

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

April 2, 2019

A study session of the City Council, City of Tulare was held on Tuesday, April 2, 2019, at 6:00 p.m., in the Tulare Public Library & Council Chambers, 491 North "M" Street.

COUNCIL PRESENT: Jose Sigala, Dennis A. Mederos, Carlton Jones, Greg Nunley^{6:19}
p.m., Terry A. Sayre

STAFF PRESENT: Rob Hunt, Mario Zamora, Janice Avila, Wes Hensley, Steve Bonville, Michael Miller, Darlene Thompson, Trisha Whitfield, Nick Bartsch, Traci Myers, Jason Bowling, Roxanne Yoder

I. CALL TO ORDER STUDY SESSION

Mayor Sigala called the study session to order at 6:02 p.m.

- 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.

There were no public comments.

III. STUDY SESSION

- (1) Staff presentation and request for direction regarding the City of Tulare General Fund 19/20 Budget (Version 1) and direction concerning the City of Tulare Administrative Budget Policy 13-02.** Finance Director Darlene Thompson provided a PowerPoint presentation of the City of Tulare's 2019/20 Version 1 Budget for Council's review and consideration. Questions and comments posed by Council addressed by staff.

Following discussion, it was the consensus of the Council to direct staff toward a balanced budget and consider the following items in reducing the deficit and/or to provide clarification on items, of which Version 2 will be reviewed at the May 7 meeting:

- Consideration of a 10% reduction in overtime
- Remove the \$200,000 streets allocation from Measure I
- Establish a policy for a Measure I cap
- Reduce the \$150,000 Economic Development Incentive allocation to \$75,000
- Include estimated Pilot Sales Tax Revenue of \$250,000
- Reduce CIP funding

Allocate \$12,500 each to the “softball/baseball” teams for a total of \$25,000, anything over to be paid by teams for utilities.
 Establish a PERS Account Fund for 2020/21
 Rename Fleet Replacement fund to Vehicle Lease Program
 Provide a cost savings analysis on consultant use

There was no specific direction given to staff regarding which area of the General Fund to target in attempt to balance the budget.

IV. ADJOURN STUDY SESSION

Mayor Sigala adjourned the study session at 7:09 p.m.

A regular session of the City Council, City of Tulare was held on Tuesday, April 2, 2019, at 7:00 p.m., in the Tulare Public Library & Council Chambers, 491 North “M” Street.

COUNCIL PRESENT: Jose Sigala, Dennis A. Mederos, Carlton Jones, Greg Nunley, Terry A. Sayre

STUDENTS PRESENT: Greg Garcia, Alex Arroyo

STAFF PRESENT: Rob Hunt, Mario Zamora, Janice Avila, Wes Hensley, Luis Nevarez, Steve Bonville, Josh McDonnell, Michael Miller, Darlene Thompson, Trisha Whitfield, Nick Bartsch, Roxanne Yoder

V. CALL TO ORDER REGULAR SESSION

Mayor Sigala called the regular meeting to order at 7:16 p.m.

VI. PLEDGE OF ALLEGIANCE AND INVOCATION

Teen Member Alex Arroyo led the Pledge of Allegiance and an invocation was given by Council Member Sayre.

VII. CITIZEN COMMENTS

Mayor Sigala 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.

Donnette Silva-Carter addressed the Council regarding upcoming local Chamber events and introduced a Leadership Tulare participant.

Carolyn Wong, Don Dolin, Tony Sozinho, Betty Jasmin and Kathy Luper addressed the Council with concerns regarding the increase in homeless individuals and encampments in Tulare.

Betsy McGovern-Garcia addressed the Council regarding Consent 3 Self-Help Enterprises letter of support in applying for Homeless Emergency Aid Program (HEAP) funds for the Garden Street Bridge Housing Project.

VIII. COMMUNICATIONS

There were no items for this section of the agenda.

IX. CONSENT CALENDAR:

It was moved by Council Member Nunley, seconded by Council Member Sayre and unanimously carried that the items on the Consent Calendar be approved as presented with the exception of item(s) 3, 4, 7 & 8.

- (1) **Authorization to read ordinances by title only.**
- (2) **Approve minutes of March 19, 2019 special/regular meeting. [Submitted by: R. Yoder]**
- (3) **Authorize the Mayor to sign a letter in support of Self-Help Enterprises applying for the City of Tulare's allocation of Homeless Emergency Aid Program (HEAP) funds to support the Garden Street Bridge Housing Project. [Submitted by: T. Myers]** Vice Mayor Mederos pulled the item for discussion. Self-Help representative Betsy McGovern-Garcia addressed the Council. Questions and comments posed by Council were addressed by Ms. McGovern-Garcia and Community Development Deputy Director Traci Myers. Following discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Nunley and unanimously carried to approve the item was presented.
- (4) **Accept a Grant of Easement from Donald C. McCarthy Limited Partnership, for a temporary storm drainage ponding basin for Cottonwood Estates Subdivision, and direct the City Clerk to record the same. [Submitted by: M. Miller]** Per staff this item was pulled from the agenda.
- (5) **Acceptance of a Grant of Easement for water line purposes from Del Lago Development Company, a California Limited Partnership associated with a master planned water main installed in Cartmill Avenue as part of the Willow Glen subdivision, and authorize the City Manager or designee to sign the Certificates of Acceptance for same. [Submitted by: M. Miller]**
- (6) **Accept the findings and recommendations of a speed zone study for a**

segment of F Street between Tulare Avenue and Cross Avenue prepared by Peters Engineering Group, set the public hearing for the Ordinance implementing the study for the Council meeting of April 16, 2019, to consider the pass-to-print for the Ordinance amending the existing speed zones. [Submitted by: M. Miller]

- (7) **Authorize the City Manager to complete and execute the documents necessary to purchase property located as a portion of APN: 149-060-005 in the amount of \$87,750.00 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]** Council Member Nunley pulled the item to recuse himself from discussion and leave the room due to property ownership. Senior Project Manager Nick Bartsch addressed the Council advising of a location clarification.
- (8) **Authorize the City Manager to complete and execute the documents necessary to purchase property located as a portion of APN: 149-060-016 & 149-060-024 in the amount of \$100,000 for the use of public right-of-way for Project EN0073 – Cartmill Avenue Improvements project. [Submitted by: N. Bartsch]** Council Member Nunley pulled the item to recuse himself from discussion and leave the room due to property ownership.

With no further discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Sayre and carried 4 to 0 (Council Member Nunley recused) to approve both Items 7 and 8 as presented.

- (9) **Adopt Resolution 19-10 setting the Maximum Utility User’s Tax at \$12,220.00 per utility for the period July 1, 2019 through June 30, 2020. [Submitted by: D. Thompson]**
- (10) **Receive, review, and file the Monthly Investment Report for February 2019. [Submitted by: D. Thompson]**
- (11) **Adopt Resolution 19-11 authorizing the surplus of 11 City vehicles. [Submitted by: S. Bonville]**
- (12) **Authorize free fixed route bus rides in celebration of Earth Day 2019 for transit service on Saturday April 13, 2019. [Submitted by: S. Bonville]**

X. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) **Proclamation presentation regarding National Library Week.** Mayor Sigala presented Library Manager Heidi Clark with a Proclamation in recognition of National Library Week.

XI. MAYOR'S REPORT

Mayor Sigala highlighted the display of the Top Priorities and thanked Council Member Sayre for working with staff to accomplish this visual reminder.

Mayor Sigala reminded the Council of their Creed which sets forth rules of decorum for its members and encouraged Council to refresh themselves of its message.

XII. STUDENT REPORTS

Teens on Board Member Greg Garcia and Alex Arroyo addressed the Council on school related activities and events.

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) Public Hearing:

- a. **Public Hearing for City Council review and consideration of the City of Tulare's Proposed Program Year 2019-2020 Community Development Block Grant (CDBG) Annual Action Plan and Program Year 2018-2019 Annual Action Plan Amendment and provide direction to staff for the finalization of the documents for Council consideration for adoption at the April 16, 2019 City Council meeting. [Submitted by: T. Myers]**

Community Development Deputy Director Traci Myers provided a report for the Council's review and consideration. Mayor Sigala opened the Public Hearing at 8:15 p.m., with no public comment he closed the Public Hearing at 8:15 p.m. Questions and comments posed by Council were addressed by staff. Following discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Nunley and unanimously carried to table the matter and directed staff to come back with a review of CIP projects that might qualify for CDBG public facility and infrastructure funds at the April 16 meeting.

(2) Economic Development:

- a. **Council consideration and direction to staff on the request by AMVETS for an Economic Development assistance grant in the sum of \$900.00 for the payment of fees and costs associated with the rental of Zumwalt Park for the 3rd Annual Cars at the Park car show to benefit services and programs for Veterans and their families to be held April 6, 2019. [Submitted by: T. Myers]**

Community Development Deputy Director Traci Myers provided a report for the Council's review and consideration. It was moved by Council Member Jones, seconded by Vice Mayor Mederos and unanimously carried to approve the item as presented, with direction to staff

to agendaize an item for the April 16 agenda to reimburse the Economic Development Assistance fund from Vice Mayor Mederos' travel funds, under discretionary use.

(3) Engineering:

- a. **Adopt Resolution 19-12 to grant direct access rights to "K" Street for the northern 42 feet of Parcel A of Grand Deed recorded 2/27/2018 as Document No. 2018-0009783, of Tulare County Records and accept the Relinquishment of Access Rights for the south 15 feet of Parcel A of Grant Deed recorded 2/27/2018 as Document No. 2018-0009783, of Tulare County Records and the north 15 feet of Parcel 1 of Grant Deed recorded 9/5/2017 as Document No. 2017-0051287, of Tulare County Records, from Hydraulic Controls, Inc., a Nevada Corporation, property owner. [Submitted by: M. Miller]** City Engineer Michael Miller provided a report for the Council's review and consideration. With no further discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Sayre and unanimously carried to approve the item as presented.
- b. **Authorize the City Manager to execute an amended benefit district refunding agreement with Blackstone Ranch LLC and Hidden Oak Development Company Inc. ("Developer") for sanitary sewer, water, storm drain and street improvements constructed with Parcel Map 4972 along Hillman Street and Corvina Avenue upon payment of fees. [Submitted by: M. Miller]** Council Member Nunley recused himself from discussion and left the room due to a prior business relationship. City Engineer Michael Miller provided a report for the Council's review and consideration. With no further discussion, it was moved by Council Member Jones, seconded by Mayor Sigala and carried 4 to 0 (Council Member Nunley recused) to approve the item as presented.

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

Mayor Sigala requested and it was seconded by Council Member Sayre and unanimously carried to schedule a future agenda item for a report regarding the possible conversion of the former TRMC former West Side Clinic for police use.

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

Mayor Sigala adjourned to closed session at 8:49 p.m. for matters as stated by City Attorney Mario Zamora.

- (a) 54956.9(d)(2) Conference with Legal Counsel – Anticipated Litigation (1) no further facts to state [Submitted by: M. Zamora] *Per the City Attorney this item was pulled from the agenda.*

- (b) 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation (1)
Name of Case: Torres v. City of Tulare, USDC-Eastern District Case No. 1:19-CV-00361-LJO-SAB [Submitted by: M. Zamora]
- (c) 54957.6 Conference with Labor Negotiators
Represented/Unrepresented Employee(s): TPOU
Negotiators: Rob Hunt, Darlene Thompson, Janice Avila, Mario Zamora
[Submitted by: J. Avila]

XVI. RECONVENE CLOSED SESSION

Mayor Sigala reconvened from closed meeting at 9:10 p.m.

XVII. CLOSED SESSION REPORT (if any)

Mayor Sigala advised there were no reportable actions.

XVIII. ADJOURN REGULAR MEETING

Mayor Sigala adjourned the regular meeting at 9:10 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