

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

September 17, 2019

A study session of the City Council, City of Tulare was held on Tuesday, September 17, 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

COUNCIL ABSENT: Greg Nunley

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

I. CALL TO ORDER STUDY SESSION

Mayor Sigala called the study session to order at 6:00 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 and further direction from City Council regarding Cannabis.**
[Submitted by: M. Zamora] City Attorney Mario Zamora provided a PowerPoint presentation for the Council's review and consideration, providing an overview of the Council's previous direction; of which required clarification, statement of vote history and cost associated with elections.

Todd Winter, Cannabis Attorney from Truckee, CA addressed the Council in support of expanding the City's Ordinance to allow recreational adult use as well as delivery. He further stated that doing so would reduce or eliminate black market activity within the community.

Janet Hartman addressed the Council regarding allowing the local medical use facilities to expand so they don't close.

Following discussion, it was moved by Mayor Sigala, seconded by Council Member Jones and carried 3 to 1 (Vice Mayor Mederos voting no; Council Member Nunley absent) to direct staff to draft a comprehensive Ordinance

revision which will allow adult recreational use, identify the number of dispensaries, the location, safe guards, including labeling, delivery, business license and fees; a draft of which will be presented by staff at the October 22, 2019, City Council meeting, with a public hearing to be set upon that review.

IV. ADJOURN STUDY SESSION

Mayor Sigala adjourned the study session at 6:46 p.m.

A regular session of the City Council, City of Tulare was held on Tuesday, September 17, 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^(left @ 7:49 p.m.), Greg Nunley^{7:02 p.m.}

STAFF PRESENT: Rob Hunt, Mario Zamora, Janice Avila, Matt Machado, Luis Nevarez, Steve Bonville, Traci Myers, Michael Miller, Trisha Whitfield, Nick Bartsch, Roxanne Yoder

V. CALL TO ORDER REGULAR SESSION

Mayor Sigala called the regular session to order at 7:01 p.m.

VI. PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Sigala led the Pledge of Allegiance and an invocation was given by City Manager Rob Hunt.

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.

Ahmed Ghazaly addressed the Council on behalf of the property owner at 1330 Tulare Avenue, noting a formal complaint of the Caltrans signal light project at 137 & 99, specifically the closure of Dayton at that location.

Zahi Saleh addressed the Council noting a formal complaint of the Caltrans signal light project at 137 & 99, specifically the closure of Dayton at that location.

Donnette Silva-Carter addressed the Council in support of the business owners who have spoken in opposition of the Caltrans signal light project at 137 & 99, specifically

the closure of Dayton at that location. Ms. Silva-Carter urged the Council to encourage Caltrans to reconsider this closure. Lastly, she offered a reminder of the Chamber Crush Party, Friday, September 20.

Shawn Day addressed the Council updating them on his project at Mooney Boulevard and Bella Oaks Drive stating it is on track.

Irene Huizar addressed the Council with concerns over the Viva Tulare Event downtown and its impact on businesses and parking. Ms. Huizar was directed to speak with Community & Economic Development Director Josh McDonnell regarding their site plan approval respective to its duration and surrounding issues of same.

VIII. COMMUNICATIONS

- (1) **Communication received from Danielle Evenson along with approximately 28 petition pages regarding a neighborhood park at Nelder Grove and Alpine Street.** City Manager Rob Hunt provided a brief report on the item. Ms. Evenson was not present, nor was any representative of same. The Council will take up the consideration to agendaize for discussion at a future meeting during Items of Interest.

IX. CONSENT CALENDAR:

It was moved by Vice Mayor Mederos, seconded by Council Member Nunley and unanimously carried that the items on the Consent Calendar be approved as presented with the exception of item 3.

- (1) **Authorization to read ordinances by title only.**
- (2) **Approve minutes of September 3, 2019 special/regular meeting(s).**
[Submitted by: R. Yoder]
- (3) **Adopt Ordinance 19-04 approving Zone Amendment No. 734, pre-zoning the subject property to the R-1-6 (Single Family Residential, 6,000 sq. ft. minimum lot area) zoning designation to become effective upon annexation into the City limits on property located on the east side of Mooney Blvd. approximately .25 miles south of Bardsley Avenue.**
[Submitted by: J. McDonnell] Council Member Nunley pulled the item to recuse from discussion due to property ownership. With no further discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Jones and carried 4 to 0 (Council Member Nunley recused) to adopt Ordinance 19-04 as presented.

X. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) **Board of Public Utilities Annual Report presented by Board President Chris Harrell.** Board President Chris Harrell provided a PowerPoint presentation of the Board's Annual Report for the Council's review and consideration. Questions and comments posed by Council addressed by Mr. Harrell, Public Works Director Trisha Whitfield and City Manager Rob Hunt.

XI. MAYOR'S REPORT

There were no items for this section of the agenda.

XII. 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.

[Council Member Jones left the meeting at 7:49 p.m.]

(1) Public Hearing:

- a. **Public Hearing to Pass-to-Print Ordinance 19-05 for a zoning text Amendment to Chapter 10.144 of the City of Tulare Municipal Code revising the City's standards for accessory dwelling units.** [Submitted by: M. Anaya] Principle Planner Mario Anaya provided a PowerPoint presentation for the Council's review and consideration. Mayor Sigala opened the public hearing at 7:51 p.m. Steve Seacrest addressed the Council regarding property ownership requirement of primary or secondary unit. Francine Hipskind, Government Affairs Director of the Tulare County Association of Realtors addressed the Council in support of the item. With no further public comments, Mayor Sigala closed the public hearing at 7:54 p.m. Questions and comments posed by the Council addressed by staff. Following discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Nunley and carried 4 to 0 (Council Member Jones absent) to pass-to-print Ordinance 19-05 as presented.
- b. **Public Hearing to adopt Resolution 19-45 approving the 2018-2019 Consolidated Annual Performance and Evaluation Report (CAPER) providing information on the progress and status of projects administered by the City using Community Development Block Grant (CDBG) funds and authorize the City Manager or his designee to submit the CAPER to the Department of Housing and Urban Development (HUD) on behalf of the City of Tulare.** [Submitted by: T. Myers] Community Development Deputy Director Traci Myers provided a PowerPoint presentation for the Council's review and consideration. Mayor Sigala opened the public hearing at 8:11 p.m., receiving no public

comment he closed the public hearing at 8:11 p.m. With no further discussion, it was moved by Council Member Nunley, seconded by Council Member Sayre and carried 4 to 0 (Council Member Jones absent) to adopt Resolution 19-45 as presented.

(2) Community and Economic Development:

- a. **Consideration of the City of Tulare's participation in the Tulare County Economic Development Corporation. [Submitted by: T. Myers]** Community Development Deputy Director Traci Myers provided a report for the Council's review and consideration. Tulare County Economic Development Corporation (TCEDC) Director Paul Saldana addressed the Council welcoming the City's participation with the TCEDC. Chamber CEO Donnette Silva-Carter addressed the Council in support of the item. Following discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Sayre and carried 4 to 0 (Council Member Jones absent) to rejoin the TCEDC; it was further moved by Mayor Sigala, seconded by Vice Mayor Mederos to reduce the economic development assistance grant for Kaweah Brewing by \$10,000 and utilize the remainder of the Economic Development Assistance Fund toward the City's contribution to join the TCEDC; lastly, it was moved by Council Member Sayre, seconded by Vice Mayor Mederos and carried 4 to 0 (Council Member Jones absent) to have Council Member Sayre serve as the primary member of the City on the TCEDC Board and Mayor Sigala to serve as the alternate member.

(3) City Manager:

- a. **Select Voting Delegate and alternate for League of California Cities Annual Conference business session to be held Friday, October 18, 2019, authorizing the City Clerk to execute the delegate form; and provide direction to Voting Delegate on the City's position (support, oppose, or no position) on League Resolution Packet. [Submitted by: R. Yoder]** City Manager Rob Hunt provided a brief report for the Council's consideration. Following discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Sayre to select Mayor Sigala as the voting delegate at the Annual League Conference, it was further moved by Mayor Sigala, seconded by Council Member Nunley to select Vice Mayor Mederos as the alternate voting delegate. Lastly, it was moved by Vice Mayor Mederos, seconded by Council Member Sayre and carried 4 to 0 (Council Member Jones absent) to support League Resolutions 1 and 2 as submitted.

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

Mayor Sigala requested and it was the consensus of the Council to agendize the communication item for an update at a future meeting.

Mayor Sigala requested Section 16 being agendized to discuss the powers of investigation. There was no support for that request at this time.

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

Mayor Sigala adjourned to closed session for items as noted on the agenda at 8:51 p.m.

- (a) 54957.6b Conference with Labor Negotiators
Represented/Unrepresented Employee(s): Fire Unions
Negotiators: Rob Hunt, Darlene Thompson, Janice Avila, Mario Zamora
[Submitted by: J. Avila; D. Thompson, M. Zamora]

XV. RECONVENE CLOSED SESSION

Mayor Sigala reconvened from closed session at 9:25 p.m.

XVI. CLOSED SESSION REPORT (if any)

Mayor Sigala advised there was no reportable action.

XVII. ADJOURN REGULAR MEETING

Mayor Sigala adjourned the regular meeting at 9:25 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