

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, and has been extended to September 30, 2021.

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.

Meetings **will be available** for public viewing via YouTube
https://www.youtube.com/channel/UCdWZiv2o7do1JY0OvGe1_aw/videos

If you wish to provide public comment via telephone 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. You are also welcomed to attend the meeting and provide public comment in person.

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, JULY 6, 2021
Closed Session 6:30 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.

6:30 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) 54956.9(a) Conference with Legal Counsel – Existing Litigation (1)
Name: City of Tulare v. Phillips, et. al. - TCSC No. 276579
[Submitted by: Special Counsel Leonard Herr]

(b) 54957 Public Employment
Title: City Manager

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 June 15 and June 22, 2021 special/regular meeting(s).
[Submitted by: R. Yoder]
- (3) Approve a short-term deferred improvement agreement with Presidio JJR Kensington II 100, LLC allowing the construction of frontage improvements along the west side of Mooney Boulevard (State Route 63) from Cartmill Avenue to Pacific Avenue to be deferred for a maximum of two (2) years, or prior to the City's acceptance of the required public improvements for Phase 4 of the Kensington Estates subdivision, whichever occurs first. [Submitted by: M. Miller]
- (4) Accept a grant deed and public utility easement from D.R. Horton CA3, Inc. associated with Phase 1 of The Greens at Oak Creek subdivision, and authorize the City Manager or his designee to sign the Certificates of Acceptance for the same; and **adopt Resolution 2021-32** for the summary vacation of portions of Spanish Bay Street and abandonment of public utility easement located in Phase 1 of The Greens at Oak Creek subdivision. [Submitted by: M. Miller]
- (5) **Adopt Resolution of Intention 2021-33** to set July 20, 2021 as the public hearing date to adopt landscape maintenance assessments for fiscal year 2021-22. [Submitted by: M. Miller]
- (6) Accept the required public works improvements for Phase 3 of the Willow Glen subdivision located along the north side of Cartmill Avenue east of Devenshire Street 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]

- (7) Receive the monthly investment report for May 2021. [Submitted by: D. Thompson]

XII. SCHEDULED PRESENTATIONS

- (1) Certificates of Recognition to the former Housing & Building Appeals Board Members.
- (2) Engineering Project Management CIP Update.

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

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) Appeal Hearing:
- a. Public Hearing Council to **adopt Resolution 2021-34** to uphold or deny an appeal by Knight Transportation of the Planning Commission's denial of the request by Appellant to install a 10 foot tall perimeter electrified security fence in addition to an existing six foot chain link fence topped with barbed wire on the property located at 4450 South Blackstone Avenue. [Submitted by: T. Myers]
- (2) Community & Economic Development:
- a. Discussion and feedback to staff on a request by San Joaquin Valley Homes for annexation of approximately 37.24-acres of land located on the northwest corner of Cartmill Avenue and De La Vina Street (APN 149-060-037). [Submitted by: T. Myers]
- (3) Parks:
- a. Review and approve the project scope and project budget for tree removal and sidewalk replacement in the Del Lago Subdivision, Project PK0028.

XV. STAFF UPDATES AND FUTURE AGENDA ITEMS – 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

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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.]