

# AGENDA

**TULARE CITY COUNCIL  
TUESDAY, JUNE 19, 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](http://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. REORGANIZATION OF CITY COUNCIL**

## **V. 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*

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*will be limited to **three minutes**, per topic, unless otherwise extended by Council.*

## **VI. 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 June 5, 2018 regular meeting(s). [Submitted by: R. Yoder]
- (3) Receive the Tulare Historical Museum's Annual Report. [Submitted by: W. Epps]
- (4) Declare Shanelle Herrera's seat on the Planning Commission vacant and direct staff to post the vacancy and solicit applications and for Council to draw by lot as to whose appointment this vacancy will be assigned. [Submitted by: W. Epps]
- (5) Authorize the City Manager to execute Agreement Supplement No. 9, in the annual amount of \$60,000 plus 4.8% administrative costs and expenses, with Townsend Public Affairs (TPA) public sector funding advocates to lobby for funding for City projects. [Submitted by: W. Epps]
- (6) **Adopt Resolution 18-29** adopting a Ticket and Pass Distribution Policy in accordance with Title 2 of the California Code of Regulations, Section 18944.1. [Submitted by: W. Epps]
- (7) **Adopt Resolution 18-30** initiating proceedings and **Resolution 18-31** of intention to set a public hearing for Landscape Maintenance District 2018-02 for the Oak Creek Master Plan Area, which includes Oak Creek No. 2, Oak Creek No. 3, Oak Creek No. 4, and The Greens at Oak Creek subdivision. [Submitted by: M. Miller]
- (8) Conditional approval for final map and subdivision improvement agreement for Phase 2B of the Cottonwood Estates 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, subject to receipt of the signed final map, all fees, and other required items prior to August 18, 2018. [Submitted by: M. Miller]
- (9) 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 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 August 18, 2018. [Submitted by: M. Miller]
- (10) Authorize the City Manager to sign a contract with Peters Engineering Group of Clovis, CA in an amount not to exceed \$427,475 for topographic surveying, geotechnical analysis, design, bidding and construction support services for Project EN0082, a street and utility improvement project on Sacramento Street and Maple Avenue; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$42,747.50) of the contract award amount; and approve the revised project scope and budget. [Submitted by: N. Bartsch]
- (11) Authorize the City Manager to sign a contract with Provost & Pritchard Consulting Group of Visalia, CA in an amount not to exceed \$299,000 for topographic surveying, geotechnical analysis, design, bidding and construction support services for Project EN0084, a street and utility improvement project on Pleasant Avenue; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$29,900) of the contract award amount; and approve the revised project scope and budget. [Submitted by: N. Bartsch]
- (12) Authorize the City Manager to sign a contract with 4Creeks of Visalia, CA in an amount not to exceed \$188,605 for topographic surveying, geotechnical analysis, design, bidding and construction support services for Project EN0083, a street and utility improvement project on Sonora Avenue; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$18,860.50) of the contract award amount. [Submitted by: N. Bartsch]
- (13) **Adopt Resolution 18-32** adopting a Mitigated Negative Declaration on the infrastructure installation and improvements on O Street between Bardsley and Pleasant Avenues. [Submitted by: T. Meyers]
- (14) Approve an extension with MV Transportation, Inc. for the management and operation of the city's fixed-route and dial-a-ride transit services for an additional 90 days (July 1, 2018 to September 30, 2018). [Submitted by: S. Bonville]
- (15) Reject the liability claim for damages filed by Anyka Harris. [Submitted by: J. Avila]
- (16) Award of a contract to Central Valley Striping, of Lindsay, CA, for 2018-2019 Street Traffic Striping, Project No. ST0007-0005, and authorize the City Manager to enter into a contract Central Valley Striping. [Submitted by: T. Whitfield]

## **VII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS**

- (1) Tulare Chamber of Commerce Annual Report presented by Donnette Silva-Carter, CEO. [Submitted by: W. Epps]

**VIII. MAYOR'S REPORT**

**IX. STUDENT REPORTS**

**X. GENERAL BUSINESS**

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

(1) Public Hearing:

- a. Public Hearing to **adopt Resolution 18-33** approving the 2018/19 city operating budget, to **adopt Resolution 18-34** approving the 2018/19 Position Control Budget and fixing the rate of compensation of regular full-time employees, regular part-time employees, City Council members and seasonal/temporary employees of the City of Tulare, to **adopt Resolution 18-35** establishing the 2018/2019 appropriation limit; and to receive the BPU-adopted Utility Enterprise Fund Budgets. [Submitted by: D. Thompson]
- b. Public Hearing to **adopt Resolution 18-36** confirming the report and recommendation of the Tulare Downtown Association Board of Directors and levy assessments for the Tulare Downtown Parking and Business Improvement District 2018/2019 Annual Assessments. [Submitted by: D. Thompson]
- c. Public Hearing to **adopt Resolution 18-37** ordering improvements for Landscape Maintenance District 2018-01 for the Willow Glen and Kensington Estates subdivisions located north of Cartmill Avenue and east of Mooney Boulevard (State Route 63). [Submitted by: M. Miller]

(2) City Manager:

- a. Consideration of authorizing the Mayor to execute Letter(s) of Opposition to SB 623 and SB 998. [D. Thompson/T. Whitfield]
- b. Consideration of authorizing the Mayor to execute a Letter of Support regarding The Water Supply and Water Quality Act of 2018. [Submitted by: J. Sigala]

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

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

- (a) 54957.6b Conference with Labor Negotiators [Submitted by: H. Phillips/J. Avila]

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Represented/Unrepresented Employee(s): CLOCEA, TPOU, Police Management, Misc. Mid-Managers  
Negotiators: Willard Epps, Heather Phillips

- (b) 54956.8b Conference with Real Property Negotiators  
Property: Located at 305 S. N Street, Tulare, APN #176-065-002  
Under Negotiation: Direction regarding potential purchase of property  
Negotiating parties: Willard Epps, Steve Bonville, Darlene Thompson, Barry Jones, and Heather Phillips [Submitted by: S. Bonville]
- (c) 54956.8b Conference with Real Property Negotiators  
Property: Located at 225-227 S. K Street, APN #176-051-003  
Under Negotiation: Price, terms and conditions of a potential purchase and development agreement  
Negotiating parties: Willard Epps, Steve Bonville, Josh McDonnell and Heather Phillips [Submitted by: S. Bonville]
- (d) 54957(b) – Public Employee Appointment: City Manager (Discussion related to City Manager recruitment and appointment process.) [Submitted by: J. Avila]
- (e) 54957(b)(1) – Public Employee Performance Evaluation: City Attorney [Submitted by: G. Nunley]

**XIII. RECONVENE CLOSED SESSION**

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

**XV. 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.]