

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, AUGUST 18, 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) 54957.6b Conference with Labor Negotiators
Represented/Unrepresented Employee(s): Fire Unions
Negotiators: Rob Hunt, Janice Avila, Mario Zamora [Submitted by: J. Avila; M. Zamora]

- (b) 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation (1)
Name of Case: City of Tulare vs. Phillips, Heather N. Case No. VCU276579
[Submitted by: J. Avila and L. Herr]

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 August 4, 2020 special/regular meeting. [Submitted by: R. Yoder]
- (3) Declare John Arreola seat on the Aviation Committee, term ending December 31, 2023, vacant and direct staff to post the vacancy and solicit applications. [Submitted by: R. Yoder]
- (4) Accept a grant of easement for water and sewer line purposes from Reedley Community Hospital, a California nonprofit religious corporation, and a grant of easement for storm drain purposes from Hidden Oak Development Company Inc., a California Corporation, and Blackstone Ranch, LLC, a California Limited Liability Company. Authorize the City Manager or his designee to sign Certificates of Acceptance for the same. [Submitted by: M. Miller]
- (5) Award and authorize the City Manager to sign a contract with JT2 dba Todd Companies of Visalia, CA in an amount not to exceed \$132,750 related to City Project EN0089 – Parkwood Meadows Park Concrete Trail Improvements; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of the contract amount; and approve the revised project budget. [Submitted by: N. Bartsch]
- (6) Approve the Settlement and Release Agreement by and between the City of Tulare and Jerod Boatman in the amount of twenty-three thousand dollars (\$23,000); and Fred Ynclan in the amount of seventeen thousand dollars (\$17,000). [Submitted by: J. Avila]

XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

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 2020-43** establishing the fees associated with the City of Tulare commercial cannabis business request for proposal/applicant package and adding such fees to the master fee schedule. [Submitted by: M. Zamora]

(2) Finance/General Services:

- a. Authorize the Finance Director to accept and appropriate CARES Coronavirus Relief Funds from the California Department of Finance into the budget as described in Table 1 and allow the use of funds until they are exhausted. [Submitted by: J. McDonnell]

(3) City Attorney:

- a. Ratifying the August 4, 2020, action of the Tulare City Council regarding the Tulare Strategic Action Committee on Homelessness presentations by Dave Renard, President of Sprung Structures and Dave Clevenger, CEO of Lighthouse Rescue Mission to allocate \$500,000 (\$250,000 per year for two years) of City Housing Asset Funds to help fund a portion of the Lighthouse Rescue Mission's proposed emergency shelter project and to direct staff to apply for the Home Key Cares Funding to facilitate the Lighthouse Rescue Mission's permanent supportive housing portion of this proposed project. [Submitted by: M. Zamora]

(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.]