

## 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](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 20, 2021  
Closed Session 5:00 p.m.  
Public Hearing Redistricting 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](http://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.

**5:00 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) 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 Public Employment  
Title: City Manager

**IV. RECONVENE CLOSED SESSION**

**V. CLOSED SESSION REPORT (if any)**

**VI. ADJOURN CLOSED SESSION**

**6:00 p.m. (Public Hearing, must begin at specified time)**

**VII. CALL TO ORDER REDISTRICTING PUBLIC HEARING**

**VIII. 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.

**IX. REDISTRICTING PUBLIC HEARING (2 of 4)**

- a. Public Hearing to receive input from the Community regarding the Redrawing of Election District Boundaries receive a report from staff on the redistricting process and permissible criteria to be considered to redraw same. [Submitted by: R. Hunt, R. Yoder & NDC]

**X. ADJOURN REDISTRICTING PUBLIC HEARING**

**7:00 p.m. (or immediately following Redistricting Public Hearing)**

**XI. CALL TO ORDER REGULAR SESSION**

**XII. PLEDGE OF ALLEGIANCE AND INVOCATION**

**XIII. 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.*

#### **XIV. 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.*

#### **XV. 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 July 6, 2021 special/regular meeting(s). [Submitted by: R. Yoder]
- (3) Authorize the City Manager to execute a Public Improvement Agreement and Release with SE Land, LLC and Sunmet Juice Company, LLL. [Submitted by: M. Zamora]
- (4) Accept as complete the contract with 99 Pipeline, Inc. of Porterville, CA for work on Project EN0086, a street and utility improvement project on Tulare Avenue. 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: N. Bartsch]

- (5) Accept Grant of Easement for water main purposes from GGH 1, LLC, a Delaware Limited Liability Company and IN-N-OUT Burgers, a California Cooperation, for the repair and maintenance of an onsite water main associated with the Prosperity Center Development and authorize the City Manager or designee to sign the Certificate of Acceptance for same. [Submitted by: M. Miller]
- (6) 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 \$49.10/ton for ½" Hot Asphalt Concrete; subject to minor conforming or clarifying changes acceptable to the City Attorney. [Submitted by: T. Whitfield]

#### **XVI. SCHEDULED PRESENTATIONS**

- (1) Community & Economic Development Update.

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

#### **XVIII. 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 2021-35** regarding placing costs of constructing utility connections and/or sidewalk, curb, gutter, and driveway construction on property rolls in installments. [Submitted by: D. Thompson]
  - b. Public hearing to **adopt Resolution 2021-36** confirming diagram and landscape maintenance assessments and levying assessments for fiscal year 2021-22 and authorize the City Manager to execute a Compliance Certification and Hold Harmless Statement in connection thereto. [Submitted by: M. Miller]
- (2) City Manager:
  - a. Consider the cancellation or rescheduling of Tulare City Council meeting scheduled for Tuesday, September 21, 2021, due to the League of California Cities Annual Conference scheduled Wednesday, September 22 through Friday, September 24, 2021, in Sacramento. [Submitted by: R. Hunt]

#### **XIX. STAFF UPDATES AND FUTURE AGENDA ITEMS – GC 54954.2(3)**

#### **XX. ADJOURN REGULAR MEETING**

**AGENDA**  
**TULARE CITY COUNCIL**  
**July 20, 2021**  
**Page 5**

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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.]