

AGENDA

**TULARE CITY COUNCIL
TUESDAY, JUNE 5, 2018
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.

7:00 p.m.

I. CALL TO ORDER REGULAR SESSION

II. PLEDGE OF ALLEGIANCE AND INVOCATION

III. 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.*

IV. 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.*

V. 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 15, 2018 special/regular meeting(s). [Submitted by: R. Yoder]
- (3) Approve the cancellation of Tulare City Council meeting scheduled for Tuesday, July 3 2018, due to the July 4th Holiday. [Submitted by: W. Epps]
- (4) **Adopt 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. [Submitted by: J. McDonnell – carry forward from 5/15/18]
- (5) Authorize the City Manager or designee to enter into a Land Lease Agreement with Tulare City School District for the purposes of a public park (Bender Park) located at 600 N. Milner Street. [Submitted by: R. Hunt]
- (6) Accept as complete Project PK0022 for playground improvements at Cesar Chavez Park located at 900 E. Bardsley Avenue. Authorize the Community Services Director 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: R. Hunt]
- (7) **Adopt Resolution 18-25** adopting a Mitigated Negative Declaration for the construction of one new municipal well and pipeline for the Pratt Water System Improvement Project. [Submitted by: J. Funk]
- (8) Subject to receipt of certification that required bonding for remaining improvements will remain in place for the duration of the term of the agreement, authorize the City Manager to execute an amendment to the subdivision improvement agreement for the Tesori subdivision reflecting a twelve (12) month time extension from date of Council approval, resulting in a new subdivision improvement agreement expiration date of June 5, 2018. [Submitted by: M. Miller]

AGENDA
TULARE CITY COUNCIL
June 5, 2018
Page 3

- (9) **Adopt Resolution 18-26** initiating proceedings and **Resolution 18-27** of intention to set a public hearing for Landscape Maintenance District 2018-01 for the Willow Glen subdivision. [Submitted by: M. Miller]
- (10) Accept as complete the contract with Witbro, Inc. dba Seal Rite Paving of Fresno, CA for work on Project EN0081 to construct the 'O' St. Sidewalk Improvements Project. Authorize the City Engineer to sign the Notice of Completion, and direct the City Clerk to file the Notice of Completion with the Tulare County Recorder's Office. [Submitted by: N. Bartsch]
- (11) Award and authorize the City Manager to sign a contract with Krazan of Fresno, CA in an amount not to exceed \$54,125.00 for materials testing 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% (\$5,412.50) of the contract award amount. [Submitted by: J. Funk]
- (12) Receive, review, and file the Monthly Investment Report for April 2018. [Submitted by: D. Thompson]
- (13) Approve the First Amendment to the Joint Powers Agreement for the Formation of the Mid-Kaweah Groundwater Subbasin Joint Powers Authority. [Submitted by: T. Whitfield]
- (14) Award and authorize the City Manager to sign a contract with Environmental Concepts of Tehachapi, CA in the amount of \$501,518.35 for the Fiber Seal Application Maintenance Project; authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$50,151.84) of the contract award amount. [Submitted by: T. Whitfield]
- (15) **Adopt Resolution of Intent 18-28** receiving the draft report of Tulare Downtown Association (TDA) Board of Directors, and setting June 19, 2018, as the public hearing date regarding annual downtown district assessments. [Submitted by: D. Thompson]

VI. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

VII. MAYOR'S REPORT

VIII. STUDENT REPORTS

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

- (1) **Successor Agency:**

- a. **Adopt Successor Agency Resolution 2018-02** approving the reclassification of Assessor Parcel Number 191-070-015, Property #26, from “Sale of Property” to “Governmental Use” and authorize the City Manager or its designee to execute the documents necessary for the transfer of ownership from the Tulare Redevelopment Successor Agency to the City of Tulare. [Submitted by: S. Bonville]

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

XI. 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 provide opportunity for public comment on the recommendations made to the City Council for funding of the Community Development Block Grant program activities as listed in the proposed Program Year 2018-19 Annual Action Plan. [Submitted by: T. Myers]

(2) City Manager:

- a. Appointment of Board of Public Utilities Member by the Mayor, one for a term ending December 31, 2019 to be confirmed by the Tulare City Council as outlined in the Tulare City Charter Section 52. [Submitted by: W. Epps – continued from 5/15/18]

(3) Engineering:

- a. Presentation by TischlerBise on the update of the City’s development impact fees. Provide direction to staff and TischlerBise regarding the draft report findings, and Council’s intention to conduct a public hearing to receive testimony regarding the adoption and implementation of the recommended development impact fees contained in the report. [Submitted by: M. Miller]
- b. Presentation and public comment regarding a proposed subdivision improvement agreement template. Consider approval as to form of the agreement template. [Submitted by: J. McDonnell – continued from 5/15/18]

(4) Finance:

- a. Review the proposed reductions to the 2018-2019 General Fund Budget and approve or direct staff which recommended expenditure cuts and/or increase in revenue for the FY 2018-2019 budget the City Council would like to implement. [Submitted by: D. Thompson]

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

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

- (a) 54957.6b Conference with Labor Negotiators [Submitted by: H. Phillips]
Represented/Unrepresented Employee(s): CLOCEA, TPOU, Police Management, Misc. Mid-Managers
Negotiators: Willard Epps, Heather Phillips
- (b) 54957(b) – Public Employee Appointment: City Manager (Discussion related to City Manager recruitment and appointment process.) [Submitted by: J. Avila]
- (c) 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation (1)
Name of Case: Hensley v. City of Tulare, TCSC Case No. 273730 [Submitted by: H. Phillips]
- (d) 54957(b)(1) – Public Employee Performance Evaluation: City Attorney
[Submitted by: G. Nunley]

XIV. RECONVENE CLOSED SESSION

XV. CLOSED SESSION REPORT (if any)

XVI. ADJOURN REGULAR MEETING

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

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