

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

Jun 2, 2020

A closed session of the City Council, City of Tulare was held on Tuesday, June 2, 2020, at 6:00 p.m., in the Tulare Public Library & Council Chambers, 491 North "M" Street.

COUNCIL PRESENT: Jose Sigala, Dennis A. Mederos

COUNCIL PRESENT VIA ZOOM/TELECONFERENCE: Terry Sayre, Carlton Jones^(Item c), Greg Nunley^(Items a & b)

STAFF PRESENT: Rob Hunt, Mario Zamora^(via teleconference), Megan Dodd, Mandy Jeffcoach^(via teleconference), Janice Avila, Josh McDonnell, Wes Hensley, Darlene Thompson, Michael Miller, Nick Bartsch, Roxanne Yoder, Melissa Hermann

I. CALL TO ORDER CLOSED SESSION

Mayor Sigala called the closed 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.

There were no public comments.

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

Mayor Sigala adjourned to closed session for items as noted by Assistant City Attorney Megan Dodd at 6:03 p.m.

- (a) 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation (1) [Submitted by: M. Zamora]
Name of Case: City of Tulare and Tulare Police Officers Union (TPOU) Case No. SA-IM-194-M
[Council Member Jones absent]
- (b) 54956.8b Conference with Real Property Negotiators
Property: property located along Aronian Street between Kern Avenue and Tulare Avenue (State Route 137). (APN#177-190-002), (APN#177-200-008), and (APN#177-200-009).
Under Negotiation: Purchase, price, and terms and conditions of the purchase
Negotiating parties: Rob Hunt, Josh McDonnell, Michael Miller, Nick Bartsch, Will Washburn, and Mario Zamora [Submitted by: N. Bartsch]
[Council Member Jones absent]

- (c) 54956.9(d)(4) Conference with Legal Counsel – Anticipated Litigation One (1)
items of anticipated litigation
[Council Member Nunley absent]

IV. RECONVENE CLOSED SESSION

Mayor Sigala reconvened from closed session at 7:03 p.m.

V. CLOSED SESSION REPORT (if any)

Assistant City Attorney Megan Dodd advised there was no reportable actions.

VI. ADJOURN CLOSED SESSION

Mayor Sigala adjourned closed session at 7:04 p.m.

A regular session of the City Council, City of Tulare was held on Tuesday, June 2, 2020, at 7:00 p.m., in the Tulare Public Library & Council Chambers, 491 North “M” Street.

COUNCIL PRESENT: Jose Sigala, Dennis A. Mederos

COUNCIL PRESENT VIA ZOOM: Terry Sayre, Carlton Jones^(7:14 p.m.), Greg Nunley

STAFF PRESENT: Rob Hunt, Josh McDonnell, Megan Dodd, Wes Hensley, Luis Nevarez, Janice Avila, Michael Miller, Traci Myers, Craig Miller, Darlene Thompson, Trisha Whitfield, Nick Bartsch, Roxanne Yoder, Melissa Hermann

VII. CALL TO ORDER REGULAR SESSION

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

VIII. PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Sigala led the Pledge of Allegiance and held a moment of silence.

IX. 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.

Bruce Creamer and Chase Landers addressed the Council.

X. COMMUNICATIONS

There were no items for this section of the agenda.

XI. CONSENT CALENDAR:

It was moved by Vice Mayor Mederos seconded by Council Member Sayre, and unanimously carried that the items on the Consent Calendar be approved 4 to 0 (Council Member Jones absent) as presented except for item 8.

- (1) Authorization to read ordinances by title only.**
- (2) Approve minutes of May 19, 2020 special/regular meeting. [Submitted by: R. Yoder]**
- (3) Adopt Ordinance 2020-05 revising a portion of Section 1.64.040 of Chapter 1.64 of Title 1 of the City of Tulare Municipal Code removing the fees and service charges from the ordinance having been adopted by Resolution 2020-16 into a comprehensive master fee schedule.[Submitted by: M. Zamora]**
- (4) Adopt Resolution 2020-28 approving Amendment No. 5 to the Measure R Expenditure Plan. [Submitted by: M. Miller]**
- (5) Authorize the City Manager to sign a contract with Peters Engineering Group of Clovis, CA in an amount not to exceed \$471,560 for topographic surveying, geotechnical analysis, design, bidding and construction support services for Project EN0090, a street and utility improvement project in the Sequoia and Spruce Tracts; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$47,156) of the contract award amount; and approve the updated project scope and budget. [Submitted by: N. Bartsch]**
- (6) Authorize the City Manager to sign a contract with 4 Creeks of Visalia, CA in an amount not to exceed \$239,530 for topographic surveying, geotechnical analysis, design, bidding and construction support services for Project EN0091, a street and utility improvement project in the Elliott Tract; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$23,953) of the contract award amount; and approve the updated project scope and budget. [Submitted by: N. Bartsch]**
- (7) Authorize the City Manager to sign a contract with Provost & Pritchard Consulting Group of Visalia, CA in an amount not to exceed \$350,000 for topographic surveying, geotechnical analysis, design, bidding and construction support services for Project EN0092, a street and utility improvement project on Pratt Street and in the Mefford and Choice Tracts; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$35,000) of the contract award amount; and approve the updated project scope and budget. [Submitted by: N. Bartsch]**

- (8) **Adopt Resolution of Intent 2020-29 receiving the draft report of Tulare Downtown Association (TDA) Board of Directors, and setting June 16, 2020, as the public hearing date regarding annual downtown district assessments. [Submitted by: D. Thompson]** Vice Mayor Mederos pulled the item for comments. John Harman provided an update to the Council. It was moved by Council Member Sayre, seconded by Vice Mayor Mederos, and carried 5 to 0 to adopt Resolution of Intent 2020-29 as presented.
- (9) **Accept the offer to purchase and “Purchase and Sale Agreement” on City property APN #176-400-010, the South East corner of K Street, and Kern Avenue, Tulare, (Concession Area) from Francisco Torres in the amount of \$15,000. [Submitted by: S. Bonville]**

XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

There were no items for this section of the agenda.

XIII. MAYOR’S REPORT

There were no items for this section of the agenda.

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) Continued Public Hearing:

- a. **Public hearing to adopt Resolution 2020-27 approving the City’s Program Year 2019-2020 Annual Action Plan Amendment III to include supplemental Community Development Block Grant funding (CDBG-CV) awarded to the City in the sum of \$419,611 to be used to prevent, prepare for and respond to the coronavirus (COVID-19) pandemic; approve recommended allocations of CDBG-CV funding to sub-recipients and proposed microenterprise business assistance program; and/or direct staff to re-allocate all or a portion of funding to eligible activities under U.S. Department of Housing and Urban Development (HUD) regulations. [Submitted by: T. Myers]** Community & Economic Development Director Traci Myers provided a report for the Council’s review and consideration. Mayor Sigala opened the public hearing at 7:26 p.m. Receiving no public comment, the public hearing was closed at 7:27 p.m. Questions posed by Council were responded to by staff. Following discussion, it was moved by Mayor Sigala, seconded by Council Member Jones, and unanimously carried to adopt Resolution 2020-27.

Council Member Nunley left sometime after this item.

(2) City Manager:

- a. Update, discussion and receive direction, if necessary, regarding COVID-19, etc. [Submitted by: R. Hunt]** City Manager Rob Hunt and Library Manager Heidi Clark provided an update to the Council.

Mayor Sigala requested the following measures: (1) require masks in public buildings; (2) reaffirm CDC guidelines; (3) recommend businesses follow 53-page document provided by Tulare County Health and Human Services Authority and to place the document on the City's website; and (4) require masks for all businesses in Tulare. John Harman, Chase Landers, and Jason Bender addressed the Council in objection to these suggestions.

The request to direct City Manager to develop a policy requiring any member of the public who enters City Hall to wear a mask failed 2 to 2.

There was consensus to put up signage that highly recommends wearing masks.

There was consensus to continue to reaffirm CDC guidelines.

There was consensus that the City and Council support businesses that reopen and choose to require wearing masks by patrons (uphold position and encourage PD that owner's rights be maintained)

Council Member Jones left at approximately 8:23 p.m.

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

Council Member Sayre requested review of the recent cannabis ordinance specific to CBD products, there was consensus of the Council to schedule for the July 21, 2020 meeting date.

Vice Mayor Mederos requested item on the June 16, 2020 meeting date to recognize City sanitation workers. By consensus Council directed staff accordingly.

XVI. ADJOURN REGULAR MEETING

Mayor Sigala adjourned the regular meeting at 8:41 p.m. in the memory of Heather Maciel.

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