

CORONAVIRUS (COVID-19) ADVISORY

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California due to the threat of COVID-19. On March 12 and 18, 2020, the Governor issued Executive Order N-25-20 and N-29-20, which temporarily suspends portions of the Brown Act addressing the conduct of public meetings.

As such, Tulare City Council Meetings may include teleconference participation by some or all of the City Council Members and City staff. Pursuant to Executive Order N-20-20, teleconference locations utilized by City Council Members shall not be accessible to the public and are not subject to special posting requirements.

For those individuals who choose not to shelter in place and attend the Council meeting, in an effort to promote social distancing, seating in the Council Chamber has been reduced to 12 available seats on a first come, first served basis.

Meetings **will be available** for public viewing via YouTube
https://www.youtube.com/channel/UCdWZiv2o7do1JY0OvGe1_aw/videos

If you are sheltering in place, and wish to provide public comment during the meeting you may do so **by calling 559-366-1849**, if you receive a busy signal please continue to call until you are able to get through.

Note: There will be approximately a 20 second delay in broadcast for viewers. If viewing from YouTube and calling in please mute your speakers.

AGENDA

**TULARE CITY COUNCIL
TUESDAY, JUNE 16, 2020
Closed 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 CLOSED 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. ADJOURN TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION(S):

- (a) 54957(b)(1) – Public Employee Performance Evaluation: City Manager
[Submitted by: J. Avila]

- (b) 54956.8b Conference with Real Property Negotiators
Property: West Side medical Clinic Property
Under Negotiation: Purchase, price, and terms and conditions of potential purchase
Negotiating parties: Rob Hunt, Josh McDonnell [Submitted by: J. McDonnell]

IV. RECONVENE CLOSED SESSION

V. CLOSED SESSION REPORT (if any)

VI. ADJOURN CLOSED SESSION

7:00 p.m. (or immediately following Closed Session)

VII. CALL TO ORDER REGULAR SESSION

VIII. PLEDGE OF ALLEGIANCE AND INVOCATION

IX. 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.*

X. 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.*

XI. 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 28, 2020 and June 2, 2020 special/regular meeting.
[Submitted by: R. Yoder]
- (3) Authorize the City Manager to complete and execute the documents necessary to declare as public right-of-way a portion of the 'J' Street at Cartmill Avenue well site (Well 4-5: Project WT0038 – North 'J' Street Well Project), subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [Submitted by: J. Funk]
- (4) Authorize the Mayor to execute an oversized construction reimbursement agreement, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager, with Merced JJR KCOK, LLC for oversize improvements constructed with phase 2 of the KCOK Ranch Subdivision.
[Submitted by: M. Miller]
- (5) Authorize the City Manager to execute a benefit district refunding agreement, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager, with Merced JJR KCOK, LLC for water, sanitary sewer, storm drain and street improvements constructed with phase 2 of the KCOK Ranch subdivision. [Submitted by: M. Miller]
- (6) Approve the Parcel Map 2020-02 filed by Pepsu, Inc. for the division of land located on the east side of Cherry Street between Prosperity and Merritt Avenues and accept the 25' wide public utility easement as shown hereon, conveyed to the City of Tulare as an easement. [Submitted by: M. Miller]
- (7) **Adopt Resolution 2020-31** authorizing the City of Tulare to apply for a Federal Railroad Administration's 2020 Consolidated Rail Infrastructure and Safety

Improvements (CRISI) Program grant for proposed improvements to the at-grade crossing of Prosperity Avenue and the UPRR tracks and intersection of Prosperity Avenue and “J” Street, and designate the City Manager or his/her designee as the individual authorized to execute all grant documents on behalf of the City. [Submitted by: N. Bartsch]

- (8) Adopt the Four-Year Memorandum of Understanding (July 1, 2018 through June 30, 2022) by and between the City of Tulare and the Tulare Police Officers Union (TPOU); Grant an additional half of percent (.50%) to Police Sergeants, Police Lieutenants, and Police Captains effective the first full pay period of July 2020 and approve changes to the payment of Long-Term Disability premiums for currently enrolled employees; and grant one (1) personal leave day. [Submitted by: J. Avila & M. Zamora]
- (9) Award and authorize the City Manager to execute a contract with Safety Striping Services, Inc. of Goshen, California, in the amount of \$277,361.19 for the City’s 2020 Annual Street Striping Project. [Submitted by: T. Whitfield]

XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) Spotlight on Excellence – Employee Recognition. [Submitted by: R. Hunt]
- (2) Proclamation honoring Waste and Recycling Workers Week. [Requested by: D. Mederos]
- (3) Receive Tulare Chamber of Commerce Annual Report presented by Donnette Silva-Carter, CEO.

XIII. MAYOR’S REPORT

XIV. 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 2020-32** approving the 2020/21 city operating budget, to **adopt Resolution 2020-33** approving the 2020/21 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 2020-34** establishing the 2020/2021 appropriation limit; and to receive the BPU-adopted Utility Enterprise Fund Budgets. [Submitted by: D. Thompson]

- b. Public Hearing to **pass-to-print Ordinance 2020-06** to repeal and replace Section 9.48.120 of the Tulare Municipal Code pertaining to Commercial Vehicle Parking Restrictions. [Submitted by M. Miller]
- c. Public Hearing to **adopt Resolution 2020-35** confirming the report of the Tulare Downtown Association Board of Directors and to levy the annual Downtown Parking and Business Improvement District assessments for the 2020/21 fiscal year. [Submitted by: D. Thompson]

(2) Transit:

- a. Approve a Joint Powers Agreement for the creation of a Tulare County Regional Transit Agency and authorize the Mayor to sign and execute same, subject to minor conforming changes as necessary. [Submitted by: J. McDonnell]

(3) Engineering:

- a. Consider a request by Del Lago Place, LLC to grant a 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]

(4) City Manager:

- a. Update, discussion and receive direction, if necessary, regarding COVID-19, etc. [Submitted by: R. Hunt]

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

XVI. 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.]