

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

**July 21, 2020**

**A closed session of the City Council, City of Tulare was held on Tuesday, July 21, 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

**COUNCIL ABSENT:** Carlton Jones<sup>(conflict)</sup>; Greg Nunley<sup>(phone did not pick up)</sup>

**STAFF PRESENT:** Rob Hunt, Josh McDonnell, Megan Dodd, Mandy Jeffcoach (Special Legal Counsel) Janice Avila, Wes Hensley, Roxanne Yoder

**I. CALL TO ORDER CLOSED SESSION**

Mayor Sigala called the closed session to order at 6:31 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 Mario Zamora at 6:33 p.m.

- (1) 54956.9(d)(2) & (e)(3) Conference with Legal Counsel – Anticipated Litigation  
Two (2) items of anticipated litigation [This involves 2 government claims by individuals related to the release of confidential information – Submitted by: M. Jeffcoach]

**IV. RECONVENE CLOSED SESSION**

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

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

Mayor Sigala advised there was no reportable action.

**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, July 21, 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<sup>7:09 p.m.</sup>, Greg Nunley<sup>7:16 p.m.</sup>

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

**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 Josh McDonnell 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.

Donnette Silva-Carter addressed the Council regarding Chamber of Commerce activities.

Kerry Pike addressed the Council regarding COVID-19 mask mandate.

Paul Saldana addressed the Council regarding TCEDC efforts and a request for a future agenda item related to same.

Xavier Avila addressed the Council regarding the COVID-19 mask mandate and exceptions to those with health conditions.

**X. COMMUNICATIONS**

- (1) **Communication from Rob Hunt, City Manager, regarding Shelter Bed Data.** City Manager Rob Hunt provided a brief report and handout on shelter bed data. He further noted that in light of additional information related to the proposed parks ordinance, staff is working on amendments to same and will bring this item back to the Council for consideration at a future meeting yet to be determined.

**XI. CONSENT CALENDAR:**

It was moved by Vice Mayor Mederos, seconded by Mayor Sigala, and unanimously carried that the items on the Consent Calendar be approved as presented.

- (1) **Authorization to read ordinances by title only.**
- (2) **Approve minutes of July 7, 2020 special/regular meeting. [Submitted by: R. Yoder]**
- (3) **Authorize the City Manager to execute a short-term deferred improvement agreement with Cardinal Logistics Management allowing for construction of conditionally required improvements for Site Plan Review No. 2040 to be deferred for a maximum of one (1) year, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [Submitted by: M. Miller]**
- (4) **Accept the required public works improvements for Phases 2 & 3 of the Montecito subdivision located along the south side of Pleasant Avenue between Cromley Street and La Dawna Street, approximately one-half mile west of West Street as complete, 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: M. Miller]**
- (5) **Accept as complete the contract with Don Berry Construction, Inc. of Selma, CA for work on Project EN0073, a street and utility improvement project on Cartmill Avenue. 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]**
- (6) **Receive the monthly investment report for June 2020. [Submitted by: D. Thompson]**
- (7) **Adopt 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]**

- (8) Authorize City Manager or designee to sign 2020/2021 Contract with the Kings/Tulare Area Agency on Aging (KTAAA) for the City of Tulare to provide meals and services to the senior citizens In the community and immediate area. [Submitted by: C. Miller]**

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

- (1) Spotlight on Excellence – Employee Recognition. [Submitted by: R. Hunt]**  
City Manager Rob Hunt provided an introduction of Fire Captain Brandon West who is this quarter's excellent Employee.

## **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 2020-38 confirming diagram and landscape maintenance assessments and levying assessments for fiscal year 2020-21 and authorize the City Manager to execute a Compliance Certification and Hold Harmless Statement. [Submitted by: M. Miller]** City Engineer Michael Miller provided a report for the Council's review and consideration. Mayor Sigala opened the public hearing at 7:34 p.m., with no public comment he closed the public hearing at 7:34 p.m. With no further discussion, it was moved by Mayor Sigala, seconded by Vice Mayor Mederos and unanimously carried to adopt Resolution 2020-38 as presented.
- b. Public Hearing to adopt Resolution 2020-39 authorizing the City Manager to execute the Permanent Local Housing Allocation (PLHA) Program Application, the PLHA Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the PLHA grant awarded to Applicant, as the Department may deem appropriate; and adopt of Resolution 2020-40 authorizing and adopting the Local Government Plan and certifying that the public had adequate opportunity to review and comment on the Plan. [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 7:39 p.m. Tom Collishaw, CEO/President of Self-Help Enterprises addressed the Council in support of this project. With no further public comment, Mayor Sigala closed the public hearing at 7:40 p.m. Questions and comments posed by Council were addressed by Ms. Myers and Mr. Collishaw. Following discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Sayre and carried 4 to 1 (Council Member Jones voting no) to adopt Resolution 2020-39 as presented. It was further moved by Vice Mayor Mederos, seconded by Council Member Sayre and carried 3 to 0 (Council Member Jones and Nunley absent) to adopt Resolution 2020-40 as presented.

**(2) City Attorney:**

- a. Review and discussion of Recreational Cannabis Ordinance 19-12 regarding the sale of cannabidiol ("CBD") products and direction to staff related thereto. [Submitted by: M. Zamora at the request of Council at the 6/2/2020 meeting]** Assistant City Attorney Megan Dodd provided a brief report for the Council's review and consideration. Council Member Sayre expressed her concerns on the overreaching exclusion of CBD products such as lotions, etc. Council Member Jones expressed concerns over the CBD/honey oil vaping products. Following discussion, it was moved by Council Member Sayre, seconded by Vice Mayor Mederos and unanimously carried to direct the City Attorney to eliminate the vague and ambiguous reference to CBD within the Ordinance and bring back a more delineated definition of CBD, its uses and specifics for restrictions or regulations of vaping/honey oil type products.

**(3) City Manager:**

- a. Adopt Resolution 2020-41 ratifying the Council's June 16, 2020, action approving a Joint Powers Agreement (JPA) for the creation of a Tulare County Regional Transit Agency and appoint an elected official to serve as a member to the JPA and one as an alternate. [Submitted by: R. Hunt]** City Manager Rob Hunt provided a brief report for the Council's review and consideration. Following discussion, it was moved by Vice Mayor Mederos, seconded by Mayor Sigala and carried 4 to 0 (Council Member Jones absent) to adopt Resolution 2020-41 as presented and appoint Mayor Sigala as the City's representative on the JPA. It was further moved by Mayor Sigala, seconded by Vice Mayor Mederos and carried 4 to 0 (Council Member Jones absent) to appoint Council Member Sayre as the City's alternate on the JPA.
- b. Consider a request by Council Member Jones to allocate an amount to be determined and/or up to the remaining balance of his \$2,500 travel budget for discretionary use, for the purposes of funding a community**

**mural in support of the Black Lives Matter movement; to be paid upon invoice. [Requested by: C. Jones at the 7/7/2020 meeting]** City Manager Rob Hunt provided a brief report for the Council's review and consideration. He noted that Council Member Jones requests the full amount be considered. Initially, Council Member Jones was not available via Zoom and the Council continued the matter to August 4. Council Member Jones rejoined the meeting and requested the item be considered. Council expressed that private funds should be raised for this proposed mural. Following discussion, it was moved by Council Member Jones for approval; however, the motion failed due to lack of a second.

- c. 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. Following discussion, staff was directed to work on getting a comprehensive message out on wearing masks to slow the spread of COVID-19. Council further directed staff to allow outdoor seating for those businesses who seek a permit to do without charge.

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

Mayor Sigala requested and received concurrence to schedule a presentation from the TCEDC on August 4.

**XVI. ADJOURN REGULAR MEETING**

Mayor Sigala adjourned the regular meeting at 9:15 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