

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

June 1, 2021

A closed session of the City Council, City of Tulare was held on Tuesday, June 1, 2021, at 6:00 p.m., in the Tulare Public Library & Council Chambers, 491 North "M" Street.

COUNCIL PRESENT: Dennis A. Mederos, Terry A. Sayre^(via phone), Jose Sigala, Stephen C. Harrell, Patrick Isherwood

STAFF PRESENT: Rob Hunt, Mario Zamora, Mandy Jeffcoach Special Counsel^(via phone), Josh McDonnell, Michael Miller, Greg Merrill, Darlene Thompson, Clay Roberts, Jason Bowling, Roxanne Yoder

6:00 p.m.

I. CALL TO ORDER CLOSED SESSION

Mayor Mederos called the closed session to order at 6:01 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 Mederos adjourned to closed session at 6:04 p.m. for those items as stated by City Attorney Mario Zamora

- (a) 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation (1) [Submitted by: M. Jeffcoach]
Name of Case: City of Tulare v. Del Lago Place, TCSC Case No. 286863
- (b) 54957.6b Conference with Labor Negotiators
Represented/Unrepresented Employee(s): Fire, All Groups; CLOCEA; Mid-Managers and Department Heads
Negotiators: Rob Hunt, Janice Avila, Mario Zamora [Submitted by: M. Zamora, R. Hunt, J. Avila]
- (c) 54957 Public Employment
Title: City Manager

IV. RECONVENE CLOSED SESSION

Mayor Mederos reconvened closed session at 7:08 p.m.

V. CLOSED SESSION REPORT (if any)

Mayor Mederos advised that items b and c were not concluded.

VI. ADJOURN CLOSED SESSION

Mayor Mederos adjourned closed session to trail the regular meeting.

A regular session of the City Council, City of Tulare was held on Tuesday, June 1, 2021, at 7:00 p.m., in the Tulare Public Library & Council Chambers, 491 North "M" Street.

COUNCIL PRESENT: Dennis A. Mederos, Terry A. Sayre^(via Zoom), Jose Sigala^(left 9:45 p.m.), Stephen C. Harrel, Patrick Isherwood

STAFF PRESENT: Rob Hunt, Mario Zamora, Josh McDonnell, Michael Miller, Darlene Thompson, Trisha Whitfield, Greg Merrill, Cameron Long, Ryan Leonardo, Tim Doyle, Traci Myers, Janice Avila, Clay Roberts, Jason Bowling, Nick Bartsch, Jim Funk, Alexis Costales, Roxanne Yoder

VII. CALL TO ORDER REGULAR SESSION

Mayor Mederos called the regular session to order at 7:08 p.m.

VIII. PLEDGE OF ALLEGIANCE AND INVOCATION

Council Member Sigala led the Pledge of Allegiance and Susan Henard led the invocation.

IX. CITIZEN COMMENTS

Mayor Mederos 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, Chamber CEO, addressed the Council on Salute to Dairy month.

Brock Neeley addressed the Council regarding a book donation. Library Manager Heidi Clerk received the donation.

"Sam" addressed the Council regarding the homeless community.

X. COMMUNICATIONS

There were no items for this section of the agenda.

XI. CONSENT CALENDAR

It was moved by Council Member Sigala, seconded by Council Member Harrell, and unanimously carried that the items on the Consent Calendar be approved as presented with the exception of items 5, 7, 9 & 13 (pulled by staff).

- (1) Authorization to read ordinances by title only.
- (2) Approve minutes of May 18, 2021 special/regular meeting(s) [Submitted by: R. Yoder]
- (3) Adopt Resolution 2021-17 reassigning the authority and functions of the Housing & Building Appeals Board to the Tulare City Council. [Submitted by: R. Hunt]
- (4) Accept all required public works improvements for Jack in the Box located at the northeast corner of Mooney Boulevard and Bardsley Avenue as complete, authorize the City Engineer to sign a 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) Authorize the City Manager to complete and execute the documents necessary to purchase property located as a portion of APN: 169-300-008 in the amount of \$2,600.00 for the use of public right-of-way for Project EN0084 – Pleasant Avenue Improvements Project, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [Submitted by: J. Funk] Mayor Mederos pulled the item with questions regarding the appraisal. Project Manager Jim Junk responded thereto. Following discussion, it was moved by Mayor Mederos, seconded by Council Member Harrell, and unanimously carried to approve the item as presented.
- (6) Accept as complete the contract with Romanazzi General Engineering for work on the Traffic Signal and Intersection Improvements at Prosperity Avenue and Oaks Street Project (Project EN0072). 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: J. Funk]
- (7) Approve Amendment No. 2 to the Caltrans Cooperative Agreement 06-1608, related to improvements to the State Route 99 and State Route 137 (Tulare Avenue) Interchange, allocating an additional \$325,000 of the City's RSTP funding, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [Submitted by: N. Bartsch] Mayor Mederos pulled the item to clarify the matter for the public. Senior Project Manager Nick Bartsch responded thereto. Following discussion, it

was moved by Mayor Mederos, seconded by Council Member Sigala, and unanimously carried to approve the item as presented.

- (8) Authorize the City Manager to sign a contract with 4 Creeks of Visalia, CA in an amount not to exceed \$294,190 for topographic surveying, geotechnical analysis, design, bidding and construction support services for Project EN0095, a street and utility improvement project between O Street and Blackstone Street, and between San Joaquin Ave. and the Santa Fe Trail; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$29,419) of the contract award amount; and approve the updated project scope and budget. [Submitted by: N. Bartsch]**
- (9) Authorize the City Manager to sign a contract with Peters Engineering Group of Clovis, CA in an amount not to exceed \$435,220 for topographic surveying, geotechnical analysis, design, bidding and construction support services for Project EN0094, a street and utility improvement project between O Street and Blackstone Street, and between Tulare Avenue and San Joaquin Avenue; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$43,522) of the contract award amount; and approve the updated project scope and budget. [Submitted by: N. Bartsch]** Mayor Mederos pulled the item for the purpose of allowing neighboring residents to address the Council. Senior Project Manager Nick Bartsch responded thereto. Mayor Mederos invited public comment. Lisa Williams and Becky Perez addressed the Council with concerns over safety and speeding on Sycamore. Following discussion, it was moved by Council Member Sigala, seconded by Council Member Harrell, and unanimously carried to approve the item as presented.
- (10) Receive a list of proposed projects to be funded through Senate Bill No. 1 (SB 1) revenues; and adopt Resolution 2021-18, which includes the 2021/22 Road Maintenance and Rehabilitation Account (RMRA) funds in the City's 2021/22 Capital Improvements Projects program budget and identifies a list of proposed projects that will utilize those funds. [Submitted by: N. Bartsch]**
- (11) Adopt Resolution of Intent 2021-19 receiving the draft report of Tulare Downtown Association (TDA) Board of Directors, and setting June 15, 2021, as the public hearing date regarding annual downtown district assessments. [Submitted by: D. Thompson]**
- (12) Adopt Resolution 2021-20 authorizing the surplus of 11 City Vehicles Equipment. [Submitted by: M. Correa]**
- (13) Award and authorize the City Manager to sign a contract with Jaxon Enterprises, DBA Deer Creek Asphalt (Deer Creek), of Redding, CA in the amount of \$48/ton for 3/8" Plant Run Cold Mix with Oil, \$47/ton for 1/2" Plant Run Cold Mix with Oil and \$49.10/ton for 1/2" Hot Asphalt Concrete; subject to minor conforming or clarifying changes acceptable to the City Attorney.**

[Submitted: T. Whitfield] Per the request of staff, this item is pulled and will be reagendaized for a future meeting.

XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) Proclamation presentation in recognition of the LGBTQ Pride Month.**
Mayor Mederos presented the proclamation in recognition of LGBTQ Pride Month.
- (2) Tulare Chamber of Commerce Annual Report presented by Donnette Silva-Carter, CEO.** Donnette Silva-Carter, Chamber CEO, provided a PowerPoint presentation for the Council's review and consideration.

XIII. MAYOR/COUNCIL REPORTS OR ITEMS OF INTEREST - G.C. 54954.2(3)

Mayor Mederos requested the following two items for the June 15, 2021, Council Meeting:

1. A Proclamation for Juneteenth.
2. A Proclamation for Dairy Month.

With no objections, staff was directed to proceed with the preparation and scheduling of same.

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 2021-21 approving the 2021 Community Development Block Grant (CDBG) Annual Action Plan (APP) to allocate CDBG funds in the amount of \$373,897 to public infrastructure improvements, \$70,000 to job training and placement services, \$55,000 to minor home rehabilitation, \$116,286 to CDBG program administration, and \$106,797 to services for people experiencing and those at-risk of homelessness; and authorize the City Manager or his designee to submit the same to HUD on behalf of the City of Tulare. [Submitted by: T. Myers]** Community & Economic Development Director Traci Myers introduced Housing & Grant Specialist Alexis Costales who provided a PowerPoint Presentation for the Council's review and consideration. Mayor Mederos opened the public hearing at 8:32 p.m. Rebecca Peter of Tulare County Family Services thanked the Council for their support. Dirk Hoelbecker of Habitat for Humanity addressed and thanked the Council. Don LeBaron addressed the Council on behalf of Tulare Downtown Association who is called upon to assist businesses with cleanup and asked the Council to consider assisting with funding for his efforts.

Mayor Mederos closed the public hearing at 8:46 p.m. Following the presentation, it was moved by Council Member Harrell, seconded by Council Member Isherwood, and unanimously carried to adopt Resolution 2021-21 as presented.

(2) Community Development:

- a. **Tulare City Council, in its capacity as the Housing Successor Agency, review and consideration of a Loan Agreement between the City of Tulare and Self-Help Enterprises for a loan in the amount of One Million and No/100 Dollars (\$1,000,000) from the City's Housing Asset Fund for the development and construction of eighty-one (81) units of affordable multifamily rental housing in the City of Tulare, also known as Santa Fe Commons I. [Submitted by: T. Myers]** Council Member Isherwood declared a business conflict and left the room. Community & Economic Development Director Traci Myers provided a PowerPoint presentation for the Council's review and consideration. Miguel Arambula, Self-Help Enterprises, addressed questions and comments posed by Council. Following discussion, it was moved by Council Member Sigala, seconded by Council Member Harrell, and unanimously carried to approve the item as presented.

(3) Public Works:

- a. **Review, discuss and provide direction on the replication of the milk glass art work and painting of the water tower located at South "O" Street and Kern Avenue. [Submitted by: T. Whitfield]** Public Works Director Trisha Whitfield provided a report for the Council's review and consideration. Ms. Whitfield noted that the 2020/2021 CIP budget is funded at approximately \$310,000 for the inspection, repair/preventative maintenance work both inside and outside, and includes a basic painting (white, blue and black lettering) quote of \$72,400.

Donnette Silva-Carter, John Harman, Don LeBaron and Janet LeBaron addressed the Council in support of keeping the water tower's iconic theme and is happy to partner in the process. Questions and comments addressed by staff.

The consensus of the Council was to direct staff to take an item to the Board of Public Utilities to consider \$72,400 of the CIP project funding for base paint & lettering.

(4) City Attorney:

- a. **Update by City Attorney regarding the request to increase the administrative city fine for use and possession of illegal fireworks and for revising the City's municipal code to add a chapter on illegal fireworks and amending the City's municipal code to address specific time for use of Safe and Sane fireworks. [Submitted by: M. Zamora]** City Attorney Mario Zamora provided a report for the Council's review and

consideration. Questions and comments posed by Council were addressed by staff. Following discussion, Council directed staff to perform further work on this matter, including history, stats on citations and payments of fines and a draft ordinance.

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

XV. STAFF UPDATES AND FUTURE AGENDA ITEMS – GC 54954.2(3)

Council Member Harrell requested staff review of Municipal Chapter 9.40 (Trains) for potential amendments. Staff will review.

Council Member Isherwood requested certificates for the Board of Appeals Members recognizing their service. Staff will facilitate.

XVI. ADJOURN REGULAR MEETING

Mayor Mederos adjourned to the trailed closed session at 10:18 p.m.

Mayor Mederos reconvened from closed session at 10:43 p.m. and advised there was no reportable action.

Mayor Mederos adjourned the regular meeting at 10:43 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