

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

July 7, 2020

A closed session of the City Council, City of Tulare was held on Tuesday, July 7, 2020, at 6:30 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, Greg Nunley

COUNCIL ABSENT: Carlton Jones (call went to voice mail)

STAFF PRESENT: Rob Hunt, Mario Zamora, Janice Avila, Matt Machado, Roxanne Yoder

I. CALL TO ORDER CLOSED SESSION

Mayor Sigala called the closed session to order at 6:32 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 City Attorney Mario Zamora at 6:32 p.m.

- (1) 54956.9(c) Conference with Legal Counsel – Anticipated Litigation One (1) items of anticipated litigation

IV. RECONVENE CLOSED SESSION

Mayor Sigala reconvened from closed session at 7:21 p.m.

V. CLOSED SESSION REPORT (if any)

City Attorney Mario Zamora advised there was no reportable action.

VI. ADJOURN CLOSED SESSION

Mayor Sigala adjourned closed session at 7:21 p.m.

A regular session of the City Council, City of Tulare was held on Tuesday, July 7, 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^{7:25 p.m.}, Greg Nunley^{7:39 p.m.}

STAFF PRESENT: Rob Hunt, Mario Zamora, Darlene Thompson, Mario Anaya, Michael Miller, Trisha Whitfield, Craig Miller, Luis Nevarez, Janice Avila, Matt Machado, Nick Bartsch, Roxanne Yoder

VII. CALL TO ORDER REGULAR SESSION

Mayor Sigala called the regular session to order at 7:21 p.m.

VIII. PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Sigala led the Pledge of Allegiance and Council Member Sayre led the invocation.

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.

Dena Rizzardo, CEO of Tulare County Fair, updated the Council on the September Fair under the Covid-19 orders.

Kevin Northcraft and Mike Jamaica addressed the Council on behalf of the Hospital Board thanking the Council and City for their support.

Fernando Gonzalez, Joy Frausto, Simone Bennett, Odessa Marcos, Chayil Goree, Dejalyse Eason addressed the Council on behalf of the Black Lives Matter movement and support for a racial equality mural in Tulare.

Donnette Silva-Carter, Chamber CEO provided an update to 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 as presented with the exception of item 9.

- (1) **Authorization to read ordinances by title only.**
- (2) **Approve minutes of June 17, 2020 special/regular meeting. [Submitted by: R. Yoder]** Mayor Sigala requested that the minutes be amended to reflect the Clerk's mother's name in its adjournment. With no objection from the Council, that amendment will be reflected in the June 17 meeting minutes.
- (3) **Authorize the City Manager to execute the settlement agreement to acquire property by eminent domain for portions of certain properties located along Aronian Street between Kern Avenue and Tulare Avenue (State Route 137) as defined in the Resolution of Necessity 2020-21. [Submitted by: M. Zamora]**
- (4) **Award and authorize the City Manager to sign a contract with Romanazzi General Engineering of Exeter, CA in the amount not to exceed \$658,607.55 for Project EN0072 to construct a traffic signal and intersection improvements at Prosperity Avenue and Oaks Street, and authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$65,860.76) of the contract award amount. [Submitted by: J. Funk]**
- (5) **Adopt 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]**
- (6) **Conditionally approve the final map and subdivision improvement agreement for Phase 3 of Willow Glen subdivision for recordation, and accept all easements and dedications offered to the City, subject to receipt of the signed final map, all fees, and other required items prior to September 05, 2020. [Submitted by: M. Miller]**
- (7) **Adopt Resolution of Intention 2020-36 to set July 21, 2020 as the public hearing date to adopt landscape maintenance assessments for fiscal year 2020-21. [Submitted by: M. Miller]**
- (8) **Approve the Parcel Map filed by Joe Flores for the division of land located on the southeast corner of Santa Clara Street and Kern Avenue and accept the 6' wide public utility easement and the additional right-of-way as shown hereon, conveyed to the City of Tulare as an easement and dedication in fee. [Submitted by: M. Miller]**
- (9) **Authorize the Mayor to execute a Grant Deed on behalf of the City of**

Tulare for a lot line adjustment affecting Parcel 1 of Parcel Map 4531 (APN 171-300-015), to which the City holds a deed of trust as the result its Credit Agreement with the Tulare Local Healthcare District. [Submitted by: M. Miller] Council Member Nunley pulled the item to declare a business conflict. Vice Mayor Mederos also declared a business conflict. With no discussion, it was moved by Mayor Sigala, seconded by Council Member Sayre, and carried 3 to 0 (Council Member Nunley and Vice Mayor Mederos recused) to approve the item as presented.

- (10) **Receive the monthly investment report for May 2020. [Submitted by: D. Thompson]**

XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) **Spotlight on Excellence – Employee Recognition. [Submitted by: R. Hunt]**
Per the request of staff, this item was moved to the July 21st meeting.

XIII. MAYOR'S REPORT

Mayor Sigala commented on and thanked Chief Hensley, City Manager Hunt, and staff on a recent meeting to discuss strengthening our Police Department through training to benefit their role in the community. Additionally, he commented on the speakers regarding a Black Lives Matter mural in Tulare, stating he would seek approval during items of interest to place that for discussion at the July 21st meeting. He further commented on the mini grants to assist local small businesses and encouraged those in need to apply by July 15, 2020. Lastly, he commented on the impending formation of the City's Budget Committee and their assistance in reviewing the City's budget mid-year and Care's Act Covid-19 funding, etc.

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 2020-37 regarding placing costs of constructing utility connections and/or sidewalk, curb, gutter, and driveway construction on property rolls in installments. [Submitted by: D. Thompson]** Finance Director Darlene Thompson provided a report for the Council's review and consideration. Mayor Sigala opened the public hearing at 8:04 p.m. Receiving no public comment, he closed the public hearing at 8:05 p.m. With no further discussion, it was moved by Vice Mayor Mederos, seconded by Mayor Sigala, and unanimously carried to adopt Resolution 2020-37 as presented.

- b. Public Hearing to pass-to-print Ordinance 2020-07 revising portions of Sections 7.32.040 through 7.32.070 of Chapter 7.32 of Title 7 of the City of Tulare Municipal Code to update the Water Conservation Ordinance. [Submitted by: A. Bettencourt]** Management Analyst Andrew Bettencourt provided a report for the Council's review and consideration. Mayor Sigala opened the public hearing at 8:08 p.m. Receiving no public comment, he closed the public hearing at 8:09 p.m. Questions and comments posed by Council were addressed by staff. With no further discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Sayre, and unanimously carried to pass-to-print Ordinance 2020-07 as presented.

(2) City Attorney/Community Services:

- a. Review, discussion and direction regarding the proposed revisions to Park Ordinance Chapter 8.36. [Submitted by: M. Zamora, C. Miller]** City Manager Rob Hunt provided a report for the Council review and consideration.

Aaron Gomes addressed the Council on behalf of some of the area homeless and inquired about access to busing, restrooms and showers.

Nicholas Sherwood addressed the Council urging their support of the proposed Ordinance.

Tom Jones addressed the Council in opposition of the proposed Ordinance.

Questions and comments posed by Council were addressed by staff.

Following discussion and changes directed to the City Attorney Mario Zamora, it was moved by Mayor Sigala, seconded by Vice Mayor Mederos, and carried 4 to 0 (Council Member Nunley absent) to direct staff to return with the noted changes at the July 21, 2020 meeting.

(3) City Manager:

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

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

Council Member Jones requested an item to utilize current travel budget funds for discretionary use to fund the Black Lives Matter mural. Per concurrence of the Council, that request will be placed on the July 21 agenda.

Council Member Jones requested an item for consideration of ordering masks above and beyond the Governor's Order. That item failed to gain concurrence of the Council, as it would be redundant to Order already issued by the State.

Council Member Jones requested that Council direct the City Manager to facilitate the proposed Black Lives Matter mural without having to go through the Mural process. That item failed to gain concurrence of the Council, as the request can be processed as early as tomorrow through existing processes.

Council Member Jones requested an item to close the line of credit to the hospital. That item failed to gain concurrence of the Council.

Mayor Sigala requested an item for the July 21 agenda on the number of available homeless beds, etc. in Tulare. That item gained concurrence of the Council to direct staff to schedule as requested.

XVI. ADJOURN REGULAR MEETING

Mayor Sigala adjourned the regular meeting at 10:10 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