

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

**August 18, 2020**

**A closed session of the City Council, City of Tulare was held on Tuesday, August 18, 2020, at 6:00 p.m., in the Tulare Public Library & Council Chambers, 491 North "M" Street.**

**COUNCIL PRESENT:** Jose Sigala, Dennis A. Mederos, Greg Nunley

**COUNCIL PRESENT VIA ZOOM/TELECONFERENCE:** Terry Sayre, Carlton Jones

**STAFF PRESENT:** Rob Hunt, Josh McDonnell, Mario Zamora, Darlene Thompson, Janice Avila, Wes Hensley, Melissa Hermann, Leonard Herr <sup>Via teleconference</sup>

**I. CALL TO ORDER CLOSED SESSION**

Mayor Sigala called the closed session to order at 6:03 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 6:07 p.m.

- (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**

Mayor Sigala reconvened from closed session at 6:59 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 6:59 p.m.

**A regular session of the City Council, City of Tulare was held on Tuesday, August 18, 2020, at 7:00 p.m., in the Tulare Public Library & Council Chambers, 491 North “M” Street.**

**COUNCIL PRESENT:** Jose Sigala, Dennis A. Mederos, Greg Nunley

**COUNCIL PRESENT VIA ZOOM:** Terry Sayre, Carlton Jones Left at 9:54 p.m.

**STAFF PRESENT:** Rob Hunt, Josh McDonnell, Mario Zamora, Traci Myers, Michael Miller, Trisha Whitfield, Craig Miller, Luis Nevarez, Janice Avila, Wes Hensley, Nick Bartsch, Melissa Hermann, Mandy Jeffcoach (special counsel)

## **VII. CALL TO ORDER REGULAR SESSION**

Mayor Sigala called the regular session to order at 7:00 p.m.

## **VIII. PLEDGE OF ALLEGIANCE AND INVOCATION**

Mayor Sigala led the Pledge of Allegiance and City Manager Rob Hunt 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, Tulare Chamber of Commerce, called in to provide information regarding various upcoming events and programs.

Raymond Van Beek, President of the Lighthouse Rescue Mission, called in to provide information regarding sites for an emergency shelter.

## **X. COMMUNICATIONS**

No items for this section of the agenda.

## **XI. CONSENT CALENDAR:**

**It was moved by Council Member Nunley, seconded by Vice Mayor Mederos, and unanimously carried that the items on the Consent Calendar be approved as presented with the exception of items 4 and 6.**

- (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]** Council Member Nunley pulled this item to recuse due to a business conflict. It was moved by Vice Mayor Mederos, seconded by Council Member Sayre, and carried 4 to 0 (Council Member Nunley recused) to approve the item as presented.
- (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]** Council Member Jones pulled this item for discussion. Special Counsel Mandy Jeffcoach provided clarification. Following a lengthy discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Sayre, and carried 4 to 1 (Council Member Jones voting no) to approve the item as presented.

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

No items for this section of the agenda.

## **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]** City Attorney Mario Zamora provided a report for the Council's review and consideration. Mayor Sigala opened up the public hearing at 9:44 p.m. While waiting to receive public comment, Council discussed the item. Questions posed by Council were responded to by City Attorney Mario Zamora. After receiving no public comment, Mayor Sigala closed the public hearing at 9:53 p.m. It was moved by Vice Mayor Mederos, seconded by Mayor Sigala, and carried 4 to 1 (Council Member Nunley voting no) to adopt Resolution 2020-43.

**(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]** Deputy City Manager Josh McDonnell provided a report for the Council's review and consideration. Questions posed by Council were responded to by staff. Following discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Nunley, and carried 4 to 0 (Council Member Jones absent) to approve the item as presented.

**(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]** This item was taken out of order at the request of Mayor Sigala. City Attorney Mario Zamora provided a brief report of the item which was followed by lengthy public comment.

The following citizens and business owners provided comment either in person or over the phone expressing concern regarding the possible location for the planned emergency shelter: Janet Lebaron, Trish Hitlin, John Harman (representing the Tulare Downtown Association), Curt Lange, Don Lebaron, Daniel Castro, Dr. Richard Heers, Rick Allison, Elizabeth Holmes, Jennifer Thorton, Diane Beck, Kevin Land, Amy Babb, Shanelle Herrera, Charlie Ramos, Manuel Ortiz, Monica Garcia, George Herrera, Karen Snow, Jared Ennis, and Jacob (inaudible).

The following citizens provided comment either in person or over the phone expressing support for the planned emergency shelter: Susan Henard, Dave Clevenger, and Aaron Gomes.

Following public comment, Council discussed the item. It was moved by Mayor Sigala, seconded by Council Member Sayre, and carried 3 to 2 (Council Members Jones and Nunley voting no) to approve the item with following amendment: no funds to be released until location has been identified and meets criteria which will be determined at a future meeting.

**(4) City Manager:**

- a. **Update, discussion and receive direction, if necessary, regarding COVID-19, etc. [Submitted by: R. Hunt]** City Manager Rob Hunt provided a brief update. Mayor Sigala had Economic Development Director Traci Myers provide an updated on expended funding.

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

Staff provided various updates and reports.

Council Member Sayre requested and it was the consensus of the Council to agendize an item for the September 1, 2020 meeting to appoint a member of the Strategic Action Committee as the new proxy as she will be stepping down to an advisory position.

Mayor Sigala requested and it was the consensus of the Council to agendize an item for the September 1, 2020 meeting to provide an update on the 2020 Census outreach efforts.

Mayor Sigala requested and it was the consensus of the Council to agendize an item for a future meeting (no date specified) to discuss and possibly revise the current trespassing program.

Mayor Sigala mentioned he will be requesting a special meeting to discuss establishing criteria for the emergency shelter location.

**XVI. ADJOURN REGULAR MEETING**

Mayor Sigala adjourned the regular meeting at 10:18 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