

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

**August 20, 2019**

**A study session of the City Council, City of Tulare was held on Tuesday, August 20, 2019, at 6:00 p.m., in the Tulare Public Library & Council Chambers, 491 North "M" Street.**

**COUNCIL PRESENT:** Jose Sigala, Dennis A. Mederos, Terry A. Sayre, Carlton Jones<sup>6:37 p.m.</sup>

**COUNCIL ABSENT:** Greg Nunley

**STAFF PRESENT:** Rob Hunt, Megan Dodd, Janice Avila, Darlene Thompson, Steve Bonville, Michael Miller, Trisha Whitfield, Nick Bartsch, Traci Myers, Roxanne Yoder

**I. CALL TO ORDER STUDY SESSION**

Mayor Sigala called the study session to order at 6:01 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.

No public comment provided.

**III. STUDY SESSION**

- (1) Presentation of the Draft Groundwater Sustainability Plan, by Aaron Fukuda Tulare Irrigation District General Manager. [Submitted by: T. Whitfield]** Tulare Irrigation District General Manager Aaron Fukuda provided a PowerPoint presentation for the Council's review and consideration. Questions and comments posed by Council were addressed by Mr. Fukuda. Informational item only.

**IV. ADJOURN STUDY SESSION**

Mayor Sigala adjourned the study session at 6:56 p.m.

**A regular session of the City Council, City of Tulare was held on Tuesday, August 20, 2019, at 7:00 p.m., in the Tulare Public Library & Council Chambers, 491 North "M" Street.**

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

**COUNCIL ABSENT:** Greg Nunley

**STAFF PRESENT:** Rob Hunt, Megan Dodd, Janice Avila, Matt Machado, Rodnie Roberts, Steve Bonville, Michael Miller, Darlene Thompson, Trisha Whitfield, Nick Bartsch, Traci Myers, Roxanne Yoder

## **V. CALL TO ORDER REGULAR SESSION**

Mayor Sigala called the regular session to order at 7:04 p.m.

## **VI. PLEDGE OF ALLEGIANCE AND INVOCATION**

Vice Mayor Mederos 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.

There were no public comments presented.

## **VIII. COMMUNICATIONS**

- (1) **Tulare Lighthouse Rescue Mission Chief Executive Officer, Dave Clevenger, to address Council introducing himself and highlighting the organization's goals.** Mr. Clevenger introduced himself and highlighted the Mission's goals.

## **IX. CONSENT CALENDAR:**

**It was moved by Vice Mayor Mederos, seconded by Council Member Sayre and carried 4 to 0 (Council Member Nunley absent) that the items on the Consent Calendar be approved as presented with the exception of items 3, 4, 5, 6, 7 & 12.**

- (1) **Authorization to read ordinances by title only.**
- (2) **Approve minutes of August 6, 2019 special/regular meeting. [Submitted by: R. Yoder]**
- (3) **Approve a request by Council Member Sigala to allocate not to exceed \$260 for discretionary use from 001-4010-2116 to cover rental costs for each of the quarterly meetings, of the 19/20 school year, maximum of four, totaling not to exceed \$1,040, associated with the Tulare County Office of Education Early Childhood Program – Parents Group Quarterly**

**Meetings proposed for the Tulare Public Library Olympic Room or similar meeting room; to be paid upon invoice through budget transfers.**

**[Requested by: J. Sigla at the 8/6/19 meeting]** Council Member Jones pulled the item to question the use of travel funds for this purpose. Due to a partnership with the Tulare Public Library, the request is no longer necessary, so item 3 is tabled.

- (4) Approve a request by Mayor Sigala to allocate for discretionary use from 001-4010-2116 to cover costs toward the use of solid waste receptacles and clean up on behalf of the Tulare County Fair Parade not to exceed \$500, to be processed through budget transfer. [Requested by: J. Sigla at the 8/6/19 meeting]** Council Member Jones pulled the item to question the use of travel funds for this purpose. Following discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Sayre and carried 3 to 1 (Council Member Nunley absent; Council Member Jones voting no) to approve the item as presented.
- (5) Approve a request by Mayor Sigala to allocate \$140 from the discretionary portion of his travel funds 001-4010-2116, to allocate through budget transfer and reimburse applicant for same the Del Lago Park rental fees paid associated with the Tulare County Daycare Provider Fair and BBQ as allowed per policy adopted by Resolution 18-02. [Requested by: J. Sigla at the 8/6/19 meeting]** Council Member Jones pulled the item to question the use of travel funds for this purpose. Following discussion, it was moved by Mayor Sigala to approve the item as presented. The motion failed for lack of a second.
- (6) Adopt Ordinance 19-03 approving Zone Amendment No. 733, changing the existing zoning designation on approximately 3.83-acres from C-2 (Office Commercial) to the C-3 (Retail Commercial) zone district on property located south of Prosperity Avenue between Brentwood and Laspina Streets. [Submitted by: J. McDonnell]** Vice Mayor pulled the item to recuse himself from discussion due to a potential business conflict. With no discussion, it was moved by Mayor Sigala, seconded by Council Member Jones and carried 3 to 0 (Council Member Nunley absent; Vice Mayor Mederos recused) to adopt Ordinance 19-03 as presented.
- (7) Approve a Professional Services Agreement between the City of Tulare and RSG in the sum not to exceed \$20,935 for affordable housing consulting services and authorize the City Manager to execute the Agreement subject only to minor conforming and clarifying changes acceptable to the City Attorney. [Submitted by: T. Myers]** Council Member Sayre pulled the item for clarification and comment. Community Development Deputy Director Traci Myers provided a brief report for the Council Members review and consideration. Following comment, it was moved by Vice Mayor Mederos, seconded by Council Member Sayre and carried 4 to 0 (Council Member Nunley absent) to approve the item as presented.

- (8) **Extend the conditional approval for the final map and subdivision improvement agreement of 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 31, 2019. [Submitted by: M. Miller]**
- (9) **Accept as complete the contract with Don Berry Construction, Inc. of Selma, CA for work on Project EN0077, a street and utility improvement project on Cherry Street, Bash Alley and Lyndale Drive. 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: N. Bartsch]**
- (10) **Authorize the City Manager to sign a contract with 4 Creeks of Visalia, CA in an amount not to exceed \$118,550 for Construction Management services related to City 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% (\$11,855) of the contract amount. [Submitted by: N. Bartsch]**
- (11) **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 Cartmill Avenue to accommodate construction of public improvements required for the Cartmill Avenue Improvements Project, located on Cartmill Avenue at Retherford Street. [Submitted by: N. Bartsch]**
- (12) **Approve an agreement renewal between the City of Tulare Fire Department and Tulare County Consolidated Dispatch, Inc., to provide all Fire Department dispatching services. ~~and consideration to discontinue Fire Department response to non-life-threatening calls.~~ [Submitted by: L. Nevarez]** Mayor Sigala pulled the item to allow staff to provide a clarification of the request. City Manager Rob Hunt provided background regarding the drafting error on the item and recommendation language, specifically, "and consideration to discontinue Fire Department response to non-life-threatening calls" be stricken as typographical error. Following this clarification, it was moved by Council Member Jones, seconded by Vice Mayor Mederos and carried 4 to 0 (Council Member Nunley absent) to approve the item as clarified.

- (13) **Authorize the City's negotiating team to execute a sideletter agreement between the City of Tulare and the Police Management Group authorizing on-call stand-by compensation to Police Sergeants assigned to the Investigations Unit, effective with the pay period beginning on August 31, 2019. [Submitted by: J. Avila]**
- (14) **Adopt Resolution 19-36 authorizing Worker's Compensation Coverage for Off-Duty Peace Officers injured out of state. [Submitted by: J. Avila]**

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

- (1) **Certificate of Recognition to Southern California Edison. [Submitted by: R. Hunt]** Mayor Sigala presented representatives from Southern California Edison (SCE) with a Certificate of Recognition. Comments by both City Manager Rob Hunt and General Services Director Steve Bonville thanking SCE for their efforts.
- (2) **Presentation by Tulare County Economic Development Corporation (EDC) President/CEO Paul Saldana of the EDC's restructuring efforts and business plan to promote economic growth to cities in Tulare County. [Submitted by: R. Hunt]** EDC President/CEO Paul Saldana provided a PowerPoint presentation for the Council's review and consideration. Following the presentation and related discussion, it was the consensus of the Council to agendaize the item for further consideration at the September 3, 2019, meeting.

#### **XI. MAYOR'S REPORT**

#### **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:**
  - a. **Award and authorize the City Manager to sign a contract amendment with Provost & Pritchard Consulting Group of Visalia, CA in an amount not to exceed \$74,000 for additional topographic surveying, geotechnical analysis, design, bidding and construction support services for Project EN0084, a street and utility improvement project on Pleasant Avenue; approve the revised project scope and budget. [Submitted by: M. Miller]** City Engineer Michael Miller provided a report for the Council's review and consideration. Following the presentation, it was moved by Vice Mayor Mederos, seconded by Council Member Jones and carried 4 to 0 (Council Member Nunley absent) to approve the item as presented.

**(2) City Manager:**

- a. **Review and provide direction regarding a request for a Letter of Support regarding AB626. [Submitted by: R. Hunt]** City Manager Rob Hunt advised that this item will be continued for consideration at a future meeting to be determined.

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

Mayor Sigala requested the following items for future agenda(s):

September 3 – Groundwater Sustainability Plan review for comments

September 3 or 17 – Tulare County Economic Development Corporation consideration to become a member.

With no objection by the Council these items will be agendized as requested.

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

Mayor Sigala adjourned to closed session at 8:34 p.m. for matters as stated by Assistant City Attorney Megan Dodd.

- (a) 54956.9(d)(2) & (e)(3) Conference with Legal Counsel – Significant Exposure Litigation (1) [Submitted by: M. Zamora]

**XVI. RECONVENE CLOSED SESSION**

Mayor Sigala reconvened from closed meeting at 8:57 p.m.

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

Mayor Sigala advised that by a vote of 3 to 1 (Council Member Jones abstaining; Council Member Nunley absent) staff was directed to agendize for the September 3 Consent Calendar a contract for conflict counsel with the firm of Whitney, Thompson & Jeffcoach.

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**XVIII. ADJOURN REGULAR MEETING**

Mayor Sigala adjourned the regular meeting at 8:58 p.m.

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President of the Council and Ex-Officio  
Mayor of the City of Tulare

**ATTEST:**

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Chief Deputy City Clerk and Clerk of the  
Council of the City of Tulare