

AGENDA

**TULARE CITY COUNCIL
TUESDAY, MARCH 19, 2019
Study Session 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. 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

- (1) Study session and possible direction regarding existing and potential ordinances, taxation, laws and regulation relating to cannabis.

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 March 5, 2019 regular meeting. [Submitted by: R. Yoder]
- (3) Receive and approve the City of Tulare Housing Element Progress Reports for 2014, 2015, 2016, and 2018, and direct staff to file the Reports with the State Department of Housing and Community Development. [Submitted by: T. Myers]
- (4) Receive and approve the City of Tulare Housing Successor Agency Annual Reports for Fiscal Years Ending 2014, 2015, 2016 and 2018. [Submitted by: T. Myers]
- (5) Authorize the Interim City Manager to enter into a contract with GRC Associates, Inc. of Downey, California subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager, for preparation of the 2020-2024 City of Tulare Consolidated Plan and Analysis of Impediments to Fair Housing Choice at a cost not to exceed \$77,320. [Submitted by: T. Myers]

- (6) Award and authorize the City Manager to sign a contract with 4Creeks of Visalia, CA in an amount not to exceed \$55,500 for construction surveying services associated with 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% (\$5,550.00) of the contract award amount. [Submitted by: N. Bartsch]
- (7) Authorize the City Manager to complete and execute the documents necessary to purchase property located as a portion of APN: 149-230-018 in the amount of \$122,942.20 for the use of public right-of-way for Project EN0073 – Cartmill Avenue Improvements project, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [Submitted by: N. Bartsch]
- (8) Authorize the City Manager to complete and execute the documents, including an easement required for an irrigation pipeline across Cartmill Avenue, necessary to purchase property located as a portion of APN: 149-230-005 in the amount of \$265,528.20 for the use of public right-of-way for Project EN0073 – Cartmill Avenue Improvements project, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [Submitted by: N. Bartsch]
- (9) Authorize the City Manager to complete and execute the documents, including an easement required for an irrigation pipeline across Cartmill Avenue, necessary to purchase property located as a portion of APN: 166-220-008 in the amount of \$142,816.05 for the use of public right-of-way for Project EN0073 – Cartmill Avenue Improvements project, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [Submitted by: N. Bartsch]
- (10) Accept the required public works improvements for the Cottonwood Estates No. 2B Subdivision located along the east side of Turner Drive, south of Foster Drive, as complete; 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: M. Miller]
- (11) Approve the final map for Willow Glen No. 2 Subdivision, accept all easements and dedications offered to the City, and approve the agreement for construction of the subdivision improvements. [Submitted by: M. Miller]
- (12) Conditionally approve the final map and subdivision improvement agreement for Phase 2A of the Cottonwood Estates subdivision for recordation, and accept all easements and dedications offered to the City, subject to receipt of the signed

final map, all fees, and other required items prior to May 18, 2019. [Submitted by: M. Miller]

- (13) Reject the liability claim in the amount of \$1,173, filed by Mr. Richard Hernandez for damage to thirty (30) feet of his back fence on his property at 826 N. Sacramento Street in Tulare due to high winds. [Submitted by: J. Avila]
- (14) Reject the liability claim in the amount of \$350, filed by April Tirado, claiming the loss one diamond earring when she was arrested and booked by the Tulare Police Department on January 20, 2019. [Submitted by: J. Avila]

X. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) Presentation to Women Honorees in recognition of International Women's Day & Women's History Month 2019.
- (2) Proclamation presentation in recognition of Arbor Day.

XI. MAYOR'S REPORT

- (1) Consider and **adopt Resolution 19-09** in support of the 2020 U. S. Census.

XII. STUDENT REPORTS

XIII. 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) Engineering/Project Management:
 - a. Award and authorize the City Manager to sign a contract with 99 Pipeline, Inc. of Porterville, CA in an amount not to exceed \$2,409,678.82 for street and utility improvements associated with Project EN0083, a street and utility improvement project on Sonora Avenue; Approve the revised project budget (attached); Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$240,967.88) of the contract award amount. [Submitted by: N. Bartsch]

**AGENDA
TULARE CITY COUNCIL
March 19, 2019
Page 5**

(2) City Manager:

- a. Receive and discuss report by Management Partners on City Council Workshop held January 31 and February 1, 2019 and provide direction to staff. [Submitted by: R. Hunt]
- b. Approve a professional services agreement with Griswold, LaSalle, Cobb, Dowd & Gin, LLP for legal services for the City of Tulare; and authorize the City Manager to execute the agreement on behalf of the City Council. [Submitted by: R. Hunt]

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

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

- (a) 54956.9(d)(2) Conference with Legal Counsel – Anticipated Litigation (1) no further facts to state [Submitted by: M. Zamora]
- (b) 54957.6 Conference with Labor Negotiators
Represented/Unrepresented Employee(s): CLOCEA
Negotiators: Rob Hunt, Darlene Thompson, Janice Avila, Mario Zamora
[Submitted by: J. Avila]

XVI. RECONVENE CLOSED SESSION

XVII. CLOSED SESSION REPORT (if any)

XVIII. 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.]