

AGENDA

**TULARE CITY COUNCIL
TUESDAY, JUNE 4, 2019
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 13 & May 14, 2019 special meetings. [Submitted by: R. Yoder]
- (3) **Adopt Resolution 19-19** an Addendum to the Environmental Impact Report (EIR) previously approved and certified by the Council of the City of Tulare for the Tulare Pilot Flying J project as part of Resolution 18-62 on November 20, 2018. [Submitted by: M. Anaya]
- (4) **Adopt of Resolution 19-20** supporting a Finding of No Net Loss on Sites Identified to Accommodate the City of Tulare's Fifth Cycle Regional Housing Needs Allocation as of June, 2019 pursuant to Government Code Section 65863. [Submitted by: T. Myers]
- (5) **Adopt Ordinance 19-01** adopting amended Section 9.12.010 of Chapter 9.12 of the City Code of Tulare entitled and pertaining to "Prima Facie Speed Limits". [Submitted by: M. Miller]
- (6) Authorize the City Manager to execute a joint use agreement with Southern California Edison Company for the relocation of existing facilities within the right-of-way of Blackstone Street to accommodate construction of public improvements required for the Pilot Travel Center, located at the southwest corner of Paige Avenue and Blackstone Street. [Submitted by: M. Miller]
- (7) Approve the Parcel Map filed by Holmes Properties, LLC, a California Limited Liability Company, for the division of land located at the northwest corner of San Joaquin Avenue and "M" Street, and accept the right-of-way dedication shown thereon. [Submitted by: M. Miller]
- (8) **Adopt Resolution of Intent 19-21** receiving the draft report of Tulare Downtown Association (TDA) Board of Directors, and setting June 18, 2019, as the public hearing date regarding annual downtown district assessments. [Submitted by: D. Thompson]

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- (9) Approve agreement with Philip M. Smith to construct and finance utility connection and/or side walk, curb, gutter, and driveway construction and place costs thereof on property tax rolls in installments. [Submitted by: D. Thompson]
- (10) Receive, review, and file the Monthly Investment Report for April 2019. [Submitted by: D. Thompson]
- (11) Approve the sale of real property with Development Agreement under RFP #18-643, APN # 170-241-011 located in the 300 Block of M Street ("Property") to All Valley Housing Inc. in the amount of \$45,000.00 with a 48-month time frame for development and allow the City Manager to sign all documents required for the sale and Legal Counsel to make any minor conforming changes. [Submitted by: S. Bonville]
- (12) Approve the sale of real property with Development Agreement under RFP #18-643, APN # 170-241-012 located in the 300 Block of N Street ("Property") to All Valley Housing Inc. in the amount of \$45,000.00 with a 36-month time frame for development, and allow the City Manager to sign all documents required for the sale and Legal Counsel to make any minor conforming changes. [Submitted by: S. Bonville]
- (13) Approve the sale of real property with Development Agreement under RFP #18-643, APN # 170-242-016 located in the 300 Block North N Street ("Property") to All Valley Housing Inc. in the amount of \$41,250.00 with a 36-month time frame for development, and allow the City Manager to sign all documents required for the sale and Legal Counsel to make any minor conforming changes. [Submitted by: S. Bonville]
- (14) Approve the sale of real property with Development Agreement under RFP #18-643, APN # 170-242-017 located in the 300 Block North O Street ("Property") to All Valley Housing Inc. in the amount of \$41,250.00 with an 18-month time frame for development, and allow the City Manager to sign all documents required for the sale and Legal Counsel to make any minor conforming changes. [Submitted by: S. Bonville]
- (15) Reject the liability claim in the amount of \$69,085.02, filed by Tulare Mini Mart, Inc., 525 W. Inyo, Tulare, claiming the loss of revenue due to street construction. [Submitted by: J. Avila]
- (16) Grant permission for the Tulare Library Foundation to serve alcohol at a fundraising event scheduled for Monday, September 23, 2019, 5:30-8:30 p.m. for adults 21 and over at the Library.

VI. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) Presentation by Randy Dodd, President of Adventist Health Tulare updating Council on the hospital, change of ownership of the license, execution of the lease, current and coming-soon services, as well as general overall progress.
- (2) Proclamation in recognition of the Summer Reading Program for Families, June 8 through July 13, 2019, entitled "It's Showtime @ Tulare Public Library!"

VII. MAYOR'S REPORT

- (1) Discuss and consider submitting a letter requesting a County of Tulare Mental Health Satellite Office in the City of Tulare. [Requested by: J. Sigala at the 5/7/19 meeting]
- (2) Request by the Tulare Homelessness Ad Hoc Committee to consider a letter of support to the Governor Newsom in support of the Kings-Tulare Continuum of Care request for proportionate one-time homelessness funding in the 2019-20 State Budget. [Requested by: Homeless Ad Hoc Committee]

VIII. 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 19-22** approving the 2019/20 city operating budget, including Capital Improvement Program 2019-2024 (CIP), to **adopt Resolution 19-23** approving the 2019/20 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 19-24** establishing the 2019/2020 appropriation limit; and to receive the BPU-adopted Utility Enterprise Fund Budgets.
 - b. Public Hearing to **pass-to-print Ordinance 19-02** amending Title 5 (Business Regulations) adding Chapter 5.104 (Massage Establishments and Services) of the Tulare Municipal Code.

(2) Engineering:

- a. Presentation of roundabout and signalized intersection designs for the intersection of Pleasant Avenue and West Street, and provide staff with direction regarding the preferred design alternative and priority of improvements. [Submitted by: M. Miller]
- b. Consider a request by Del Lago Place, LLC to grant a one-year time extension for completion of public improvements for the Tesori subdivision, and if approved, authorize the City Manager to enter an amended subdivision improvement agreement reflecting said extension. [Submitted by: M. Miller]

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

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

- (a) 54957.6b Conference with Labor Negotiators
Represented/Unrepresented Employee(s): Fire Units
Negotiators: Rob Hunt, Darlene Thompson, Janice Avila, Mario Zamora
[Submitted by: J. Avila; M. Zamora]
- (b) 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation (1)
Name of Case: Frost v. Nunley, TCSC Case No. 274926 [Submitted by: M. Zamora]
- (c) 54957(b) PUBLIC EMPLOYEE APPOINTMENT - Title: City Manager [Submitted by: J. Sigala]

XI. RECONVENE CLOSED SESSION

XII. CLOSED SESSION REPORT (if any)

XIII. 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.]