

AGENDA

**TULARE CITY COUNCIL
TUESDAY, MAY 15, 2018
Study Session – Budget 6:00 p.m.
Regular Session 7:00 p.m.
TULARE PUBLIC LIBRARY & COUNCIL CHAMBERS
491 North “M” Street**

**MISSION STATEMENT
TO PROMOTE A QUALITY OF LIFE MAKING TULARE THE MOST DESIRABLE COMMUNITY IN
WHICH TO LIVE, LEARN, PLAY, WORK, WORSHIP AND PROSPER.**

Meeting audio will be uploaded to the City’s website www.tulare.ca.gov, no later than the Friday following the meeting, barring any technical difficulties, accessible by selecting the appropriate meeting date on the City Meeting Calendar page.

6:00 p.m.

I. CALL TO ORDER STUDY SESSION

II. BUDGET PRESENTATION:

1. Overview of General Fund revenues and expenditures for fiscal year 2018-2019 and direction from council where to reduce expenditures or if deficit spending is approved how much.
2. Overview of Community Development budget.
3. Overview of the Utilities Budget.
4. Overview of Equipment Replacement and direction from council for funding.

III. ADJOURN STUDY SESSION

7:00 p.m.

IV. CALL TO ORDER REGULAR SESSION

V. PLEDGE OF ALLEGIANCE AND INVOCATION

VI. 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.*

VII. 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.*

VIII. 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 May 1, 2018 regular meeting(s).
- (3) **Adopt Resolution 18-20** ratifying the Council's approval of May 1, 2018, approving a request by I & A Bayrakadarian, LLC for a deferral of project related development impact fees in the sum of \$68,818 under section 8.56.080 of the Tulare Municipal Code.
- (4) Purchase of Two (2) Low Floor Cutaway, Gasoline powered Transit Vans from Creative Bus Sales under CalACT RFP #15-03 in the amount of \$338,396.24.
- (5) **Adopt Resolution 18-21** authorizing the purchase a 2014 Ford Glaval with spare parts inventory and a 2008 Ford StarCraft Transit Cutaway Vehicles from the City of Exeter in the amount of \$95,000.00.
- (6) Approve as to form a subdivision improvement agreement template.
- (7) Award and authorize the City Manager to sign a contract with Agee Construction Corp. of Clovis, CA in an amount not to exceed \$5,462,539.00 for street and utility improvements associated with Project EN0076, O Street Improvement

Project; approve the revised project budget; authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$546,253.90) of the contract award amount.

- (8) Award and authorize the City Manager to sign a contract with Cannon of Bakersfield, CA in an amount not to exceed \$98,085.00 for construction surveying services associated with EN0076 - O Street Improvements Project; and authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$9,808.50) of the contract award amount.
- (9) Conditionally approve the final map and subdivision improvement agreement for Phase 1 of the Willow Glen subdivision for recordation, and accept all easements and dedications offered to the City, including a Grant of Easement for temporary access for emergency vehicle purposes, three temporary run-off ponds for street runoff, water pipeline easement to support a future City well and tank, street right-of-way dedication on Devenshire Street, and dedication of three landscape and lighting district lots, subject to receipt of the signed final map, all fees, and other required items prior to July 14, 2018.
- (10) **Adopt Resolution 18-22** adopting the 2018 Tulare County Multi-Jurisdictional Local Hazard Mitigation Plan.
- (11) Declare Dick Johnson's and Jennifer Rodriguez' seats on the Police Department Citizen Complaint Review Board vacant and direct staff to post the vacancy and solicit applications.

IX. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

X. MAYOR'S REPORT

- (1) Certificate of Recognition in honor of Encore Theatre Company's 40th show season.

XI. STUDENT REPORTS

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

- (1) Successor Agency:
 - a. Recommend a purchase offer to the Oversight Board of the Successor Agency to the Tulare Redevelopment Agency ("Oversight Board") for purchase of Assessor Parcel Number ("APN") 170-232-008, Property #6 for the amount of \$14,500.00 to the Emergency Aid Council, and to authorize the

City Manager to sign all documents required for the sale and Legal Counsel to make any minor conforming changes.

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

XIV. GENERAL BUSINESS

Comments related to General Business Items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Council.

(1) City Manager:

- a. Appointment of Board of Public Utilities Member(s) by the Mayor, one for a term ending December 31, 2019 and one for a term ending December 31, 2021 to be confirmed by the Tulare City Council as outlined in the Tulare City Charter Section 52.
- b. Approve a request by Mayor Carlton Jones to allocate \$1,000 to the California Partnership for the San Joaquin Valley for sponsorship of the Board of Directors quarterly meeting to be held at the Tulare County Ag Commissioner's Building on June 15, 2018.
- c. Review and consider approving a letter to California State Assembly Budget Subcommittee No. 1 in support of Assembly Member Devon Mathis' proposal to provide \$22 million in funding for the reopening of the Tulare Local Healthcare District Hospital.

(2) Public Hearing:

- a. Public Hearing to **adopt Resolution 18-23** adopting a Mitigated Negative Declaration Addendum prepared for Tentative Subdivision Map 2017-09 (Kensington Estates) Conditional use Permit 2017-17 and Zone Amendment No 722; and **pass-to-print Ordinance 18-03** approving Zone Amendment No. 722, changing the existing zoning from the R-1-7 (Single-Family Residential, 7,000 sq. ft. minimum lot area) zone district to the R-1-4 (Small Lot Single Family Residential, 3,200 sq. ft. minimum lot area) zone district on property located north of Cartmill Avenue and west of Mooney Blvd. on the northeast corner of Cartmill Avenue and De La Vina Street.

(3) Appeal Hearing:

- a. Appeal hearing for Council's consideration on an appeal filed by Plimlico Properties Inc. of the Planning Commission's decision to deny a request for a

Finding of Consistency for Conditional Use Permit No. 2017-11, relating to the removal of engineering conditions requiring improvements to curb, gutter, sidewalk and driveway approaches within the public right-of-way along West Street, and further consideration of **adoption of Resolution 18-24 denying applicant's appeal; or Resolution 18-24 upholding the applicant's appeal** as presented; or with conditions or direction to staff to remand the project back to Planning Commission for further consideration.

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

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

- (a) 54956.8b Conference with Real Property Negotiators
Property: Located in Tulare California at the SE Corner of East Alpine Avenue and Nelder Grove Street (Portion of APN 172-040-079)
Under Negotiation: Report on price, terms, conditions regarding deposition of property
Negotiating parties: Willard Epps, Heather Phillips, Rob Hunt, Steve Bonville, Mike Miller, Darlene Thompson
- (b) 54957(b) – Public Employee Appointment: City Manager (Discussion related to City Manager recruitment and appointment process.)
- (c) 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation (2)
Name of Case: McGrew, et. al. v. City of Tulare, TCSC Case No. VCU273224
Name of Case: Hensley v. City of Tulare, TCSC Case No. 273730

XVII. RECONVENE CLOSED SESSION

XVIII. CLOSED SESSION REPORT (if any)

XIX. ADJOURN REGULAR MEETING

In compliance with the Americans with Disabilities and Brown Act, if you need special assistance to participate in the meeting, including the receipt of the agenda and documents in the agenda package in an alternate format, please contact the City Manager's Office (559) 684-4200. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35, 104 ADA Title II), and allow for the preparation of documents in the appropriate alternate format.

[Note: Pursuant to Government Code 54957.5 - Effective 7/1/08 Documents produced and distributed less than 72 hours prior to or during an open session of a regular meeting to a majority of the legislative body regarding any item on the agenda will be made available for public inspection at the meeting and at the City Clerk's Office at City Hall located at 411 East Kern Avenue during normal business hours.]