

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

**October 6, 2020**

**A closed session of the City Council, City of Tulare was held on Tuesday, October 6, 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, Greg Nunley<sup>(c/s a)</sup>

**COUNCIL ABSENT:** Greg Nunley<sup>(c/s b)</sup>; Carlton Jones

**STAFF PRESENT:** Rob Hunt, Josh McDonnell, Mario Zamora, Mandy Jeffcoach (Special Counsel), Wes Hensley, Janice Avila, Darlene Thompson, Michael Miller, Clay Roberts, Roxanne Yoder

**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 Mario Zamora at 6:02 p.m.

- (a) 54957.6b Conference with Labor Negotiators  
Represented/Unrepresented Employee(s): Fire Unions  
Negotiators: Rob Hunt, Janice Avila, Darlene Thompson, Mario Zamora  
[Submitted by: J. Avila; M. Zamora]
  
- (b) 54956.9(d)(2) & (e)(2) Conference with Legal Counsel – Anticipated Litigation  
One (1) item of anticipated litigation [Submitted by: M. Jeffcoach]  
*[This involves the Agreement and Undertaking between the City and Del Lago Place LLC, the status of the improvement and a potential claim on bond.]*

**IV. RECONVENE CLOSED SESSION**

Mayor Sigala reconvened from closed session at 7:18 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 7:18 p.m.

**A regular session of the City Council, City of Tulare was held on Tuesday, October 6, 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/TELECONFERENCE:** Terry Sayre, Carlton Jones, Greg Nunley<sup>(7:29 p.m.)</sup>

**STAFF PRESENT:** Rob Hunt, Josh McDonnell, Mario Zamora, Mario Anaya, Michael Miller, Trisha Whitfield, Craig Miller, Luis Nevarez, Janice Avila, Wes Hensley, Nick Bartsch, Raymond Guerrero, Clay Roberts, Roxanne Yoder

**VII. CALL TO ORDER REGULAR SESSION**

Mayor Sigala called the regular session to order at 7:18 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.

It was moved by Vice Mayor Mederos, seconded by Council Member Jones and unanimously carried to reopen public comments.

Eric Medina addressed the Council regarding traffic concerns at Bardsley and Durango.

Donnette Silva-Carter addressed the Council regarding the number of Covid-19 mini grants and related updates. Ms. Silva-Carter also commented on General Business item 2a thanking the City and Caltrans for their efforts in resolving issues surrounding this project.

Euler Torres of the Rook Agency addressed the Council regarding the award criteria for the Covid-19 mini grants. Lastly, he called for the removal of the City Board Member who is the topic of recent legal issues.

## **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 items 5 and 8.**

- (1) Authorization to read ordinances by title only.**
- (2) Approve minutes of September 15, 2020 special/regular meeting.  
[Submitted by: R. Yoder]**
- (3) Approve the Parcel Map filed by Cornelius Vander Eyk for the division of land located at the southwest corner of Paige Avenue and Blackstone Street for recordation, and accept all easements and dedications offered to the City. [Submitted by: M. Miller]**
- (4) Receive the monthly investment report for August 2020. [Submitted by: D. Thompson]**
- (5) Authorize the donation of a surplus fire engine to Municipio de Loreto Baja California Sur H. Cuerpo de Bomberos, Baja California Sur, México.  
[Submitted by: L. Nevarez] City Manager Rob Hunt pulled the item from the agenda to be continued to an undetermined date.**
- (6) Reject the liability claim filed by Ted Harvell in an amount in excess of \$25,000 for economic and non-economic damages resulting in a vehicle accident in an uncontrolled residential intersection. [Submitted by: J. Avila]**
- (7) Authorize the City Manager to sign a contract with AMS.net, utilizing the Merced County FOCUS contract in the amount of \$57,970.94 subject to minor conforming changes acceptable to the City Manager and City Attorney to provide and install additional security cameras to Tulare Police Department and City Hall. Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$5,797.09). [Submitted by: J. Bowling]**
- (8) Authorize the expenditure of State Department of Motor Vehicle Funds (DMV-Fund 37) in the amount of \$55,125.00 for the purchase of three (3) Automated License Plate Readers (ALPR) as well as associated software, licenses and hardware, including installation of same on existing Tulare**

**Police Department patrol vehicles, from Lehr/Vigilant Solutions (Sacramento, CA). [Submitted by: W. Hensley]** Council Member Jones pulled the item to inquire as to data being shared with immigration. Police Chief Wes Hensley responded to his inquiry advising that information is not shared. Following discussion, it was moved by Vice Mayor Mederos, seconded by Mayor Sigala and carried 4 to 1 (Council Member Jones voting no; Council Member Nunley absent).

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

There were no items for this section of the agenda.

## **XIII. MAYOR'S REPORT**

Mayor Sigala commented on the recent legal issues surrounding a current City Board Member. He further commented on the recent census efforts.

## **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 2020-46 ordering improvements for Assessment District 2020-01 for the Farrar Estates subdivision located north of Tulare Avenue and west of Morrison Street. [Submitted by: M. Miller]** Council Member Nunley recused himself from discussions to property ownership in the area. City Engineer Michael Miller provided a report for the Council's review and consideration. Mayor Sigala opened the public hearing at 7:46 p.m., with no public comment he closed the public hearing at 7:52 p.m. Following discussion, it was moved by Vice Mayor Mederos, seconded by Council Member Jones and carried 4 to 0 (Council Member Nunley recused) to adopt Resolution 2020-46 as presented.

Reopened public comment: Grady Dodson addressed the Council regarding safety issues, speed bumps, and traffic signals in this area.

- b. Public Hearing to adopt Resolution 2020-47 designating "no commercial parking" zones on segments of Prosperity Avenue and West Street, and authorizing the installation of corresponding signage. [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 7:58 p.m., with no public comment, he closed the public hearing at 8:07 p.m. Following discussion, it was moved by Mayor Sigala, seconded by Council Member Jones and unanimously carried to adopt Resolution 2020-47 as presented.

**(2) Engineering:**

- a. **Receive an update and presentation by Caltrans, and consider the adoption of Resolution 2020-48 approving a Resolution of Change to the City of Tulare-State of California Freeway Agreement for State Route 99 from 0.5 miles south of Rankin Road to Cartmill Avenue, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [Submitted by: N. Bartsch]** Senior Project Manager Nick Bartsch provided a brief report and introduction of the item for Council's review and consideration. Curt Hatton, Caltrans Project Manager provided a PowerPoint slide presentation updating the Council on the proposed project and the collaborative efforts related to its resolve. Following discussion and receiving no public comments, it was moved by Vice Mayor Mederos, seconded by Council Member Sayre and unanimously carried to adopt Resolution 2020-48, as presented.

**(3) Finance:**

- a. **Adopt Resolution 2020-49 authorizing the issuance of City of Tulare Sewer Revenue Refunding Bonds, Series 2020 in an amount not to exceed \$45 million in order to refinance a) the City's outstanding 2012 Sewer Revenue Refunding Notes (the "Series 2012 Notes"), b) a portion of the outstanding Sewer Revenue Refunding Bonds, Series 2015 (the "Series 2015 Bonds"), and c) all or a portion of the outstanding Sewer Revenue Refunding Bonds, Series 2013 (the "Series 2013 Bonds") in order to reduce debt service and achieve savings; and approve the form of various bond documents, authorizing certain staff members to execute final versions of documents, direct certain officers of the City to take actions for the sale and delivery of the bonds, approve key members of the financing team, and authorize the sale of the bonds subject to certain provisions. [Submitted by: D. Thompson]** Finance Director Darlene Thompson provided a report for the Council's review and consideration. Following comments and receiving no public comments, it was moved by Vice Mayor Mederos, seconded by Mayor Sigala and carried 4 to 0 (Council Member Nunley absent) to adopt Resolution 2020-49 as presented.

**(4) Police:**

- a. **Receive a presentation regarding the current process and procedures for Code Enforcement complaints, in particular as they relate to vehicle parking in residential zoning districts in the City and receive direction, if any, related thereto. [Submitted by: R. Guerrero]** Police Chief Wes Hensley introduced Sergeant Ray Guerrero and Code Enforcement Officer James Ussery who provided a PowerPoint presentation for the Council's review and consideration. Questions and comments posed by Council were addressed by staff. Informational item only.

**(5) 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 for the Council's review and consideration. Comments by Council.

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

Mayor Sigala requested that an item be agendized for the consideration of a letter to legislators and Cal Trans District 6 officials regarding the safety issues resulting from the homeless encampments along the 99, specifically, near The Habit. It was the consensus of the Council the item is to be agendized.

Mayor Sigala also requested an item be agendized with regard to the removal of a Board of Public Utilities Member. Comments related thereto were made by Vice Mayor Mederos and Council Member Jones. By consensus of the Council the item is to be agendized.

Council Member Jones requested IT staff to look into a better phone system for the Council meetings. City Manager Rob Hunt advised he would discuss with IT staff.

**XVI. ADJOURN REGULAR MEETING**

Mayor Sigala adjourned the regular meeting at 9:43 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