

**ACTION MINUTES OF TULARE
CITY COUNCIL, CITY OF TULARE**

October 2, 2018

A regular session meeting of the City Council, City of Tulare was held on Tuesday, October 2, 2018, at 7:00 p.m., in the Tulare Public Library & Council Chambers, 491 North "M" Street.

COUNCIL PRESENT: David Macedo, Carlton Jones, Jose Sigala, Greg Nunley

COUNCIL ABSENT: Maritsa Castellanoz

STAFF PRESENT: Willard Epps, Mario Zamora, Janice Avila, Fred Ynclan, Luis Nevarez, Steve Bonville, Rob Hunt, Josh McDonnell, Michael Miller, Darlene Thompson, Trisha Whitfield, Traci Myers, Nick Bartsch, Roxanne Yoder

I. CALL TO ORDER REGULAR SESSION

Mayor Macedo called the regular meeting to order at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE AND INVOCATION

Council Member Sigala led the Pledge of Allegiance and an invocation was given by Interim City Manager Willard Epps.

III. CITIZEN COMMENTS

Mayor Macedo 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.

William Card addressed the Council regarding concerns with the pocket park located in Palm Ranch at Nelson and Seaside. Community Services Director Rob Hunt indicated that he would look into the concerns.

Bruce Creamer addressed the Council regarding concerns over property confiscated from him five years ago.

IV. COMMUNICATIONS

There were no items for this section.

V. CONSENT CALENDAR:

It was moved by Council Member Nunley, seconded by Council Member Jones and unanimously carried 4 to 0 (Vice Mayor Castellanoz) that the items on the Consent Calendar be approved as presented with the exception of item(s) 8 & 11.

- (1) Authorization to read ordinances by title only.
- (2) Approve minutes of September 18 & 26, 2018 regular/special meeting(s). [Submitted by: R. Yoder]
- (3) Adopt Ordinance 18-07 approving Zone Amendment No. 728, changing the existing zoning on approximately 79.5 acres from the R-1-6 (Single-Family Residential, 6,000 sq. ft. minimum lot area) and C-1 (Neighborhood Commercial) zone districts to the R-1-5 (Single Family Residential, 5,000 sq. ft. minimum lot area) zone district on property located on the northwest corner of Bardsley Avenue and West Street. [Submitted by: J. McDonnell]
- (4) Adopt Resolution 18-53 approving a Sole Source Agreement between the City of Tulare and Self-Help Enterprises for the purpose of providing grant writing administration and implementation of the City's Affordable Housing Programs including, but not limited to: First-Time Homebuyer and/or Owner-Occupied Housing Rehabilitation over a three-year period using funds sources such as CDBG, HOME, CalHome, CDBG or HOME Program Income, CalHome Reuse Funds as well as any other housing-related funding that may become available; and authorize the Interim City Manager or his/her designee(s) to execute, in the name of the City, all required documents. [Submitted by: T. Myers]
- (5) Receive, review, and file the Monthly Investment Report for August 2018. [Submitted by: D. Thompson]
- (6) Authorize the ~~Mayor~~ City Manager to execute an agreement with the City of Visalia for the distribution of Federal Transit 5307 Funding. [Submitted by: D. Thompson]
- (7) Authorize the Mayor to execute a Memorandum of Understanding with the Tulare County Association of Governments (TCAG) for the ongoing transit planning and programming of Federal Transit 5307 funds. [Submitted by: D. Thompson]
- (8) 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 120 days (July 1, 2018 to October 31, 2018). [Submitted by: **S. Bonville**] Council Member Sigala pulled the item for clarification. Finance Director Darlene Thompson and General Services Director Steve Bonville responded thereto. Following discussion, it was moved by Council Member Sigala, seconded by Council Member Nunley and carried 4 to 0 (Vice Mayor Castellanoz absent) to approve the item as presented.

- (9) **Adopt Ordinance 18-06 amending Chapter 3.08 of Title 3 of the City Code pertaining to California Fire Regulations Section 3.08.080 (Safe and Sane Fireworks).** [Submitted by: **L. Nevarez**]
- (10) **Approve the purchase amount of \$130,367.44 for the purchase of four (4) 2019 Ford Police Interceptor Patrol Vehicles from National Auto Fleet Group using State of California and Sourcewell Co-Operative Purchase Program.** [Submitted by: **S. Bonville**]
- (11) **Authorize the City Manager to execute a sole source contract with Data Ticket, Inc., to provide services for the processing of parking citation payments and other related services, subject to minor conforming or clarifying changes as recommended by the City Attorney.** [Submitted by: **B. Jones**] Council Member Sigala pulled the item for clarification. Police Captain Fred Ynclan responded thereto. Following discussion, it was moved by Council Member Sigala, seconded by Council Member Nunley and carried 4 to 0 (Vice Mayor Castellanoz absent) to approve the item as presented.

VI. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) **Proclamation Recognizing Relay for Life of Tulare 2018.** Mayor Macedo presented a Proclamation in recognition of Relay for Life of Tulare 2018.

VII. MAYOR'S REPORT

There were no items for this section of the agenda.

VIII. STUDENT REPORTS

There were no items for this section of the agenda.

IX. 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 18-08 adopting Sections 1.70.010 (Payment for Prevailing Wages for Public Works Projects) and 1.70.020 (Exceptions) of Chapter 1.70 (Prevailing Wages) of Title 1 (Administrative) of the City of Tulare Municipal Code. [Submitted by: M. Zamora]** Interim City Attorney Mario Zamora provided a report for the Council's review and consideration. Mayor Macedo opened the public hearing at 7:16 p.m.; with no public comments, he closed the public hearing at 7:17 p.m. Mr. Zamora addressed questions and comments posed by Council. Following discussion, it was moved by Council Member Sigala, seconded by Council Member Nunley and carried 4 to 0 (Vice Mayor Castellanoz absent) to pass-to-print Ordinance 18-08 as presented.
- b. **Public Hearing to pass-to-print Ordinance 18-09 approving Zoning Ordinance Amendment No. 730, amending Chapter 10.26 of the Municipal Code, related to revising the City's requirements for processing annexations into the City's limits. The Ordinance Amendment would affect properties citywide as well as unincorporated properties located within the City's Sphere of Influence. [Submitted by: J. McDonnell]** Community Development Director Josh McDonnell provided a report for the Council's review and consideration. Mayor Macedo opened the public hearing at 7:20 p.m. Pedro Hernandez, Policy Advocate for Leadership Counsel for Justice & Accountability, addressed the Council with comments and recommendations for the amendment. Dennis Mederos addressed the Council regarding the proposed amendment and cautioned implementing the proposed recommendations when those are addressed by LAFCO. With no further public comment, Mayor Macedo closed the public hearing at 7:27 p.m.

Mr. McDonnell addressed questions and comments posed by Council. Following discussion, it was moved by Council Member Nunley to pass-to-print Ordinance 18-09 as presented; it failed for lack of a second. It was moved by Council Member Jones, seconded by Council Member Sigala and carried 4 to 0 (Vice Mayor Castellanoz absent) to pass-to-print Ordinance 18-09 as amended including "and existing State and Federal law" to section 10.26.020 (B).

(2) Community & Economic Development:

- a. **Council consideration and direction to staff on two requests for an economic development assistance grant; 1) by Applicant, Paul Garcia for an economic development assistance grant in the sum of \$55,000 for contribution to the interior and exterior renovations to be performed on an existing building located at 138 & 142 South K**

Street; and 2) by Applicant Esther Sanchez for an economic development assistance grant in the sum of \$25,000 as a contribution to completion of façade improvements to the existing building located at 124 South K Street, Tulare, CA. [Submitted by: T. Myers] Community Development Deputy Director Traci Myers presented the item for the Council's review and consideration. She further advised that applicant Paul Garcia has withdrawn his request.

Applicant Esther Sanchez addressed the Council in support of her request. Following discussion, it was moved by Council Member Jones, seconded by Council Member Sigala and carried 3 to 1 (Mayor Macedo voting no; Vice Mayor Castellanoz absent) approving the item as amended in the amount of \$20,000.

- b. Council consideration to adopt Resolution 18-54 and direction to staff on the request by CNS Steel for a deferral of project related development impact fees in the sum of \$131,506 under section 8.56.080(B) of the Tulare Municipal Code. [Submitted by: T. Myers]** Community Development Deputy Director Traci Myers presented the item for the Council's review and consideration. Following discussion, it was moved by Council Member Nunley, seconded by Council Member Jones and carried 4 to 0 (Vice Mayor Castellanoz absent) to approve the item as presented.

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

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

Mayor Macedo adjourned to closed session at 8:20 p.m. for matters as stated by Interim City Attorney Mario Zamora.

- (a) 54957.6b Conference with Labor Negotiators [Submitted by: J. Avila]
Represented/Unrepresented Employee(s): CLOCEA, TPOU, Police Management, Misc. Mid-Managers
Negotiators: Willard Epps, Darlene Thompson, Janice Avila, Mario Zamora
- (b) 54957(b) – Public Employee Appointment: City Manager [Submitted by: J. Avila]

XII. RECONVENE CLOSED SESSION

Mayor Macedo reconvened from closed meeting at 8:45 p.m.

XIII. CLOSED SESSION REPORT (if any)

Mayor Macedo advised there were no reportable actions.

XIV. ADJOURN REGULAR MEETING

Mayor Macedo adjourned the regular meeting at 8:45 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