M. Brown Act, which was passed in 1953, has become a model public meeting law for the country. The opening section of the law states that:

"In enacting this chapter, the legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of
the law that their actions be taken openly and that their deliberations be conducted openly."

The Act extends to any advisory commission, board or body of a local agency. Its relevant provisions include the following: with some exceptions, meetings of advisory bodies must be held within the territory of the local agency, meetings must be open to the public, and notice of meetings must be delivered prior to the meeting to the press and public pursuant to the provisions of the Government Code.

A "meeting" takes place whenever a quorum of the Boards, Commissions, and Committees is present and official business is conducted. A Board, Commission, and Committee member who attends a meeting where action is taken, knowing that the meeting is in violation of the Brown Act, is guilty of a misdemeanor. "Action taken" means a collective decision made by a majority of the members of the body, a collective commitment or promise to make a positive or negative decision, or an actual vote by the majority of the members on a motion, proposal, resolution, order or ordinance. Care should be taken to make sure that if a quorum of a commission is gathered at a public or private place, no public business is discussed and that the gathering will not be interpreted as a meeting. Board, Commission, and Committee members are permitted to socialize in a non-meeting setting but must refrain from discussing any business. Any questions concerning the effect of the Brown Act should be directed to the City Clerk.

Public Records

The Government Code of the State of California provides that all official records of the city are open to inspection to any interested citizen at reasonable times. Exceptions to this law are only those records specified in the act, records relative to legal action in which the city is a party, and records the disclosure of which would not be in the public interest. Board, Commission, and Committee minutes and supporting documents are public records and may be subject to disclosure.

Discrimination and Equal Protection

All rules, regulations, laws, services, and facilities must apply equally to all persons and not give favor to any segment of the community. Similarly, all laws and ordinances of the city must afford equal protection to all facets of the community, unless the purpose of a city action requires special classification of the community.

Due Process

All governmental procedures and process must allow an affected party a right to be heard, and to present controverting fact or testimony on the question of right in the
matter involved. Unfair determinations, such as bias, predetermination, refusal to hear, etc., may invalidate actions.

**Reasonableness**

Every action of municipal government must be reasonable, or otherwise stated, not be capricious, extreme, arbitrary, or abusive.

**Use of Public Property**

Public property, equipment, and facilities may not be used for private or personal purposes. Facilities, equipment, and supplies are provided by the city, but are limited to use in official functions only.
Mission Statement

“To promote a quality of life making Tulare the most desirable community in which to live, learn, play, work, worship, and prosper.”