

**To: Mayor and City Council Members**  
**From: Marc Mondell, City Manager**  
**Subject: December 7, 2021 Agenda Items**  
**Date: December 2, 2021**

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**Time Estimates** - Time estimates are provided as part of the Council's effort to manage its time at Council meetings. Listed times are estimates only and are subject to change at any time, including while the meeting is in progress. The Council, by consensus, reserves the right to use more or less time on any item, to change the order of items and/or to continue items to another meeting. Particular items may be heard before or after the time estimated on the agenda. This may occur in order to best manage the time at a meeting or to adapt to the participation of the public.

**6:00 p.m.**

**I. CALL TO ORDER SPECIAL 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. SPECIAL SESSION**

**a. Receive staff presentation and public comment regarding the expenditure of American Rescue Plan Act (ARPA) Funds toward potential programs and projects; and Adopt Resolution 2021-52 approving the expenditure of \$9,820,000.00 in non "Category 3" ARPA funds. [Submitted by: M. Mondell]**

The City of Tulare has received \$18,024,068 million in ARPA funds from the federal government. At the November 16 Council meeting, Council took the following actions with regard to appropriating the \$18 million (\*Amounts are approximate):

- \$9.6 million allocated to projects and programs as identified below
- \$2.6 million designated as "Category 3" monies, to be used in support of provision of government services and allocated at the December 7 Council meeting
- \$5.8 million set aside for allocation at a future date.

The primary focus of the initial \$9.6 million in allocations to projects and programs is to incentivize an economic revitalization in Tulare's commercial areas, particularly in the Downtown. While substantial resources were devoted to businesses that experienced financial impacts due to COVID, Tulare

nevertheless experienced unprecedented business closures (particularly small, locally owned businesses) during this ongoing pandemic. The effects of the pandemic continue to this day. For example, Tulare’s pre-pandemic unemployment rate in March 2019 was 4.8%; in September 2021 it was 7.4%. Vacancy rates in downtown Tulare still remain substantially higher than pre-pandemic levels, with the current vacancy rate hovering between seven and eight percent, whereas the pre-pandemic rate was five percent.

City Council recognized the unprecedented negative economic impacts the City’s business community has experienced over the past couple of years as they formulated the initial allocation of ARPA funds. The projects and programs that were presented to the Council on November 16 are summarized below:

**Projects/Programs Presented on 11/16/2021**

01 - ARPA Consultant	\$50,000
02 - Marketing and Social Media	\$100,000
03 - Set aside for ongoing Pandemic Response	\$50,000
06 - Court House Remodel	\$2,800,000
08 - Downtown Façade\Rehabilitation Grant	\$500,000
09 - Downtown Master Plan Update	\$100,000
11 - Homeless Shelter	\$1,000,000
15 - Zumwalt Park Redevelopment (Amphitheater, Dog Park, Splash Pad)	\$5,000,000
<b>Total</b>	<b>\$9,600,000</b>

**Augmentation to Façade Program and Emergency Shelter**

Two comments were provided during deliberations associated with this \$9.6 million:

- 1) that more money should be allocated to the emergency homeless shelter project; and,
- 2) that the Downtown façade rehabilitation program should have greater funding and that businesses outside of the core downtown area should also be considered.

Upon further review of the Courthouse project scope of work, staff believes that bond proceeds can be used instead of ARPA to fund a substantial amount of the construction required to make the building and surroundings habitable. Thus, staff proposes to reduce the Courthouse remodel appropriation by \$1,500,000 from \$2,800,000 to \$1,300,000. The \$1,500,000 would be allocated to the Downtown façade rehabilitation program (from \$500,000 to \$1,000,000) and the Homeless Shelter (from \$1,000,000 to \$2,000,000).

The boundaries of the façade rehabilitation program will be established when staff returns to Council with the full project description and implementation plan in February, 2022.

**Vaccination Incentive**

Discussions regarding utilization of ARPA funds have continued subsequent to the Council’s November 16 meeting. The issue of vaccination incentives has consistently been part of these discussions. Thus, in the interest of workforce protection and retention, it is recommended that all current and new, full time, part time and hourly City employees demonstrating evidence of vaccination prior to June 30, 2022 (the end of the current fiscal year) receive a \$500 cash incentive. COVID vaccinations are voluntary, and not mandatory, but highly recommended. Non-Category 3 ARPA funds would be utilized to finance this incentive, which would result in a maximum expenditure of \$220,000.

Resolution 2021-52 was prepared to reflect the revised totals for the Courthouse remodel, Downtown façade rehabilitation program, Homeless Shelter, and vaccination incentive and is attached to this staff report for Council consideration. The revised totals are reflected in the table below:

**Recommended Projects/Programs Totals – Façade and Shelter Items Augmented**

01 - ARPA Consultant	\$50,000
02 - Marketing and Social Media	\$100,000
03 - Set aside for ongoing Pandemic Response	\$50,000
06 - Court House Remodel	\$1,300,000
08 - Downtown Rehabilitation Grant	\$1,000,000
09 - Downtown Master Plan Update	\$100,000
11 - Homeless Shelter	\$2,000,000
15 - Zumwalt Park Redevelopment (Amphitheater, Dog Park, Splash Pad)	\$5,000,000
NEW – Vaccination Incentive	\$220,000
<b>Total</b>	<b>\$9,820,000</b>

The allocations above result in a remainder of \$8,424,068 in ARPA funding available for additional allocation. The \$8,424,068 is separated into two pots. The first pot, comprising \$2,672,511, is known as “Category 3” monies and has the fewest use restrictions of all ARPA funding categories. Local jurisdictions can utilize Category 3 monies to support the ongoing provision of government services in their municipality. The second pot, consisting of the remaining approximately \$5,751,557, must be utilized in accordance with the restrictions highlighted in any of the other use categories. **Staff recommends Council receive staff presentation and public comment regarding the expenditure of**

**American Rescue Plan Act (ARPA) Funds toward potential programs and projects; and Adopt Resolution 2021-52 approving the expenditure of \$9,820,000.00 in non “Category 3” ARPA funds, as requested.**

- b. **Receive staff presentation and public comment regarding the expenditure of American Rescue Plan Act (ARPA) Funds for potential projects under “Category 3”; Adopt Resolution 2021-58 approving the allocation of \$681,800 in ARPA Category 3 funds to be dedicated toward a one-time bonus payment for regularly allocated staff employed by the City from September 1, 2021 and currently employed as of November 29, 2021; and further receive a report from the Board of Public Utilities regarding utility arrearages and direct staff as appropriate. [Submitted by: M. Mondell]** At the November 16 Council Meeting, Council directed that the next Council meeting be focused on the use of the \$2,672,511 in Category 3 funds, with the remaining \$5,500,000 to be appropriated at a future date. In preparation for the December 7 Council meeting, staff requested that Council provide recommendations/suggestions on the use of Category 3 monies. Each council member took the opportunity to do so. In addition, recommendations and suggestions have also been provided by various individuals and community groups with an interest in furthering the City’s goals.

City Council and various community stakeholders have provided a number of suggestions **for the use of the \$2,672,511 million in “Category 3” funds, related to the operation of the municipal government. Category 3 is intended to:**

*“Provide recipients with broad latitude to use the Fiscal Recovery Funds for the provision of government services. Government services can include, but are not limited to, maintenance or pay-go funded building of infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire, and other public safety services.”*

One item for Category 3 consideration that appears to have universal support is a one-time bonus for the many City employees who worked through the pandemic to ensure that critical services remained available, and thereby came into direct contact with the public and subjected themselves to increased health risks. City employees remain the backbone of the organization without which critical services or level of service would be reduced. Indeed, City employees are well aware that one employee and one spouse has died from COVID related complications, among others who lost family members, yet virtually our entire City workforce stayed and provided superior services throughout the crisis – and continue to do so.

Therefore, it is recommended that each City employee receive a one-time \$2,000 bonus in recognition of their continued hard work and dedication during the ongoing pandemic. The bonus would be available to all regular allocated staff employed by the City as of September 1, 2021 and employed as of November 29, 2021. The fiscal impact to the \$2,672,511 Category 3 budget is \$681,800 leaving \$1,990,711 for distribution to other programs and projects.

The following tables summarize requests from City Council, and community stakeholders.

**City Council ARPA “Category 3” Requests**

<b>Title</b>	<b>Amount</b>	<b>Category 3 Eligible?</b>	<b>Comments</b>
City Employee Premium Pay	\$681,800	Yes	Providing compensation for city employees is regular provision of government services for the City.
Fire Department Ladder Truck	\$1,500,000	Yes	Purchase of Ladder Truck for the Fire Department is as a provision of government Services for the City
Air Conditioner for Boys and Girls Club	\$100,000 - unknown	Yes	City of Tulare is responsible for the existing building Boys and Girls club is using
Hospital Tower Contribution	\$150,000 - \$750,000	No	The Hospital District is a separate entity and contribution would not be considered a provision of governmental services for the city
City of Tulare Police Explorers	\$7,500 - \$15,000	Yes	Police Explorers Post is directly sponsored by the Tulare Police Department
City of Tulare Police Activities League	\$7,500 - \$15,000	Yes	Police Activities League is directly sponsored by the Tulare Police Department
Tulare Small Business Grants	\$500,000	Unknown	Additional clarification needed
Lights for City Facilities	\$750,000	Yes	Providing lights for fields are a provision of government services for the City.
Tulare Softball Association – lights and scoreboard	\$150,000 - \$300,000	No	Tulare Softball Association is a separate entity and contribution would not be considered a provision of governmental services for the city
City of Tulare Arts Program	\$100,000	Maybe	If the City were to have an arts program it would qualify. To have a robust program, a funding level greater than \$100,000 would need to be considered for ongoing management and operations of the program.
City of Tulare BEST Program Subsidy	\$150,000 - \$500,000	Yes	Subsidy or Scholarship program would qualify as a provision of government services

City of Tulare Youth Programs Subsidy	\$100,000	Yes	Subsidy or Scholarship program would qualify as a provision of government services
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**Community Stakeholder ARPA “Category 3” Requests**

Title	Amount	Category 3 Eligible?	Comments
Hospital Tower Construction Support	\$5,000,000	No	The Hospital District is a separate entity and contribution would not be considered a provision of governmental services for the City
Contribution to High School District for 50 Meter Swimming Pool construction	\$500,000	No	The High school District is a separate entity and contribution would not be considered a provision of governmental services for the city
Home repair grants	Not Specified	No	Does not meet any of the criteria identified in ARPA.
Homeless shelter	Not Specified	Maybe	This item is addressed by project 11: Homeless Shelter, which Council has previously indicated support through other categories of ARPA. If the city provides homeless shelter services then it would qualify.
Signal lights for West St. & Inyo as well as West St. & Prosperity	Not Specified	Yes	Signal lights would be considered a provision of government services for the City.

The following table summarizes staff’s recommendation.

**City Staff ARPA “Category 3” Recommendations**

Title	Amount	Category 3 Eligible?	Comments
City Employee One-time Bonus	\$681,800	Yes	Providing compensation for city employees is regular provision of government services for the City.
Fire Department Ladder Truck	\$1,500,000	Yes	Purchase of Ladder Truck for the Fire Department is a provision of government Services for the City
Dispatch Radio Replacement	\$350,000	Yes	Replacing end-of-life radios in Dispatch with encryption capable radios is a provision of government services.
Remainder for future allocation	Remainder (\$140,700)	TBD	TBD

**Utility Default Payment Reimbursement Program Discussion**

Council directed staff at the November 16, 2021 to analyze the potential for allocating \$250,000 of the \$5,751,557 remaining non-Category 3 American Rescue Plan monies to a Utility Default Payment Reimbursement program.

Attached to this agenda item is a staff report from a Board of Public Utilities meeting from October 21, 2021. This agenda item covers the California Water and Wastewater Arrearage Payment Program. The report outlines the comprehensive utility arrearage information that the City submitted to the State Water Board. Based on the programs currently available for utility arrearage payments, Council may wish to consider the necessity of allocating additional ARPA funding. Thus, staff requests further direction and discussion on this topic. **Staff recommends Council receive staff presentation and public comment regarding the expenditure of American Rescue Plan Act (ARPA) Funds for potential projects under “Category 3”; Adopt Resolution 2021-58 approving the allocation of \$681,800 in ARPA Category 3 funds to be dedicated toward a one-time bonus payment for regularly allocated staff employed by the City from September 1, 2021 and currently employed as of November 29, 2021; and further receive a report from the Board of Public Utilities regarding utility arrearages and direct staff as appropriate, as requested.**

- c. **Consider the cancellation of Tulare City Council meeting scheduled for Tuesday, January 4, 2022, due to City scheduled holidays, Thursday, December 23 and Friday, December 24, 2021 and Thursday, December 30 and Friday, December 21, 2021 and related scheduling conflicts as result. [Submitted by: M. Mondell]** With the holidays fast approaching I am polling you to determine cancelling the January 4, 2022 meeting date due to the holiday closures and scheduling conflicts related to same. The City is closed Thursday, December 23 and Friday, December 24, as well as Thursday, December 30 and Friday, December 31. These closures and scheduling conflicts will impact agenda timelines.

If the meeting is cancelled the meeting schedule would go as follows:

Tuesday, January 18, 2022

Tuesday, February 1, 2022

Tuesday, February 15, 2022

TBD Joint Meeting of the Council, BPU, Planning Commission and Parks & Recreation Commission late February.

Staff seeks Council’s direction on the consideration of cancelling January 4, 2022, meeting. **Staff recommends Council consider the cancellation of Tulare City Council meeting scheduled for Tuesday, January 4, 2022, due to City scheduled holidays, Thursday, December 23 and Friday, December 24, 2021 and Thursday, December 30 and Friday, December 21, 2021 and related scheduling conflicts as result, as presented.**

#### IV. ADJOURN SPECIAL SESSION

**7:00 p.m.** (Or, immediately following Special Session)

**V. CALL TO ORDER REGULAR SESSION**

**VI. PLEDGE OF ALLEGIANCE AND INVOCATION**

**VII. 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.*

**VIII. COMMUNICATIONS** [Time Estimate: 7:15 – 7:20 p.m.]

*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.*

**IX. CONSENT CALENDAR** [Time Estimate: 7:20 – 7:30 p.m.]

*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 the November 16 & 29, 2021 regular/special meeting(s).**  
[Submitted by: R. Yoder] The minutes of the November 16 & 29, 2021



regular/special meeting(s) are submitted for Council approval. **Staff recommends Council approve as presented.**

- (3) **Confirm the Mayor’s reappointment of Howard Stroman and Ray Fonseca to the Board of Public Utilities for terms ending December 31, 2025. [Submitted by: M. Hermann obo Mayor Mederos]** The City of Tulare has eight boards, commissions, and committees in addition to the City Council. From time to time, appointments and reappointments are necessary due to vacancies and expiring terms.

The Board of Public Utilities (BPU) was established by the Tulare City Charter and is charged with the responsibility to regulate and manage the utility divisions of the city. Those divisions include Solid Waste (refuse collection and street sweeping), Water, Sewer and Wastewater. This five-member Board is appointed by the City Council for four-year terms. The Board meets at 4:00 p.m. on the first and third Thursday of each month in the City Council Chambers at 491 North M Street.

Currently, there are two seats on the BPU whose terms expire December 31, 2021 held by Howard Stroman (President of the Board) and Ray Fonseca (Vice President of the Board). Both commissioners have expressed a desire to continue serving on the Board of Public Utilities and are seeking reappointment.

With respect to the BPU, appointments are made by the Mayor and confirmed by majority vote of the Council per City Charter. **Staff recommends Council confirm the Mayor’s reappointment of Howard Stroman and Ray Fonseca to the Board of Public Utilities for terms ending December 31, 2025, as presented.**

- (4) **Reappoint members for new terms to City boards, commissions, and committees; and declare seats vacant effective January 1, 2022, for those who are not seeking reappointment, and direct staff to post vacancy notices. [Submitted by: M. Hermann]** The City of Tulare has eight boards, commissions, and committees in addition to the City Council. From time to time, appointments and reappointments are necessary due to vacancies and expiring terms. Listed below are the positions to be considered for reappointment as well as those who are not seeking reappointment.

**Library Board**

Ellen Baker	12/31/2021	Council	Reappoint
Lisa Hollingshead	12/31/2021	Council	Reappoint
Michelle Lippincott	12/31/2021	Council	Reappoint

**Parks & Recreation Commission**

Mike Jamaica	12/31/2021	Council	Reappoint
Craig Hancock	12/31/2021	Council	Reappoint

Ira Porchia	12/31/2021	Council	Declare Vacant - Not Seeking Reappointment
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**Planning Commission**

Anthony Olivares	12/31/2021	Council by Seat 3	Reappoint
Joshua Cox	12/31/2021	Council by Seat 1	Declare Vacant - Not Seeking Reappointment
Deanna Rocha*	12/31/2023	Council by Seat 2	Declare Vacant - Resigning Seat

\*Resigning 12/31/2021; need replacement to finish term.

**Police Department Citizen Complaint Review Board**

Vacant	12/31/2021	Council by Seat At Large	Need Appointment
Gene Chavez	12/31/2021	Council by Seat 5	Reappoint
Karen Presant	12/31/2021	Council by Seat 4	Reappoint
Maria Grijalva	12/31/2021	Council by Seat 1	Declare Vacant - Not Seeking Reappointment
Xavier Avila	12/31/2021	Council by Seat 2	Reappoint
Duane Goree	12/31/2021	Council by Seat At Large	Reappoint

**Committee on Aging**

Jackie Zupp	12/31/2021	Mayor	Reappoint
Vacant	12/31/2021	Mayor	Need Appointment
Albert Lemus	12/31/2021	Mayor	Reappoint

**Measure I Oversight Committee**

Richard Dituri	12/31/2021	Council by Seat 1	Reappoint
Jose Ruiz-Salas	12/31/2021	Council by Seat 5	Reappoint
Maria Grijalva	12/31/2021	Council by Seat 3	Declare Vacant - Not Seeking Reappointment
Wayne Ross	12/31/2021	Council by Seat 4	Declare Vacant - Not Seeking Reappointment

Council may choose to reappoint those who are seeking reappointment or declare any of the seats vacant. A notice of vacancy will be posted for any seats declared vacant. The notice must be posted for at least ten days prior to filling the seats.

Staff will bring an item to the next meeting to consider appointment to the vacant seats. Any applications that are received will continue to be shared with Council. Currently, staff has received a total of five applications for interest in various

boards, commissions, and committees. **Staff recommends Council reappoint members for new terms to City boards, commissions, and committees; and declare seats vacant effective January 1, 2022, for those who are not seeking reappointment, and direct staff to post vacancy notices, as requested.**

- (5) **Accept the Grant Deed for public street purposes from Francisco Javier Andrade & Elvia Teresa Andrade for right-of-way dedication along the west side of Laspina Street at 439 N. Laspina Street, and authorization for the City Manager or his designee to sign a Certificate of Acceptance for the same. [Submitted by: M. Miller]** Site Plan Review No. 20-51 was for the construction of a new residence at 439 N. Laspina Street. The project is an in-fill project located on the last undeveloped lot on Laspina Street between Tulare Avenue and Prosperity Avenue. To acquire the ultimate 84-foot right-of-way needed for Laspina Street, it is necessary to obtain an additional 2 feet of right-of-way along the frontage of 439 N. Laspina Street. Francisco Javier Andrade & Elvia Teresa Andrade are the property owners, and have executed the grant deed for this right-of-way dedication. Acceptance by the City is now required. Copies of the grant deed and the certificate of acceptance are attached. **Staff recommends Council accept the Grant Deed for public street purposes from Francisco Javier Andrade & Elvia Teresa Andrade for right-of-way dedication along the west side of Laspina Street at 439 N. Laspina Street, and authorization for the City Manager or his designee to sign a Certificate of Acceptance for the same, as presented.**
- (6) **Accept the required public works improvements for Phase 1 of The Greens at Oak Creek subdivision located along the east side of Mooney Boulevard (State Route 63) approximately 1,700 feet north of Tulare Avenue (State Route 137) 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]** On April 07, 2020, City Council approved the final map for Phase 1 of The Greens at Oak Creek subdivision, which created 33 single-family residential lots, as shown on the attached map. The overall subdivision comprises approximately 19.5 acres consisting of 88 lots, and is being developed in phases.

The Subdivider, D.R. Horton, CA 3, has completed construction of all required public works improvements in accordance with the approved plans and specifications for this subdivision. **Staff recommends Council accept the required public works improvements for Phase 1 of The Greens at Oak Creek subdivision located along the east side of Mooney Boulevard (State Route 63) approximately 1,700 feet north of Tulare Avenue (State Route 137) 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, as presented.**

- (7) **Adopt Resolution 2021-53 for the summary vacation (“abandonment”) of two feet of the existing City right of way of “C” Street across the frontage of property located at 646 W. Inyo Avenue in accordance with Section 8334 (a) of the California Streets and Highway Code. [Submitted by: M. Miller]** As part of the new commercial development approved under Site Plan Review Application No. 18-14, a new building and parking lot were constructed at 646 W. Inyo Avenue. After construction of the building and parking lot were nearing completion it was determined that the building had been constructed one foot within the current City right of way of “C” Street, and the parking lot was constructed two feet within the right of way. South “C” Street is classified as a local street. Current City standards for local streets require the right of way to extend eleven feet behind the face of curb. The existing right of way for “C” street is located sixteen feet behind the face of curb. Vacating two feet of the existing right of way would still leave fourteen feet from the face of curb to the right of way line, which exceeds current City standards and leaves an adequate amount of right of way for pedestrian access and public utility use.

Section 8334 (a) of the California Streets and Highway Code provides for a simpler form of abandonment referred to as “summary vacation” if the following conditions are met:

- 1) An excess right-of-way of a street or highway not required for street or highway purposes.
- 2) No in-place public utility facilities that are in use are located within the proposed vacated right-of-way.

Both of those findings can be made in this case. **Staff recommends Council adopt Resolution 2021-53 for the summary vacation (“abandonment”) of two feet of the existing City right of way of “C” Street across the frontage of property located at 646 W. Inyo Avenue in accordance with Section 8334 (a) of the California Streets and Highway Code, as presented.**

- (8) **Authorize the Mayor to execute a license agreement, subject only to minor conforming or clarifying changes acceptable to the City Attorney and City Manager, to allow VARO-Real Investments, Inc. to maintain a backflow prevention device located within the public right-of-way at 134 South “K” Street. [Submitted by: M. Miller]** VARO-Real Investments, Inc. is in the process of remodeling the property located at 134 South “K” Street to open a restaurant. The Public Works Department requires that restaurants install a reverse pressure backflow prevention device for the water service to prevent potential contamination of the City’s water system. The Public Works Department concluded the proposed backflow preventer could not be feasibly located on the owner’s property due to its downtown setting, and would need to be located within the public right-of-way of “K” Street. The Owner has requested to enter into a license agreement with the City to allow the backflow preventer to be installed in City right-of-way. The agreement will require that the Owner maintain the

backflow prevention device in a safe manner, and indemnify and hold harmless the City of Tulare. The backflow prevention device will be located within a planter area on the east side of "K" Street on the street side of the water meter serving 134 South "K" Street. A draft of the proposed license agreement is attached for reference. **Staff recommends Council authorize the Mayor to execute a license agreement, subject only to minor conforming or clarifying changes acceptable to the City Attorney and City Manager, to allow VARO-Real Investments, Inc. to maintain a backflow prevention device located within the public right-of-way at 134 South "K" Street, as presented.**

(9) **Receive the monthly investment report for October 2021. [Submitted by: D. Thompson]** The investment report for the period ending October 2021, is submitted for review and acceptance. **Staff recommends Council receive, review, and file the Monthly Investment Report for October 2021, as presented.**

(10) **Adopt Resolution 2021-54 authorizing the City Manager to accept a Grant G21-03-04-G01 offer from the State of California Off Highway Motor Vehicle Recreation Division (OHMV) to the Tulare Cycle Park operating expenses not to exceed \$378,328.00 for the year 2021 and to sign all applicable paperwork related to application of the grant. [Submitted by: M. Correa]** A lease agreement with TEMMERMAN CORP ("Operator") aka DT1 MX Cycle Park was entered into for the operation of the Tulare Cycle Park on January 1, 2019 (5 years).

A request has been made by the operator and approved by the OHMV for a Grant in the amount not to exceed \$378,328.00, for reimbursement of a portion of its operating expenses for the year 2021 which requires the City to administer as a Grant sponsor.

The City will administer the Grant in accordance with the Grant Partnership Agreement (Agreement) authorized by resolution on 10/21/2014 and will charge a 4% administrative service fee as agreed as sponsor. **Staff recommends Council adopt Resolution 2021-54 authorizing the City Manager to accept a Grant G21-03-04-G01 offer from the State of California Off Highway Motor Vehicle Recreation Division (OHMV) to the Tulare Cycle Park operating expenses not to exceed \$378,328.00 for the year 2021 and to sign all applicable paperwork related to application of the grant, as presented.**

**X. SCHEDULED CITIZEN OR GROUP PRESENTATIONS** [Time Estimate: 7:30 – 8:00 p.m.]

(1) Certificates of Recognition in honor of Tulare's Future Farmers of America National Champions.

- (2) Scheduled Presentation Engineering Project Management Capital Improvement Project Update.

**XI. MAYOR/COUNCIL REPORTS OR ITEMS OF INTEREST – GC 54954.2(a)(3) [Time Estimate: 8:00 – 8:15 p.m.]**

**XII. 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:** [Time Estimate: 8:15 – 9:00 p.m.]

- a. Public Hearing to adopt Resolution 2021-55 amending the City of Tulare’s Master Fee Schedule with regard to certain Engineering Division Fees. [Submitted by: M. Miller]** On April 21, 2020, the Council adopted Resolution 2020-16 establishing a schedule of fees and charges for City services. The Engineering Division has identified the following recommended revisions to the fees it charges:

Public Improvement Inspection Fees (Engineering Division Fee #'s 6, 7, 8, 9, & 10)

A typographical error was included in the Comprehensive User Fee Study prepared by Willdan Financial Services in 2018. The Public Inspection Fee is a stepped fee based upon the value of the improvements being installed. The fee was supposed to be based upon the following criteria:

Step	Estimated Value of Improvements	Public Improvement Inspection Fee
Step 1	Up to and including \$5,000	6% of estimated value of improvements
Step 2	Next \$20,000 of estimated value	Additional fee of 5% of Step 2 Value
Step 3	Next \$75,000 of estimated value	Additional fee of 5% of Step 3 Value
Step 4	Next \$150,000 of estimated value	Additional fee of 4% of Step 4 Value
Step 5	Next \$250,000 of estimated value	Additional fee of 2% of Step 5 Value

In the fee study prepared by Willdan Financial Services, the percentages in the fee calculation got converted to dollars (i.e., 6% was changed to \$0.06, 5% was changed to \$0.05, etc.). In the actual application of the fees, staff has been able to collect the correct fees. However, it is recommended that the correction to the Master Fee Schedule be formally adopted through Resolution.

Encroachment Permit Fees (Engineering Division Fee #'s 12, 13, & 15)

As the result of streamlined processes and improved efficiencies, the base fees charged for issuance of encroachment permits for construction of driveway approaches, sidewalk, and curb and gutter can be reduced as follows:

Description	Current Fee	Proposed Fee
Encroachment Permit Driveway Approach (per project)	\$459.00 per project	\$340.00 per project
Encroachment Permit Sidewalk (up to 75 LF)	\$437.00 per project	\$318.00 per project
Encroachment Permit Curb & Gutter (up to 75 LF)	\$523.00 per project	\$338.00 per project

DIF Deferral Agreement & Release (Engineering Division Fee #48)

DIF Deferral Agreements provide a mechanism by which a Developer can delay paying development impact fees, which are normally due upon the issuance of building permits. For residential building permits, the Developer can delay payment until the time of final inspection of the residence. For commercial building permits, the Developer can enter into an agreement with the City whereby the development impact fees are payed in installments over a specified length of time. In both instances, the DIF Deferral Agreement is recorded with the Tulare County Recorder’s Office and subsequently shows up on the title of the property. To clear the title, following the payment of all DIFs owed and at the request of the Developer, the City records a “Release Of Covenant And Agreement For Issuance Of Building Permits And Deferral Of Payment Of Impact Fees” (henceforth referred to as “Release”).

Currently, the Engineering Division charges a fee of \$577 each time that it prepares and processes a Development Impact Fee (DIF) Deferral Agreement. It also charges the same fee for preparing and processing a Release. As the result of streamlined processes and improved efficiencies, it is recommended that the fee charged for preparing and processing Development Impact Fee (DIF) Deferral Agreements and subsequent Releases be reduced from the current fee of \$577 to \$400. Furthermore, it has been determined that the reduced fee will be sufficient to cover the preparation and processing of both DIF Deferral Agreements and their associated Releases. Therefore, the unit basis of the fee will be revised from “Each” to “Per Agreement”. **Staff recommends Council adopt Resolution 2021-55 amending the City of Tulare’s Master Fee Schedule with regard to certain Engineering Division Fees, as presented.**

- b. Public Hearing to adopt Resolution 2021-56 designating “no commercial parking” zones on segments of Mooney Boulevard from 1,220 south of Alpine Avenue to Kern Avenue, and from 655 feet south of Clover Meadow Avenue to Bardsley Avenue.; and authorize the installation of corresponding signage. [Submitted by: M. Miller]** The City has received citizen complaints regarding the parking of large, commercial trucks along the east side of Mooney Boulevard adjacent to residential development between Bardsley Avenue and Kern Avenue. There have been occasions when the drivers of these vehicles have started them up and allowed them to idle for an extended period of time in the pre-dawn hours. This creates a noise nuisance for adjacent residences backing up to Mooney Boulevard. Additionally, the

parked vehicles can create visibility obstructions for drivers trying to pull onto Mooney Boulevard from Alpine Avenue and Kern Avenue.

The City's existing parking ordinance prohibits the idling of parked commercial vehicles for longer than 5 minutes. However, enforcement of this regulation is difficult due to a lack of available resources, and the difficulty of catching offenders in the act. In response, the Police Department and Engineering Division are recommending the creation of a "no commercial vehicle" parking zone along the east side of Mooney Boulevard across the affected residential frontage (approximately 1,220 feet south of Alpine Avenue to Kern Avenue) as the most effective approach to addressing the nuisance. The City has a similar "no commercial parking" designations on Leland Avenue, Prosperity Avenue and West Street. The proposed parking restriction will also address the concerns regarding commercial vehicles creating a visibility obstruction for drivers on Alpine and Kern Avenues.

Due to similar concerns related to residential frontage of Mooney Boulevard south of Bardsley Avenue, and potential visibility obstructions at the intersection of Clover Meadow Avenue and Mooney Boulevard, it is recommended that a "no commercial vehicle" parking zone also be established for the east side of Mooney Boulevard from a point 655 feet south of Clover Meadow Avenue to Bardsley Avenue. **Staff recommends Council adopt Resolution 2021-56 designating "no commercial parking" zones on segments of Mooney Boulevard from 1,220 south of Alpine Avenue to Kern Avenue, and from 655 feet south of Clover Meadow Avenue to Bardsley Avenue.; and authorize the installation of corresponding signage, as presented.**

**c. Public hearing to pass-to-print Ordinance 2021-04 amending existing Chapters 8.24.450 (Street Design and Improvements) and 10.192.050 (Parking Lot Design Standards) of the Tulare Municipal Code.**

**[Submitted by: M. Miller]** Review of Title 8, "Public Ways and Property" and Title 10, "Zoning" of the Tulare Municipal Code identified four sections related to street design standards and parking lot design standards that are in need of amending to address development concerns. The proposed changes are as follows:

Chapter 8.24.450(A)(2)(b) – This code section establishes the minimum offset spacing between streets. This is necessary to prevent conflicting turn movements at intersections should the spacing between intersections be too close together. The current standard is 200 feet. However, with the trend towards higher density development with smaller subdivision lots, the 200 foot spacing requirement makes it difficult to lay out street patterns. It is common to see a lot depth of 100 feet in new subdivisions. In instances where there is only a single row of lots between streets, such as where lots have backing lot treatment against a collector street and front on an interior local street, it is



impossible to meet the current 200 foot centerline offset standard with a 100 foot lot depth. As such, it is recommended that the minimum offset spacing standard between street centerlines be reduced to 150 feet. This spacing will accommodate smaller lot subdivisions while still maintaining sufficient separation to prevent turn movement conflicts at street intersections.

Section 8.24.450(A)(7)(b) – This code section establishes the maximum length of cul-de-sacs or stubbed streets as 400 feet. The intent of limiting the length of cu-de-sac or stubbed streets is to ensure good connectivity within a subdivision for pedestrians living on such streets. It also provides public safety benefits by minimizing the number of residences that could have emergency access restricted by street blockages, and by providing law enforcement with good visibility to the end of the cul-de-sac without requiring them to actually turn down it. A review of the maximum cul-de-sac length standard used by other local agencies in the Central Valley revealed that 500 feet was most commonly used. The City of Tulare’s current standard of 400 feet was one of the lowest observed. Recognizing that the maximum cul-de-sac or stubbed street length standard restricts the design options afforded to the local development community, staff believes that the current standard is overly restrictive, and recommends that Council amend the ordinance to increase the maximum length from 400 feet to 500 feet.

Chapter 10.192.050(D) – This code section pertains to the design of parking lots, and requires that concrete curbing at least six inches tall and six inches wide be provided around all perimeter areas of a parking lot and around all landscape areas to define the edges of the parking lot and to protect landscaping. Currently, this code section also requires wheel stops for each parking stall to protect buildings and walkways. Several businesses and members of the development community have expressed concern regarding the tripping hazard posed by placing wheel stops in parking lots, and have requested that the City consider removing that requirement since there is already the requirement for six inch raised perimeter curb protecting buildings and walkways. In discussions with the City’s Building Official, he has agreed that as long as a minimum four foot wide path of travel is maintained on adjacent sidewalks while taking into account a vehicle overhang of two feet, the separate wheel stops are not necessary, and are in fact a greater risk to pedestrian safety. Wheel stops should still be required where vehicle overhand would infringe upon a minimum 4-foot wide accessible path along adjacent sidewalk, or where they are necessary to protect adjacent structures or facilities.

Chapter 10.192.050(A) – This code section also pertains to the design of parking lots. Revising the requirement in Chapter 10.192.050(D) for wheel stops in parking lots also requires amendment of this code section. The required length of a 90-degree parking stall drops from 20 feet to 18 feet when a wheel stop is not required and a 2-foot overhang is allowed. The

table of parking lot dimensions contained in this code section will be revised to reflect that change, with a note added that explains that the parking stall length should be 18 feet without wheel stops, and 20 feet when wheel stops are required.

All proposed changes to the ordinance that will be enacted if approved by Council are shown in the red-line version attached to this staff report and incorporated herein by reference. **Staff recommends Council pass-to-print Ordinance 2021-04 amending existing Chapters 8.24.450 (Street Design and Improvements) and 10.192.050 (Parking Lot Design Standards) of the Tulare Municipal Code, as presented.**

- d. **Public Hearing to adopt Resolution 2021-57 approving an Amendment V to the 2019 Community Development Block Grant (CDBG) Annual Action Plan (APP) to commit Coronavirus Aid, Relief, and Economic Security (CARES) Act funds in the amount of \$167,400 to a rent, mortgage, and utility assistance program and \$18,600 to program and grant administration costs, and to authorize the City Manager or their designee to submit the same to the U.S. Department of Housing and Urban Development (HUD) on behalf of the City of Tulare. [Submitted by: T. Myers]** The City's Community and Economic Development Department facilitates the yearly selection and implementation of activities funded under the Community Development Block Grant (CDBG) Program. HUD distributed the one-time CARES Act funds through the CDBG Program to the City and other entitlement jurisdictions. In total, the City received \$764,948 in CARES Act CDBG (CDBG-CV) funds by way of two separate awards in May and September of 2020 respectively. And in order to formally commit CDBG-CV funds to eligible activities, the City was required to complete an Annual Action Plan (AAP) amendment process. City staff chose to add all activities and projects implemented with CDBG-CV funds to the 2019 AAP.

All CDBG-CV projects must satisfy standard CDBG Program regulations and achieve an objective to prevent, prepare for, and/or respond to the coronavirus (COVID-19) pandemic. The first series of CDBG-CV projects the City implemented under the 2019 AAP involved public input, a needs assessment, and formal approval via a public hearing and the City Council Resolution 2020-27. These activities addressed small business, food, medical care, and homeless shelter needs, with most of the projects concluding by December 2020. And to start another round of CDBG-CV projects, City staff requested project proposals from local organizations and executed another amendment to the 2019 AAP in February and March of 2021. The second series of CDBG-CV activities, approved under Amendment IV, consisted of the following:

- \$193,483 to the Housing Authority of Tulare County to administer a rent relief program for low-income households adversely affected by the COVID-19 pandemic; and
- \$62,500 to the United Way of Tulare County to administer a mortgage and utility assistance program for low- to moderate-income households adversely affected by the COVID-19 pandemic; and
- \$89,902 to the Salt+Light Works nonprofit organization to conduct outreach and provide food, PPE, and other services to people experiencing homelessness; and
- \$49,078 to the Salvation Army Tulare Corps to administer a food pantry and delivery program for income eligible households, particularly seniors, adversely affected by the COVID-19 pandemic.

Since April 2021, the above CDBG-CV activities helped approximately 899 households and demonstrated varying levels of success. A total of 15 households received rent assistance, with the average amount of assistance per household at \$2,105. And given a lower than expected demand, about 79 percent of the budget for rent relief remains unspent. Dissimilar to rent assistance, the interest and number of applications submitted for utility and mortgage relief was considerably higher. Over four months, a total of 34 households received utility and/or mortgage relief, with the average amount of assistance per household at \$1,685. The budget for utility and mortgage assistance was fully expended by June 30, 2021. The outreach and direct aid project for people experiencing homeless benefited an average of 164 people per month from March through July. The full budget for this project was expended by July 31, 2021. And comparable to rent assistance, the interest for food pantry and delivery services was lower than expected. About 90 percent of the food assistance budget remains unexpended as of October 31, 2021. Although subject to a slight change once two (2) program administrators complete their invoicing, City staff estimate that \$186,000 in CDBG-CV funds remain available.

***PROPOSAL - AMENDMENT V TO THE 2019 ANNUAL ACTION PLAN***

Another amendment process was initiated by City staff in order to review local needs, the outcomes of recent projects, and to consider future project options. With input from residents and other stakeholders, City staff recommend transferring the vast majority of the available CDBG-CV funds to a rent, mortgage, and utility assistance program. And to promote high utilization, City staff will collaborate with the program administrator to minimize application hurdles and to improve marketing / outreach to prospective recipients. In addition to this principal activity, City staff recommend setting aside up to 10% of the available CDBG-CV funds for internal program and grant administration duties, including but not limited,

public noticing, applicant technical assistance, and marketing costs. Based on current known balances, the amendment proposal calls for the commitment of \$167,400 to a rent, mortgage, and utility assistance program and \$18,600 to account for City program and grant administration costs. If the amendment proposal is adopted, only one (1) organization will administer the rent, mortgage, and utility assistance program, while all other projects and the associated subrecipient agreements will end. The two (2) activities under this amendment proposal remain aligned with federal requirements and the City’s own Consolidated Plan. A copy of the Amendment V report was available for public review and comment from November 5, 2021, to December 7, 2021.

**Staff recommends Council adopt Resolution 2021-57 approving an Amendment V to the 2019 Community Development Block Grant (CDBG) Annual Action Plan (APP) to commit Coronavirus Aid, Relief, and Economic Security (CARES) Act funds in the amount of \$167,400 to a rent, mortgage, and utility assistance program and \$18,600 to program and grant administration costs, and to authorize the City Manager or their designee to submit the same to the U.S. Department of Housing and Urban Development (HUD) on behalf of the City of Tulare, as presented.**

**(2) Engineering:** [Time Estimate: 9:00 – 9:15 p.m.]

- a. Award and authorize the City Manager to sign contracts related to City Project EN0092, Pratt Street/Mefford-Choice Tracts Improvement Project; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of each contract amount, and approve the revised budget. [Submitted by: N. Bartsch]**

1.	<b>Contractor</b>	<b>Dawson-Mauldin, LLC of Selma, CA</b>	<b>\$ 6,782,277.60</b>
2.	<b>Construction Surveying</b>	<b>Provost &amp; Pritchard Consulting Group of Visalia, CA</b>	<b>\$ 98,000.00</b>
3.	<b>Labor Compliance Monitoring</b>	<b>Labor Consultants of California of Hanford, CA</b>	<b>\$ 30,600.00</b>
4.	<b>Materials Testing</b>	<b>BSK, Associates of Clovis, CA</b>	<b>\$ 139,067.00</b>
5.	<b>Construction Inspection</b>	<b>4 Creeks of Visalia, CA</b>	<b>\$ 281,660.00</b>

This project is a street and utility improvement project on: Pratt Street between Bardsley Avenue and Inyo Avenue (SR137); Walter Street between Bardsley Avenue and Elm Avenue; Oliver Street between Bardsley Avenue and Elm Avenue; Cleveland Street between Bardsley Avenue and Elm Avenue; Victoria Street between Bardsley Avenue and Elm Avenue; Elm Avenue between Howard Street and D Street; C Street between Elm Avenue and Sonora Avenue, and the Cleveland/Victoria and Victoria/Pratt alleys between Bardsley Avenue and Elm Avenue. The project will reconstruct the street section and will include ADA compliance improvements to intersection

curb returns and alley/sidewalk intersections that fall within the project limits. Additionally, it will address necessary water, sewer and storm drain improvements within those limits. The need for the project was identified through the City's Pavement Management System and the review of the condition of the City's utility infrastructure. This project was included and approved as a part of the City's 2019-2024 transportation and utility CIP program budget.

Various contracts are required for the construction of this project. In addition to the actual construction contract, it will be necessary to supplement City staff with various consultant services from the City's list of on-call consultants. The following contracts are recommended for award:

**(a) Construction Contract: *Dawson-Mauldin, LLC***

On November 18, 2021 four (4) bids were opened for the Request for Bids #22-744, Pratt Street / Mefford-Choice Tracts Improvement Project. Bid opening results are attached. The Engineer's Estimate for this project was \$7,000,000. Bids ranged in cost from \$6,782,277.60 - \$8,120,339.52. The bids were evaluated to determine if they were responsive to the requirements and instructions contained in the bid documents.

Dawson-Mauldin, LLC submitted the lowest responsive bid in the amount of \$6,782,277.60. Dawson-Mauldin, LLC possesses a current and active Class "A" General Engineering Contractor's license issued by the State of California, and has submitted a licensed and experienced subcontractor who will be performing portions of the work.

Dawson-Mauldin, LLC recently completed work on the City's SW006 - Alley Sewer Replacement project and is currently performing work under separate City contracts for the City's Pleasant Ave. Improvements and Elliott Tract Improvements projects. Staff has found Dawson-Mauldin to be responsive to changing field conditions, timely in completing tasks, easy to work with, and reasonable in extra work costs.

**(b) Construction Surveying & Staking: *Provost & Pritchard Consulting Group***

During the course of constructing street, water, sewer, storm drain, and concrete improvements it will be necessary to provide construction staking so the Contractor has the necessary locations and elevations to properly construct the improvements. Additionally, the project requires existing survey monuments to be removed/destroyed and replaced requiring the services of a professional land surveyor. Survey services include field and office surveying and filing corner records with Tulare County.

As a professional service performed by a licensed surveyor, these services cannot be included in a competitively bid construction contract, and therefore cannot be performed under the Contractor's contract. Furthermore, City Staff does not have the time nor professional qualifications to perform these services.

A Request for Qualifications (RFQ) for On-Call Construction Surveying Services was issued on February 4, 2020 out of which four firms were recommended for inclusion on a list of prequalified construction surveying consultants. The Staff recommended list was approved by the City Council at their April 7, 2020 meeting.

Provost & Pritchard Consulting Group (P&P) of Visalia, CA is included on the list of On-Call Construction Surveying consultants and demonstrated in their proposal that they have the skills, expertise and resources available to meet the City's needs and timeframe to complete the work on this project. P&P has reviewed the scope of the Pleasant Avenue Improvement Project and has proposed to perform the necessary services on a time and materials basis, not to exceed \$98,000. This amount is in line with industry standards and with what the City has experienced on projects with similar scopes of work. It is also within the budgeted amount for this work on this project.

- (c) **Labor Compliance Monitoring: *Labor Consultants of California***  
This project is subject to Prevailing Wage requirements. To ensure proper wages are paid and accounted for in accordance with the ever-changing requirements under state and federal law, it will be necessary to perform labor compliance monitoring of those contractors and consultants subject to these requirements. Due to the complexities involved, the City simply does not have the resources available to perform this work.

A Request for Qualifications for On-Call Labor Compliance Monitoring Services was issued on February 4, 2020 out of which three (3) firms were recommended for inclusion on a list of prequalified Labor Compliance Monitoring consultants. The Staff recommended list was approved by the City Council at their April 7, 2020 meeting.

Labor Consultants of California of Hanford, CA is included on the list of pre-qualified On-Call Labor Compliance Monitoring consultants and has demonstrated in their proposal that they have the skills, expertise and resources available to meet the City's needs and timeframe to complete the work on this project. Labor Consultants of California has reviewed the scope of this project and has proposed to perform the necessary services on a time and materials basis, not to exceed \$30,600.00, in accordance with the provisions of their on-call contract. This amount is

in line with industry standards and with what the City has experienced on projects with similar scopes of work. It is also within the budgeted amount for this work on this project.

**(d) Materials Testing: *BSK Associates***

During the course of constructing street, water, sewer, storm drain, and concrete improvements associated with this project, it will be necessary to perform materials testing to ensure compliance with City standards. Material testing services including laboratory testing are outside the capabilities of the City.

A Request for Qualifications for On-Call Geotechnical and Materials Testing Services was issued on February 4, 2020 out of which five firms were recommended for inclusion on a list of prequalified Geotechnical and Materials Testing consultants. The Staff recommended list was approved by the City Council at their April 7, 2020 meeting.

BSK Associates (BSK) of Fresno, CA is included on the list of pre-qualified On-Call Geotechnical and Materials Testing consultants and has demonstrated in their proposal that they have the skills, expertise and resources available to meet the City's needs and timeframe to complete the work on this project. BSK has reviewed the scope of this project and has proposed to perform the necessary services on a time and materials basis, not to exceed \$139,067.00, in accordance with the provisions of their on-call contract. This amount is in line with industry standards and with what the City has experienced on projects with similar scopes of work. It is also within the budgeted amount for this work on this project.

**(e) Construction Inspection: *4Creeks***

Due to the volume of projects citywide, both private and public, the City does not have sufficient in-house staff capacity to perform the necessary construction inspection required by the Pratt Street / Mefford-Choice Tracts Improvement Project. Inspection for contract compliance is required for public improvements including surface (asphalt concrete, base rock, and concrete) and underground (water, sewer, storm drain).

A Request for Proposals for On-Call Construction Management, Resident Engineer and Inspection Services was issued on February 4, 2020 out of which two firms were recommended for inclusion on a list of prequalified Construction Management, Resident Engineer and Inspection consultants. The Staff recommended list was approved by the City Council at their April 7, 2020 meeting.

4Creeks of Visalia, CA is included on the list of pre-qualified On-Call Construction Management, Resident Engineer and Inspection

Consultants and has demonstrated in their proposal that they have the skills, expertise and resources available to meet the City’s needs and timeframe to complete the work on this project. 4Creeks has reviewed the scope of this project and has proposed to perform construction inspection services on a time and materials basis, not to exceed \$281,660.00, in accordance with the provisions of their on-call contract. This amount is in line with industry standards and with what the City has experienced on projects with similar scopes of work. It is also within the budgeted amount for this work on this project.

Although the construction bid amount came in below the Engineer’s Estimate, revisions to the project budget are necessary. Between the time the budget was originally developed and approved and when the design and estimate were completed, material prices across the industry dramatically increased and other cost escalation occurred. A 20% contingency was originally included in the budget to cover typical increases and changes to the design, but due to these unforeseeable fluctuations across the industry, additional funding is necessary to complete the project.

Finally, due to the inclusion of funding from various utility related funds on this project, these contracts will also be taken to the Board of Public Utilities for review and approval at its regular meeting on December 16, 2021. **Staff recommends Council award and authorize the City Manager to sign contracts related to City Project EN0092, Pratt Street/Mefford-Choice Tracts Improvement Project; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of each contract amount, and approve the revised budget, as follows:**

1.	Contractor	Dawson-Mauldin, LLC of Selma, CA	\$ 6,782,277.60
2.	Construction Surveying	Provost & Pritchard Consulting Group of Visalia, CA	\$ 98,000.00
3.	Labor Compliance Monitoring	Labor Consultants of California of Hanford, CA	\$ 30,600.00
4.	Materials Testing	BSK, Associates of Clovis, CA	\$ 139,067.00
5.	Construction Inspection	4 Creeks of Visalia, CA	\$ 281,660.00

(3) **City Attorney:** [Time Estimate: 9:15 – 9:30 p.m.]

**Note:** *For an urgency ordinance to pass, a 4/5 vote is required.*

- a. **Review and discuss possible adoption of Urgency Ordinance 2021-05 amending Chapter 3.08 of Title 3 of the Tulare Municipal Code Pertaining to Dangerous and Illegal Fireworks. [Submitted by: M.**



**Zamora]** City Council directed our office to coordinate with staff to prepare an ordinance to amend the Tulare Municipal Code regarding illegal fireworks. City staff has identified that illegal and unsafe fireworks are being bought and sold which creates an unsafe environment for the residents of the City.

The ordinance adopts Municipal Code section 3.08.040 which outlines regulations for dangerous and illegal fireworks including enforcement and fines. It also defines a responsible person as anyone accepting responsibility, the property owner, renter, lessee, or block permit holder.

Fines for violations related to illegal fireworks are as follows:

<i>Number of Offenses</i>	<i>Amount of Penalty</i>
<i>First</i>	<i>\$2,000</i>
<i>Second</i>	<i>\$3,000</i>
<i>Third and all subsequent violations</i>	<i>\$4,000</i>
<i>Possession for Sale</i>	<i>\$6,500</i>

The ordinance amends the following:

- Section 3.08.030 Definitions: adds a definition for dangerous and illegal fireworks;
- Section 3.08.090 Appeals: changes the Fire Chief to the Fire Marshal; and
- Section 3.08.100 Penalties: adds a provision for the penalties related to use of illegal fireworks and adds provisions for reimbursement of costs for disposal of illegal fireworks.

This urgency ordinance requires 4/5 votes to be approved as urgency ordinance. If approved, goes into effect immediately. **Staff recommends Council review and discuss possible adoption of Urgency Ordinance 2021-05 amending Chapter 3.08 of Title 3 of the Tulare Municipal Code Pertaining to Dangerous and Illegal Fireworks, as requested.**

**(4) City Manager:** [Time Estimate: 9:30 – 10:00 p.m.]

- a. Council discussion and direction regarding redistricting criteria.**  
**[Submitted by: M. Mondell per 11/16 Council request]** The redistricting criteria process is set forth via the Federal Voting Rights Act and California Fair Maps Act, as noted by our redistricting consultants, National Demographics Corporation:

## Redistricting Rules and Goals

1. Federal Laws	2. California Criteria for Cities	3. Other Traditional Redistricting Principles
Equal Population  Federal Voting Rights Act  No Racial Gerrymandering	<ol style="list-style-type: none"><li>1. Geographically contiguous</li><li>2. Undivided neighborhoods and “communities of interest” (Socio-economic geographic areas that should be kept together)</li><li>3. Easily identifiable boundaries</li><li>4. Compact (Do not bypass one group of people to get to a more distant group of people)</li></ol> <p>Prohibited: “Shall not favor or discriminate against a political party.”</p>	Minimize voters shifted to different election years  Respect voters’ choices / continuity in office  Future population growth  Preserving the core of existing districts



At the November 2, 2021, City Council meeting Mayor Mederos and Council Member Sigala were selected to serve as an ad hoc committee to the Council on the redistricting process and have discussed whether or not there is a priority or rank order of criteria; for example, a three percent population variation versus 10 percent; that could be set.

The Council can declare goals and preferences, as long as it is done with the understanding that such criteria would be prioritized **below** the federal and state requirements. For instance, if the Council says it prefers maps at 3% or less on population deviation, if keeping a neighborhood or community of interest undivided requires going over 3% then the state criterion to keep neighborhoods and communities of interest undivided as much as practicable would generally supersede the expressed Council preference.

Maps that violated the Council's criteria, if any, cannot be barred from consideration. Rather Council would need to review those maps too and evaluate whether, after hearing from any supporters of the map, the map's efforts at compliance with the federal and state requirements justified exceeding a Council preference to, for example, be closer to precise population balance than is otherwise required. **Staff recommends Council discuss and provide direction regarding redistricting criteria, as requested.**

**XIII. STAFF UPDATES AND FUTURE AGENDA ITEMS** – GC 54954.2(a)(3) [Time Estimate: 10:00 – 10:15 p.m.]

**XIV. ADJOURN REGULAR SESSION**

<b>AGENDA ITEM: Special Session (a)</b>
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**CITY OF TULARE  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department:** City Manager

**For Agency Board Meeting of:** December 7, 2021

**Documents Attached:**  Ordinance  Resolution  Staff Report  Other  None

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**AGENDA ITEM:**

Receive staff presentation and public comment regarding the expenditure of American Rescue Plan Act (ARPA) Funds toward potential programs and projects; and **Adopt Resolution 2021-52** approving the expenditure of \$9,820,000 in non “Category 3” ARPA funds.

**IS PUBLIC HEARING REQUIRED:**  Yes  No

**BACKGROUND/EXPLANATION:**

The City of Tulare has received \$18,024,068 million in ARPA funds from the federal government. At the November 16 Council meeting, Council took the following actions with regard to appropriating the \$18 million (\*Amounts are approximate):

- \$9.6 million allocated to projects and programs as identified below
- \$2.6 million designated as “Category 3” monies, to be used in support of provision of government services and allocated at the December 7 Council meeting
- \$5.8 million set aside for allocation at a future date.

The primary focus of the initial \$9.6 million in allocations to projects and programs is to incentivize an economic revitalization in Tulare’s commercial areas, particularly in the Downtown. While substantial resources were devoted to businesses that experienced financial impacts due to COVID, Tulare nevertheless experienced unprecedented business closures (particularly small, locally owned businesses) during this ongoing pandemic. The effects of the pandemic continue to this day. For example, Tulare’s pre-pandemic unemployment rate in March 2019 was 4.8%; in September 2021 it was 7.4%. Vacancy rates in downtown Tulare still remain substantially higher than pre-pandemic levels, with the current vacancy rate hovering between seven and eight percent, whereas the pre-pandemic rate was five percent.

City Council recognized the unprecedented negative economic impacts the City’s business community has experienced over the past couple of years as they formulated the initial allocation of ARPA funds. The projects and programs that were presented to the Council on November 16 are summarized below:

## Projects/Programs Presented on 11/16/2021

01 - ARPA Consultant	\$50,000
02 - Marketing and Social Media	\$100,000
03 - Set aside for ongoing Pandemic Response	\$50,000
06 - Court House Remodel	\$2,800,000
08 - Downtown Façade\Rehabilitation Grant	\$500,000
09 - Downtown Master Plan Update	\$100,000
11 - Homeless Shelter	\$1,000,000
15 - Zumwalt Park Redevelopment (Amphitheater, Dog Park, Splash Pad)	\$5,000,000
<b>Total</b>	<b>\$9,600,000</b>

### **Augmentation to Façade Program and Emergency Shelter**

Two comments were provided during deliberations associated with this \$9.6 million:

- 1) that more money should be allocated to the emergency homeless shelter project; and,
- 2) that the Downtown façade rehabilitation program should have greater funding and that businesses outside of the core downtown area should also be considered.

Upon further review of the Courthouse project scope of work, staff believes that bond proceeds can be used instead of ARPA to fund a substantial amount of the construction required to make the building and surroundings habitable. Thus, staff proposes to reduce the Courthouse remodel appropriation by \$1,500,000 from \$2,800,000 to \$1,300,000. The \$1,500,000 would be allocated to the Downtown façade rehabilitation program (from \$500,000 to \$1,000,000) and the Homeless Shelter (from \$1,000,000 to \$2,000,000).

The boundaries of the façade rehabilitation program will be established when staff returns to Council with the full project description and implementation plan in February, 2022.

### **Vaccination Incentive**

Discussions regarding utilization of ARPA funds have continued subsequent to the Council's November 16 meeting. The issue of vaccination incentives has consistently been part of these discussions. Thus, in the interest of workforce protection and retention, it is recommended that all current and new, full time, part time and hourly City employees demonstrating evidence of vaccination prior to June 30, 2022 (the end of the current fiscal year) receive a \$500 cash incentive. COVID vaccinations are voluntary, and not mandatory, but highly recommended. Non-Category 3 ARPA funds would be utilized to finance this incentive, which would result in a maximum expenditure of \$220,000.

Resolution 2021-52 was prepared to reflect the revised totals for the Courthouse remodel, Downtown façade rehabilitation program, Homeless Shelter, and vaccination incentive and is attached to this staff report for Council consideration. The revised totals are reflected in the table below:

## Recommended Projects/Programs Totals – Façade and Shelter Items Augmented

01 - ARPA Consultant	\$50,000
02 - Marketing and Social Media	\$100,000
03 - Set aside for ongoing Pandemic Response	\$50,000
06 - Court House Remodel	\$1,300,000
08 - Downtown Rehabilitation Grant	\$1,000,000
09 - Downtown Master Plan Update	\$100,000
11 - Homeless Shelter	\$2,000,000
15 - Zumwalt Park Redevelopment (Amphitheater, Dog Park, Splash Pad)	\$5,000,000
NEW – Vaccination Incentive	\$220,000
<b>Total</b>	<b>\$9,820,000</b>

The allocations above result in a remainder of \$8,424,068 in ARPA funding available for additional allocation. The \$8,424,068 is separated into two pots. The first pot, comprising \$2,672,511, is known as “Category 3” monies and has the fewest use restrictions of all ARPA funding categories. Local jurisdictions can utilize Category 3 monies to support the ongoing provision of government services in their municipality. The second pot, consisting of the remaining approximately \$5,751,557, must be utilized in accordance with the restrictions highlighted in any of the other use categories.

### **STAFF RECOMMENDATION:**

Receive staff presentation and public comment regarding the expenditure of American Rescue Plan Act (ARPA) Funds toward potential programs and projects; and **Adopt Resolution 2021-52** approving the expenditure of \$9,820,000 in non “Category 3” ARPA funds.

**CITY ATTORNEY REVIEW/COMMENTS:** “ Yes ☐ N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:** ☒ Yes ☐ No ☒ N/A

**FUNDING SOURCE/ACCOUNT NUMBER:** N/A

**Submitted by:** Marc Mondell

**Title:** City Manager

**Date:** December 1, 2021

**City Manager Approval:** \_\_\_\_\_

## RESOLUTION 2021-52

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TULARE ACCEPTING AMERICAN RECOVERY PLAN ACT FUNDS FROM THE UNITED STATES GOVERNMENT

**WHEREAS**, on March 11, 2021, the President of the United States signed into law House Bill 1315, the American Rescue Plan Act of 2021, (ARPA), to provide continued relief from the impact of the Covid-19 pandemic; and,

**WHEREAS**, on May 10, 2021, the United States Department of the Treasury announced the launch of the Coronavirus State and Local Fiscal Recovery Funds (the "Fiscal Recovery Funds" or CSLFRF), established by ARPA, to provide \$350 billion in emergency funding for eligible state, local, territorial, and Tribal governments to recover from the COVID-19 pandemic; and **WHEREAS**, the City of Tulare has been negatively impacted by the COVID-19 pandemic; and,

**WHEREAS**, the City of Tulare has been awarded a total of \$18,024,068 in funding; such funding is to be received in two tranches, approximately one half within 60 days of the plan passage and the remaining funding approximately 12 months later, and,

**WHEREAS**, the City of Tulare has received the initial funding in the amount \$9,012,034 as of July 1, 2021, with the second allocation scheduled to be received by June/July 2022; and,

**WHEREAS**, the United States Department of Treasury has adopted guidance regarding the use of ARPA funds; and,

**WHEREAS**, the City of Tulare, in response to the pandemic, has had expenditures and anticipates future expenditures consistent with the United States Department of Treasury's ARPA guidance; and

**WHEREAS**, ARPA permits the City to use the Fiscal Recovery Funds to cover eligible costs incurred during the period beginning March 3, 2021, and ending December 31, 2024; and,

**WHEREAS**, the City of Tulare must agree to specific Terms and Conditions set forth by the United States Department of Treasury as part of accepting the funds.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Tulare;

That the City Of Tulare is authorized to accept and receive funding under American Rescue Plan Act (ARPA) and hereby accepts the allocation of \$18,024,068 of Fiscal Recovery Funds from the United States Department of Treasury

**BE IT FURTHER RESOLVED**, by the City Council of the City of Tulare, California;

1. That there be established in the City's budget a new American Rescue Plan Fund which shall be maintained separately from all other City funds to account for the revenue and expenditures of the ARPA funds.
2. That the City Manager shall administer the fund in strict adherence to the Charter and Code of the City of Tulare and, as amended, the laws of the State of California.
3. That, expenditures in this new fund can only be used to cover costs of the City of Tulare incurred by December 31, 2024, and for eligible uses as defined by the American Rescue Plan Act of 2021. Expenditures in this fund will comply with the other related aspects of the American Rescue Plan Act of 2021 and will adhere to additional and amended guidelines as set forth by the federal government in the allocation or distribution of said funds. Appropriations for the fund are deemed to be on a continuing basis and will continue in effect until the purposes have been achieved, said funds are expended, or December 31, 2026 (or consistent with additional guidelines as set forth by the federal government). Until the appropriations are approved by City Council, the funds will remain in the fund balance of the American Rescue Plan Fund.
4. That \$9,820,000 of the ARPA funds shall be appropriated to the following projects:

ARPA Consultant	\$50,000
Marketing and Social Media	\$100,000
Set aside for ongoing Pandemic Response	\$50,000
Court House Remodel	\$1,300,000
Downtown Façade\Rehabilitation Grant	\$1,000,000
Downtown Master Plan Update	\$100,000
Homeless Shelter	\$2,000,000
Zumwalt Park Redevelopment (Amphitheater, Dog Park, Splash Pad)	\$5,000,000
Vaccination Incentive	\$220,000
<b>Total</b>	<b>\$9,820,000</b>

5. This resolution shall take effect upon its adoption by City Council.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Tulare, California, on December 7, 2021.

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President Pro Tem of the Council and EX-  
Officio Mayor Pro Tem of the City of Tulare

ATTEST:

State of California )  
County of Tulare ) ss.  
City of Tulare )

I, Marc Mondell, City Clerk of the City of Tulare, certify the foregoing is the full and true Resolution 2021-52 passed and adopted by the Council of the City of Tulare at a special meeting held on December 7, 2021 by the following vote:

Aye(s) \_\_\_\_\_

Noe(s) \_\_\_\_\_ Absent/Recused/Abstention(s) \_\_\_\_\_

Dated: Marc Mondell, CITY CLERK,

By Roxanne Yoder, Chief Deputy



<b>AGENDA ITEM: Special Session (b)</b>
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**CITY OF TULARE  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department:** City Manager

**For Agency Board Meeting of:** December 7, 2021

**Documents Attached:**  Ordinance  Resolution  Staff Report  Other  None

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**AGENDA ITEM:**

Receive staff presentation and public comment regarding the expenditure of American Rescue Plan Act (ARPA) Funds for potential projects under “Category 3”; **Adopt Resolution 2021-58** approving the allocation of \$681,800 in ARPA Category 3 funds to be dedicated toward a one-time bonus payment for regularly allocated staff employed by the City from September 1, 2021 and currently employed as of November 29, 2021; and further receive a report from the Board of Public Utilities regarding utility arrearages and direct staff as appropriate.

**IS PUBLIC HEARING REQUIRED:**  Yes  No

**BACKGROUND/EXPLANATION:**

At the November 16 Council Meeting, Council directed that the next Council meeting be focused on the use of the \$2,672,511 in Category 3 funds, with the remaining \$5,500,000 to be appropriated at a future date. In preparation for the December 7 Council meeting, staff requested that Council provide recommendations/suggestions on the use of Category 3 monies. Each council member took the opportunity to do so. In addition, recommendations and suggestions have also been provided by various individuals and community groups with an interest in furthering the City’s goals.

City Council and various community stakeholders have provided a number of suggestions **for the use of the \$2,672,511 million in “Category 3” funds, related to the operation of the municipal government. Category 3 is intended to:**

*“Provide recipients with broad latitude to use the Fiscal Recovery Funds for the provision of government services. Government services can include, but are not limited to, maintenance or pay-go funded building of infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire, and other public safety services.”*

One item for Category 3 consideration that appears to have universal support is a one-time bonus for the many City employees who worked through the pandemic to ensure that critical services remained available, and thereby came into direct contact with the public and subjected themselves to increased health risks. City employees remain the backbone of the organization without which critical services or level of service would be reduced. Indeed, City employees are well aware that one employee and one spouse has died from COVID related complications, among others who lost family members, yet virtually our entire City workforce stayed and provided superior services throughout the crisis – and continue to do so.

Therefore, it is recommended that each City employee receive a one-time \$2,000 bonus in recognition of their continued hard work and dedication during the ongoing pandemic. The bonus would be available to all regular allocated staff employed by the City as of September 1, 2021 and employed as of November 29, 2021. The fiscal impact to the \$2,672,511 Category 3 budget is \$681,800 leaving \$1,990,711 for distribution to other programs and projects.

The following tables summarize requests from City Council, and community stakeholders.

### City Council ARPA “Category 3” Requests

<b>Title</b>	<b>Amount</b>	<b>Category 3 Eligible?</b>	<b>Comments</b>
City Employee Premium Pay	\$681,800	Yes	Providing compensation for city employees is regular provision of government services for the City.
Fire Department Ladder Truck	\$1,500,000	Yes	Purchase of Ladder Truck for the Fire Department is as a provision of government Services for the City
Air Conditioner for Boys and Girls Club	\$100,000 - unknown	Yes	City of Tulare is responsible for the existing building Boys and Girls club is using
Hospital Tower Contribution	\$150,000 - \$750,000	No	The Hospital District is a separate entity and contribution would not be considered a provision of governmental services for the city
City of Tulare Police Explorers	\$7,500 - \$15,000	Yes	Police Explorers Post is directly sponsored by the Tulare Police Department
City of Tulare Police Activities League	\$7,500 - \$15,000	Yes	Police Activities League is directly sponsored by the Tulare Police Department
Tulare Small Business Grants	\$500,000	Unknown	Additional clarification needed
Lights for City Facilities	\$750,000	Yes	Providing lights for fields are a provision of government services for the City.
Tulare Softball Association – lights and	\$150,000 - \$300,000	No	Tulare Softball Association is a separate entity and contribution

scoreboard			would not be considered a provision of governmental services for the city
City of Tulare Arts Program	\$100,000	Maybe	If the City were to have an arts program it would qualify. To have a robust program, a funding level greater than \$100,000 would need to be considered for ongoing management and operations of the program.
City of Tulare BEST Program Subsidy	\$150,000 - \$500,000	Yes	Subsidy or Scholarship program would qualify as a provision of government services
City of Tulare Youth Programs Subsidy	\$100,000	Yes	Subsidy or Scholarship program would qualify as a provision of government services

### Community Stakeholder ARPA “Category 3” Requests

Title	Amount	Category 3 Eligible?	Comments
Hospital Tower Construction Support	\$5,000,000	No	The Hospital District is a separate entity and contribution would not be considered a provision of governmental services for the City
Contribution to High School District for 50 Meter Swimming Pool construction	\$500,000	No	The High school District is a separate entity and contribution would not be considered a provision of governmental services for the city
Home repair grants	Not Specified	No	Does not meet any of the criteria identified in ARPA.
Homeless shelter	Not Specified	Maybe	This item is addressed by project 11: Homeless Shelter, which Council has previously indicated support through other categories of ARPA. If the city provides homeless shelter services then it would qualify.
Signal lights for West St. & Inyo as well as West St. & Prosperity	Not Specified	Yes	Signal lights would be considered a provision of government services for the City.

The following table summarizes staff's recommendation.

**City Staff ARPA "Category 3" Recommendations**

<b>Title</b>	<b>Amount</b>	<b>Category 3 Eligible?</b>	<b>Comments</b>
City Employee One-time Bonus	\$681,800	Yes	Providing compensation for city employees is regular provision of government services for the City.
Fire Department Ladder Truck	\$1,500,000	Yes	Purchase of Ladder Truck for the Fire Department is a provision of government Services for the City
Dispatch Radio Replacement	\$350,000	Yes	Replacing end-of-life radios in Dispatch with encryption capable radios is a provision of government services.
Remainder for future allocation	Remainder (\$140,700)	TBD	TBD

**Utility Default Payment Reimbursement Program Discussion**

Council directed staff at the November 16, 2021 to analyze the potential for allocating \$250,000 of the \$5,751,557 remaining non-Category 3 American Rescue Plan monies to a Utility Default Payment Reimbursement program.

Attached to this agenda item is a staff report from a Board of Public Utilities meeting from October 21, 2021. This agenda item covers the California Water and Wastewater Arrearage Payment Program. The report outlines the comprehensive utility arrearage information that the City submitted to the State Water Board. Based on the programs currently available for utility arrearage payments, Council may wish to consider the necessity of allocating additional ARPA funding. Thus, staff requests further direction and discussion on this topic.

***STAFF RECOMMENDATION:***

Receive staff presentation and public comment regarding the expenditure of American Rescue Plan Act (ARPA) Funds for potential projects under "Category 3"; **Adopt Resolution 2021-58** approving the allocation of \$681,800 in ARPA Category 3 funds to be dedicated toward a one-time bonus payment for regularly allocated staff employed by the City from September 1, 2021 and currently employed as of November 29, 2021; and further receive a report from the Board of Public Utilities regarding utility arrearages and direct staff as appropriate.

***CITY ATTORNEY REVIEW/COMMENTS:*** " Yes ☐ N/A

***IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:*** ☒ Yes ☐ No ☒ N/A

***FUNDING SOURCE/ACCOUNT NUMBER:*** N/A

**Submitted by:** Marc Mondell

**Title:** City Manager

**Date:** December 7, 2021

**City Manager Approval:** \_\_\_\_\_

## RESOLUTION 2021-58

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TULARE ACCEPTING AMERICAN RECOVERY PLAN ACT FUNDS FROM THE UNITED STATES GOVERNMENT

**WHEREAS**, on March 11, 2021, the President of the United States signed into law House Bill 1315, the American Rescue Plan Act of 2021, (ARPA), to provide continued relief from the impact of the Covid-19 pandemic; and,

**WHEREAS**, on May 10, 2021, the United States Department of the Treasury announced the launch of the Coronavirus State and Local Fiscal Recovery Funds (the "Fiscal Recovery Funds" or CSLFRF), established by ARPA, to provide \$350 billion in emergency funding for eligible state, local, territorial, and Tribal governments to recover from the COVID-19 pandemic; and **WHEREAS**, the City of Tulare has been negatively impacted by the COVID-19 pandemic; and,

**WHEREAS**, the City of Tulare has been awarded a total of \$18,024,068 in funding; such funding is to be received in two tranches, approximately one half within 60 days of the plan passage and the remaining funding approximately 12 months later, and,

**WHEREAS**, the City of Tulare has received the initial funding in the amount \$9,012,034 as of July 1, 2021, with the second allocation scheduled to be received by June/July 2022; and,

**WHEREAS**, the United States Department of Treasury has adopted guidance regarding the use of ARPA funds; and,

**WHEREAS**, the City of Tulare, in response to the pandemic, has had expenditures and anticipates future expenditures consistent with the United States Department of Treasury's ARPA guidance; and,

**WHEREAS**, ARPA permits the City to use the Fiscal Recovery Funds to cover eligible costs incurred during the period beginning March 3, 2021, and ending December 31, 2024; and,

**WHEREAS**, the City of Tulare has agreed to specific Terms and Conditions set forth by the United States Department of Treasury as part of accepting the funds; and,

**WHEREAS**, the City of Tulare has accepted \$18,024,068 in funding and allocated \$9,820,000 in non-Category 3 funding.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Tulare;

1. \$2,672,511 of ARPA funds shall be appropriated for Category 3 uses.
2. \$681,800 of Category 3 monies be allocated to fund a one-time \$2,000 payment to all regular allocated staff employed by the City as of September 1, 2021 and currently employed as of November 29<sup>th</sup>, 2021.

3. This resolution shall take effect upon its adoption by City Council.

**PASSED, ADOPTED AND APPROVED** by the City Council of the City of Tulare, California, on December 7, 2021

\_\_\_\_\_  
President Pro Tem of the Council and EX-  
Officio Mayor Pro Tem of the City of Tulare

ATTEST:

State of California )  
County of Tulare ) ss.  
City of Tulare )

I, Marc Mondell, City Clerk of the City of Tulare, certify the foregoing is the full and true Resolution 2021-58 passed and adopted by the Council of the City of Tulare at a regular meeting held on December 7, 2021 by the following vote:

Aye(s)\_\_\_\_\_

Noe(s)\_\_\_\_\_ Absent/Recused/Abstention(s) \_\_\_\_\_

Dated: Marc Mondell, City Clerk,

By Roxanne Yoder, Chief Deputy

**AGENDA ITEM: Special Session (c)**

**CITY OF TULARE, CA  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department:** City Manager

**For Council Meeting of:** December 7, 2021

**Documents Attached:**  Ordinance  Resolution  Staff Report  Other  None

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**AGENDA ITEM:**

Consider the cancellation of Tulare City Council meeting scheduled for Tuesday, January 4, 2022, due to City scheduled holidays, Thursday, December 23 and Friday, December 24, 2021 and Thursday, December 30 and Friday, December 21, 2021 and related scheduling conflicts as result.

**IS PUBLIC HEARING REQUIRED:**     Yes     No

**BACKGROUND/EXPLANATION:**

With the holidays fast approaching I am polling you to determine cancelling the January 4, 2022 meeting date due to the holiday closures and scheduling conflicts related to same. The City is closed Thursday, December 23 and Friday, December 24, as well as Thursday, December 30 and Friday, December 31. These closures and scheduling conflicts will impact agenda timelines.

If the meeting is cancelled the meeting schedule would go as follows:

Tuesday, January 18, 2022

Tuesday, February 1, 2022

Tuesday, February 15, 2022

TBD Joint Meeting of the Council, BPU, Planning Commission and Parks & Recreation Commission late February.

Staff seeks Council's direction on the consideration of cancelling January 4, 2022, meeting.

**STAFF RECOMMENDATION:**

Consider the cancellation of Tulare City Council meeting scheduled for Tuesday, January 4, 2022, due to City scheduled holidays, Thursday, December 23 and Friday, December 24, 2021 and Thursday, December 30 and Friday, December 21, 2021 and related scheduling conflicts as result.

**CITY ATTORNEY REVIEW/COMMENTS:**     Yes     N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:**     Yes     No     N/A

**FUNDING SOURCE/ACCOUNT NUMBER:**

**Submitted by:** Marc Mondell

**Title:** City Manager

**Date:** December 1, 2021

**City Manager Approval:** \_\_\_\_\_

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

**November 16, 2021**

**A Study Session of the City Council, City of Tulare was held on Tuesday, November 16, 2021, at 5:00 p.m. in the Tulare Public Library & Council Chambers, 491 North M Street.**

**COUNCIL PRESENT:** Dennis A. Mederos, Terry A. Sayre, Jose Sigala, Stephen C. Harrell, Patrick Isherwood

**STAFF PRESENT:** Marc Mondell, Josh McDonnell, Mario Zamora, Matt Machado, Doyle Sewell, Janice Avila, Traci Myers, Darlene Thompson, Michael Miller, Trisha Whitfield, Brian Beck, Jason Bowling, Clay Roberts, Melissa Hermann

**5:00 p.m.**

**I. CALL TO ORDER STUDY SESSION**

Mayor Mederos called the Study Session to order at 5:02 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.

Comments followed the Study Session presentation.

**III. STUDY SESSION**

- a. American Rescue Plan Act Funding review, receive public input, discussion and provide direction. [Submitted by: M. Mondell]** City Manager Marc Mondell provided a presentation for the Council's review and consideration. Questions posed by Council were responded to by staff.

Mike Cosenza, CLOCEA Union Representative, addressed the Council in favor of premium pay for employees.

Donnette Silva-Carter, Chamber CEO, Adrian Herrera, downtown property owner, Jacob Fraga, Downtown Dream, and John Harman, Tulare Downtown Association, all voiced support for projects in the downtown area.

Sandra Ormonde, Tulare Healthcare District CEO, requested Council's support to provide funds to help with finishing the hospital tower.

Lucy Van Scyoc, Tulare Joint Union High School District Superintendent, provided comment regarding the 50-meter pool project.



It was moved by Mayor Mederos, seconded by Vice Mayor Sayre, and unanimously carried to direct staff to set aside \$2.6 million for General Fund lost revenue. Recommendations regarding projects and employee premium pay will be brought back at the next regular meeting. In advance of the meeting, a closed session will be scheduled to discuss employee premium pay.

Council Member Sigala and Vice Mayor Sayre suggested increasing the following proposed amounts: Downtown Façade/Rehabilitation Grant from \$500,000 to \$1,000,000 and Homeless Shelter from \$1,000,000 to \$2,000,000. It was Council consensus to direct staff to conduct an analysis and bring back recommendations.

It was Council consensus to have staff bring back the Utility Default Payment Reimbursement item at the next regular meeting.

#### **IV. ADJOURN STUDY SESSION**

Mayor Mederos adjourned the Study Session at 7:06 p.m.

**A Regular Session of the City Council, City of Tulare was held on Tuesday, November 16, 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, Jose Sigala, Stephen C. Harrell, Patrick Isherwood

**STAFF PRESENT:** Marc Mondell, Josh McDonnell, Mario Zamora, Matt Machado, Doyle Sewell, Janice Avila, Traci Myers, Darlene Thompson, Michael Miller, Trisha Whitfield, Brian Beck, Jason Bowling, Clay Roberts, Melissa Hermann

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

Mayor Mederos called the Regular Session to order at 7:22 p.m.

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

Mayor Mederos led the Pledge of Allegiance and an invocation was given by Father Ivan Hernandez.

#### **VII. 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.

Mary Bradford, Tulare Fire Department employee, advised the Council of upcoming events.

## VIII. COMMUNICATIONS

There were no items for this section of the agenda.

## IX. CONSENT CALENDAR

**It was moved by Council Member Harrell, seconded by Vice Mayor Sayre, and unanimously carried that the items on the Consent Calendar be approved as presented with the exception of items 5 and 6.**

- (1) Authorization to read ordinances by title only.**
- (2) Approve minutes of November 2, 2021 special/regular meeting(s). [Submitted by: R. Yoder]**
- (3) Adopt Resolution 2021-49 to allow submittal of an application to California's Housing and Community Development (HCD) Department to request CalHome Program funds under the recent 2021 Notice of Funding Availability (NOFA). If adopted, an application will involve a request of CalHome Program funds for up to \$800,000 for First-Time Homebuyer assistance and Owner-Occupied Rehabilitation activities within the City limits. [Submitted by: T. Myers]**
- (4) Conditionally approve the final map and subdivision improvement agreement for Phases 2 & 3 of The Greens at Oak Creek Subdivision for recordation, and accept all easements and dedications offered to the City, subject to receipt of the signed final map, signed subdivision agreement, all fees, and other required items prior to January 15, 2022. [Submitted by: M. Miller]**
- (5) Approve Traffic Calming Pilot Projects Policy EN-05 and authorize the City Manager to execute final policy revisions. [Submitted by: M. Miller]** Staff requested to pull this item. City Engineer Michael Miller reviewed and clarified the proposed revisions of the policy. Questions posed by Council were responded to by Mr. Miller. Following discussion, it was moved by Vice Mayor Sayre, seconded by Council Member Harrell, and unanimously carried to approve the item as presented.
- (6) Adopt Resolution 2021-50 designating the intersection of Tulare Avenue and K Street as "Olympians Square" to honor individuals from the City of Tulare who have represented United States of America at the Olympic and Paralympic Games in accordance with the provisions the City Street Naming Policy, and direct the City's Street Manager to install appropriate signage identifying the honorary designation. [Submitted by: M. Miller]** Council Member Harrell pulled the item for discussion. City Engineer Michael Miller provided a report for the Council's review and consideration. Following

discussion, it was moved by Council Member Harrell, seconded by Council Member Sigala, and carried 4 to 1 (Council Member Isherwood voting no) to adopt Resolution 2021-50 as amended designating the intersection of Kern Avenue and K Street as “Olympian Square.”

- (7) **Authorize the City Manager to sign a contract amendment with Dawson-Mauldin, LLC. of Selma, CA in an amount not to exceed \$419,250.00 for work related to Southern California Edison’s Rule 20-B utility undergrounding associated with Project EN0084, a street and utility improvement project on Pleasant Avenue; authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of the revised contract amount; and approved the revised project budget. [Submitted: N. Bartsch]**
- (8) **Adopt Resolution 2021-51 accepting and approving expenditures for the State of California, Citizens Option for Public Safety (COPS) 2021/2022 Program funds in the amount of \$106,082 to be used to fund (1) Police Officer positions, salary and benefits package. [Submitted by: W. Hensley]**

#### **X. SCHEDULED PRESENTATIONS**

- (a) **Tulare County Association of Governments 2022 Regional Transportation/Sustainable Communities Strategy presentation.** Benjamin Kimball from TCAG provided a presentation for the Council’s review. Questions by Council were responded to by Mr. Kimball.

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

#### **XII. 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 receive and accept the City’s Annual Development Impact Fee Fund Report for the fiscal year ending June 30, 2021. [Submitted by: D. Thompson]** Finance Director Darlene Thompson provided a report for the Council’s review and consideration. Mayor Mederos opened the public hearing at 8:30 p.m. Receiving no public comment, the public hearing was closed at 8:31 p.m. It was moved by Vice Mayor Sayre, seconded by Council Member Harrell, and unanimously carried to receive and accept the City’s Annual Development Impact Fee Fund Report for the fiscal year ending June 30, 2021.

**XIII. STAFF UPDATES AND FUTURE AGENDA ITEMS – G.C. 54954.2(c)**

Mayor Mederos requested and received consensus to direct staff to place an item on the December 7, 2021, agenda regarding redistricting criteria.

**XIV. ADJOURN TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION(S):**

- (a) **54956.9 Conference with Legal Counsel – Anticipated Litigation (1)**  
**Name of Case: Camin III vs. City of Tulare**  
**Case No. VCU288750**

Mayor Mederos adjourned to Closed Session for the item as stated on the agenda by City Attorney Mario Zamora at 8:43 p.m.

**XV. RECONVENE CLOSED SESSION**

Mayor Mederos reconvened from Closed Session at 8:58 p.m.

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

Mayor Mederos advised there was no reportable action.

**XVII. ADJOURN REGULAR SESSION**

Mayor Mederos adjourned the regular session at 8:58 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

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

**November 29, 2021**

**A Special Closed Session of the City Council, City of Tulare was held on Monday, November 29, 2021, at 5:00 p.m. in the Tulare Public Library & Council Chambers, 491 North M Street.**

**COUNCIL PRESENT:** Dennis A. Mederos, Terry A. Sayre, Jose Sigala, Stephen C. Harrell, Patrick Isherwood

**STAFF PRESENT:** Marc Mondell, Josh McDonnell, Mario Zamora, Janice Avila, Greg Merrill, Jason Bowling, Roxanne Yoder

**5:00 p.m.**

**I. CALL TO ORDER SPECIAL CLOSED SESSION MEETING**

Mayor Mederos called the Closed Session to order at 5:00 p.m.

- I. 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.

**II. ADJOURN TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION(S):**

Mayor Mederos adjourned to Closed Session for the item as stated on the agenda by City Attorney Mario Zamora at 5:02 p.m.

- (a) 54957.6 Conference with Labor Negotiators  
Represented/Unrepresented Employee(s): Tulare Police Officers Association, Tulare Professional Fire Fighters Association, CLOCEA, all unrepresented employees  
Negotiators: Marc Mondell, Josh McDonnell, Mario Zamora

**III. RECONVENE CLOSED SESSION**

Mayor Mederos reconvened from Closed Session at 6:02 p.m.

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

Mayor Mederos advised there was no reportable action.

**V. ADJOURN CLOSED SESSION**

Mayor Mederos adjourned the Closed Session at 6:02 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

**AGENDA ITEM: Consent**

**CITY OF TULARE  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department:** City Manager

**For Council Meeting of:** December 7, 2021

**Documents Attached:** Ordinance Resolution Other None

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**AGENDA ITEM:**

Confirm the Mayor’s reappointment of Howard Stroman and Ray Fonseca to the Board of Public Utilities for terms ending December 31, 2025.

**IS PUBLIC HEARING REQUIRED:** Yes No

**BACKGROUND/EXPLANATION:**

The City of Tulare has eight boards, commissions, and committees in addition to the City Council. From time to time, appointments and reappointments are necessary due to vacancies and expiring terms.

The Board of Public Utilities (BPU) was established by the Tulare City Charter and is charged with the responsibility to regulate and manage the utility divisions of the city. Those divisions include Solid Waste (refuse collection and street sweeping), Water, Sewer and Wastewater. This five-member Board is appointed by the City Council for four-year terms. The Board meets at 4:00 p.m. on the first and third Thursday of each month in the City Council Chambers at 491 North M Street.

Currently, there are two seats on the BPU whose terms expire December 31, 2021 held by Howard Stroman (President of the Board) and Ray Fonseca (Vice President of the Board). Both commissioners have expressed a desire to continue serving on the Board of Public Utilities and are seeking reappointment.

With respect to the BPU, appointments are made by the Mayor and confirmed by majority vote of the Council per City Charter.

**STAFF RECOMMENDATION:**

Confirm the Mayor’s reappointment of Howard Stroman and Ray Fonseca to the Board of Public Utilities for terms ending December 31, 2025.

**CITY ATTORNEY REVIEW/COMMENTS:** Yes N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:** Yes No N/A

**FUNDING SOURCE/ACCOUNT NUMBER:**

**Submitted by:** Melissa Hermann **Title:** Deputy City Clerk/Records Coordinator

**Date:** November 15, 2021 **City Manager Approval:** \_\_\_\_\_



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Dennis A. Mederos, Mayor

To: Marc Mondell, City Manager  
Roxanne Yoder, Chief Deputy City Clerk

November 12, 2021

Ray Fonseca's term as a Commissioner on the Board of Public Utilities expires December 31, 2021. Pursuant to Section 52 of the Charter of the City of Tulare, the undersigned Mayor is granted the Power of Appointment for any Commissioner of the Board. As a result thereof, the undersigned, determines it to be in the best interest of the Board of Public Utilities and the City of Tulare to reappoint Ray Fonseca as Commissioner, subject to the confirmation by the Council, for another 4-year term to expire December 31, 2025.

Having made the required appointment, the undersigned hereby requests the matter of the confirmation thereof by the Council be placed on the Agenda at the next General Meeting.

---

Dennis A. Mederos, Mayor of the City of Tulare





Dennis A. Mederos, Mayor

---

To: Marc Mondell, City Manager  
Roxanne Yoder, Chief Deputy City Clerk

November 12, 2021

Howard L. Stroman's term as a Commissioner on the Board of Public Utilities expires December 31, 2021. Pursuant to Section 52 of the Charter of the City of Tulare, the undersigned Mayor is granted the Power of Appointment for any Commissioner of the Board. As a result thereof, the undersigned, determines it to be in the best interest of the Board of Public Utilities and the City of Tulare to reappoint Howard L. Stroman as Commissioner, subject to the confirmation by the Council, for another 4-year term to expire December 31, 2025.

Having made the required appointment, the undersigned hereby requests the matter of the confirmation thereof by the Council be placed on the Agenda at the next General Meeting.

\_\_\_\_\_  
Dennis A. Mederos, Mayor of the City of Tulare

<b>AGENDA ITEM: Consent</b>
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**CITY OF TULARE  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department: City Manager**

**For Council Meeting of: December 7, 2021**

**Documents Attached:**    Ordinance    Resolution    Other    None

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**AGENDA ITEM:**

Reappoint members for new terms to City boards, commissions, and committees; and declare seats vacant effective January 1, 2022, for those who are not seeking reappointment, and direct staff to post vacancy notices.

**IS PUBLIC HEARING REQUIRED:**    Yes    No

**BACKGROUND/EXPLANATION:**

The City of Tulare has eight boards, commissions, and committees in addition to the City Council. From time to time, appointments and reappointments are necessary due to vacancies and expiring terms. Listed below are the positions to be considered for reappointment as well as those who are not seeking reappointment.

**Library Board**

Ellen Baker	12/31/2021	Council	Reappoint
Lisa Hollingshead	12/31/2021	Council	Reappoint
Michelle Lippincott	12/31/2021	Council	Reappoint

**Parks & Recreation Commission**

Mike Jamaica	12/31/2021	Council	Reappoint
Craig Hancock	12/31/2021	Council	Reappoint
Ira Porchia	12/31/2021	Council	Declare Vacant - Not Seeking Reappointment

**Planning Commission**

Anthony Olivares	12/31/2021	Council by Seat 3	Reappoint
Joshua Cox	12/31/2021	Council by Seat 1	Declare Vacant - Not Seeking Reappointment
Deanna Rocha*	12/31/2023	Council by Seat 2	Declare Vacant – Resigning Seat

\*Resigning 12/31/2021; need replacement to finish term.

**Police Department Citizen Complaint Review Board**

Vacant	12/31/2021	Council by Seat At Large	Need Appointment
Gene Chavez	12/31/2021	Council by Seat 5	Reappoint
Karen Present	12/31/2021	Council by Seat 4	Reappoint

Maria Grijalva	12/31/2021	Council by Seat 1	Declare Vacant - Not Seeking Reappointment
Xavier Avila	12/31/2021	Council by Seat 2	Reappoint
Duane Goree	12/31/2021	Council by Seat At Large	Reappoint

**Committee on Aging**

Jackie Zupp	12/31/2021	Mayor	Reappoint
Vacant	12/31/2021	Mayor	Need Appointment
Albert Lemus	12/31/2021	Mayor	Reappoint

**Measure I Oversight Committee**

Richard Dituri	12/31/2021	Council by Seat 1	Reappoint
Jose Ruiz-Salas	12/31/2021	Council by Seat 5	Reappoint
Maria Grijalva	12/31/2021	Council by Seat 3	Declare Vacant - Not Seeking Reappointment
Wayne Ross	12/31/2021	Council by Seat 4	Declare Vacant - Not Seeking Reappointment

Council may choose to reappoint those who are seeking reappointment or declare any of the seats vacant. A notice of vacancy will be posted for any seats declared vacant. The notice must be posted for at least ten days prior to filling the seats.

Staff will bring an item to the next meeting to consider appointment to the vacant seats. Any applications that are received will continue to be shared with Council. Currently, staff has received a total of five applications for interest in various boards, commissions, and committees.

**STAFF RECOMMENDATION:**

Reappoint members for new terms to City boards, commissions, and committees; and declare seats vacant effective January 1, 2022, for those who are not seeking reappointment, and direct staff to post vacancy notices.

**CITY ATTORNEY REVIEW/COMMENTS:** Yes N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:** Yes No N/A

**FUNDING SOURCE/ACCOUNT NUMBER:**

**Submitted by:** Melissa Hermann

**Title:** Deputy City Clerk/Records Coordinator

**Date:** November 29, 2021

**City Manager Approval:** \_\_\_\_\_

**AGENDA ITEM: Consent**

**CITY OF TULARE  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department:** Engineering Services / Engineering

**For Council Meeting of:** December 7, 2021

**Documents Attached:**  Ordinance  Resolution  Staff Report  Other  None

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**AGENDA ITEM:**

Accept the Grant Deed for public street purposes from Francisco Javier Andrade & Elvia Teresa Andrade for right-of-way dedication along the west side of Laspina Street at 439 N. Laspina Street, and authorization for the City Manager or his designee to sign a Certificate of Acceptance for the same.

**IS PUBLIC HEARING REQUIRED:**  Yes  No

**BACKGROUND/EXPLANATION:**

Site Plan Review No. 20-51 was for the construction of a new residence at 439 N. Laspina Street. The project is an in-fill project located on the last undeveloped lot on Laspina Street between Tulare Avenue and Prosperity Avenue. To acquire the ultimate 84-foot right-of-way needed for Laspina Street, it is necessary to obtain an additional 2 feet of right-of-way along the frontage of 439 N. Laspina Street. Francisco Javier Andrade & Elvia Teresa Andrade are the property owners, and have executed the grant deed for this right-of-way dedication. Acceptance by the City is now required.

Copies of the grant deed and the certificate of acceptance are attached.

**STAFF RECOMMENDATION:**

Accept the Grant Deed for public street purposes from Francisco Javier Andrade & Elvia Teresa Andrade for right-of-way dedication along the west side of Laspina Street at 439 N. Laspina Street, and authorize the City Manager or his designee to sign a Certificate of Acceptance for the same.

**CITY ATTORNEY REVIEW/COMMENTS:**  Yes  N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:**  Yes  No  N/A

**FUNDING SOURCE/ACCOUNT NUMBER:**

**Submitted by:** Michael Miller

**Title:** City Engineer

**Date:** November 23, 2021

**City Manager Approval:** \_\_\_\_\_

**RECORDING REQUESTED BY:**

CITY OF TULARE

**AND WHEN RECORDED MAIL TO:**

City Clerk  
City of Tulare  
411 East Kern Avenue  
Tulare, CA 93274-4257

PURSUANT TO GOVERNMENT CODE SECTION 6103,  
NO RECORDING FEE REQUIRED.

SPACE ABOVE FOR RECORDER'S USE

**Grant Deed**

THE UNDERSIGNED GRANTOR(S) DECLARE(S)  
DOCUMENTARY TRANSFER TAX IS \$ NONE

- City of Tulare Parcel No.: 171-051-004
- Computed on full value of interest or property conveyed, or
- Computed on full value less value liens or encumbrances remaining at time of sale, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, represents that, as the owner(s) of herein described real property,

**Francisco Javier Andrade & Elvia Teresa Andrade** ("Grantor")

Hereby GRANT(S) in fee interest to the City of Tulare, a Municipal Corporation ("Grantee"), for the real property in The City of Tulare, County of Tulare, State of California, described as follows:

SEE ATTACHED EXHIBIT 'A' FOR LEGAL DESCRIPTION AND EXHIBIT 'B' FOR PLAT.

Date: 11/5/2021

Date: 11-5-21

By: [Signature]

Francisco Javier Andrade, Grantor

[Signature]

Elvia Teresa Andrade, Grantor

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Tulare ) S.S.

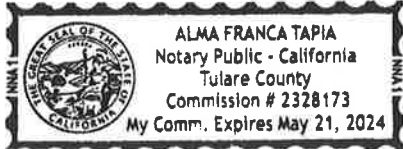
On NOVEMBER 05, 2021 before me, ALMA FRANCA TAPIA Notary Public  
Notary Public, personally appeared Francisco Javier Andrade and Elvia Teresa Andrade

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]  
Signature of Notary Public



(Seal)

**EXHIBIT A**

APN:171-051-004

PUBLIC STREET DEDICATION

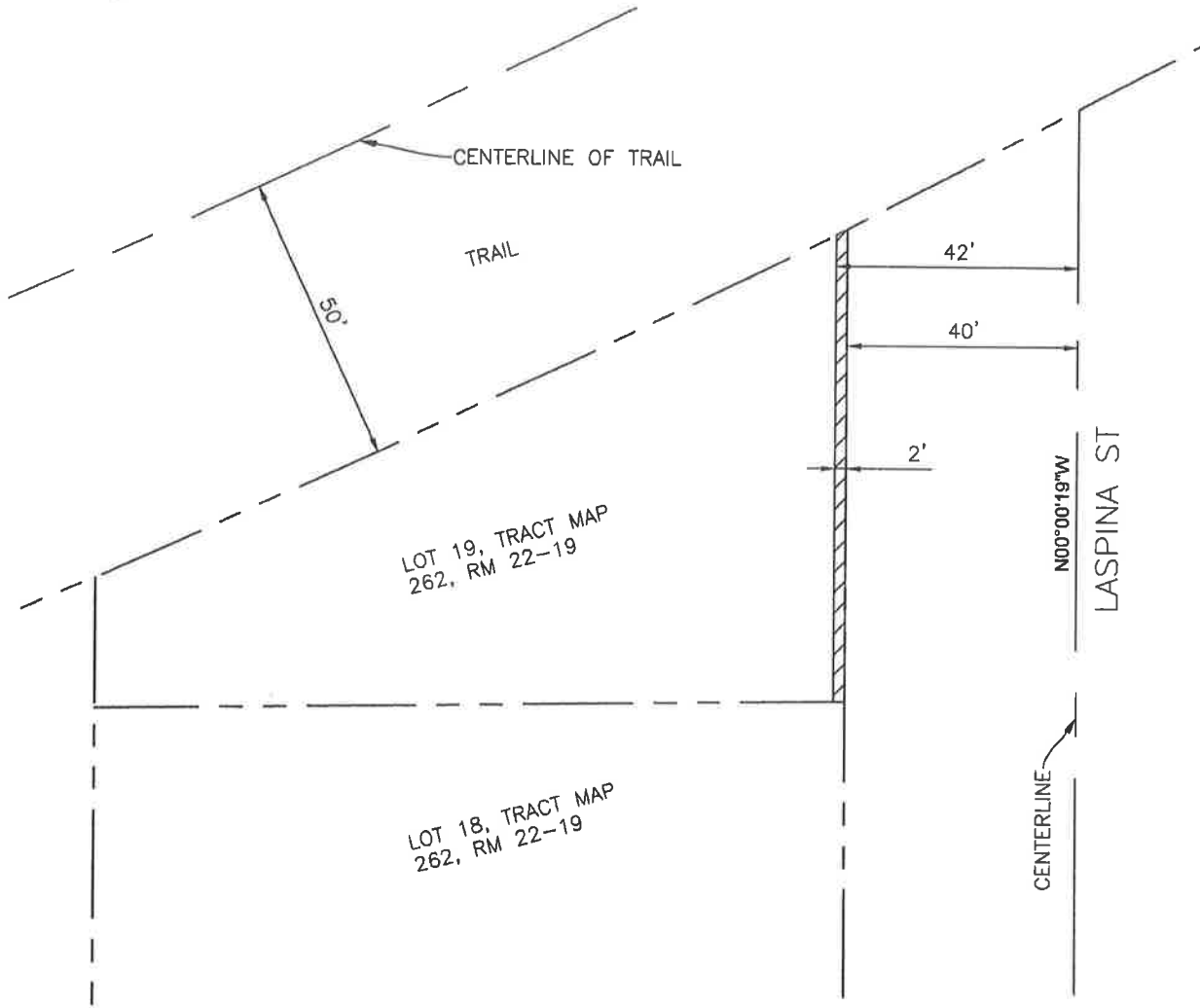
THE EASTERLY 2 FEET OF LOT 19 OF TRACT MAP NO. 262 BOOK 22 OF PLATS PAGE 19, TULARE COUNTY RECORDS.

CONTAINING 162.5 SQUARE FEET OF LAND, MORE OR LESS.

END OF DESCRIPTION



**EXHIBIT B**



**LEGEND**

 PUBLIC STREET RIGHT OF WAY NOW OFFERED FOR DEDICATION 162.5 SF



SCALE: 1" = 30'

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS LEGAL DESCRIPTION IS DETERMINED BY THE MONUMENTED CENTERLINE OF LASPINA ST (SHOWN HEREON) PER TRACT MAP NO. 262, BOOK 22 PAGE 19, TULARE COUNTY RECORDS, SAID BEARING BEING N00°00'19"W.



**VICE**  
VANG INC. CONSULTING ENGINEERS

APN 171-051-004  
439 LASPINA ST  
TULARE, CA 93274

PREPARED FOR:  
JAVIER ANDRADE  
DATE: 01/13/2021  
PROJECT: 20-059

EXHIBIT  
**B**



---

Office of the City Clerk

December 7, 2021

**CERTIFICATE OF ACCEPTANCE**

THIS IS TO CERTIFY, that the interest in real property conveyed by the **Grant Deed** dated November 5, 2021, from **Francisco Javier Andrade & Elvia Teresa Andrade**, was duly accepted by the City Council of the City of Tulare on **December 7, 2021**, and by the same order of the City Council of the City of Tulare, the City Manager or his designee was authorized to execute this Certificate of Acceptance to be recorded with the **Grant Deed**.

CITY OF TULARE

By: \_\_\_\_\_  
City Manager

ATTEST:

By: \_\_\_\_\_  
Chief Deputy City Clerk



**AGENDA ITEM: Consent**

**CITY OF TULARE  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department:** Engineering

**For Council Meeting of:** December 7, 2021

**Documents Attached:**  Ordinance  Resolution  Staff Report  Other  None

**AGENDA ITEM:**

Accept the required public works improvements for Phase 1 of The Greens at Oak Creek subdivision located along the east side of Mooney Boulevard (State Route 63) approximately 1,700 feet north of Tulare Avenue (State Route 137) 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.

**IS PUBLIC HEARING REQUIRED:**  Yes  No

**BACKGROUND/EXPLANATION:**

On April 07, 2020, City Council approved the final map for Phase 1 of The Greens at Oak Creek subdivision, which created 33 single-family residential lots, as shown on the attached map. The overall subdivision comprises approximately 19.5 acres consisting of 88 lots, and is being developed in phases.

The Subdivider, D.R. Horton, CA 3, has completed construction of all required public works improvements in accordance with the approved plans and specifications for this subdivision.

**STAFF RECOMMENDATION:**

Accept the required public works improvements for Phase 1 of The Greens at Oak Creek subdivision located along the east side of Mooney Boulevard (State Route 63) approximately 1,700 feet north of Tulare Avenue (State Route 137) 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.

**CITY ATTORNEY REVIEW/COMMENTS:**  Yes  N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:**  Yes  No  N/A

**FUNDING SOURCE/ACCOUNT NUMBER:** N/A

**Submitted by:** Michael Miller

**Title:** City Engineer

**Date:** December 7, 2021

**City Manager Approval:** \_\_\_\_\_

**RECORDING REQUESTED BY:**

City of Tulare

**WHEN RECORDED MAIL TO:**

City Clerk  
City of Tulare  
411 East Kern Avenue  
Tulare, CA 93274-4257

**PURSUANT TO GOVERNMENT CODE SECTION 6103,  
NO RECORDING FEE REQUIRED.**

**NOTICE OF COMPLETION**

**NOTICE IS HEREBY GIVEN THAT:**

1. **The City of Tulare, a Municipal Corporation, whose address is 411 East Kern Avenue, Tulare, California, 93274, is the owner of the real property, public works or structure hereinafter described.**
2. **The nature of the title of the stated owner is: In Fee.**
3. **On the 24<sup>th</sup> day of November, 2021, a work of improvement on real property hereinafter described was completed by D.R. Horton CA 3, the Subdivider of record, whose address is 419 W MURRAY AVE, Visalia, CA 93291-4970**
4. **The name of the surety for the work of improvements is U.S. Specialty Insurance Company, 801 S. Figueroa Street, Suite 700, Los Angeles, CA 90017.**
5. **The real property or public work or structure is described as follows:**  
  

**Public Works Improvements for Phase 1 of the Greens at Oak Creek subdivision**
6. **The public works improvements were accepted as complete by the City Council of the City of Tulare on December 4, 2021.**

**Dated:** \_\_\_\_\_

**CITY OF TULARE  
A Municipal Corporation,**

**By:** \_\_\_\_\_  
**Michael W. Miller, City Engineer**

**VERIFICATION:**

**I am the City Engineer of the City of Tulare and am authorized to make this verification on behalf of the City. I have read the foregoing Notice of Completion, know the contents thereof, and believe it to be true and correct to the best of my knowledge.**

**I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.**

**Executed on \_\_\_\_\_, 2021 at Tulare, California.**

**By:** \_\_\_\_\_  
**Michael W. Miller, City Engineer**

# THE GREENS AT OAK CREEK NO. 1

BEING A DIVISION OF A PORTION OF THE SOUTH-WEST QUARTER OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 25 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE CITY OF TULARE, COUNTY OF TULARE, STATE OF CALIFORNIA.

OCTOBER 2017

PREPARED BY: NEIL ZERLANG - LAND SURVEYOR

2908-B WEST MAIN STREET, VISALIA, CA 93291; PHONE: (559) 739-1616

PREPARED FOR: GREG NUNLEY

1969 HILLMAN STREET, TULARE, CA 93274; PHONE: (559) 799-6993

### BASIS OF BEARINGS

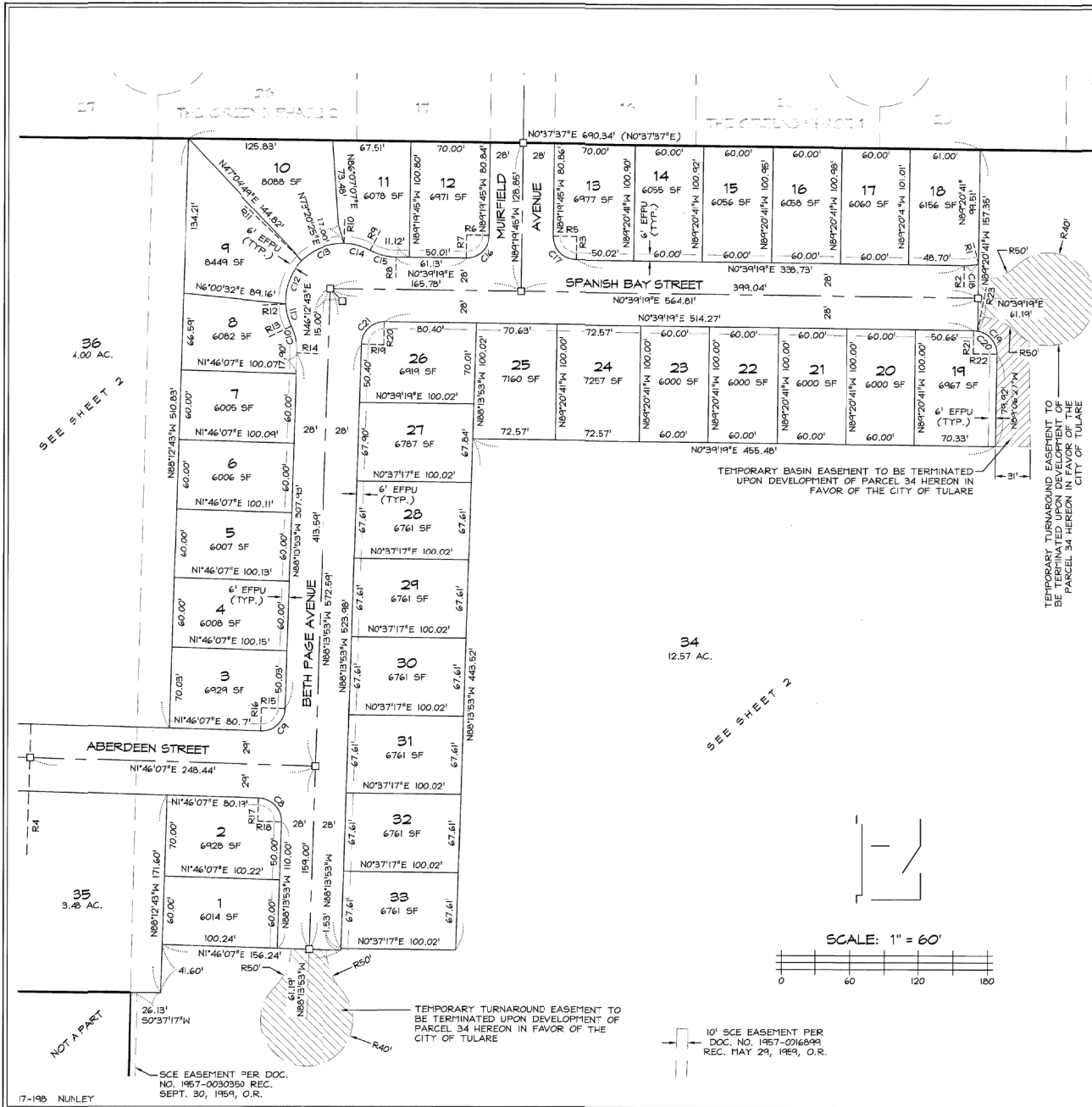
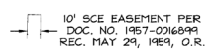
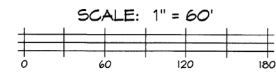
THE EAST-WEST QUARTER SECTION LINE OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 25 EAST, TAKEN TO BE S88°15'55"E PER THE GREENS, PHASE 2, RECORDED IN VOLUME 42 OF MAPS, AT PAGE 5, TULARE COUNTY RECORDS.

### SURVEYOR'S NOTES

- △ FOUND AND ACCEPTED MONUMENT AS DESCRIBED
  - SET BRASS DISC FLUSH - TAGGED L5 5358
  - ◇ SET 1/2" RON PIPE TAGGED L5 5358, ON LINE, 5.00 FEET FROM TRUE CORNER
  - BOLD BORDER LINE INDICATES SUBDIVISION BOUNDARY
  - ( ) RECORD DATA PER PARCEL MAP NO. 5202 RECORDED IN BOOK 53, PAGE 9 T.C.R.
  - EFPU EASEMENT FOR PUBLIC UTILITIES
  - (R) RADIAL BEARING
- ALL DISTANCES AND DIMENSIONS IN FEET AND DECIMALS THEREOF  
SET 1/2" IRON PIPE TAGGED L5 5358 AT ALL LOT CORNERS

RADIAL LINE TABLE			
R1	N76°25'12"E	R13	N25°43'17"W
R2	N84°20'41"W	R14	N01°46'07"E
R3	N84°20'41"W	R15	N01°46'07"E
R4	N88°13'53"W	R16	N88°13'53"W
R5	N00°40'15"E	R17	N88°13'53"W
R6	N00°40'15"E	R18	N01°46'07"E
R7	N84°20'41"W	R19	N01°46'07"E
R8	N84°20'41"W	R20	N84°20'41"W
R9	N6°15'17"W	R21	N84°20'41"W
R10	N88°13'53"W	R22	N00°53'33"E
R11	N44°16'20"E	R23	N79°21'36"W
R12	N02°53'02"W		

CURVE TABLE				
CURVE	ARC	RADIUS	DELTA	TANGENT
C8	31.42'	20.00'	90°00'00"	20.00'
C9	31.42'	20.00'	90°00'00"	20.00'
C10	23.99'	50.00'	27°29'24"	12.23'
C11	19.93'	50.00'	22°50'14"	10.10'
C12	4.15'	50.00'	47°09'23"	21.82'
C13	4.15'	50.00'	47°09'23"	21.82'
C14	23.31'	50.00'	26°42'59"	11.87'
C15	23.99'	50.00'	27°29'24"	12.23'
C16	31.41'	20.00'	89°59'03"	19.99'
C17	31.42'	20.00'	90°00'57"	20.01'
C18	12.42'	50.00'	14°14'06"	6.24'
C19	28.01'	20.00'	80°15'08"	16.86'
C20	31.50'	20.00'	90°14'14"	20.08'
C21	31.03'	20.00'	88°53'11"	19.62'



8-3-2020

**AGENDA ITEM: Consent**

**CITY OF TULARE, CA  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department: Engineering Services / Engineering**

**For Council Meeting of: December 7, 2021**

**Documents Attached:**  Ordinance  Resolution  Staff Report  Other  None

**AGENDA ITEM:**

Adopt Resolution 2021-\_\_\_\_ for the summary vacation (“abandonment”) of two feet of the existing City right of way of “C” Street across the frontage of property located at 646 W. Inyo Avenue in accordance with Section 8334 (a) of the California Streets and Highway Code.

**IS PUBLIC HEARING REQUIRED:**  Yes  No

**BACKGROUND/EXPLANATION:**

As part of the new commercial development approved under Site Plan Review Application No. 18-14, a new building and parking lot were constructed at 646 W. Inyo Avenue. After construction of the building and parking lot were nearing completion it was determined that the building had been constructed one foot within the current City right of way of “C” Street, and the parking lot was constructed two feet within the right of way. South “C” Street is classified as a local street. Current City standards for local streets require the right of way to extend eleven feet behind the face of curb. The existing right of way for “C” street is located sixteen feet behind the face of curb. Vacating two feet of the existing right of way would still leave fourteen feet from the face of curb to the right of way line, which exceeds current City standards and leaves an adequate amount of right of way for pedestrian access and public utility use.

Section 8334 (a) of the California Streets and Highway Code provides for a simpler form of abandonment referred to as “summary vacation” if the following conditions are met:

- 1) An excess right-of-way of a street or highway not required for street or highway purposes.
- 2) No in-place public utility facilities that are in use are located within the proposed vacated right-of-way.

Both of those findings can be made in this case.

**STAFF RECOMMENDATION**

Adopt Resolution 2021-\_\_\_\_ for the summary vacation (“abandonment”) of two feet of the existing City right of way of “C” Street across the frontage of property located at 646 W. Inyo Avenue in accordance with Section 8334 (a) of the California Streets and Highway Code.

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:**  Yes  No  N/A

**Submitted by: Michael Miller**

**Title: City Engineer**

**Date: November 29, 2021**

**City Manager Approval:\_\_\_\_\_**

**RECORDING REQUESTED BY:**

CITY OF TULARE

**AND WHEN RECORDED MAIL TO:**

City Clerk  
City of Tulare  
411 East Kern Avenue  
Tulare, CA 93274-4257

PURSUANT TO GOVERNMENT CODE SECTION 6103,  
NO RECORDING FEE REQUIRED.

**SPACE ABOVE FOR RECORDER’S USE**

**RESOLUTION 2021 - \_\_\_\_**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF TULARE ORDERING THE PARTIAL VACATION OF “C” STREET RIGHT-OF-WAY AND ADJACENT PUBLIC UTILITY EASEMENT FROM A POINT APPROXIMATELY 40’ NORTH OF THE INTERSECTION OF INYO AVENEUE AND “C” STREET TO A POINT APPROXIMATELY 140’ NORTH OF THE INTERSECTION OF INYO AVENUE AND “C” STREET**

WHEREAS, the City Council of the City of Tulare, in accordance with Section 8300-8363 of the Streets and Highway Code desires to summarily vacate a portion of “C” Street right-of-way and adjacent public utility easement in the City of Tulare, more particularly described as follows:

**See Exhibits “A” and “B” attached hereto and incorporated herein by this reference; and**

WHEREAS, the street and public utility easement is an excess right-of-way; and

WHEREAS, section 8334 (a) of the Streets and Highway Code states that the legislative body of a local agency may summarily vacate “an excess right-of-way of a street or highway not required for street or highway purposes”;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tulare that this right-of-way and public utility easement within the boundaries of the City of Tulare, hereinabove described, be and the same, is hereby vacated as a public right-of-way and public utility easement.

**PASSED, ADOPTED, AND APPROVED** this 7<sup>th</sup> day of December, 2021.

\_\_\_\_\_  
President of the Council and Ex-Officio Mayor of  
the City of Tulare

ATTEST:

STATE OF CALIFORNIA)  
COUNTY OF TULARE ) ss.  
CITY OF TULARE )

I, MARC MONDELL, City Clerk of the City of Tulare and Clerk of the Council of said city, do hereby certify that the foregoing Resolution 2021-\_\_\_\_ was duly adopted by the City Council of said city and was signed by the President of said council, at a regular meeting of said City Council held on the 7<sup>th</sup> day of December, 2021 and was approved by the following vote:

Aye(s) \_\_\_\_\_

Aye(s) \_\_\_\_\_ Absent(s) \_\_\_\_\_

Dated: \_\_\_\_\_ MARC MONDELL, CITY CLERK

BY: \_\_\_\_\_  
Roxanne Yoder, Chief Deputy  
Clerk and Clerk of the Council  
of the City of Tulare

**EXHIBIT A**  
**(Legal Description)**  
**(Right of Way Abandonment)**

That portion of "C" Street in Block 151 as shown map of the Town of Tulare recorded in Book 1 of Maps at Page 18 of Tulare County Records in the City of Tulare, County of Tulare, State of California, described as follows:

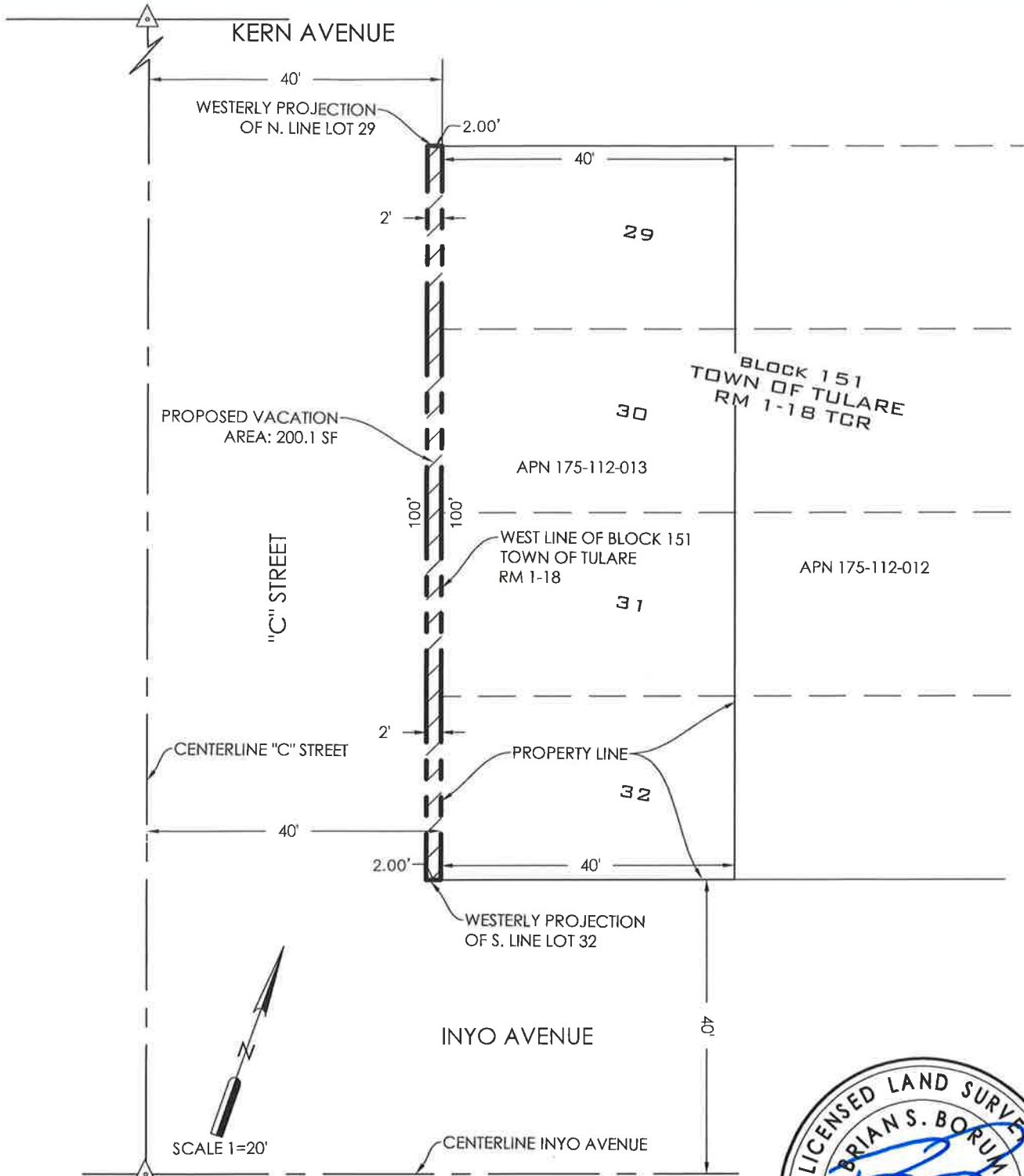
Beginning at the Southwest corner of Lot 32 in Block 151 of map of the Town of Tulare; thence, West, 2.00 feet along the westerly prolongation of the South line of said Lot 32 to the intersection with a line parallel with and 2.00 feet West of the West line of said Block 151; thence, North, 100 feet more or less to the intersection with the westerly prolongation of the North line of Lot 29 in Block 151 of said map of the Town of Tulare; thence, East, 2.00 feet more less to the West line of said Block 151; thence, South along said West line, 100 feet more or less to the Southwest corner of said Lot 32 and the Point of Beginning.

Containing 200.1 square feet more or less.



Brian S. Borum LS 11-18-21





DATE:	11/18/21
DRAWN:	
CHECKED:	
PROJECT:	202123
	PAGE 1 OF 1

EXHIBIT B

RIGHT OF WAY ABANDONMENT

**BLS**  
 Land Surveying  
 1445 WEST GRAND AVE. STE F  
 GROVER BEACH, CA 93433  
 BRIAN@BORUMLANDSURVEYING.COM



**AGENDA ITEM: Consent**

**CITY OF TULARE, CA  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department:** Engineering Services / Engineering

**For Council Meeting of:** December 7, 2021

**Documents Attached:**  Ordinance  Resolution  Staff Report  Other  None

**AGENDA ITEM:**

Authorize the Mayor to execute a license agreement, subject only to minor conforming or clarifying changes acceptable to the City Attorney and City Manager, to allow VARO-Real Investments, Inc. to maintain a backflow prevention device located within the public right-of-way at 134 South "K" Street.

**IS PUBLIC HEARING REQUIRED:**  Yes  No

**BACKGROUND/EXPLANATION:**

VARO-Real Investments, Inc. is in the process of remodeling the property located at 134 South "K" Street to open a restaurant. The Public Works Department requires that restaurants install a reverse pressure backflow prevention device for the water service to prevent potential contamination of the City's water system. The Public Works Department concluded the proposed backflow preventer could not be feasibly located on the owner's property due to its downtown setting, and would need to be located within the public right-of-way of "K" Street. The Owner has requested to enter into a license agreement with the City to allow the backflow preventer to be installed in City right-of-way. The agreement will require that the Owner maintain the backflow prevention device in a safe manner, and indemnify and hold harmless the City of Tulare. The backflow prevention device will be located within a planter area on the east side of "K" Street on the street side of the water meter serving 134 South "K" Street.

A draft of the proposed license agreement is attached for reference.

**STAFF RECOMMENDATION:**

Authorize the Mayor to execute a license agreement, subject only to minor conforming or clarifying changes acceptable to the City Attorney and City Manager, to allow VARO-Real Investments, Inc. to maintain a backflow prevention device located within the public right-of-way at 134 South "K" Street.

**CITY ATTORNEY REVIEW/COMMENTS:**  Yes  N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:**  Yes  No  N/A

**FUNDING SOURCE/ACCOUNT NUMBER:** N/A

**Submitted by:** Michael Miller

**Title:** City Engineer

**Date:** December 7, 2021

**City Manager Approval:** \_\_\_\_\_

**DOCUMENT FOR BENEFIT  
OF DEVELOPER. ALL  
RECORDING FEES APPLY.**

**WHEN RECORDED MAIL TO:**

CITY OF TULARE

CITY CLERK

411 E. KERN AVE.

TULARE, CA 93274

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SPACE ABOVE THIS LINE FOR RECORDER'S USE

**LICENSE TO MAINTAIN  
BACKFLOW PREVENTION DEVICE  
IN CITY RIGHT-OF-WAY OF SOUTH K STREET**

The **City of Tulare, a Municipal Corporation in the County of Tulare, State of California (CITY)**, hereby grants to **VARO-Real Investments, Inc., (OWNER)**, a license and permit to encroach into the City's "K" Street right-of-way at 134 South K Street, for the purposes as follows:

Maintain a backflow prevention device within the planter area on the east side of "K" Street within the public right-of-way, as approved by **CITY**, related to the use of **OWNER's** adjacent property at 134 South "K" Street.

**CITY** hereby agrees to allow **OWNER** to maintain a backflow prevention device located in the planter area within the public right-of-way, located approximately 240' north of Kern Avenue on the east side of "K" Street as depicted on Exhibit "A". **OWNER** agrees to properly maintain the backflow prevention device and protective enclosure in an attractive and safe condition, and immediately repair any damages to the public right-of-way associated with presence of the encroachment. Should **OWNER** fail to comply with these conditions, or at any time **CITY** should deem removal of the encroachments necessary, **CITY** may terminate this license in writing, and within 90 days of receipt of said notice, **OWNER** shall remove said encroachments and make any necessary repairs to the public right-of-way with all associated costs to be borne by the **OWNER**.

**Indemnification:** **OWNER** shall indemnify and hold harmless **CITY** and its officers, officials, employees and volunteers from and against all claims, damages, losses and expenses including attorney fees arising out of the performance of the work and/or operation of the business as described herein, caused in whole or in part by any negligent act or omission of the **OWNER**, **OWNER's** independent contractors, representatives, agents and invitees, or anyone directly or indirectly employed by them or anyone for whose acts any of them may be liable, except where caused by the active negligence, sole negligence, or willful misconduct of the **CITY**.

**IN WITNESS THEREOF**, said **CITY** and **OWNER** have executed this document this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**OWNER (VARO-Real Investments, Inc.):**

By: \_\_\_\_\_

Name: Diego Espinoza  
Title: President

Date: \_\_\_\_\_

**CITY:**

\_\_\_\_\_  
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

*A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.*

State of California    )  
  )  
County of Tulare        )

On \_\_\_\_\_ before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary Public



		<p align="center"> <u>EXHIBIT A</u>            134 K STREET PROPERTY            BACKFLOW PREVENTER            LICENSE AGREEMENT         </p>	<p align="center">11-22-21</p>
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**CITY OF TULARE**  
**SUMMARY TREASURER'S REPORT**  
**SUMMARY OF ALL INVESTMENTS**  
**OCTOBER 31, 2021**

**AGENDA ITEM**

TYPE OF INVESTMENT	BOOK VALUE	MARKET VALUE	CURRENT YIELD	BOOK VALUE % OF TOTAL
UNRESTRICTED INVESTMENTS - SEE PAGE 2	182,573,270	180,747,914	0.655%	92.13%
RESTRICTED INVESTMENTS - SEE PAGE 3	15,587,902	15,587,902	N/A	7.87%
<b>TOTAL INVESTMENTS</b>	<b>198,161,172</b>	<b>196,335,816</b>	<b>N/A</b>	<b>100.00%</b>

Note: The City's financial statements will report market values, not book values, at June 30 each year.

I certify that this report reflects all City investments and complies with the investment policy of the City of Tulare as approved by City Council. Furthermore, I certify that sufficient investment liquidity and anticipated revenues are available to meet the City's budgeted expenditures for the next six months.

Presented to the City Council on November 8, 2021.

Presented to the Board of Public Utility Commissioners on November 8, 2021.

Respectfully submitted, Darlene J. Thompson, CPA, Finance Director/Treasurer

 11-8-21

Date

**CITY OF TULARE**  
**SUMMARY TREASURER'S REPORT, CONTINUED**  
**SUMMARY OF UNRESTRICTED INVESTMENTS**  
**OCTOBER 31, 2021**

TYPE OF INVESTMENT	ISSUER OF INVESTMENT	DATES:		INTEREST RATES:		PAR VALUE	BOOK VALUE		UNREALIZED GAIN/(LOSS):		ESTIMATED EARNINGS:		BOOK VALUE % OF U/I-
		ACQUISITION MATURITY	STATED CURRENT YIELD	CURRENT YIELD	MARKET VALUE		THIS MONTH	LAST MONTH	ANNUAL	THIS MONTH			
Petty Cash	N/A	N/A	N/A	N/A	12,800	12,800	N/A	N/A	N/A	N/A	N/A	0.01%	
Checking Account - City	Wells Fargo Bank	N/A	N/A	N/A	692,413	692,413	N/A	N/A	N/A	N/A	N/A	0.38%	
		On Demand	None		Balance per bank is \$3,231,098								
Local Agency Investment Fund (L-AIF)	State of California	Various	N/A	N/A	36,500,000	36,495,389	(4,611)	74,095	19.99%				
		On Demand	0.203%		*		(6,633)	6,175					
<b>Sub-Total</b>			N/A	N/A	37,205,213	37,200,602	(4,611)	74,095	20.38%				
			0.199%				(6,633)	6,175					
Fixed Income Investments	Various (See page 4-7)	N/A	N/A	N/A	145,368,057	143,547,312	(1,820,745)	1,110,635	79.62%				
	Investments in Safekeeping With BNY Western Trust Company	0.770%					(853,076)	92,553					
<b>TOTAL UNRESTRICTED INVESTMENTS</b>			N/A	N/A	182,573,270	180,747,914	(1,825,356)	1,184,730	100.00%				
		0.655%					(859,709)	98,728					

\* LAIF market values are based on the most currently available amortized cost information - September, 2021: ~ U/I = Unrestricted Investments

**CITY OF TULARE**  
**SUMMARY TREASURER'S REPORT, CONTINUED**  
**SUMMARY OF RESTRICTED INVESTMENTS**  
**OCTOBER 31, 2021**

TYPE OF INVESTMENT	ISSUER OF INVESTMENT	ACQUISITION DATE	MATURITY DATE	STATED INTEREST RATE	PAR VALUE	BOOK VALUE	MARKET VALUE	BALANCES AS-OF DATE	
								AS-OF DATE	DATE
<b>Bond Funds (All are Managed by U.S. Bank Trust Except LAIF):</b>									
2018 Lease Revenue and Refunding Bonds (Account No. 244938000)	U.S. Bank Trust	Various	On Demand	Various Reserve Fund	N/A	1,701,663	1,701,663	10-31-21	
2015 Sewer Revenue Refunding Bonds (Account No. 2615940000)	U.S. Bank Trust	Various	On Demand	Various	N/A	49,692	49,692	10-31-21	
First American Govt Fd Investment Repurchase GIC	Bayerische Landesbank	11-15-15	11-15-25	1.960% Reserve Fund	N/A	5,032,685	5,032,685	10-31-21	
2016 Sewer Revenue Refunding Bonds (Account No. 231687000)	U.S. Bank Trust	Various	On Demand	Various	N/A	12	12	10-31-21	
U S Bk Mmkt						16,224	16,224	10-31-21	
2020 Sewer Revenue Refunding Bonds (Account No. 230396000)	U.S. Bank Trust	Various	On Demand	Various	N/A	16,224	16,224	10-31-21	
U S Bk Mmkt						1	1	10-31-21	
2017 Water Revenue Bonds (Account No. 219189000)	U.S. Bank Trust	Various	On Demand	Various	N/A	1	1	10-31-21	
U S Bk Mmkt						8,787,622	8,787,622	10-31-21	
2020 Water Revenue Bonds (Account No. 250953000)	U.S. Bank Trust	Various	On Demand	Various	N/A	8,787,622	8,787,622	10-31-21	
U S Bk Mmkt						3	3	10-31-21	
2017 Successor Agency Tax Allocation Bonds - Series A & B (Account No. 24534600)	U.S. Bank Trust	Various	On Demand	Various	N/A	3	3	10-31-21	
U S Bk Mmkt						15,587,902	15,587,902		
<b>TOTAL BOND FUNDS</b>									
<b>Restricted Insurance Deposits Managed by Fiscal Agents:</b>									
Workers' Comp. Fund (61)	Various	N/A	N/A	Various	N/A	0	0	06-30-20	*
General Insurance Fund (62)	Various	N/A	N/A	Various	N/A	0	0	06-30-20	*
* NOTE: Reported as information is made available									
<b>TOTAL RESTRICTED INVESTMENTS</b>						<b>15,587,902</b>	<b>15,587,902</b>		
<b>Book Value % of Total Investments =</b>						<b>7.87%</b>			



**CITY OF TULARE**  
**SUMMARY TREASURER'S REPORT, CONTINUED**  
**FIXED INCOME INVESTMENTS**  
**OCTOBER 31, 2021**

TYPE OF FIXED INCOME INVESTMENT	CUSIP NUMBER	DATES: ACQUISITION MATURITY	INTEREST RATES: STATED CURRENT YIELD	PAR VALUE	BOOK VALUE MARKET VALUE	UNREALIZED		ESTIMATED	
						GAIN/(LOSS):		EARNINGS:	
						THIS MONTH	LAST MONTH	ANNUAL	THIS MONTH
<b>U.S. GOVERNMENT AGENCY OBLIGATIONS</b>									
			**		Per BNY WTC				
Federal Farm Credit Bks Funding Corp	3133ELJ47	06-17-20 06-17-24	0.580% 0.580%	2,000,000	2,000,000 1,996,880	(3,120) 1,980		11,600 967	
Federal National Mortgage Assn	3136G4T52	08-25-20 02-25-25	0.520% 0.520%	2,000,000	2,000,000 1,983,760	(16,240) (4,860)		10,400 867	
Federal National Mortgage Assn	3136G4U50	08-27-20 05-27-25	0.600% 0.610%	2,000,000	2,000,000 1,982,260	(17,740) (7,300)		12,000 1,000	
Federal Home Loan Mtg Corp	3134GVVX3	06-03-20 05-28-25	0.750% 0.750%	2,000,000	2,000,000 1,989,400	(10,600) (2,300)		15,000 1,250	
Federal Home Loan Mtg Corp	3134GVB56	06-10-20 06-10-25	0.700% 0.710%	2,000,000	2,000,000 1,979,740	(20,260) (8,280)		14,000 1,167	
Federal Home Loan Banks	3130AJRE1	06-24-20 06-24-25	0.750% 0.750%	868,056	868,056 862,526	(5,530) (1,711)		6,510 543	
Federal Home Loan Mtg Corp	3134GVT65	06-30-20 06-30-25	0.800% 0.800%	2,000,000	2,000,000 2,002,300	2,300 3,700		16,000 1,333	
Federal National Mortgage Assn	3136G4YU1	07-15-20 07-15-25	0.730% 0.740%	2,000,000	2,000,000 1,986,020	(13,980) (4,260)		14,600 1,217	
Federal National Mortgage Assn	3136G4E2E	08-26-20 08-26-25	0.500% 0.510%	2,000,000	2,000,000 1,962,660	(37,340) (7,320)		10,000 833	
Federal Home Loan Mtg Corp	3134GWUE4	09-30-20 09-30-25	0.500% 0.510%	2,500,000	2,500,000 2,446,075	(53,925) (34,325)		12,500 1,042	
Federal Home Loan Mtg Corp	3134GWUV6	09-30-20 09-30-25	0.520% 0.530%	2,500,000	2,500,000 2,447,850	(52,150) (31,900)		13,000 1,083	
Federal Home Loan Mtg Corp	3134GWX43	10-02-20 10-02-25	0.550% 0.560%	3,000,000	3,000,000 2,940,330	(59,670) (36,240)		16,500 1,375	
Federal Home Loan Mtg Corp	3134GWXX9	10-15-20 10-15-25	0.550% 0.560%	3,000,000	3,000,000 2,938,440	(61,560) (37,200)		16,500 1,375	

- CONTINUED ON PAGE 5 -

**CITY OF TULARE**  
**SUMMARY TREASURER'S REPORT, CONTINUED**  
**FIXED INCOME INVESTMENTS, CONTINUED**  
**OCTOBER 31, 2021**

TYPE OF FIXED INCOME INVESTMENT	CUSIP NUMBER	DATES:		INTEREST RATES:		PAR VALUE	BOOK VALUE MARKET VALUE	UNREALIZED GAIN/(LOSS):		ESTIMATED EARNINGS:		
		ACQUISITION	MATURITY	STATED	CURRENT YIELD			THIS MONTH	LAST MONTH		THIS MONTH	ANNUAL
<b><u>U.S. GOVERNMENT AGENCY OBLIGATIONS, CONTINUED</u></b>												
Federal Home Loan Mtg Corp	3134GWY34	10-15-20	10-15-25	0.530%	0.540%	3,000,000	3,000,000	(63,510)	15,900			
Federal National Mortgage Assn	3135G06A6	10-20-20	10-20-25	0.580%	0.590%	3,000,000	2,936,490	(54,180)	1,325			
Federal Farm Credit Bks Funding Corp	3133EMDZ2	10-21-20	10-21-25	0.520%	0.530%	2,500,000	2,945,820	(29,430)	17,400			
Federal Farm Credit Bks Funding Corp	3133EMEC2	10-22-20	10-22-25	0.530%	0.540%	2,500,000	2,460,450	(39,550)	13,000			
Federal Home Loan Mtg Corp	3134GW3X2	10-27-20	10-27-25	0.625%	0.640%	3,000,000	2,461,150	(23,025)	1,083			
Federal Home Loan Mtg Corp	3134GW3Z7	10-28-20	10-28-25	0.600%	0.610%	2,000,000	2,500,000	(38,850)	13,250			
Federal Home Loan Mtg Corp	3134GWZL3	10-29-20	10-29-25	0.570%	0.580%	3,000,000	2,461,150	(22,425)	1,104			
Federal Home Loan Mtg Corp	3134GW6S0	11-10-20	11-10-25	0.610%	0.620%	3,000,000	3,000,000	(55,140)	18,750			
Federal Home Loan Mtg Corp	3134GXAP9	11-12-20	11-12-25	0.600%	0.610%	2,000,000	2,944,860	(30,270)	1,563			
Federal Home Loan Mtg Corp	3134GXCS1	11-25-20	11-25-25	0.625%	0.630%	3,000,000	2,000,000	(38,460)	12,000			
Federal Home Loan Mtg Corp	3136GXFA7	11-30-20	11-26-25	0.650%	0.660%	2,000,000	1,961,540	(21,980)	1,000			
Federal Home Loan Mtg Corp	3134GXDM3	12-01-20	12-01-25	0.620%	0.630%	1,500,000	3,000,000	(61,020)	17,100			
Federal Farm Credit Bks Funding Corp	3133EMKT8	12-17-20	12-17-25	0.540%	0.550%	2,500,000	2,938,980	(36,690)	1,425			

Per-BNY WTC

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**CITY OF TULARE**  
**SUMMARY TREASURER'S REPORT, CONTINUED**  
**FIXED INCOME INVESTMENTS, CONTINUED**  
**OCTOBER 31, 2021**

TYPE OF FIXED INCOME INVESTMENT	CUSIP NUMBER	DATES:		INTEREST RATES:		PAR VALUE	BOOK VALUE		UNREALIZED GAIN/(LOSS):	ESTIMATED EARNINGS:		
		ACQUISITION	MATURITY	STATED	CURRENT YIELD		THIS MONTH	LAST MONTH			ANNUAL	THIS MONTH
<b>U.S. GOVERNMENT AGENCY OBLIGATIONS, CONTINUED</b>												
Federal Home Loan Mtg Corp	3134GXFV1	12-17-20		0.625%		2,000,000	2,000,000		(28,440)	12,500		
		12-17-25	C	0.630%		3,000,000	1,971,560		(15,140)	1,042		
Federal Home Loan Mtg Corp	3134GXHD9	12-23-20		0.700%		3,000,000	3,000,000		(36,510)	21,000		
		12-23-25	C	0.710%		2,500,000	2,963,490		(17,550)	1,750		
Federal Home Loan Mtg Corp	3134GXJX3	01-05-21		0.550%		2,500,000	2,500,000		(42,975)	13,750		
		01-05-26	C	0.560%		2,000,000	2,457,025		(25,375)	1,146		
Federal Home Loan Mtg Corp	3134GXJZ8	01-07-21		0.520%		2,000,000	2,000,000		(36,420)	10,400		
		01-07-26	C	0.530%		1,963,580	1,963,580		(22,200)	867		
Federal Home Loan Banks	3130AKQ74	01-22-21		0.625%		2,500,000	2,500,000		(38,300)	15,625		
		01-22-26	C	0.630%		2,461,700	2,461,700		(21,225)	1,302		
Federal Home Loan Mtg Corp	3134GXKJ2	01-22-21		0.550%		2,500,000	2,500,000		(44,475)	13,750		
		01-22-26	C	0.560%		2,455,525	2,455,525		(26,700)	1,146		
Federal Home Loan Banks	3130AKPC4	01-28-21		0.600%		2,000,000	2,000,000		(32,720)	12,000		
		01-28-26	C	0.610%		1,967,280	1,967,280		(18,700)	1,000		
Federal National Mortgage Asso.	3135G06R9	01-28-21		0.550%		2,000,000	2,000,000		(35,980)	11,000		
		01-28-26	C	0.560%		1,964,020	1,964,020		(21,600)	917		
Federal Home Loan Banks	3130AL3S1	02-17-21		0.625%		3,000,000	3,000,000		(52,650)	18,750		
		02-17-26	C	0.640%		2,947,350	2,947,350		(31,080)	1,563		
Federal Home Loan Banks	3130AKYU4	02-24-21		0.600%		3,000,000	3,000,000		(51,750)	18,000		
		02-24-26	C	0.610%		2,948,250	2,948,250		(30,360)	1,500		
Federal Home Loan Banks	3130ALCW2	02-25-21		0.625%		3,000,000	3,000,000		(47,370)	18,750		
		02-25-26	C	0.640%		2,952,630	2,952,630		(25,980)	1,563		
Federal Home Loan Banks	3130AKZZ5	02-26-21		0.650%		3,000,000	3,000,000		(64,410)	19,500		
		02-26-26	C	0.660%		2,935,590	2,935,590		(28,050)	1,625		
Federal Home Loan Banks	3130ALFS8	03-10-21		0.800%		3,000,000	3,000,000		(34,230)	24,000		
		03-10-26	C	0.810%		2,965,770	2,965,770		(15,240)	2,000		

Per BNY WTC

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**CITY OF TULARE**  
**SUMMARY TREASURER'S REPORT, CONTINUED**  
**FIXED INCOME INVESTMENTS, CONTINUED**  
**OCTOBER 31, 2021**

TYPE OF FIXED INCOME INVESTMENT	CUSIP NUMBER	DATES:		INTEREST RATES:		PAR VALUE	BOOK VALUE	UNREALIZED		ESTIMATED	
		ACQUISITION	MATURITY	STATED	CURRENT YIELD			GAIN/(LOSS):	THIS MONTH		EARNINGS:
								THIS MONTH	LAST MONTH		ANNUAL
<b>U.S. GOVERNMENT AGENCY OBLIGATIONS, CONTINUED</b>											
Federal Home Loan Banks	3130ALKQ6	03-30-21	03-30-26	1.030%	1.030%	2,500,000	2,500,000	700	25,750	2,146	
Federal Home Loan Banks	3130ALXV1	04-22-21	04-22-26	1.100%	1.110%	2,500,000	2,500,000	(11,325)	27,500	2,292	
Federal Home Loan Banks	3130AMWU2	06-30-21	06-30-26	1.000%	1.010%	3,000,000	3,000,000	(26,370)	30,000	2,500	
Federal Home Loan Banks	3130AN2L3	07-13-21	07-13-26	1.020%	1.030%	3,000,000	3,000,000	(25,920)	30,600	2,550	
Federal Home Loan Banks	3130AN4R8	07-29-21	07-29-26	1.125%	1.130%	3,000,000	3,000,000	(18,990)	33,750	2,813	
Federal Home Loan Banks	3130ANFT2	08-24-21	08-24-26	1.050%	1.060%	3,000,000	3,000,000	(19,230)	31,500	2,625	
Federal Home Loan Banks	3130ANLZ1	08-26-21	08-26-26	0.900%	0.910%	2,500,000	2,500,000	(32,225)	22,500	1,875	
Federal Home Loan Banks	3130ANM56	08-27-21	08-27-26	1.050%	1.060%	2,500,000	2,500,000	(14,625)	26,250	2,188	
Federal Home Loan Banks	3130ANUX6	09-28-21	09-28-26	1.100%	1.110%	3,000,000	3,000,000	(26,190)	33,000	2,750	
Federal Home Loan Banks	3130ANXS4	09-28-21	09-28-26	0.900%	0.910%	3,000,000	3,000,000	(42,000)	27,000	2,250	
Federal Home Loan Banks	3130ANXU9	09-30-21	09-30-26	1.000%	1.010%	3,000,000	3,000,000	(33,930)	30,000	2,500	
Federal Home Loan Banks	3130ANYR5	09-30-21	09-30-26	0.950%	0.960%	2,500,000	2,500,000	(32,100)	23,750	1,979	
Federal Home Loan Banks	3130APCD5	10-21-21	10-21-26	1.000%	1.010%	2,500,000	2,500,000	(17,000)	25,000	2,083	

Per BNY WTC

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- CONTINUED ON PAGE 8 -

**CITY OF TULARE**  
**SUMMARY TREASURER'S REPORT, CONTINUED**  
**FIXED INCOME INVESTMENTS, CONTINUED**  
**OCTOBER 31, 2021**

TYPE OF FIXED INCOME INVESTMENT	CUSIP NUMBER	DATES:		INTEREST RATES:		PAR VALUE	BOOK VALUE	MARKET VALUE	UNREALIZED		ESTIMATED	
		ACQUISITION	MATURITY	STATED	CURRENT YIELD				GAIN/(LOSS):	THIS MONTH	LAST MONTH	EARNINGS:
**												
Federal Home Loan Bks	3130APJ55	10-26-21	10-26-26	1.250%	1.250%	3,000,000	3,000,000	3,000,000	(8,670)	0	37,500	3,125
Federal Home Loan Bks	3130APJB2	10-26-21	10-26-26	1.125%	1.130%	3,000,000	3,000,000	2,983,380	(16,620)	0	33,750	2,813
Federal Home Loan Bks	3130APDQ5	10-28-21	10-28-26	1.250%	1.260%	3,000,000	3,000,000	2,986,050	(13,950)	0	37,500	3,125
Federal Home Loan Bks	3130APFQ3	10-28-21	10-28-26	1.100%	1.110%	2,000,000	2,000,000	1,986,980	(13,020)	0	22,000	1,833
Federal Home Loan Bks	3130APFR1	10-28-21	10-28-26	1.120%	1.130%	2,000,000	2,000,000	1,989,000	(11,000)	0	22,400	1,867
Federal Home Loan Bks	3130APFU4	10-28-21	10-28-26	1.050%	1.060%	2,000,000	2,000,000	1,984,540	(15,460)	0	21,000	1,750
Government National Mortgage Association II Pool	36202AHH3	01-24-94	09-20-22	8.500%	8.550%	N/A	1	1	0	0	0	0
<b>TOTAL FIXED INCOME INVESTMENTS</b>									(1,820,745)	(853,076)	1,110,635	92,553

\*\*All are in safekeeping with BNY Western Trust Company

~ U/I = Unrestricted Investments

**CITY OF TULARE  
TREASURER'S EXECUTIVE SUMMARY  
OCTOBER 31, 2021**

**CHANGES IN BALANCES AND YIELDS:**

CATEGORY	BOOK VALUE MARKET VALUE		CHANGE	AVERAGE STATED YIELD	
	OCTOBER	SEPTEMBER		OCTOBER	SEPTEMBER
Total Investments	198,161,172	197,924,815	236,357	N/A	N/A
	<u>196,335,816</u>	<u>197,065,106</u>	<u>(729,290)</u>		
	(1,825,356)	(859,709)	(965,647)		
Unrestricted Investments	182,573,270	181,812,865	760,405	0.655%	0.563%
	<u>180,747,914</u>	<u>180,953,156</u>	<u>(205,242)</u>		
	(1,825,356)	(859,709)	(965,647)		
Restricted Investments	15,587,902	16,111,950	(524,048)	N/A	N/A
	<u>15,587,902</u>	<u>16,111,950</u>	<u>(524,048)</u>		
	0	0	0		
Local Agency Investment Fund (LAIF)	36,500,000	52,500,000	(16,000,000)	0.203%	0.206%
	<u>36,495,389</u>	<u>52,493,367</u>	<u>(15,997,978)</u>		
	(4,611)	(6,633)	2,022		
Fixed Income Investments (Total)	145,368,057	127,868,060	17,499,997	0.770%	0.720%
	<u>143,547,312</u>	<u>127,014,984</u>	<u>16,532,328</u>		
	(1,820,745)	(853,076)	(967,669)		

**TRANSACTIONS (BOOK VALUE): \***

CATEGORY	SALES / CALLS	PURCHASES
Fixed Income Investments	Fixed Income Investments	
Federal Home Loan Banks, 1.00%	Government National Mortgage Assn. Pool	2,500,000
Federal Home Loan Banks, 1.25%		3,000,000
Federal Home Loan Banks, 1.125%		3,000,000
Federal Home Loan Banks, 1.25%		3,000,000
Federal Home Loan Banks, 1.10%		2,000,000
Federal Home Loan Banks, 1.12%		2,000,000
Federal Home Loan Banks, 1.05%		2,000,000
		<u>17,500,000</u>
		<u>3</u>

**CITY OF TULARE**  
**INVESTMENTS BALANCE AND YIELD HISTORY FOR EIGHT MONTHS**  
**OCTOBER 31, 2021**

**BALANCES:**

CATEGORY	BOOK VALUE							
	AUGUST 2021	JULY 2021	JUNE 2021	MAY 2021	APRIL 2021	MARCH 2021	FEBRUARY 2021	JANUARY 2021
Total Investments	194,391,231	193,102,032	185,651,009	183,345,376	182,040,964	176,385,037	175,336,814	171,613,614
	<i>194,087,108</i>	<i>192,861,324</i>	<i>184,691,617</i>	<i>182,620,695</i>	<i>180,971,540</i>	<i>174,778,137</i>	<i>174,419,442</i>	<i>171,568,555</i>
	(304,123)	(240,708)	(959,392)	(724,681)	(1,069,424)	(1,606,900)	(917,372)	(45,059)
Unrestricted Investments	177,618,184	174,872,483	168,878,084	165,253,462	164,234,335	156,852,141	157,485,777	153,396,095
	<i>177,314,061</i>	<i>174,631,775</i>	<i>167,918,692</i>	<i>164,528,781</i>	<i>163,164,911</i>	<i>155,245,241</i>	<i>156,568,405</i>	<i>153,351,036</i>
	(304,123)	(240,708)	(959,392)	(724,681)	(1,069,424)	(1,606,900)	(917,372)	(45,059)
Restricted Investments	16,773,047	18,229,549	16,772,925	18,091,914	17,806,629	19,532,896	17,851,037	18,217,519
	<i>16,773,047</i>	<i>18,229,549</i>	<i>16,772,925</i>	<i>18,091,914</i>	<i>17,806,629</i>	<i>19,532,896</i>	<i>17,851,037</i>	<i>18,217,519</i>
	0	0	0	0	0	0	0	0
Local Agency Investment Fund (LAIF)	58,500,000	55,500,000	48,700,000	27,200,000	37,700,000	32,500,000	40,000,000	43,500,000
	<i>58,504,854</i>	<i>55,504,605</i>	<i>48,704,041</i>	<i>27,234,540</i>	<i>37,747,873</i>	<i>32,541,270</i>	<i>40,090,853</i>	<i>43,598,802</i>
	4,854	4,605	4,041	34,540	47,873	41,270	90,853	98,802
Fixed Income Investments (Total)	116,368,066	116,868,073	115,368,141	137,368,153	125,868,164	120,368,174	115,868,185	107,868,196
	<i>116,059,089</i>	<i>116,622,760</i>	<i>114,404,708</i>	<i>136,608,932</i>	<i>124,750,867</i>	<i>118,720,004</i>	<i>114,859,960</i>	<i>107,724,335</i>
	(308,977)	(245,313)	(963,433)	(759,221)	(1,117,297)	(1,648,170)	(1,008,225)	(143,861)

**AVERAGE STATED YIELDS:**

Unrestricted Investments	0.563%	0.534%	0.540%	0.638%	0.591%	0.573%	0.587%	0.610%
Restricted Investments	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Local Agency Investment Fund (LAIF)	0.206%	0.221%	0.262%	0.315%	0.339%	0.357%	0.407%	0.458%
Fixed Income Investments (Total)	0.720%	0.690%	0.690%	0.710%	0.670%	0.650%	0.660%	0.710%

**CITY OF TULARE, CA  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department:** General Services

**Council Meeting of:** December 7, 2021

**Documents Attached:**  Ordinance  Resolution  Staff Report  Other  None

---

**AGENDA ITEM:**

Adopt Resolution 2021-54 authorizing the City Manager to accept a Grant G21-03-04-G01 offer from the State of California Off Highway Motor Vehicle Recreation Division (OHMV) to the Tulare Cycle Park operating expenses not to exceed \$378,328.00 for the year 2021 and to sign all applicable paperwork related to application of the grant.

**IS PUBLIC HEARING REQUIRED:**  Yes  No

**BACKGROUND/EXPLANATION:**

A lease agreement with TEMMERMAN CORP ("Operator") aka DT1 MX Cycle Park was entered into for the operation of the Tulare Cycle Park on January 1, 2019 (5 years).

A request has been made by the operator and approved by the OHMV for a Grant in the amount not to exceed \$378,328.00, for reimbursement of a portion of its operating expenses for the year 2021 which requires the City to administer as a Grant sponsor.

The City will administer the Grant in accordance with the Grant Partnership Agreement (Agreement) authorized by resolution on 10/21/2014 and will charge a 4% administrative service fee as agreed as sponsor.

**STAFF RECOMMENDATION:**

Adopt Resolution 2021-54 authorizing the City Manager to accept a Grant G21-03-04-G01 offer from the State of California Off Highway Motor Vehicle Recreation Division (OHMV) to the Tulare Cycle Park operating expenses not to exceed \$378,328.00 for the year 2021 and to sign all applicable paperwork related to application of the grant.

**CITY ATTORNEY REVIEW/COMMENTS:**  Yes  N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:**  Yes  No  N/A

**Submitted by:** Manuel Correa

**Title:** General Services Manager

**Date:** 11/24/2021

**City Manager Approval:** \_\_\_\_\_



## RESOLUTION 2021-54

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TULARE AUTHORIZING THE CITY MANAGER TO APPLY FOR AN OFF- HIGHWAY MOTOR VEHICLE GRANT

**WHEREAS**, the people of the State of California have enacted the Off-Highway Motor Vehicle Recreation Act of 2003, which provides funds to the State of California and its political subdivisions for Operation and Maintenance, Restoration, Law Enforcement, and education and Safety for off-highway vehicle recreation; and

**WHEREAS**, the City of Tulare (Applicant) has entered into a lease agreement with TEMMERMAN CORP, aka DT1 MX Cycle Park (Operator) on January 1, 20219 for the operation of the Tulare Cycle Park; and

**WHEREAS**, the Off-Highway Motor Vehicle Recreation Division with the California Department of Parks and Recreation ("OHMV") has been delegated the responsibility to administer the program; and

**WHEREAS**, procedures established by the OHMV require the Applicant's Governing Body to certify by resolution the approval to receive grant funding from the OHMV; and

**WHEREAS**, this project appears on, or is in conformance with this jurisdiction adopted General or Master Plan and compatible with land use plans of this jurisdiction immediately surrounding the Project;

**NOW, THEREFORE, BE IT RESOLVED** that the City of Tulare hereby;

1. Approves the receiving of grant funding from the Off-Highway Vehicle Grant or Cooperative Agreement Program; and
2. Certifies that this agency understands its legal obligations to the State upon approval of the Grant; and
3. Certifies that this agency understands the California Public Resources Code requirement that Acquisition and Development Projects be maintained to specific conservation standards; and
4. Certifies that the Project will be well-maintained during its useful life; and
5. Certifies that this agency will implement the Project with diligence once funds are available and the Applicant has reviewed, understands, and agrees with the Project Agreement; and
6. Certifies that this agency will provide the required matching funds; and
7. Certifies that the public and adjacent property owners have been notified of this Project (as applicable); and
8. Appoints the Applicant as agent to conduct all negotiations, execute and submit all documents including, but not limited to Applications, agreements,

amendments, payment requests and so on, which may be necessary for completion of the Project.

**PASSED, ADOPTED AND APPROVED** this 7th of December, 2021

\_\_\_\_\_  
President Pro Term of the Council  
and Ex-Officio Mayor Pro Term of  
the City of Tulare

ATTEST:

STATE OF CALIFORNIA)  
COUNTY OF TULARE    )  
ss. CITY OF TULARE    )

I, Marc Mondell, City Clerk of the City of Tulare, certify the foregoing is the full and true Resolution 2021-54 adopted by the Council of the City of Tulare at a regular meeting held on December 7, 2021, by the following vote:

Aye(s) \_\_\_\_\_

Noe(s) \_\_\_\_\_ Abstention(s) \_\_\_\_\_

Dated:

Marc Mondell, CITY CLERK

By: Roxanne Yoder, Chief Deputy

# Engineering Services / Project Management

## *December 2021 – Projects Dashboard*

City Council Presentation  
December 7, 2021



# *Capital Projects*





# CURRENT PROJECTS



-  EN0084 - Pleasant Ave. Improvements – **Under Construction**
-  EN0090 - Sequoia-Spruce Tracts Improvements – **Under Construction**
-  EN0091 - Elliott Tract Improvements – **Under Construction**
-  SD0018 - Storm Drain Lift Stations Rehabilitations – **Under Construction**
-  WT0020 - Well #15 (Cross & Mooney), #25 (Kraft) Rehabilitations – **Under Construction**
-  WT0038 – New Well #4-5 (Cartmill Ave. / J St.) – **Under Construction**
-  Pratt St. / Mefford-Choice Tracts Improvements – **Pending Award**
-  EN0074 - Cross Ave. Improvements – **Under Design**
-  EN0088 - Prosperity & West Intersection Signalization – **Under Design**
-  EN0093 - Prosperity & J St. Intersection Improvements – **Under Design**
-  EN0094 - Sycamore & Spruce Improvements – **Under Design**
-  EN0095 - Academy & Apricot Improvements – **Under Design**
-  WT0040 - New Well #4-3 (Bardsley Ave. / K St.) – **Under Design**
-  Tulare Ave. (SR 137) / Highway 99 – Signalization (RSTP Funds) – **Start Construction Early 2022**
-  International Agri-Center Way Interchange – **95% Plans; Ready for Bid in 2022**





# TRANSPORTATION PROJECTS



## Pleasant Ave. Improvements: (Enterprise St. to H St.)



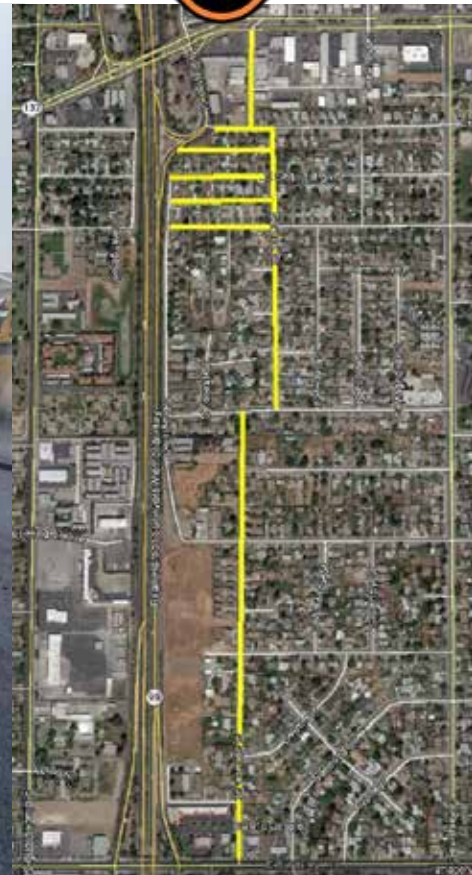
*(Expected Completion – Spring 2022)*



# TRANSPORTATION PROJECTS



## Sequoia-Spruce Tracts Improvements:



*(Expected Completion – Summer 2022)*



# TRANSPORTATION PROJECTS



## Elliott Tract Improvements:



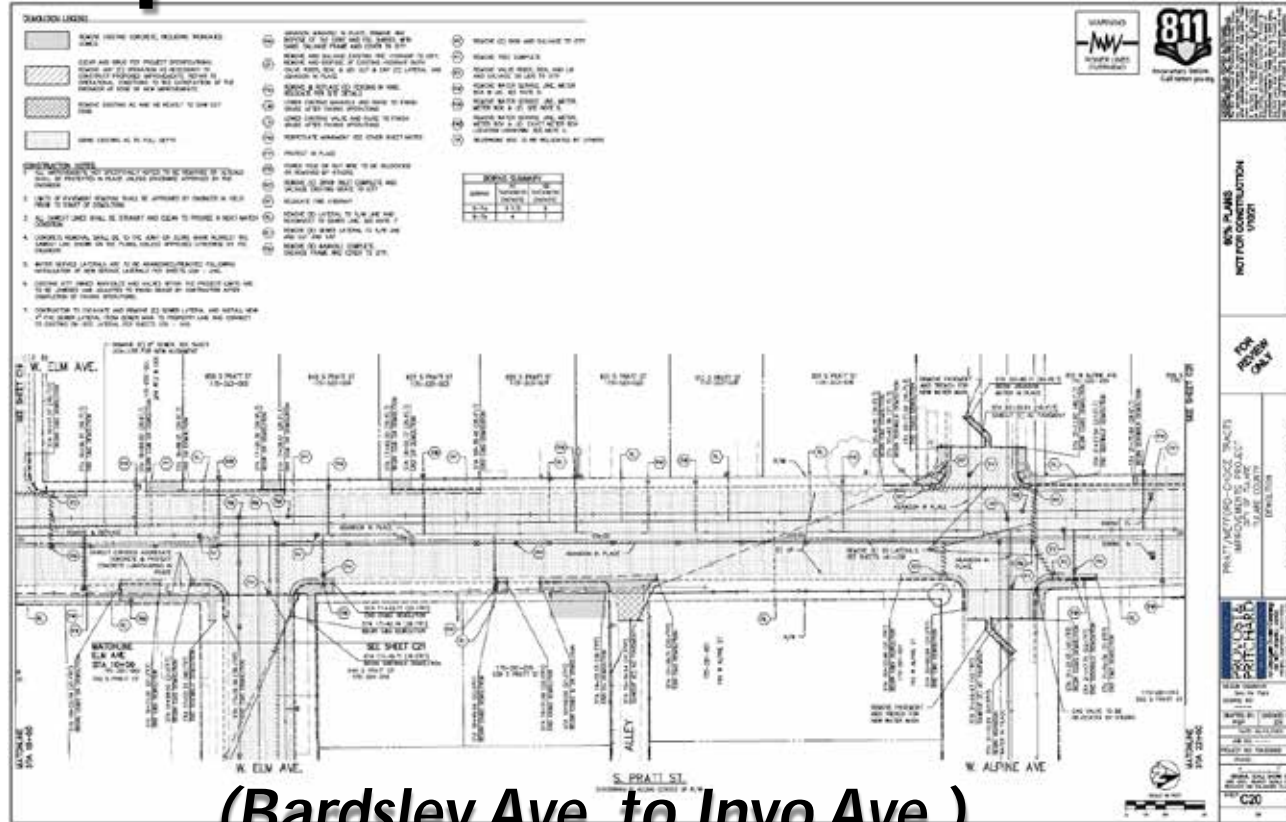
*(Expected Completion – Spring 2022)*



# TRANSPORTATION PROJECTS



## Pratt Street /Mefford-Choice Tracts Improvements:



(Bardsley Ave. to Inyo Ave.)



(Expected Completion – Late 2022)





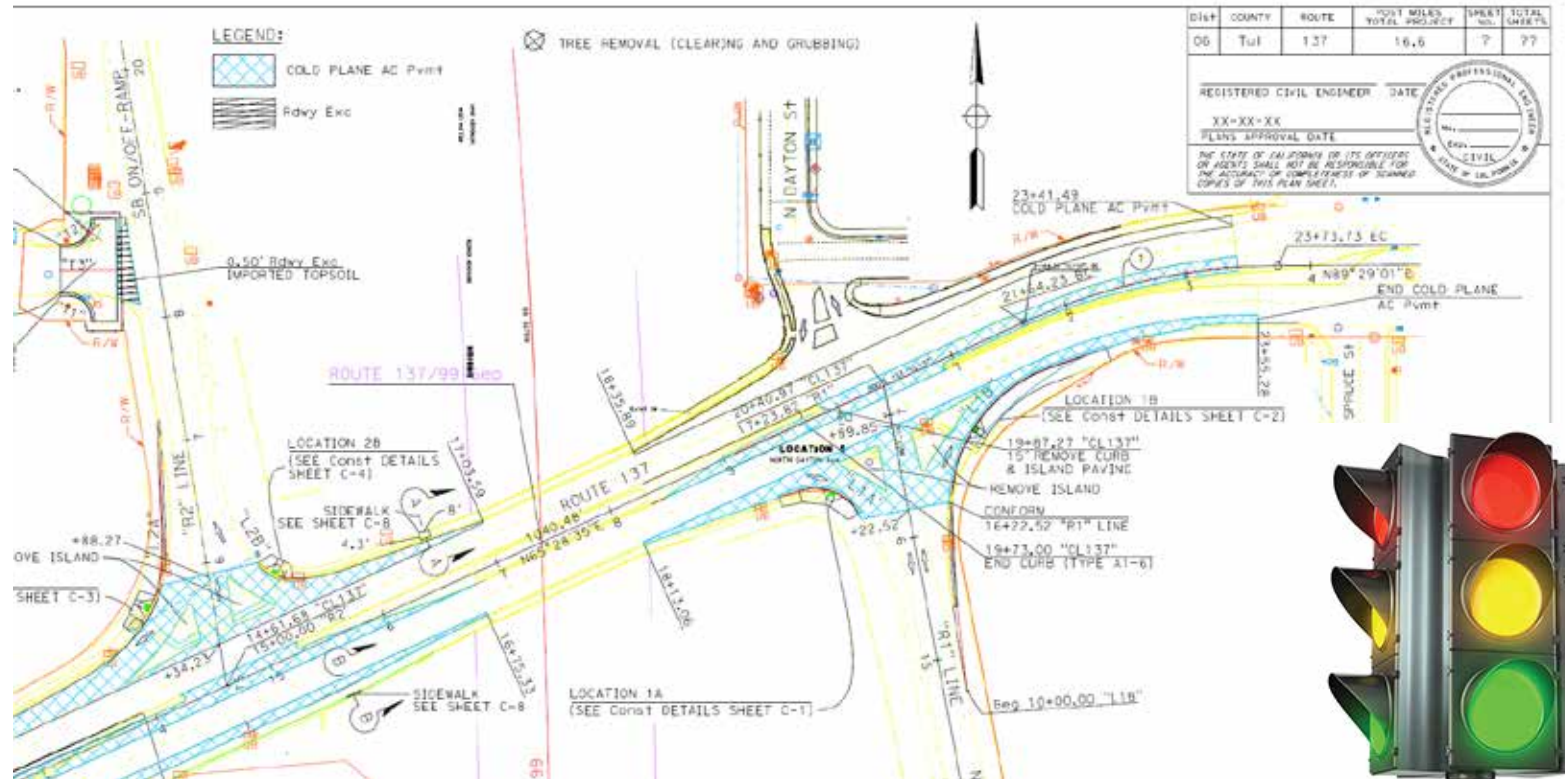


# TRANSPORTATION PROJECTS



## Tulare Ave. / Highway 99 Ramp Signals:

(Expected Completion – Late 2021)





# STORM DRAIN PROJECTS



## Storm Drain Lift Station Improvements:





# WATER PROJECTS



## New Well #4-5 (Cartmill Ave. / J St.):



*(Expected Completion – Summer 2022)*



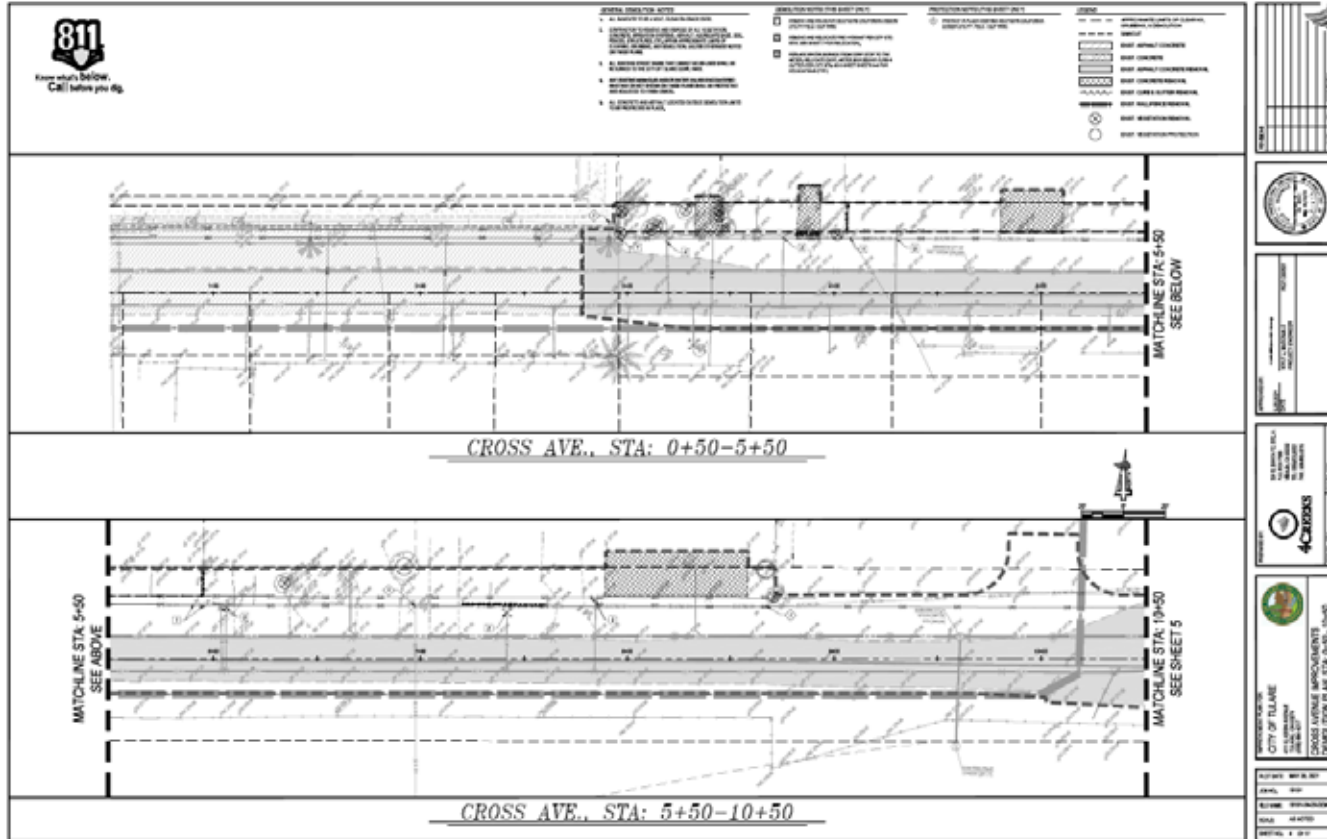


# TRANSPORTATION PROJECTS



## Cross Ave. Improvements:

ENGINEERING  
DESIGN



(Expected Completion - Late 2022)



# TRANSPORTATION PROJECTS



## Sycamore & San Joaquin Improvements:

**ENGINEERING  
DESIGN**



(Expected Completion - Spring 2023)



# TRANSPORTATION PROJECTS



## Academy & Apricot Improvements:

**ENGINEERING  
DESIGN**



*(Expected Completion – Summer 2023)*



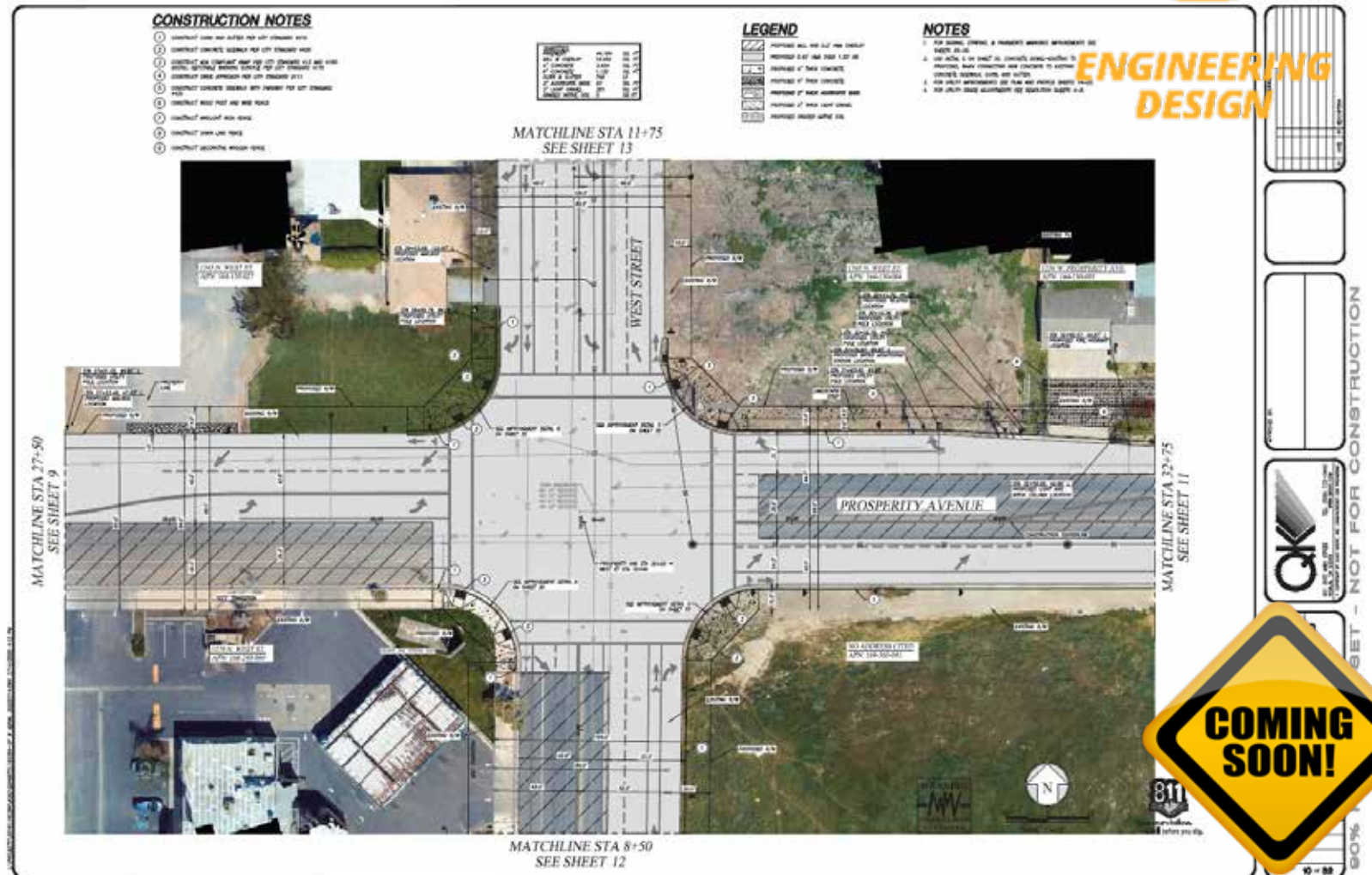


# TRANSPORTATION PROJECTS



## Prosperity Ave. & West Street Intersection Improvements:

*(Expected Completion – Summer 2022)*





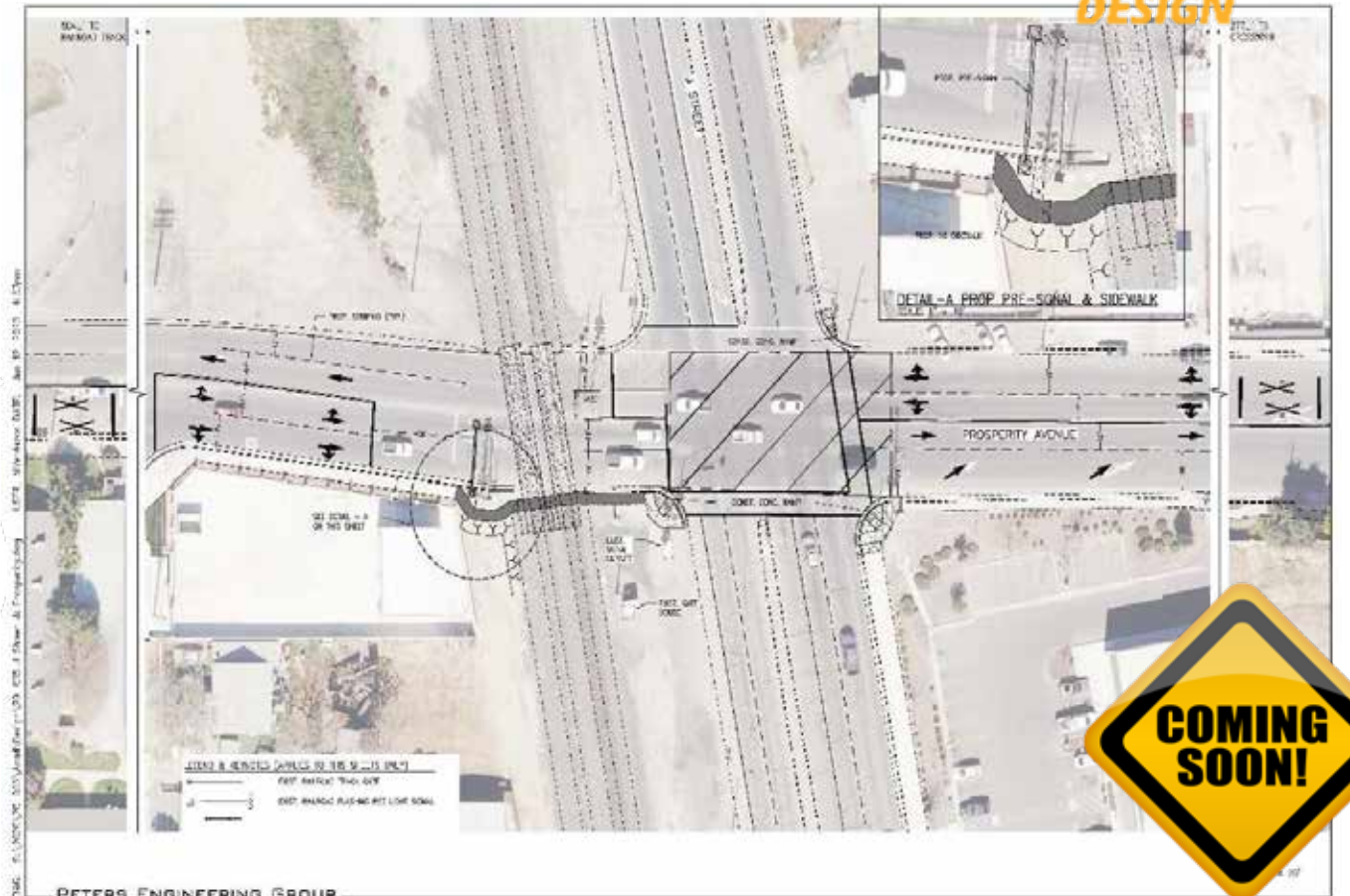
# TRANSPORTATION PROJECTS



## Prosperity Ave. & J Street Improvements:

*(Expected Completion – Late 2022)*

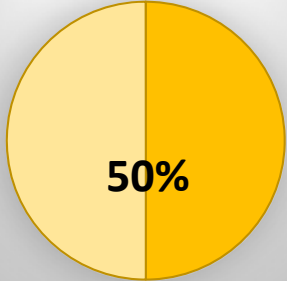
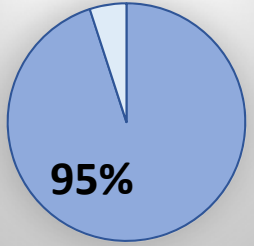
**ENGINEERING  
DESIGN**





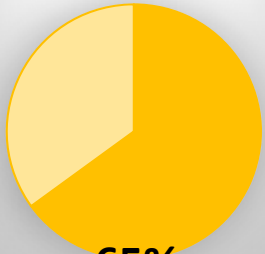
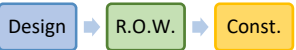
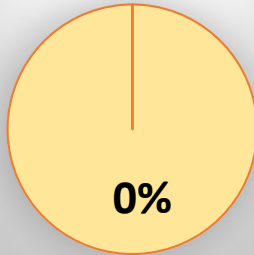
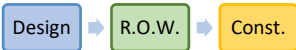
# ENGINEERING SERVICES / PROJECT MANAGEMENT DASHBOARD

Date: December 7, 2021

Project Name	Contacts	Description	Progress Update	Project Budget	Completion
<b>EN0084:</b> <b>Pleasant Avenue Improvements</b>	District(s): <b>1 &amp; 2</b>	Pavement management system and utility project on Pleasant between Cromley Street and "H" Street. Includes ADA concrete work and water, sewer and storm drain facilities. Realigns West Street intersection and installs improvements for future traffic signal.	<b>Construction</b> The project was broken into 6 phases. <b>Phases A</b> (La Dawna St. to Denair St.) - <i>Complete</i> . <b>Phase B</b> (Enterprise St. – La Dawna St.) – <i>Complete</i> <b>Phase C</b> (Denair St. – West St. – <i>Complete</i> <b>Phase D</b> (West St. – E St.) – <i>Complete</i> <b>Phase E</b> (E St. – H St.) - <i>Underway</i>	<b>Total Budget:</b> <b>\$7,760,680</b>	 <p>50%</p> <p>Expected Completion: <b>Summer 2022</b></p> <p>Design → R.O.W. → Const.</p>
	Division: <b>Engineering</b>			<b>Total Construction Award:</b> <b>\$5,256,442.08</b>	
	Project Manager: <b>Nick Bartsch</b>			<b>CO's to Date:</b> <b>\$ 173,725.19 (3.3%)</b>	
	Engineer: <b>Provost &amp; Pritchard</b>			<b>SCE Undergrounding</b> <b>\$419,250</b>	
	Contractor: <b>Dawson-Mauldin, LLC.</b>			<b>Total Contract:</b> <b>\$5,849,417.27</b>	
		<b>Funding:</b> Measure R, Water CIP, Sewer CIP	<b>Contract Working Days:</b> <b>225</b>		
<b>EN0088:</b> <b>Prosperity / West Traffic Signal</b>	District(s): <b>1 &amp; 2</b>	Expansion project to install a traffic signal at the intersection of Prosperity and West. Includes ROW acquisition to allow placement of facilities at their ultimate location. Includes ADA concrete work, sewer water, storm drain, and TID facilities.	<b>Design</b> is complete, and <b>ROW</b> acquisition is beginning. The project is expected to go out to bid in Spring/Summer 2022 pending ROW acquisition status.	<b>Total Budget:</b> <b>\$3,486,840</b>	 <p>95%</p> <p>Expected Completion <b>Late 2022</b></p> <p>Design → R.O.W. → Const.</p>
	Division: <b>Engineering</b>			<b>Construction Estimate:</b> <b>\$2,525,597</b>	
	Project Manager: <b>Nick Bartsch</b>			<b>CO's to Date:</b> <b>N/A</b>	
	Engineer: <b>QK</b>			<b>Total Contract:</b> <b>TBD</b>	
	Contractor: <b>TBD</b>			<b>Contract Working Days:</b> <b>TBD</b>	
		<b>Funding:</b> Measure R			

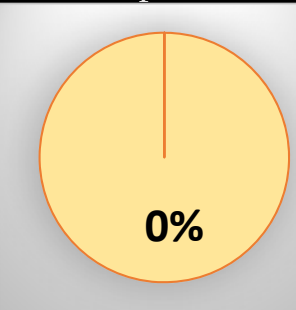
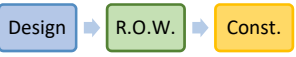
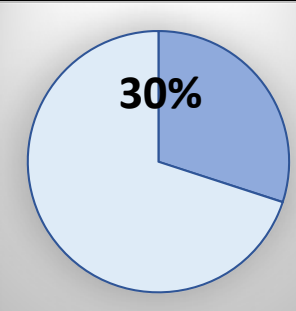

# ENGINEERING SERVICES / PROJECT MANAGEMENT DASHBOARD

Date: December 7, 2021

Project Name	Contacts		Description	Progress Update	Project Budget		Completion
<b>EN0090:</b> <b>Sequoia / Spruce Tract Improvements</b>	<i>District(s):</i>	<b>4</b>	Pavement management system and utility project on Spruce St. (Bardsley-Tulare), Sierra (Hwy 99-Spruce), Sierra/Sequoia Alley (Hwy 99-Spruce), Sequoia (Dayton-Spruce), and adjacent alleys. Includes ADA concrete work, water, sewer, and storm drain facilities.  <b>Funding:</b> Measure R, Gas Tax SB1 (RMRA), Water CIP, Sewer CIP, Storm Drain CIP	<b>Construction</b> The project was broken into 5 phases.  <b>Phase 1</b> - (Bardsley Ave. to Birch Ave.) - <b>Complete.</b>  <b>Phase 2</b> - (Birch Ave. to Kern Ave.) - <b>Complete.</b>  <b>Phase 3</b> - (Kern Ave. – Sierra Ave.) - <b>Underway.</b>	<b>Total Budget:</b>	<b>\$8,169,148</b>	 <b>65%</b>  Expected Completion: <b>Summer 2022</b> 
	<i>Division:</i>	<b>Engineering</b>			<b>Contract Award:</b>	<b>\$6,045,366.78</b>	
	<i>Project Manager:</i>	<b>Nick Bartsch</b>			<b>CO's to Date:</b>	<b>\$10,757.28</b>	
	<i>Engineer:</i>	<b>Peters Engineering Group</b>			<b>Total Contract:</b>	<b>\$6,056,124.06</b>	
	<i>Contractor:</i>	<b>99 Pipeline, Inc.</b>			<b>Contract Working Days:</b>	<b>270</b>	
<b>EN0091:</b> <b>Elliott Tract Improvements</b>	<i>District(s):</i>	<b>1</b>	Pavement management system and utility project on Owens (West-Santa Clara), Los Angeles (Bardsley-Owens), Elm (West-Sacramento), and Santa Clara (Bardsley-Inyo). Includes ADA concrete work and water, sewer and storm drain facilities.  <b>Funding:</b> Gas Tax, Gas Tax (RMRA) SB1, Water CIP, Sewer CIP, Streets CIP, Storm Drain CIP	<b>Construction</b> The project was broken into 5 phases.  <b>Phase 1</b> - (Los Angeles St.: Sonora Ave. - Owens Ave.; Owens: West St. – Santa Clara St.) - <b>Complete.</b>  <b>Phase 2</b> - (Santa Clara St.: Sonora Ave. - Inyo Ave. - <b>Underway</b>	<b>Total Budget:</b>	<b>\$5,566,373</b>	 <b>0%</b>  Expected Completion: <b>Summer 2022</b> 
	<i>Division:</i>	<b>Engineering</b>			<b>Contract Award:</b>	<b>\$4,136,815</b>	
	<i>Project Manager:</i>	<b>Nick Bartsch</b>			<b>CO's to Date:</b>	<b>N/A</b>	
	<i>Engineer:</i>	<b>4Creeks</b>			<b>Total Contract:</b>	<b>\$4,136,815</b>	
	<i>Contractor:</i>	<b>Dawson-Mauldin, LLC.</b>			<b>Contract Working Days:</b>	<b>190</b>	

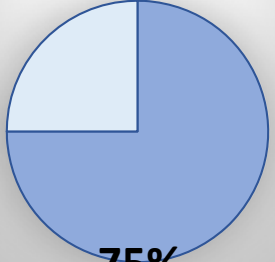
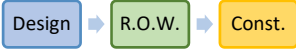
# ENGINEERING SERVICES / PROJECT MANAGEMENT DASHBOARD

Date: December 7, 2021

Project Name	Contacts	Description	Progress Update	Project Budget	Completion
<b>EN0092:</b> <b>Pratt St. / Mefford-Choice Tracts Improvements</b>	<i>District(s):</i> <b>1 &amp; 2</b>	Pavement management system and utility project on Pratt (Bardsley-Inyo), Walter (Bardsley-Elm), Oliver (Bardsley-Elm), Cleveland (Bardsley-Elm), Victoria (Bardsley-Elm), Elm (Howard-D Street), and "C" Street (Elm-Alpine). Includes ADA concrete work and water, sewer and storm drain facilities.  <b>Funding:</b> Measure R, Gas Tax, CDBG, Gas Tax (RMRA) SB1, Water CIP, Sewer CIP, Streets CIP, Storm Drain CIP	Project bid on 11/18/21. <b>Award</b> is pending approval of City Council and the Board of Public Utilities.	<i>Budget:</i> <b>\$8,697,765</b>	 <p style="text-align: center; font-size: 24px; font-weight: bold;">0%</p>
	<i>Division:</i> <b>Engineering</b>			<i>Contract Award:</i> <b>\$6,782,277</b>	
	<i>Project Manager:</i> <b>Nick Bartsch</b>			<i>CO's to Date:</i> <b>N/A</b>	
	<i>Designer / Engineer:</i> <b>Provost &amp; Pritchard</b>			<b>Total Contract:</b> <b>\$6,782,277</b>	
	<i>Contractor:</i> <b>Dawson-Mauldin, LLC.</b>			<b>Contract Working Days:</b> <b>220</b>	
Expected Completion: <b>Late 2022</b> 					
<b>EN0093:</b> <b>Prosperity &amp; J St. Intersection Improvements</b>	<i>District(s):</i> <b>2 &amp; 4</b>	CRISI Grant funded project to add protected left movements for E/bound & W/bound traffic at Prosperity and J Street, add a pre-signal in advance of the UPRR crossing, and install ADA compliant pedestrian improvements.  <b>Funding:</b> Gas Tax (HUTA), CRISI Grant	<b>Contracts:</b> Final grant agreement approvals - Pending; Design is Ongoing	<i>Budget:</i> <b>\$2,800,000</b>	 <p style="text-align: center; font-size: 24px; font-weight: bold;">30%</p>
	<i>Division:</i> <b>Engineering</b>			<i>Construction Estimate (City Portion):</i> <b>\$700,000</b>	
	<i>Project Manager:</i> <b>Nick Bartsch</b>			<i>CO's to Date:</i> <b>N/A</b>	
	<i>Designer / Engineer:</i> <b>Peters Engineering Group</b>			<b>Total Contract:</b> <b>TBD</b>	
	<i>Contractor:</i> <b>TBD</b>			<b>Contract Working Days:</b> <b>TBD</b>	
Expected Completion: <b>Late 2022</b> 					

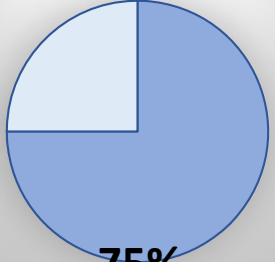
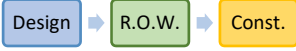
# ENGINEERING SERVICES / PROJECT MANAGEMENT DASHBOARD

Date: December 7, 2021

Project Name	Contacts	Description	Progress Update	Project Budget	Completion	
<b>EN0094: Sycamore &amp; San Joaquin Improvements</b>	<i>District(s):</i> <b>4</b>	Pavement Management System / Utility project on King Ave. between O St. and Cherry St.; Sycamore Ave. between Cherry St. and Blackstone St.; San Joaquin Ave. between O St. and Blackstone St.; Madden St. between Tulare Ave. and King St.; Delwood St. between Sycamore Ave. and San Joaquin Ave.; and N. Highland St. between Tulare Ave. and Sycamore Ave. Includes ADA Concrete work, Water, Sewer and Surface Water facilities.	Project is currently under <b>Design</b> . The project is expected to go out to bid for construction in Early 2022.	<i>Budget:</i> <b>\$6,487,870</b>	 <p><b>75%</b></p>	
	<i>Division:</i> <b>Engineering</b>			<i>Construction Estimate (City Portion):</i> <b>\$4,261,345</b>		<i>CO's to Date:</i> <b>N/A</b>
	<i>Project Manager:</i> <b>Nick Bartsch</b>			<i>Total Contract:</i> <b>TBD</b>		<i>Contract Working Days:</i> <b>TBD</b>
	<i>Designer / Engineer:</i> <b>Peters Engineering Group</b>					
	<i>Contractor:</i> <b>TBD</b>					
		<b>Funding:</b> Gas Tax (RMRA), CDBG, Water CIP, Sewer CIP, Streets CIP, Storm Drain CIP			<p>Expected Completion: <b>June 2023</b></p> 	

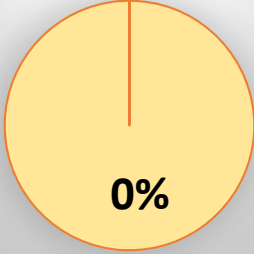
# ENGINEERING SERVICES / PROJECT MANAGEMENT DASHBOARD

Date: December 7, 2021

Project Name	Contacts	Description	Progress Update	Project Budget	Completion
<b>EN0095: Academy &amp; Apricot Improvements</b>	<i>District(s):</i> <b>4</b>	Pavement Management System / Utility project on Apricot Ave. between Gem St. and Blackstone St.; Academy Ave. between Gem St. and Blackstone Ave.; Pine Dr. between Academy Ave. and Highland St.; E. La Mesa Dr. between Academy Ave. and Blackstone St.; N. Gem St. between San Joaquin Ave. and Academy Ave.; Highland St. between San Joaquin Ave. and the Santa Fe Trail; and Olympic Ct. at Apricot Ave. Includes ADA Concrete work, Water, Sewer and Surface Water facilities.	Project is currently under <b>Design</b> . The project is expected to go out to bid for construction in Early 2022.	<i>Budget:</i> <b>\$7,434,068</b>	 <p><b>75%</b></p>
	<i>Division:</i> <b>Engineering</b>			<i>Construction Estimate (City Portion):</i> <b>\$4,888,381</b>	
	<i>Project Manager:</i> <b>Nick Bartsch</b>			<i>CO's to Date:</i> <b>N/A</b>	
	<i>Designer / Engineer:</i> <b>4 Creeks</b>			<i>Total Contract:</i> <b>TBD</b>	
	<i>Contractor:</i> <b>TBD</b>			<i>Contract Working Days:</i> <b>TBD</b>	
		<b>Funding:</b> Gas Tax (RMRA/HUTA), Water CIP, Sewer CIP, Streets CIP, Storm Drain CIP			<p>Expected Completion: <b>June 2023</b></p> 

# ENGINEERING SERVICES / PROJECT MANAGEMENT DASHBOARD

Date: December 7, 2021

Project Name	Contacts	Description	Progress Update	Project Budget	Completion
<b>EN0056:</b> <b>Caltrans – Tulare Avenue / Hwy 99 Ramp Improvements &amp; Signalizations</b>	<i>District(s):</i> <b>4</b>	City/State partnership project to signalize the Hwy 99 ramp intersections of Tulare Avenue (SR 137). Project will result in permanent closure of Sierra Avenue at northbound ramps, and San Joaquin Avenue at southbound ramps.	Caltrans is the lead agency for the project. Design is and ROW acquisition have been completed and the project was bid. Construction contract award is pending, with construction tentatively scheduled to start in November 2021.	<i>City Contribution to Caltrans:</i> <b>\$1,975,000</b>	 <p><b>0%</b></p> <p>Expected Completion: <b>Early 2022</b></p> <p>Design → R.O.W. → Const.</p>
	<i>Division:</i> <b>Engineering</b>				
	<i>Project Manager:</i> <b>Nick Bartsch</b>				
	<i>Designer / Engineer:</i> <b>Caltrans</b>				
<i>Contractor:</i> <b>TBD</b>	<b>Funding:</b> RSTP				
<b>Caltrans – South Tulare Interchange</b>	<i>District(s):</i> <b>3</b>	City – State partnership project to construct a new interchange on Hwy 99 at the International Agri-Center Way (Commercial Avenue) alignment. Project will realign Blackstone Avenue north of Commercial Ave.	Caltrans is the lead agency for the project. Design is nearly complete, and ROW acquisition has begun. The project is expected to go out to bid for construction in June 2022.	<i>Construction Estimate:</i> <b>TBD</b> <i>Total Contract:</i> <b>TBD</b>	 <p><b>95%</b></p> <p>Expected Completion: <b>2025</b></p> <p>Design → R.O.W. → Const.</p>
	<i>Division:</i> <b>Engineering</b>				
	<i>Project Manager:</i> <b>Nick Bartsch</b>				
	<i>Designer / Engineer:</i> <b>Caltrans</b>				
<i>Contractor:</i> <b>TBD</b>	<b>Funding:</b> Measure R, State Funding, DIFs				

November 10, 2021

**Mr. Nick Bartsch**

Sr. Project Manager  
City of Tulare  
411 E. Kern Ave.  
Tulare, CA 93274



**Subject: EN0092-Pratt Street / Mefford-Choice Tracts Improvements, Public Works Inspection Coverage Services, 4Creeks Job No. 21384**

Dear Mr. Bartsch,

Our understanding is that the City would like to utilize our services on a full-time basis to perform inspection services for the Pratt Street / Mefford-Choice Tracts Improvements capital project. Our understanding is that these services will be needed starting around the beginning of January 2022 and will continue for the 220 working day duration of the construction contract. We expect the project will end around December 2022. Listed below is the scope of services that we anticipate performing for this project. Additionally, per your request attached is a fee estimate for our inspection services.

- Inspect traffic control to make sure it complies with the City's approved plan for the project.
- Coordinate with the City's CM or directly with the materials testing company to schedule testing for the project. 4Creeks Inspector will be present for testing done at the site.
- Verify that materials used on the project match the submittals approved by the City's CM.
- Coordinate errors and omissions and unforeseen field issues with the City CM for resolution.
- Coordinate required inspections and testing with City departments.
- Perform Daily Inspections of the work performed by the contractor and record on the City's standard documents and the CMIS program. Take pictures of construction progress.
- Inspect contractor's work throughout construction visually and using normal hand tools smart levels, soil probes, tape measures, measuring wheels, etc.
- Mr. Garland will be on site full time during this period to observe the improvements being constructed to verify compliance with City requirements. The only times Mr. Garland will not be onsite full time will be when he is performing inspections on the Pleasant Ave. project. There will be some overlap between these two projects. During this overlap period 4Creeks also has another inspector in the area that will assist Mr. Garland if inspections are needed at both projects at the same time.
- Perform field measurements for the City CM to verify progress payment amounts.
- Meet with the City CM to hand off project documents at the end of our scope of work.

We estimate that these services can be provided for a **Time and Materials Fee of \$281,660.**

The above services will be billed on a time and materials basis in accordance with the on-call contract and attached fee schedule. We will not exceed the fee estimate without prior authorization or direction from the City.

**Services Not Included in the Fee Estimate**

- Construction Management
- Materials Testing
- Labor Compliance
- Survey Staking
- Fees associated with the CMIS program

While the services above are excluded from this fee estimate, 4Creeks would be happy to provide some of these services on an additional time and materials basis if the City needs assistance.

324 S. Santa Fe, Suite A  
Visalia, California 93292  
[www.4-creeks.com](http://www.4-creeks.com)

If you have any questions or need any additional information, please feel free to give us a call to discuss.

Sincerely,



Chris Crawford, PE 71192  
Sr. Civil Engineer



Matthew D. Ainley, PE 66233  
Principal-In-Charge

encl:            Fee Estimate and Fee Schedule

Approval:

\_\_\_\_\_  
City Manager Signature

\_\_\_\_\_  
Date



# EN0092-Pratt St. / Mefford-Choice Tracts Imp., Public Works Inspection Coverage

Fee Estimate  
C. Crawford & M. Ainley

Project Tech V	Construction Inspector IV Non-Prevailing Wage	Construction Inspector Prevailing Wage	Construction Inspector Overtime	Construction Inspector V	Principal Engineer	Reimbursable Expenses	TOTAL
\$95	\$140	\$150	\$180	\$160	\$170	Fee Varies	

**Task 1: Public Works Inspection Cost**  
**(Assumed 220 working days per the**  
**construction contract.)**

Preconstruction Meeting and Project Startup Tasks	25			5			\$4,300
Daily Inspections. This task assumes that our Construction Inspector will be working 8 hours per day for 220 working days. This also assumes that 80% of this time will be prevailing wage and 20% of the time will be non-prevailing wage. We also assumed about 48 hours of overtime and we assumed a small amount of hours for inspection oversight from a Sr. Inspector.	352	1408	48	30			\$273,920
Project Closeout and Handoff to City	20			4			\$3,440
<b>TOTAL TASK 1</b>							<b>\$281,660</b>

**TOTAL:**

<b>0</b>	<b>397</b>	<b>1408</b>	<b>48</b>	<b>39</b>	<b>0</b>	<b>0</b>	<b>\$281,660</b>
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# Fee Schedule for City of Tulare On-Call CM-Inspection Contract

Effective February 1, 2020



## 4Creeks, Inc. Fee Schedule – Professional

Fees are based on the median hourly pay rate for employees in each classification, plus indirect costs, overhead, and profit. Fee schedules for the various billing categories are:

Classification	Charges Per Hour	Classification	Charges Per Hour
<b>Civil Engineering Services</b>		<b>Construction Inspection (Non-Prevailing Wage)</b>	
Associate Engineer	<b>\$100</b>	Construction Inspector I *	<b>\$110</b>
Engineer I	<b>\$110</b>	Construction Inspector II *	<b>\$120</b>
Engineer II	<b>\$120</b>	Construction Inspector III *	<b>\$130</b>
Engineer III	<b>\$130</b>	Construction Inspector IV *	<b>\$140</b>
Engineer IV	<b>\$140</b>	Construction Inspector V *	<b>\$160</b>
Engineer V	<b>\$150</b>		
Principal Engineer	<b>\$170</b>		
<b>Planning Services</b>		<b>Construction Management</b>	
Planner I	<b>\$90</b>	Construction Manager I	<b>\$120</b>
Planner II	<b>\$105</b>	Construction Manager II	<b>\$130</b>
Planner III	<b>\$120</b>	Construction Manager III	<b>\$140</b>
Planner IV	<b>\$130</b>	Construction Manager IV	<b>\$150</b>
Planner V	<b>\$140</b>	Senior Construction Manager	<b>\$160</b>
Planner VI	<b>\$160</b>		
<b>Structural Engineering Services</b>		<b>Support Staff</b>	
Structural Engineer I	<b>\$125</b>	Project Technician I	<b>\$55</b>
Structural Engineer II	<b>\$135</b>	Project Technician II	<b>\$65</b>
Structural Engineer III	<b>\$145</b>	Project Technician III	<b>\$75</b>
		Project Technician IV	<b>\$85</b>
		Project Technician V	<b>\$95</b>
		Drafter I	<b>\$70</b>
<b>GIS Services</b>		Drafter II	<b>\$80</b>
GIS Technician I	<b>\$90</b>	Expert Witness	<b>\$205</b>
GIS Technician II	<b>\$100</b>	Drone Pilot	<b>\$155</b>
<b>Utility Design Services</b>		<b>Executive Staff</b>	
Designer I	<b>\$110</b>	Executive I	<b>\$120</b>
Designer II	<b>\$130</b>	Executive II	<b>\$130</b>
Designer III	<b>\$165</b>	Executive III	<b>\$140</b>
<b>Land Surveying Services</b>		<b>4Creeks Creative</b>	
Assistant Surveyor	<b>\$100</b>	Creative Technician II	<b>\$65</b>
Land Surveyor I	<b>\$110</b>	Creative Technician II	<b>\$75</b>
Land Surveyor II	<b>\$120</b>	Creative Technician III	<b>\$85</b>
Land Surveyor III	<b>\$130</b>	Creative Technician IV	<b>\$95</b>
Land Surveyor IV	<b>\$140</b>	Programmer / Developer I	<b>\$105</b>
Land Surveyor V	<b>\$150</b>	Programmer / Developer II	<b>\$115</b>
Principal Land Surveyor	<b>\$170</b>	Creative Director	<b>\$120</b>
1-Man Survey Crew *	<b>\$105</b>	Director of Business Development	<b>\$145</b>
1-Man Survey Crew – Construction Staking *	<b>\$115</b>		
2-Man Survey Crew *	<b>\$175</b>		
2-Man Survey Crew – Construction Staking *	<b>\$185</b>		

\*Prevailing wage rates by separate schedule – Varies by County

Effective February 1, 2020

Fees are based on the median hourly pay rate for employees in each classification, plus indirect costs, overhead, and profit. Fee schedules for the various billing categories are:

Classification	Charges per Hour
<b>Construction Inspection (Prevailing Wage)</b>	
Construction Inspector	\$150
Construction Inspector Over Time	\$180
Construction Inspector – Sunday	\$210

Classification (Prevailing Wage)	Charges per Hour
1-Man Survey Crew- Tulare County	\$140
1-Man Survey Crew- Fresno County	\$140
1-Man Survey Crew- Kings County	\$140
1-Man Survey Crew- Kern County	\$140
1-Man Survey Crew- Merced County	\$140
2-Man Survey Crew- Tulare County	\$270
2-Man Survey Crew- Fresno County	\$270
2-Man Survey Crew- Kings County	\$270
2-Man Survey Crew- Kern County	\$270
2-Man Survey Crew- Merced County	\$270
1-Man Survey Crew- Tulare County (Construction Staking)	\$150
1-Man Survey Crew- Fresno County (Construction Staking)	\$150
1-Man Survey Crew- Kings County (Construction Staking)	\$150
1-Man Survey Crew- Kern County (Construction Staking)	\$150
1-Man Survey Crew- Merced County (Construction Staking)	\$150
2-Man Survey Crew- Tulare County (Construction Staking)	\$280
2-Man Survey Crew- Fresno County (Construction Staking)	\$280
2-Man Survey Crew- Kings County (Construction Staking)	\$280
2-Man Survey Crew- Kern County (Construction Staking)	\$280
2-Man Survey Crew- Merced County (Construction Staking)	\$280



1200 North Plaza Drive  
Visalia, CA 93291  
P 559.497.2880  
[www.bskassociates.com](http://www.bskassociates.com)

Sent via email: [NBartsch@tulare.ca.gov](mailto:NBartsch@tulare.ca.gov)

November 11, 2021

BSK Proposal CF21-22926R1

Mr. Nick Bartsch  
City of Tulare  
411 East Kern Avenue  
Tulare, California 93274

**SUBJECT: Revised Proposal for Construction Materials Testing Services  
Pratt St./Mefford-Choice Tracts Improvements (RFB #22-744)  
Tulare, California 93274**

Dear Mr. Bartsch:

We are pleased to submit this revised proposal to provide Construction Materials Testing Services for the Pratt St./Mefford-Choice Tracts Improvement project in Tulare, California as part of our *2020 On-Call Geotechnical and Various Materials Testing Services Professional Services Agreement*.

We have developed this revised proposal based on our review of the project documents that we downloaded from the City of Tulare website and our correspondence with you on 11/5/2021. If our revised proposal is acceptable, please issue us with a Task Order. We appreciate the opportunity to work with you on this project. If you have any questions, or require additional information or services, please contact us at (559) 497-2868.

## **SCOPE OF SERVICES**

Our scope of services on this project includes the following:

- Soil and Aggregate Base Observation and Compaction Testing
- HMA Placement Observation and Consistency Testing of HMA
- HMA Plant Sampling

We have excluded concrete sampling from our scope services.



## COST ESTIMATE

The following table is our cost estimate for this project.

FIELD SERVICES	DAYS	HRS/DAY	HOURS	RATE	COST
<b>Earthwork Construction</b>					
Subgrade Soil, Aggregate Base, and Soil Cement Compaction Testing (including utility trenches)	75	8	600	\$122	\$73,200
<b>Asphalt Construction</b>					
HMA Placement Observation and Consistency Testing	8	8	64	\$122	\$7,808
HMA Sampling for Plant	8	2	16	\$122	\$1,952
<b>FIELD SERVICES ESTIMATE</b>					<b>\$82,960</b>
LABORATORY TESTING	FREQUENCY	SETS/UNITS	RATE	EXTENSION	
Compaction Curves - Site Soils (4" Mold)	1 per material	22	\$244	\$5,368	
Compaction Curves - Site Soils (6" Mold)	1 per material	8	\$259	\$2,072	
Sieve Analysis of Sand Bedding Acceptance	2 per material	10	\$176	\$1,760	
Aggregate Base Class II Acceptance Sieve Analysis	1 per material	1	\$176	\$176	
Aggregate Base Class II Acceptance Sand Equivalent	1 per material	1	\$130	\$130	
Aggregate Base Class II Acceptance Durability Index	1 per material	1	\$259	\$259	
Aggregate Base Class II Acceptance R-Value	1 per material	1	\$455	\$455	
HMA Aggregate Sieve Analysis	1 per 750 tons	11	\$176	\$1,936	
HMA Aggregate Sand Equivalent	1 per 750 tons	11	\$130	\$1,430	
HMA Binder Content by Ignition Oven	1 per 750 tons	11	\$232	\$2,552	
HMA Ignition Oven Correction Factor	1 per 750 tons	11	\$300	\$3,300	
HMA Theoretical Max Specific Gravity (Rice)	1 per 750 tons	11	\$259	\$2,849	
HMA Stability	1 per 750 tons	11	\$182	\$2,002	
HMA Hamburg Wheel Track Testing	1 per 10,000 tons	1	\$2,726	\$2,726	
<b>LABORATORY TESTING ESTIMATE</b>					<b>\$27,015</b>
PROJECT MANAGEMENT & ADMINISTRATION			HOURS	RATE	EXTENSION
Registered Engineer (Review, support and reporting)			5	\$210	\$1,050
Project Manager (Field Oversight, Daily Report Review)			15	\$147	\$2,205
Administration (Data Processing, Field Coordination)				7%	\$7,698
<b>ADMINISTRATION ESTIMATE</b>					<b>\$10,953</b>
<b>TOTAL BUDGET ESTIMATE</b>					<b>\$120,928</b>
<b>TOTAL BUDGET ESTIMATE WITH 15% CONTINGENCY</b>					<b>\$139,067</b>

Please note that we have included contingencies in our cost estimates to account for retests, standby, extra work, and other situations can affect or time on the project that we cannot control. However, we will separate this time separate on our monthly invoices.

We based our *Cost Estimate* on the following assumptions:

- Field work will occur during normal business hours Monday through Friday;
- The client, contractor, or plant will provide safe and adequate access to perform testing, observation, and sampling.



## LIMITATIONS

We provide material testing and inspection services to help verify that the work is in conformance with the project documents. These services shall not be construed as acceptance of the work or relieve the contractor in any way from its obligations and responsibilities as outlined in the applicable construction documents. We assume no responsibility for the safety of others on the jobsite or the means and methods of construction. We will perform our services consistent with that level of care and skill ordinarily exercised by other consultants practicing in the same discipline and locale at the time the services are performed. No other warranties, either express or implied are provided. If changes occur in the design of the project, please notify us in writing.

Sincerely,

**BSK Associates**



Michael Collins  
Fresno Branch Manager



Blaine Mayo, EIT  
Staff Engineer

MC/BM/cc



**TRANSPORTATION PROJECT**

<b>PROJECT #EN0092</b>	<b>G/L #:</b>
<i>EN2019-009</i>	
<b>Pratt Street/Mefford-Choice Tract Improvements</b>	
<b>(Capital)</b>	
<b>(Capital)</b>	
<b>District(s): 1, 2</b>	

**PROJECT MANAGER:** Nick Bartsch

**PROJECT DESCRIPTION & PURPOSE:** Pavement Management System / Utility project on Pratt St. between Bardsley and Inyo (SR137), Walter between Bardsley and Elm; Oliver between Bardsley and Elm; Cleveland between Bardsley and Elm; Victoria between Bardsley and Elm; Elm between Howard and 'D' St.; 'C' St. between Elm and Alpine. Includes ADA Concrete work, Water, Sewer and Surface Water facilities.

**KEY POINTS:** Critical Utility Infrastructure Improvements; Traffic safety; Relief from potential liability concerns; Compliance to the American Disabilities Act

**PROJECT STATUS:** Approved by TMT on 9/23/16; 3/22/19

**PROJECTED START DATE:** 7/1/2020

**PROJECTED END DATE:** 6/30/2022

**FUTURE M & O:** No additional Cost  
*(Additional Cost & Department Responsibility)*

**CRITERIA (1-8):** Criteria 7: Project addresses regulatory, safety, or environmental requirements that could threaten in whole or in part the City's ability to operate a core program or function at some future time if not replaced or repaired.

Costs Description	Fiscal Year					Total	Unfunded
	2019/20	2020/21	2021/22	2022/23	2023/24		
001 - Conceptual	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
002 - Preliminary Design	-	-	-	-	-	-	-
003 - Environmental	-	6,000	-	-	-	6,000	-
004 - Final Design	-	388,818	-	-	-	388,818	-
005 - Construct/Impliment	-	-	6,172,348	-	-	6,172,348	-
006 - Close Out	-	-	-	-	-	-	-
<b>Total Costs:</b>	\$ -	\$ 394,818	\$ 6,172,348	\$ -	\$ -	\$ 6,567,166	\$ -
Funding Sources							
022 - Gas Tax (HUTA)	\$ -	\$0	\$985,685	\$ -	\$ -	\$ 985,685	\$ -
122 - Gas Tax (RMRA)	\$ -	\$68,736	\$0	\$ -	\$ -	\$ 68,736	-
077 - CDBG	-	\$0	\$390,000	-	-	\$ 390,000	-
021 - Measure R Local	-	\$0	\$179,018	-	-	\$ 179,018	-
643 - LTF	-	\$0	\$0	-	-	\$ -	-
610 - Water CIP (Bonds)	-	\$122,960	\$1,922,284	-	-	\$ 2,045,244	-
615 - Sewer/Wastewater CIP	-	\$123,213	\$1,926,236	-	-	\$ 2,049,448	-
647 - Surface Water CIP	-	\$79,909	\$769,125	-	-	\$ 849,035	-
<b>Total Funding:</b>	\$ -	\$394,818	\$6,172,348	\$ -	\$ -	\$ 6,567,166	\$ -

**TRANSPORTATION PROJECT**

**PROPOSED**

<b>PROJECT #EN0092</b>	<b>G/L #:</b>
EN2019-009	
<b>Pratt Street/Mefford-Choice Tract Improvements</b>	
<b>(Capital)</b>	
<b>(Capital)</b>	
<b>District(s): 1, 2</b>	

**PROJECT MANAGER:** Nick Bartsch

**PROJECT DESCRIPTION & PURPOSE:** Pavement Management System / Utility project on Pratt St. between Bardsley and Inyo (SR137), Walter between Bardsley and Elm; Oliver between Bardsley and Elm; Cleveland between Bardsley and Elm; Victoria between Bardsley and Elm; Elm between Howard and 'D' St.; 'C' St. between Elm and Alpine. Includes ADA Concrete work, Water, Sewer and Surface Water facilities.

**KEY POINTS:** Critical Utility Infrastructure Improvements; Traffic safety; Relief from potential liability concerns; Compliance to the American Disabilities Act

**PROJECT STATUS:** Approved by TMT on 9/23/16; 3/22/19

**PROJECTED START DATE:** 7/1/2020

**PROJECTED END DATE:** 12/31/2022

**FUTURE M & O:** No additional Cost  
*(Additional Cost & Department Responsibility)*

**CRITERIA (1-8):** Criteria 7: Project addresses regulatory, safety, or environmental requirements that could threaten in whole or in part the City's ability to operate a core program or function at some future time if not replaced or repaired.

Costs Description	Fiscal Year					Total	Unfunded
	2019/20	2020/21	2021/22	2022/23	2023/24		
001 - Conceptual	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
002 - Preliminary Design	-	-	-	-	-	-	-
003 - Environmental	-	6,000	-	-	-	6,000	-
004 - Final Design	-	377,300	-	-	-	377,300	-
005 - Construct/Impliment	-	-	8,314,465	-	-	8,314,465	-
006 - Close Out	-	-	-	-	-	-	-
<b>Total Costs:</b>	\$ -	\$ 383,300	\$ 8,314,465	\$ -	\$ -	\$ 8,697,765	\$ -
Funding Sources							
022 - Gas Tax (HUTA)	\$ -	\$21,603	\$2,463,721	\$ -	\$ -	\$ 2,485,324	\$ -
122 - Gas Tax (RMRA)	\$ -	\$68,736	\$0	\$ -	\$ -	\$ 68,736	-
077 - CDBG	-	\$0	\$450,000	-	-	\$ 450,000	-
021 - Measure R Local	-	\$0	\$179,018	-	-	\$ 179,018	-
643 - LTF	-	\$0	\$315,095	-	-	\$ 315,095	-
610 - Water CIP (Bonds)	-	\$108,811	\$2,360,314	-	-	\$ 2,469,125	-
615 - Sewer/Wastewater CIP	-	\$84,572	\$1,834,519	-	-	\$ 1,919,091	-
647 - Surface Water CIP	-	\$99,577	\$711,798	-	-	\$ 811,375	-
<b>Total Funding:</b>	\$ -	\$383,300	\$8,314,465	\$ -	\$ -	\$ 8,697,765	\$ -

Updated: 12/7/21



**AGENDA ITEM: Gen Bus PH 1a**

**CITY OF TULARE  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department:** Engineering Services / Engineering

**For Council Meeting of:** December 7, 2021

**Documents Attached:**  Ordinance  Resolution  Staff Report  Other  None

**AGENDA ITEM:**

Public Hearing to adopt Resolution 2021-\_\_\_ amending the City of Tulare’s Master Fee Schedule with regard to certain Engineering Division Fees.

**IS PUBLIC HEARING REQUIRED:**  Yes  No

**BACKGROUND/EXPLANATION:**

On April 21, 2020, the Council adopted Resolution 2020-16 establishing a schedule of fees and charges for City services. The Engineering Division has identified the following recommended revisions to the fees it charges:

Public Improvement Inspection Fees (Engineering Division Fee #'s 6, 7, 8, 9, & 10)

A typographical error was included in the Comprehensive User Fee Study prepared by Willdan Financial Services in 2018. The Public Inspection Fee is a stepped fee based upon the value of the improvements being installed. The fee was supposed to be based upon the following criteria:

Step	Estimated Value of Improvements	Public Improvement Inspection Fee
Step 1	Up to and including \$5,000	6% of estimated value of improvements
Step 2	Next \$20,000 of estimated value	Additional fee of 5% of Step 2 Value
Step 3	Next \$75,000 of estimated value	Additional fee of 5% of Step 3 Value
Step 4	Next \$150,000 of estimated value	Additional fee of 4% of Step 4 Value
Step 5	Next \$250,000 of estimated value	Additional fee of 2% of Step 5 Value

In the fee study prepared by Willdan Financial Services, the percentages in the fee calculation got converted to dollars (i.e., 6% was changed to \$0.06, 5% was changed to \$0.05, etc.). In the actual application of the fees, staff has been able to collect the correct fees. However, it is recommended that the correction to the Master Fee Schedule be formally adopted through Resolution.

Encroachment Permit Fees (Engineering Division Fee #'s 12, 13, & 15)

As the result of streamlined processes and improved efficiencies, the base fees charged for issuance of encroachment permits for construction of driveway approaches, sidewalk, and curb and gutter can be reduced as follows:

Description	Current Fee	Proposed Fee
Encroachment Permit Driveway Approach (per project)	\$459.00 per project	\$340.00 per project

Encroachment Permit Sidewalk (up to 75 LF)	\$437.00 per project	\$318.00 per project
Encroachment Permit Curb & Gutter (up to 75 LF)	\$523.00 per project	\$338.00 per project

**DIF Deferral Agreement & Release (Engineering Division Fee #48)**

DIF Deferral Agreements provide a mechanism by which a Developer can delay paying development impact fees, which are normally due upon the issuance of building permits. For residential building permits, the Developer can delay payment until the time of final inspection of the residence. For commercial building permits, the Developer can enter into an agreement with the City whereby the development impact fees are payed in installments over a specified length of time. In both instances, the DIF Deferral Agreement is recorded with the Tulare County Recorder’s Office and subsequently shows up on the title of the property. To clear the title, following the payment of all DIFs owed and at the request of the Developer, the City records a “Release Of Covenant And Agreement For Issuance Of Building Permits And Deferral Of Payment Of Impact Fees” (henceforth referred to as “Release”).

Currently, the Engineering Division charges a fee of \$577 each time that it prepares and processes a Development Impact Fee (DIF) Deferral Agreement. It also charges the same fee for preparing and processing a Release. As the result of streamlined processes and improved efficiencies, it is recommended that the fee charged for preparing and processing Development Impact Fee (DIF) Deferral Agreements and subsequent Releases be reduced from the current fee of \$577 to \$400. Furthermore, it has been determined that the reduced fee will be sufficient to cover the preparation and processing of both DIF Deferral Agreements and their associated Releases. Therefore, the unit basis of the fee will be revised from “Each” to “Per Agreement”.

***STAFF RECOMMENDATION:***

Adopt Resolution 2021-\_\_\_ amending the City of Tulare’s Master Fee Schedule with regard to certain Engineering Division Fees.

***CITY ATTORNEY REVIEW/COMMENTS:***  Yes  N/A

***IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:***  Yes  No  N/A

***FUNDING SOURCE/ACCOUNT NUMBER:***

**Submitted by:** Michael Miller

**Title:** City Engineer

**Date:** November 23, 2021

**City Manager Approval:** \_\_\_\_\_

**RESOLUTION 2021-\_\_\_\_\_**

**RESOLUTION OF THE COUNCIL OF THE CITY OF TULARE AMENDING THE  
MASTER FEE SCHEDULE WITH REGARD TO CERTAIN  
ENGINEERING DIVISION FEES**

**WHEREAS**, on April 21, 2020, the City Council of the City of Tulare (“City”) adopted Resolution 2020-16 establishing a schedule of fees and charges for City services; and

**WHEREAS**, the fees contained in the master fee schedule are based upon an analysis of City services, the reasonable costs borne by the City of providing those services, the beneficiaries of those services, and the revenues produced by those paying fees and charges for services provided; and

**WHEREAS**, the City desires to comply with both the letter and the spirit of Articles XIII B of the California Constitution and limit the growth of taxes; and

**WHEREAS**, typographical errors related to the Engineering Division’s Public Works Inspection fees were found in the Comprehensive User Fee Study prepared by Willdan Financial Services in 2018 that were subsequently carried over into the master fee schedule established by Resolution 2020-16, and the City desires to formally correct said errors; and

**WHEREAS**, certain fees contained within the master fee schedule established by Resolution 2020-16 pertaining to the Engineering Division’s processing of Encroachment Permits, and Development Impact Fee Deferral Agreements and Releases, have been reanalyzed and found to be in need of revision to reflect changes in the Division’s operational policies and procedures; and

**WHEREAS**, pursuant to Government Code Section 66018, the specific fees to be charged for services must be adopted by the City Council by resolution, after providing notice and holding a public hearing; and

**WHEREAS**, a public hearing on adoption of this resolution was hereto held as part of a regularly scheduled meeting on December 7, 2021, at 7:00 p.m., in the Council Chambers, 491 North “M” Street, Tulare, California; and

**WHEREAS**, all requirements of California Government Code Sections 66016, 66017, and 66018 are hereby found to have been complied with.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TULARE DOES RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:**

Section 1. Fee Schedule Adoption. The following schedule of fees and charges, marked as exhibit A are hereby directed to be computed by and applied by the various

City departments, and to be collected by the City Finance Department for the herein listed services when provided by the City or its designated contractors.

Section 2. Repealer. All resolutions and other actions of the City Council in conflict with the contents of this Resolution are hereby repealed.

Section 3. Effective Date. This Resolution shall go into full force and effect January 1, 2022.

**PASSED, ADOPTED, AND APPROVED this 7<sup>th</sup> day of December, 2021.**

\_\_\_\_\_  
President of the Council and Ex-Officio  
Mayor of the City of Tulare

ATTEST:

STATE OF CALIFORNIA )  
COUNTY OF TULARE ) ss.  
CITY OF TULARE )

I, MARC MONDELL, City Clerk of the City of Tulare and Clerk of the Council of said city, do hereby certify that the foregoing Resolution 2021-\_\_\_\_ was duly adopted by the City Council of said city and was signed by the President of said council, at a regular meeting of said City Council held on the 7<sup>th</sup> day of December, 2021 and was approved by the following vote:

Aye(s) \_\_\_\_\_

Aye(s) \_\_\_\_\_ Absent(s) \_\_\_\_\_

Dated: MARC MONDELL, CITY CLERK

BY: \_\_\_\_\_  
Roxanne Yoder, Chief Deputy  
Clerk and Clerk of the Council  
of the City of Tulare

Resolution 2021-\_\_\_\_\_

EXHIBIT A

<b>City of Tulare Master Fee Schedule - Engineering Division Fees</b>				
<b>#</b>	<b>Description</b>	<b>Notes</b>	<b>GL Account</b>	<b>Fee</b>
6	Public Improvement Inspection: First \$5,000 of estimated cost of improvements	Per Project		6%
7	Public Improvement Inspection: Next \$20,000 of estimated cost of improvements	Per Project		5%
8	Public Improvement Inspection: Next \$75,000 of estimated cost of improvements	Per Project		5%
9	Public Improvement Inspection: Next \$150,000 of estimated cost of improvements	Per Project		4%
10	Public Improvement Inspection: Next \$250,000 of estimated cost of improvements	Per Project		2%
12	Encroachment Permit Driveway Approach	Per Project		\$340.00
13	Encroachment Permit Sidewalk (up to 75 LF)	Per Project		\$318.00
15	Encroachment Permit Curb & Gutter (up to 75 LF)	Per Project		\$338.00
48	DIF Deferral Agreement & Release	Per Agreement		\$400.00

**AGENDA ITEM: Gen Bus PH 1b**

**CITY OF TULARE, CA  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department: Engineering Services / Engineering**

**For Council Meeting of: December 7, 2021**

**Documents Attached:**  Ordinance  Resolution  Staff Report  Other  None

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**AGENDA ITEM:**

Public Hearing to adopt Resolution 2021- \_\_\_\_\_ designating “no commercial parking” zones on segments of Mooney Boulevard from 1,220 south of Alpine Avenue to Kern Avenue, and from 655 feet south of Clover Meadow Avenue to Bardsley Avenue.; and authorize the installation of corresponding signage.

**IS PUBLIC HEARING REQUIRED:**  Yes  No

**BACKGROUND/EXPLANATION:**

The City has received citizen complaints regarding the parking of large, commercial trucks along the east side of Mooney Boulevard adjacent to residential development between Bardsley Avenue and Kern Avenue. There have been occasions when the drivers of these vehicles have started them up and allowed them to idle for an extended period of time in the pre-dawn hours. This creates a noise nuisance for adjacent residences backing up to Mooney Boulevard. Additionally, the parked vehicles can create visibility obstructions for drivers trying to pull onto Mooney Boulevard from Alpine Avenue and Kern Avenue.

The City’s existing parking ordinance prohibits the idling of parked commercial vehicles for longer than 5 minutes. However, enforcement of this regulation is difficult due to a lack of available resources, and the difficulty of catching offenders in the act. In response, the Police Department and Engineering Division are recommending the creation of a “no commercial vehicle” parking zone along the east side of Mooney Boulevard across the affected residential frontage (approximately 1,220 feet south of Alpine Avenue to Kern Avenue) as the most effective approach to addressing the nuisance. The City has a similar “no commercial parking” designations on Leland Avenue, Prosperity Avenue and West Street. The proposed parking restriction will also address the concerns regarding commercial vehicles creating a visibility obstruction for drivers on Alpine and Kern Avenues.

Due to similar concerns related to residential frontage of Mooney Boulevard south of Bardsley Avenue, and potential visibility obstructions at the intersection of Clover Meadow Avenue and Mooney Boulevard, it is recommended that a “no commercial vehicle” parking zone also be established for the east side of Mooney Boulevard from a point 655 feet south of Clover Meadow Avenue to Bardsley Avenue.

**STAFF RECOMMENDATION:**

Adopt Resolution 2021- \_\_\_\_\_ designating “no commercial parking” zones on segments of Mooney Boulevard from 1,220 south of Alpine Avenue to Kern Avenue, and from 655 feet south of Clover Meadow Avenue to Bardsley Avenue.; and authorize the installation of corresponding signage.

**CITY ATTORNEY REVIEW/COMMENTS:**  Yes  No  N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:**  Yes  No  N/A

**FUNDING SOURCE/ACCOUNT NUMBER:**

Funding is budgeted to cover the estimated \$1,200 expense through the Street Department's Maintenance Materials account.

**Submitted by: Michael Miller**

**Title: City Engineer**

**Date: November 23, 2021**

**City Manager Approval: \_\_\_\_\_**

**RESOLUTION 2021- \_\_\_\_\_**

**RESOLUTION OF THE COUNCIL OF THE CITY OF TULARE RESTRICTING THE PARKING OF COMMERCIAL VEHICLES ALONG SEGMENTS OF MOONEY BOULEVARD FROM A POINT 655 FEET SOUTH OF CLOVER MEADOW AVENUE TO BARDSLEY AVENUE, AND FROM A POINT 1,220 FEET SOUTH OF ALPINE AVENUE TO KERN AVENUE.**

**WHEREAS**, citizens have expressed concerns regarding a nuisance that exists due to commercial vehicles parking adjacent to residential properties along the east side of Mooney Boulevard between a point approximately 1,220 feet south of Alpine Avenue to Kern Avenue; and

**WHEREAS**, the City of Tulare Police Department and Engineering Division have further verified that the parking of commercial vehicles along the east side of Mooney Boulevard can result in visibility restrictions for drivers attempting to turn onto Mooney Boulevard from Alpine Avenue and Kern Avenue; and

**WHEREAS**, the City of Tulare Police Department and Engineering Division have determined that it would be necessary to restrict the parking of commercial vehicle traffic along the east side of Mooney Boulevard between a point approximately 1,220 feet south of Alpine Avenue and Kern Avenue to address the aforementioned concerns; and

**WHEREAS**, the City of Tulare Police Department and Engineering Division have determined that similar commercial parking restrictions should also be designated along the east side of Mooney Boulevard from a point approximately 655 feet south of Clover Meadow Avenue to Bardsley Avenue due to similar conditions and to deter migration of the nuisance; and

**WHEREAS**, a public hearing was held and comments were received; and

**WHEREAS**, it is in the best interest of the public to restrict the parking of commercial vehicles adjacent to or in the immediate vicinity of residential properties.

**NOW, THEREFORE, BE IT RESOLVED** as follows, to wit:

That the parking of commercial vehicles, as they are defined in Chapter 9.48.120 of the City of Tulare Municipal Code, shall be prohibited along the public street frontages listed below, and the Public Works Director of the City of Tulare, or his designee, is hereby authorized to install the necessary signs to enact this Resolution.

<b>Street</b>	<b>From</b>	<b>To</b>	<b>Restriction</b>
Mooney Boulevard	Approximately 655 feet south of Clover Meadow	Bardsley Avenue	No Parking of Commercial Vehicles



	Avenue		
Mooney Boulevard	Approximately 1,220 feet south of Alpine Avenue	Kern Avenue	No Parking of Commercial Vehicles

**PASSED, ADOPTED, AND APPROVED** this 7<sup>th</sup> day of December, 2021.

\_\_\_\_\_  
 President of the Council and Ex-Officio  
 Mayor of the City of Tulare

ATTEST:

STATE OF CALIFORNIA )  
 COUNTY OF TULARE    ) ss.  
 CITY OF TULARE        )

I, MARC MONDELL, City Clerk of the City of Tulare and Clerk of the Council of said city, do hereby certify that the foregoing Resolution 2021-\_\_\_\_ was duly adopted by the City Council of said city and was signed by the President of said council, at a regular meeting of said City Council held on the 7<sup>th</sup> day of December, 2021 and was approved by the following vote:

Aye(s) \_\_\_\_\_

Aye(s) \_\_\_\_\_ Absent(s) \_\_\_\_\_

Dated: \_\_\_\_\_ MARC MONDELL, CITY CLERK

BY: \_\_\_\_\_  
 Roxanne Yoder, Chief Deputy  
 Clerk and Clerk of the Council  
 of the City of Tulare

**AGENDA ITEM: Gen Bus PH 1c**

**CITY OF TULARE, CA  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department: Engineering Services / Engineering**

**For Council Meeting of: December 7, 2021**

**Documents Attached:  Ordinance  Resolution  Staff Report  Other  None**

**AGENDA ITEM:**

Public hearing to pass-to-print Ordinance 2021-\_\_\_ amending existing Chapters 8.24.450 (Street Design and Improvements) and 10.192.050 (Parking Lot Design Standards) of the Tulare Municipal Code.

**IS PUBLIC HEARING REQUIRED:  Yes  No**

**BACKGROUND/EXPLANATION:**

Review of Title 8, “Public Ways and Property” and Title 10, “Zoning” of the Tulare Municipal Code identified four sections related to street design standards and parking lot design standards that are in need of amending to address development concerns. The proposed changes are as follows:

Chapter 8.24.450(A)(2)(b) – This code section establishes the minimum offset spacing between streets. This is necessary to prevent conflicting turn movements at intersections should the spacing between intersections be too close together. The current standard is 200 feet. However, with the trend towards higher density development with smaller subdivision lots, the 200 foot spacing requirement makes it difficult to lay out street patterns. It is common to see a lot depth of 100 feet in new subdivisions. In instances where there is only a single row of lots between streets, such as where lots have backing lot treatment against a collector street and front on an interior local street, it is impossible to meet the current 200 foot centerline offset standard with a 100 foot lot depth. As such, it is recommended that the minimum offset spacing standard between street centerlines be reduced to 150 feet. This spacing will accommodate smaller lot subdivisions while still maintaining sufficient separation to prevent turn movement conflicts at street intersections.

Section 8.24.450(A)(7)(b) – This code section establishes the maximum length of cul-de-sacs or stubbed streets as 400 feet. The intent of limiting the length of cu-de-sac or stubbed streets is to ensure good connectivity within a subdivision for pedestrians living on such streets. It also provides public safety benefits by minimizing the number of residences that could have emergency access restricted by street blockages, and by providing law enforcement with good visibility to the end of the cul-de-sac without requiring them to actually turn down it. A review of the maximum cul-de-sac length standard used by other local agencies in the Central Valley revealed that 500 feet was most commonly used. The City of Tulare’s current standard of 400

feet was one of the lowest observed. Recognizing that the maximum cul-de-sac or stubbed street length standard restricts the design options afforded to the local development community, staff believes that the current standard is overly restrictive, and recommends that Council amend the ordinance to increase the maximum length from 400 feet to 500 feet.

Chapter 10.192.050(D) – This code section pertains to the design of parking lots, and requires that concrete curbing at least six inches tall and six inches wide be provided around all perimeter areas of a parking lot and around all landscape areas to define the edges of the parking lot and to protect landscaping. Currently, this code section also requires wheel stops for each parking stall to protect buildings and walkways. Several businesses and members of the development community have expressed concern regarding the tripping hazard posed by placing wheel stops in parking lots, and have requested that the City consider removing that requirement since there is already the requirement for six inch raised perimeter curb protecting buildings and walkways. In discussions with the City’s Building Official, he has agreed that as long as a minimum four foot wide path of travel is maintained on adjacent sidewalks while taking into account a vehicle overhang of two feet, the separate wheel stops are not necessary, and are in fact a greater risk to pedestrian safety. Wheel stops should still be required where vehicle overhand would infringe upon a minimum 4-foot wide accessible path along adjacent sidewalk, or where they are necessary to protect adjacent structures or facilities.

Chapter 10.192.050(A) – This code section also pertains to the design of parking lots. Revising the requirement in Chapter 10.192.050(D) for wheel stops in parking lots also requires amendment of this code section. The required length of a 90-degree parking stall drops from 20 feet to 18 feet when a wheel stop is not required and a 2-foot overhang is allowed. The table of parking lot dimensions contained in this code section will be revised to reflect that change, with a note added that explains that the parking stall length should be 18 feet without wheel stops, and 20 feet when wheel stops are required.

All proposed changes to the ordinance that will be enacted if approved by Council are shown in the red-line version attached to this staff report and incorporated herein by reference.

**STAFF RECOMMENDATION:**

Pass-to-Print Ordinance 2021-\_\_\_ amending existing Chapters 8.24.450 (Street Design and Improvements) and 10.192.050 (Parking Lot Design Standards) of the Tulare Municipal Code.

**CITY ATTORNEY REVIEW/COMMENTS:**  Yes  No  N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:**  Yes  No  N/A

**FUNDING SOURCE/ACCOUNT NUMBER:**

**Signed: Michael Miller**

**Title: City Engineer**

**Date: November 23, 2021**

**City Manager Approval: \_\_\_\_\_**

**ORDINANCE 2021-\_\_\_\_\_**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF TULARE AMENDING TITLE 8 SECTION 24.450(A)(2), TITLE 8 SECTION 24.450(A)(7), AND TITLE 10 SECTION 192.050(D) OF THE TULARE MUNICIPAL CODE**

**WHEREAS**, it has been determined that amendments to Sections 8.24.450(A)(2) and 8.24.450(A)(7) of the Tulare Municipal Code pertaining to street design and improvements require amendment to better accommodate development patterns under the City's Small Lot Ordinance; and

**WHEREAS**, it has been determined that amendment of Section 10.192.050(D) of the Tulare Municipal Code pertaining to parking lot street design requires amendment to revise the requirement for wheel stops to only apply in instances where they are necessary to maintain path of travel requirements on adjacent sidewalks.

**THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TULARE AS FOLLOWS, TO WIT:**

**SECTION 1:** Section 8.24.450(A)(2) of the Tulare Municipal Code of Ordinances is hereby amended and replaced as follows:

**CHAPTER 8.24.450: Street design and improvements.**

(A) *Street Configuration.*

(2) *Centerlines.*

(a) Existing or planned streets shall continue the centerlines of the existing streets as far as practical, in accordance with the City Design Guidelines and Standard Drawings and Specifications and as approved by the City Engineer.

(b) The centerlines shall be offset at least ~~200~~ 150 feet if no extensions from existing centerlines exist.

**SECTION 2:** Section 8.24.450(A)(7) of the Tulare Municipal Code of Ordinances is hereby amended and replaced as follows:

**CHAPTER 8.24.450: Street design and improvements.**

(A) *Street Configuration.*

(7) *Cul-de-sacs or stubbed streets.*

(a) The use of cul-de-sac or stubbed streets in residential subdivisions shall be minimized so as to meet the requirement for connectivity, above.

(b) Where cul-de-sacs or stubbed streets are used, they shall not exceed ~~400~~ 500 feet in length.

(c) Where necessary to give access to or permit a satisfactory future subdivision of adjoining land, streets shall extend to the boundary of the property proposed for subdivision and the resulting stubbed streets may be approved within a dedicated easement.

(d) Cul-de-sacs shall be open at their end for pedestrian access whenever possible.

(e) The property line radius at the terminus of the cul-de-sac shall be designed so as to provide a uniform parkway width.

(f) Barriers shall be erected to the City of Tulare specifications, at the expense of the subdivider, at the ends of all stubbed streets.

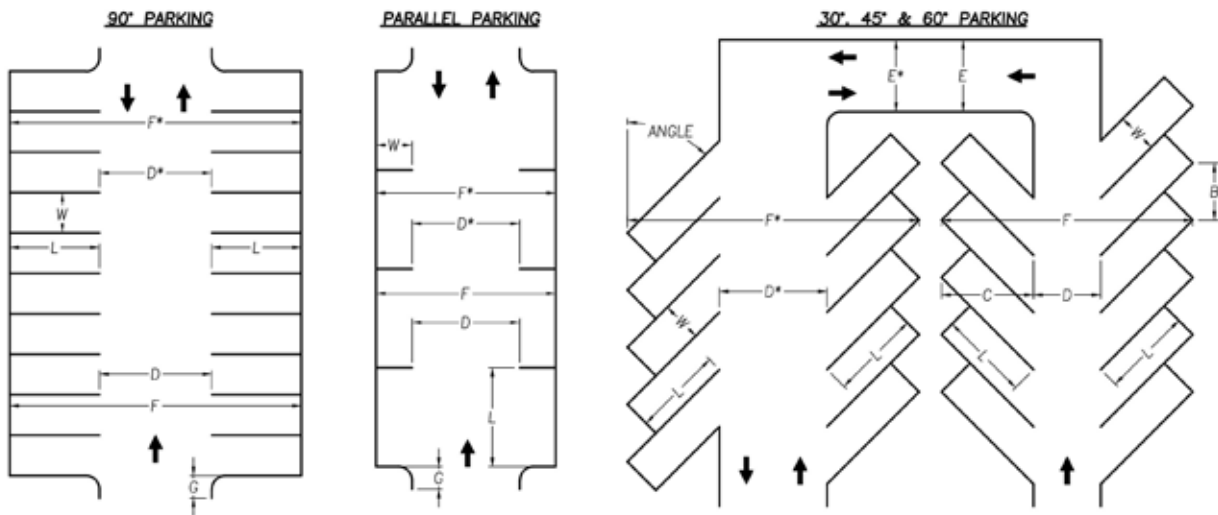
(g) For stubbed streets more than one lot in length, a temporary turnaround having a minimum radius of 50 feet measured to the property line is required until the street is extended.

**SECTION 3:** Section 10.192.050(A) of the Tulare Municipal Code of Ordinances is hereby amended and replaced as follows:

**CHAPTER 10.192.050(A): Parking Lot Design Standards.**

(A) *Design Dimensions.* Parking lots shall be designed consistent with the following standards:

**Parking Lot Design Standards**



<b>TABLE OF DIMENSIONS (in feet)</b>										
<i>Angle</i>	<i>W</i>	<i>L</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>D*</i>	<i>E</i>	<i>F</i>	<i>F*</i>	<i>G</i>
90°	9.0	18.0 <sup>3</sup>	9.0	-	25.0	25.0	20.0	61.0	61.0	5.0
45°	9.0	20.0	12.7	19.1	15.0	24.0	16.0	50.2	62.2	5.0
60°	9.0	20.0	10.4	20.0	15.0	24.0	17.0	58.0	64.0	5.0
30°	8.5	20.0	17.0	16.5	15.0	24.0	-	45.0	57.0	5.0
Parallel	8.0	22.0	-	-	15.0	24.0	-	28.0	40.0	5.0

\* = dimensions for two-way circulation system

Notes:

1. Accessible parking stalls and accessible routes shall comply with current CBC and ADA standards.
2. The figures in the table above correspond to the dimensions shown in the parking diagram above. For example “W” in the table corresponds to the width of an individual parking space. The table shows that for lots with 90-degree, 45-degree, and 60-degree parking, this measurement is nine feet. As another example, dimension “D” is the aisle width. For a parking lot with 60-degree angle parking and one-way circulation, this measurement is 12.0 feet, minimum.
3. When wheel stops are required for 90° parking stalls, “L” = 20.0 feet.

**SECTION 4:** Section 10.192.050(D) of the Tulare Municipal Code of Ordinances is hereby amended and replaced as follows:

**CHAPTER 10.192.050(D): Parking Lot Design Standards.**

(D) *Curbing and wheel stops.* Concrete curbing at least six inches tall and six inches wide shall be provided around all perimeter areas and around all landscape areas to define the edges of the parking lot and to protect landscaping. Wheel stops are required to protect buildings and walkways when a vehicle overhang of two (2) feet would result in less than forty-eight (48) inches of clear path of travel on adjacent sidewalks, or when required to protect structures or adjacent facilities.

**PASSED, ADOPTED AND APPROVED THIS** \_\_\_ day of December, 2021

\_\_\_\_\_  
 President of the Council and Ex-Officio  
 Mayor of the City of Tulare

ATTEST:

\_\_\_\_\_  
 Chief Deputy City Clerk of  
 the Council of the City of Tulare

**AGENDA ITEM: Gen Bus PH 1d**

**CITY OF TULARE, CA  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department:** Community and Economic Development Department

**For Council Meeting of:** December 7, 2021

**Documents Attached:**  Ordinance  Resolution  Staff Report  Other  None

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***AGENDA ITEM:***

Public Hearing to adopt Resolution 2021-\_\_\_ approving an Amendment V to the 2019 Community Development Block Grant (CDBG) Annual Action Plan (APP) to commit Coronavirus Aid, Relief, and Economic Security (CARES) Act funds in the amount of \$167,400 to a rent, mortgage, and utility assistance program and \$18,600 to program and grant administration costs, and to authorize the City Manager or their designee to submit the same to the U.S. Department of Housing and Urban Development (HUD) on behalf of the City of Tulare.

***IS PUBLIC HEARING REQUIRED:***  Yes  No

***BACKGROUND/EXPLANATION:***

The City's Community and Economic Development Department facilitates the yearly selection and implementation of activities funded under the Community Development Block Grant (CDBG) Program. HUD distributed the one-time CARES Act funds through the CDBG Program to the City and other entitlement jurisdictions. In total, the City received \$764,948 in CARES Act CDBG (CDBG-CV) funds by way of two separate awards in May and September of 2020 respectively. And in order to formally commit CDBG-CV funds to eligible activities, the City was required to complete an Annual Action Plan (AAP) amendment process. City staff chose to add all activities and projects implemented with CDBG-CV funds to the 2019 AAP.

All CDBG-CV projects must satisfy standard CDBG Program regulations and achieve an objective to prevent, prepare for, and/or respond to the coronavirus (COVID-19) pandemic. The first series of CDBG-CV projects the City implemented under the 2019 AAP involved public input, a needs assessment, and formal approval via a public hearing and the City Council Resolution 2020-27. These activities addressed small business, food, medical care, and homeless shelter needs, with most of the projects concluding by December 2020. And to start another round of CDBG-CV projects, City staff requested project proposals from local organizations and executed another amendment to the 2019 AAP in February and March of 2021. The second series of CDBG-CV activities, approved under Amendment IV, consisted of the following:

- \$193,483 to the Housing Authority of Tulare County to administer a rent relief program for low-income households adversely affected by the COVID-19 pandemic; and

- \$62,500 to the United Way of Tulare County to administer a mortgage and utility assistance program for low- to moderate-income households adversely affected by the COVID-19 pandemic; and
- \$89,902 to the Salt+Light Works nonprofit organization to conduct outreach and provide food, PPE, and other services to people experiencing homelessness; and
- \$49,078 to the Salvation Army Tulare Corps to administer a food pantry and delivery program for income eligible households, particularly seniors, adversely affected by the COVID-19 pandemic.

Since April 2021, the above CDBG-CV activities helped approximately 899 households and demonstrated varying levels of success. A total of 15 households received rent assistance, with the average amount of assistance per household at \$2,105. And given a lower than expected demand, about 79 percent of the budget for rent relief remains unspent. Dissimilar to rent assistance, the interest and number of applications submitted for utility and mortgage relief was considerably higher. Over four months, a total of 34 households received utility and/or mortgage relief, with the average amount of assistance per household at \$1,685. The budget for utility and mortgage assistance was fully expended by June 30, 2021. The outreach and direct aid project for people experiencing homeless benefited an average of 164 people per month from March through July. The full budget for this project was expended by July 31, 2021. And comparable to rent assistance, the interest for food pantry and delivery services was lower than expected. About 90 percent of the food assistance budget remains unexpended as of October 31, 2021. Although subject to a slight change once two (2) program administrators complete their invoicing, City staff estimate that \$186,000 in CDBG-CV funds remain available.

***PROPOSAL - AMENDMENT V TO THE 2019 ANNUAL ACTION PLAN***

Another amendment process was initiated by City staff in order to review local needs, the outcomes of recent projects, and to consider future project options. With input from residents and other stakeholders, City staff recommend transferring the vast majority of the available CDBG-CV funds to a rent, mortgage, and utility assistance program. And to promote high utilization, City staff will collaborate with the program administrator to minimize application hurdles and to improve marketing / outreach to prospective recipients. In addition to this principal activity, City staff recommend setting aside up to 10% of the available CDBG-CV funds for internal program and grant administration duties, including but not limited, public noticing, applicant technical assistance, and marketing costs. Based on current known balances, the amendment proposal calls for the commitment of \$167,400 to a rent, mortgage, and utility assistance program and \$18,600 to account for City program and grant administration costs. If the amendment proposal is adopted, only one (1) organization will administer the rent, mortgage, and utility assistance program, while all other projects and the associated subrecipient agreements will end. The two (2) activities under this amendment proposal remain aligned with federal requirements and the City's own Consolidated Plan. A copy of the Amendment V report was available for public review and comment from November 5, 2021, to December 7, 2021.

***STAFF RECOMMENDATION:***

Adopt Resolution 2021-\_\_\_ approving the 2019 Community Development Block Grant (CDBG) Annual Action Plan (APP) Amendment V to commit available CDBG-CV funds in the amount of



\$167,400 to emergency rental, mortgage, and utility assistance and \$18,600 to program and grant administration costs; and authorize the City Manager or their designee to submit the same to HUD on behalf of the City of Tulare.

**CITY ATTORNEY REVIEW/COMMENTS:**  Yes  N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:**  Yes  No  N/A

**FUNDING SOURCE/ACCOUNT NUMBER:**

Community Development Block Grant Funding for Program Year 2019 (Fund 077).

**Signed:** Traci Myers

**Title:** Community & Economic Development  
Director

**Date:** November 29, 2021

**City Manager Approval:** \_\_\_\_\_

**Attachments:**

Proposed Amendment V to the 2019 Annual Action Plan (Full Report)

**RESOLUTION 2021-\_\_\_\_\_**

**A RESOLUTION OF THE TULARE CITY COUNCIL APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2019-2020 ANNUAL ACTION PLAN (AAP) AMENDMENT V TO COMMIT CARES ACT CDBG (CDBG-CV) FUNDING IN THE AMOUNT OF \$186,000 TO ACTIVITIES TO PREVENT, PREPARE FOR AND RESPOND TO THE CORONAVIRUS (COVID-19) PANDEMIC.**

**WHEREAS**, the City of Tulare is designated an entitlement jurisdiction by the U.S. Department of Housing and Urban Development (HUD) to receive an annual allocation of Community Development Block Grant (CDBG) funds for implementing projects and programs within the City; and

**WHEREAS**, the CDBG Program was established under Title 1 of the Housing and Community Development Act of 1974, as amended, to assist in developing viable urban communities by providing decent housing, a sustainable living environment, and promoting economic development that benefit primarily low- and moderate-income persons; and

**WHEREAS**, on April 2, 2020, the City of Tulare was notified by the U.S. Department of Housing and Urban Development (HUD) of a grant authorized under the Coronavirus Aid, Relief and Economic Security (CARES) Act, legislation passed by the U.S. Congress and signed into law on March 27, 2020. The City received an allocation of \$419,611 in CARES Act CDBG (CDBG-CV) funds for activities to prevent, prepare for and respond to the coronavirus (COVID-19) pandemic. The City Council approved the deployment of this award on June 2, 2020, through Resolution 2020-27, for small business relief, food assistance, the purchase of personal protective (PPE) equipment, and the purchase of four (4) two-bedroom manufactured housing units; and

**WHEREAS**, on September 11, 2020, the City of Tulare was notified by HUD of another CDBG-CV award in the amount of \$345,337 to supplement existing and/or implement new activities to prevent, prepare for and respond to the COVID-19 pandemic; and

**WHEREAS**, the City's Community and Economic Development Department requested public comments beginning on January 11, 2021, through a public hearing held on January 19, 2021, in order to review an amendment to the 2019-2020 Annual Action Plan (AAP) concerning the use of CDBG-CV funds. Resolution 2021-04, approved on January 19, 2021, by the City Council set service areas and directed available CDBG-CV funds in the amount \$273,963 to rental, mortgage, and utility assistance, \$100,000 to food assistance, and \$25,000 to services for people experiencing homelessness.

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**WHEREAS**, Amendment IV to the 2019 AAP, which was adopted by the City Council on February 16, 2021, committed CDBG-CV funds in the amount of \$223,963 to the Housing Authority of Tulare County to operate a rental assistance program, \$50,000 to the United Way of Tulare County to administer a mortgage and utility assistance program, \$71,921.43 to the Salt+Light Works nonprofit to provide food, PPE, and sanitation services to people experiencing homelessness, and \$49,078.43 to the Salvation Army to provide food pantry and delivery services.

**WHEREAS**, the City's Community and Economic Development Department initiated a 30-day public comment period beginning on November 5, 2021, in order to review a proposed fifth amendment to the 2019-2020 Annual Action Plan (AAP). The Amendment V proposal involves the assessment of local needs, project outcomes to-date, and options on how to reprogram remaining CDBG-CV funds in the amount \$186,000.

**WHEREAS**, the 30-day public comment period, a public meeting on November 17<sup>th</sup>, and the public hearing on the proposed Amendment V was duly noticed in a newspaper of general circulation and announced through the networks of partner organizations; and

**WHEREAS**, a copy of the Amendment V proposal in a report format was posted on the City's Housing and CDBG Division webpage and available for review at the customer service window located on the 1<sup>st</sup> floor of the City Hall building at 411 East Kern Avenue in Tulare, CA 93274; and

**WHEREAS**, the proposed Amendment V commits CDBG-CV funds to the United Way of Tulare County in the amount of \$167,400 to administer a rent, mortgage, and utility assistance program, and to the Department of Community and Economic Development in the amount of \$18,600 for program and grant administration support costs.

**NOW THEREFORE BE IT RESOLVED** by the Tulare City Council following a public hearing the City Council adopts the Amendment V to the Program Year 2019-2020 CDBG Annual Action Plan as presented.

**PASSED, APPROVED, AND ADOPTED** this 7<sup>th</sup> day of December, 2021.

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President of the Council and Ex-Officio  
Mayor of the City of Tulare

ATTEST:

STATE OF CALIFORNIA )  
COUNTY OF TULARE ) ss.  
CITY OF TULARE )

I, Marc Mondell, City Clerk of the City of Tulare, certify the foregoing is the full and true Resolution 2021-\_\_\_\_ passed and adopted by the Council of the City of Tulare at a regular meeting held on December 7, 2021 by the following vote:

Aye(s) \_\_\_\_\_

Noe(s) \_\_\_\_\_ Absent/Abstention(s) \_\_\_\_\_.

Dated:

Marc Mondell, City Clerk

By Roxanne Yoder, Chief Deputy City Clerk

# City of Tulare

## PY 2019-2020 Tulare CARES Act Amendment (V)



City of Tulare  
Community & Economic Development Department  
411 East Kern Avenue  
Tulare, CA 93274



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The City of Tulare committed each allocation (e.g., \$419,611 and \$345,337) of CARES Act CDBG funds under their 2019 Annual Action Plan through two separate amendments. The first of which was approved on June 4, 2020, as Amendment III, and the other was approved on February 16, 2021, as Amendment IV. Any subsequent changes to the approved projects and/or associated budgets of more than 25 percent would trigger a new amendment to the 2019 Annual Action Plan. The proposed **Amendment V** to the Program Year (PY) 2019-2020 Annual Action Plan (AAP) involves the commitment of remaining CARES Act CDBG (CDBG-CV) funds, approximately \$186,000, to a rent, mortgage, and utility relief activity and program administration costs. If approved by the City Council on December 7, 2021, the proposed amendment will permit City staff to close a food pantry and delivery activity and renew a program administrator relationship with a local nonprofit organization to implement a rent, mortgage, and utility assistance activity. In line with the federal mandate for CDBG-CV funds, only low-income households that experienced a financial hardship related to the COVID-19 pandemic may receive aid for past due and/or current month rent, mortgage, and/or utility costs. The proposed Amendment V continues compliance with the federal mandate to implement activities that prevent, prepare for and/or respond to effects of the COVID-19 pandemic.

(ALL TEXT IN BLUE FONT REPRESENTS INFORMATION PERTAINING TO THE PROPOSED TULARE CARES ACT AMENDMENT V (2019 ANNUAL ACTION PLAN)).

## Executive Summary

### AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

#### 1. Introduction

The City of Tulare (City) is an entitlement jurisdiction that receives federal funds from the U.S. Department of Housing and Urban Development (HUD) on an annual basis to invest locally. Under the Community Development Block Grant (CDBG) Program, HUD allocates funds to the City to develop viable communities by providing decent housing and suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income (LMI) persons. In addition to annual entitlement CDBG funds, the City of Tulare received two (2) awards, totaling \$764,948, under the Coronavirus Aid, Relief, and Economic Security (CARES) Act in Program Year 2019-2020. All recipient jurisdictions were required to commit CARES Act funds to activities and projects that prevent, prepare for, and respond to the coronavirus (COVID-19) pandemic.

The first CARES Act award in the amount of \$419,611 was deployed by City Council Resolution 2020-27 on June 2, 2020. This Resolution called for activities to address local small business, food, medical care, and shelter needs. With marketing and technical assistance from the Tulare Chamber of Commerce, the City implemented a microenterprise business assistance (MBA) program for low to moderate-income owners and employees in the form of a fixed \$5,000 grant. A total of 35 business with five or fewer



employees received a grant to offset their operating costs and/or to purchase personal protective equipment (PPE) and other items to promote safe operations during the COVID-19 pandemic. MBA program administration costs and grants totaled \$190,374. The City collaborated with the Tulare Emergency Aid Council to support food pantry and food distribution services for income eligible residents adversely affected by the COVID-19 pandemic. Overall, 809 Tulare households received food assistance with total program expenses in the amount of \$48,156. The City provided Altura Centers for Health with a grant in the amount of \$50,000 to purchase PPE and other supplies. The PPE and other supplies helped staff provide COVID-19 testing and standard medical services to low-to-moderate income residents across at local Altura clinics. And to offer emergency shelter and quarantine space for people experiencing homelessness, the City provided the Lighthouse Rescue Mission with a \$79,611 grant to purchase four (4) two-bedroom manufactured housing units. Funds remaining from the City's first CDBG-CV award, approximately \$51,469, will be combined with the City's second CDBG-CV award, for additional activities that prevent, prepare for, and respond to the COVID-19 pandemic.

Community and Economic Development Department staff consulted service providers and gathered data from nonprofit and public sector organizations to estimate local needs. Key findings on local needs was presented to City Council on January 16, 2021. Through Resolution 2021-04, the City Council established activity service areas and directed the available CDBG-CV funds in the amount of \$273,963 to rental, mortgage, and utility assistance, \$100,000 to food assistance, and \$25,000 for services to homeless persons. Department staff issued a public notice on January 26, 2021, and contacted an array of local agencies and organizations in order to request proposals for activities with the available CDBG-CV funds. The City received eight (8) letters of interest / applications from seven (7) different agencies and organizations prior to the close of the notice of availability of funds period on February 4, 2021 at 5:00 PM PST. Department staff reviewed applications according to criteria including, but not limited to, how a proposed activity may: a) prevent, prepare for, and/or respond to the COVID-19 pandemic; b) address unmet local need(s); and, c) supplement other services.

Based on research and the review of applications, Department staff recommended and City Council approved the following activities under the PY 2019 Annual Action Plan (AAP) Amendment IV: \$223,963 to the Housing Authority of Tulare County for rental assistance for low-income individuals and families adversely affected by the COVID-19 pandemic; \$50,000 to the United Way of Tulare County for the provision of emergency rental, mortgage, and utility assistance for low- to moderate-income individuals and families adversely affected by the COVID-19 pandemic; \$49,078 to the Salvation Army for food pantry and delivery services for low- to moderate-income households adversely affected by the COVID-19 pandemic; and \$71,921 to the Salt+Light Works nonprofit organization for the provision of food, PPE, and other services to people experiencing homelessness.

With public comment and informed by a review of activity outcomes and an estimate of local demand, City staff propose a fifth (V) amendment to the PY2019 AAP. Since the approval of the previous AAP amendment in late-March 2021, only two (2) of the four (4) implemented activities met their service goals and expended all budgeted funds. City staff propose committing approximately \$168,000 of the remaining CDBG-CV funds, to one program administrator entity, such as the United Way of Tulare





County, for the purpose of offering rent, mortgage, and utility relief payments to eligible Tulare households. And in order to account for previously absorbed costs, City staff propose allocating no more than \$18,000 to account for program administration and oversight costs. The low usage of food pantry and delivery assistance, ongoing demand for rent, mortgage, and utility assistance in the City of Tulare and within neighboring jurisdictions in the County, and a goal to improve marketing and staffing coverage, are key factors prompting the proposed Amendment V. Given that the proposed Amendment V involves ending one activity and budget changes of more than 25 percent, City staff must follow the procedures for a substantial amendment to the applicable 2019 AAP (See the City's Citizen Participation Plan at - <https://www.tulare.ca.gov/government/departments/community-economic-development/housing-cdbg-services/reports>). A 30-day public comment review began on November 5<sup>th</sup>, 2021, and a public meeting to receive input and questions on the proposed Amendment V, will precede a formal City Council meeting where approval may occur.

The PY 2019-2020 AAP Amendment V may be adopted by City Council following a public hearing on December 7, 2021, by means of Resolution 2021-XX.

## 2. Summarize the objectives and outcomes identified in the Plan

### Summarize Objectives:

**Public Services:** Graffiti Abatement in LMA; Kings/Tulare CoC Homeless Alliance Project Homeless Connect and Point In Time Survey; Family Services Tulare Housing First case management for chronically homeless individuals; Kings View homeless and mental illness assistance; AmVets homeless veteran support; United Way rental and utility cost assistance; Brooks Chapel homeless prevention services; and the Tulare Lighthouse Rescue Mission operating of a Mobile Shower Unit people experiencing homelessness. The Mobile Shower Unit was available at the Tulare Lighthouse Rescue Mission from March 1, 2020 through June 30, 2020, seven (7) days a week from 10:00am – 2:00pm.

**Housing Development and Renovation:** Habitat for Humanity minor home repair program to provide ADA handicapped accessibility, energy conservation, weatherization and emergency repairs; Bardsley Garden Apartments rehabilitation to apply for additional grant funding to assist in the rehabilitation of the Bardsley Garden Apartments.

**Public Facility and Infrastructure:** Sacramento & Maple Improvements – Street/Water/Sewer/Storm Drain/ADA Sidewalk improvements, Parkwood Meadow – install ADA sidewalk and solar lights, Family Services transitional housing – floor replacement, Tulare Emergency Aid - HVAC & plumbing improvements, and F St. and King Ave. - ADA ramp installations.

**Economic Development:** Workforce Investment Board of Tulare County - job training and placement.

### CARES Act CDBG (CDBG-CV): (First and Third Part A Allocations)

- **Personal Protective Equipment (PPE) \$50,000** – to purchase PPE for Altura Centers for Health staff providing no cost COVID-19 testing to persons who are low to moderate-income (LMI).



- **Food Distribution \$50,000 + \$98,000 - (\$38,800)** – to provide food pantry and distribution services for LMI individuals and households adversely affected by COVID-19.
- **Homeless Assistance \$79,611 + \$23,000** - acquired four (4) two bedroom unit modular housing units to quarantine individuals experiencing homelessness with a pre-existing medical condition, that are over the age of 62, and/or that have been exposed to COVID-19; provide PPE and basic sanitation services to individuals experiencing homelessness in order to support this population's health during the COVID-19 pandemic;
- **Microenterprise Business Assistance (MBA) \$200,000**– grants to LMI businesses and/or LMI owners with five or fewer employees adversely affected by COVID-19.
- **MBA Program Technical Assistance & Administration \$40,000** – reimbursement to local partner organizations for technical assistance to local businesses, MBA program marketing, and screening for eligible grant recipients.
- **Rental, Mortgage and Utility Assistance \$273,963 + \$20,200**– grants to LMI individuals and households that experienced a loss in household income due to COVID-19 for payment of current and/or past due rent, mortgage, and/or utility expenses.
- **Program Administration and Planning + \$18,600** – maintain effective oversight of the activities undertaken with CDBG-CV funds and support the implementation of activities where necessary. Typical administrative costs include, but are not limited to, program setup consultations, the processing of reimbursements to partners, ongoing monitoring for compliance, publishing of notices, and customer service to households participating in activities.

### 3. Evaluation of past performance

The City evaluated past performance of the previous year's activities to assist in determining goals for the original PY 2019 Annual Action Plan (AAP) and the two initial amendments. [The amendments to the PY2019 AAP to designate the CARES Act funds involved a more fluid assessment of local needs and ongoing consultation with local services providers in order to implement activities that may prevent, prepare for and respond to the COVID-19 pandemic.](#)

The activities and projects outlined in the PY 2019-20 AAP and corresponding amendments involved Public Services, Homeless Services, Affordable Housing, Suitable Living Environment and Economic Development.

Public Services: Staff increased efforts in CDBG funding toward public services over the last few years. Based on past success, the City will continue to partner with critical public services partners, such as Graffiti Abatement, the Kings Tulare Homeless Alliance – Continuum of Care (CoC), Family Services-Voucher Program Case Management for chronically homeless, United Way of Tulare County, and Kings View PATH Homeless programs to continue to assist low-income residents. In addition, the City has added new partner organizations and new services in efforts to meeting the needs of the underserved low-income residents of Tulare. The City has created new partnerships with AMVETS to provide public services to the homeless veterans, Brooks Chapel to provide services to underserved low-income African-American community and provide a much needed shower services to homeless individuals.



Affordable Housing: Code Enforcement activities during PY 2018 demonstrated substandard housing conditions among single-family residents and prompted staff to pursue a homeowner rehabilitation programs within the City of Tulare. The City collaborated with the Habitat for Humanity to provide essential rehab services to low-income homeowners in efforts of assisting homeowners with minor home repairs. Home repairs include ADA handicapped accessibility, energy conservation, weatherization, and various emergency repairs. A high priority during community needs assessment was rehabilitation of single-family residences occupied by low-income seniors.

Suitable Living Environment: Based on a review of past public facility and infrastructure improvement projects, the City prioritized a series of suitable living environment projects. The City committed funds for projects including the Sacramento and Maple Street sidewalk improvements, Parkwood Meadow improvements, Family Services transitional housing rehabilitation, Tulare Emergency Aid office improvements, and F Street and King Avenue ADA ramp installations for a local Senior Center.

Economic Development: The City incorporated feedback from local service providers and job market conditions for the establishment of a job training and placement program for LMI individuals that experience significant barriers to employment.

#### **4. Summary of Citizen Participation Process and consultation process**

The City utilized Waivers of Community Planning and Development Grant Program and Consolidated Plan Requirements to Prevent the Spread of COVID-19 and Mitigate Economic Impacts. The waivers permitted the City to hold a minimum of a (5) day public comment period on the proposed PY 2019 Tulare CARES Act Amendment (2019 AAP Amendment IV) from January 11, 2021, through January 15, 2021. Following City Council directions and a notice of funding of availability (NOFA) period, an additional public review and comment period was held on the 2019 AAP Amendment IV from February 11 through February 16, 2021.

An English and Spanish public notice was published in the Tulare Advance Register and Visalia Times Delta newspapers on January 11 and February 11, 2021. The public notices and a draft of the PY 2019-20 Tulare CARES Act Amendment was on display at City Hall and posted on the Department of Economic and Community Development's dedicated webpage on the City's website at <https://www.tulare.ca.gov/government/departments/community-economic-development/housing-cdbg-services/public-notice>.

Due to COVID-19 pandemic, the City also followed measures to ensure the safety of residents in the community and staff during the public noticing and receipt of public comments on the proposed PY 2019 AAP Amendment IV. To promote social distancing for the purpose of lower the risk of COVID-19 spread, a 6ft. seating policy was mandated during City Council meetings. Also, the City Council chamber public seating capacity was reduced to 12 seats and held on a first come, first serve basis.

Two public hearings on the 2019-20 AAP Amendment IV were held on Tuesday, January 19 and Tuesday, February 16, respectively. The public hearings allowed for limited in-person attendance and fostered public participation via YouTube at [www.youtube.com/channel/UCdWZiv2o7do1JY0OvGe1\\_aw/videos](http://www.youtube.com/channel/UCdWZiv2o7do1JY0OvGe1_aw/videos). For those sheltering in place and wishing to provide comments during meetings, instructions were given



to call (559) 366-1849. Public notices, a draft of the 2019-20 AAP Amendment IV, and instructions on how to review said documents and participate in the public hearings virtually, was posted at the entrance of the Tulare Public Library Council Chambers, on City website, and on the Agendas for the City Council Meetings on January 19 and February 16, 2021, respectively.

For the AAP Amendment V, City staff initiated a 30-day public review and comment period on Friday, November 5, 2021, with a notice published in the Tulare Advance Register and the Visalia Times Delta, displayed on the Department's webpage, shared through the list-serves of partner organizations, and on posted on social media accounts of various City Departments. City staff held a public meeting on Wednesday, November 17, 2021, to receive input and/or questions from local stakeholders on the proposed Amendment V. In-person and virtual participation was available for the public meeting, with the content of the meeting shared via the Zoom platform. Those wishing to participate in the public meeting were instructed to call 559-684-4224 and view the proceedings via Zoom. Details for accessing the meeting virtually were posted five (5) business days prior at <https://www.tulare.ca.gov/government/departments/community-economic-development/housing-cdbg-services/community-development-block-grant>.

The City of Tulare City Council held a public hearing at 7:00 PM PST on the proposed Amendment V on Tuesday, December 7, 2021, at the Tulare City Council Chambers located at 491 N. M Street in Tulare, CA 93274. In-person and virtual participation in the public hearing was available. Those wishing to provide public comment during the meeting were instructed to call 559-366-1849 and view the proceedings via YouTube at [www.youtube.com/channel/UCdWZiv2o7do1JY0OvGe1\\_aw/videos](http://www.youtube.com/channel/UCdWZiv2o7do1JY0OvGe1_aw/videos) if in-person attendance was not feasible. Throughout the 30-day public review and comment period, a copy of the proposed 2019 Annual Action Plan Amendment V was available at Tulare City Hall and on the Community Development Department website at: <https://www.tulare.ca.gov/government/departments/community-economic-development/housing-cdbg-services/public-notice>.

See Appendix A for a full summary citizen participation process.

## **5. Summary of public comments**

Public comments received for the CARES Act funds expressed the need for personal protection equipment for health care workers, food distribution for LMI families adversely affected by the COVID-19 pandemic, rental, mortgage, and utility assistance for LMI households adversely affected by the COVID-19 pandemic, shelter and services for people experiencing homelessness, and microenterprise business assistance for businesses financially impacted by the Coronavirus pandemic. See Appendix A for full summary of Citizen Participation.

## **6. Summary of comments or views not accepted and the reasons for not accepting them**

All comments during the public comment period were received and taken into consideration. No comments were not accepted.

## **7. Summary**

The PY 2019-20 Tulare CARES Act Amendment (AAP Amendment V) was informed by a review of past performance, public comment, estimates of local demand, and with input from local service providers.



Combined with directions from City Council, the AAP Amendment V will consolidate the remaining CDBG-CV funds to a single program in order to respond to effects of the COVID-19 pandemic.

## PR-05 Lead & Responsible Agencies – 91.200(b)

### 1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	TULARE	Community and Economic Development

Table 1 – Responsible Agencies

#### Narrative (optional)

The City of Tulare (City) is the Lead Agency for the United States Department of Housing and Urban Development (HUD) entitlement programs. The City's Community and Economic Development Department is responsible for administering the funds it receives under the Community Development Block Grant (CDBG) Program.

#### Annual Action Plan Public Contact Information

City of Tulare  
 Community Development Department  
 Alexis Costales, Housing and Grants Specialist  
 411 East Kern Avenue  
 Tulare, CA 93274  
 acostales@tulare.ca.gov  
 (559) 684-4224

## AP-10 Consultation – 91.100, 91.200(b), 91.215(I)

### 1. Introduction

The City developed the PY 2019 Annual Action Plan and Amendments based on the objectives of the 2015-2019 Consolidated Plan (Con Plan) and current community needs. The 2015-2019 Con Plan objectives were developed with a comprehensive public engagement with City departments, public officials, community residents and stakeholders within the City of Tulare. [All amendments to the PY 2019-2020 Annual Action Plan for CARES Act CDBG funds called for activities to meet community needs and prevent, prepare for and respond to the COVID-19 pandemic.](#)

#### **Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))**

The City worked collaboratively with public officials, city departments, community residents, the Tulare Chamber of Commerce, faith-based organization, various stakeholders, and beneficiaries of CDBG funds to craft the priorities and strategies included in this Action Plan. The city also collaborated with private, government health, mental health and service agencies on the concerns surrounding lead-based paint hazards on homes built before 1978. As a result, the city has partnered with CHDO Self-Help Enterprises to administer Homeowner Rehabilitation in efforts of removing lead-based paint and other toxics in older homes via the City's Home and CalHome programs.

City Staff regularly attends the County Homeless Task Force monthly meetings to engage in public/assisted housing provider, private/governmental health, mental health, service provider organizations and the Continuum of Care (Homeless Alliance). The County Homeless Task Force consists of local/county government, faith-based organizations, housing providers, service providers, mental health, education, employment, public officers and concerned citizens.

In additional efforts of addressing the homeless issue in the City of Tulare, an Ad-Hoc Committee was formed. The committee consists of the Mayor of Tulare, Councilwoman Terry Sayre, Tulare Chamber of Commerce CEO, faith-based organizations, housing providers, and education providers. The committee has monthly meetings open to the public held in City of Tulare Council Chambers to discuss homeless concerns and solutions.

The PY 2019 Tulare CARES Act (2019 AAP Amendment III) Amendment English and Spanish public notice were published in the Tulare Advance Register and Visalia Times Delta newspapers on May 14, 2020. A public hearing was held to seek community input for the draft PY 2019 Tulare CARES Act Amendment on May 19, 2020 at 7:00pm.



The Amendment IV on the PY2019-2020 Annual Action Plan (AAP) involved two public notices published in English and Spanish in the Tulare Advance Register and Visalia Times Delta newspapers on January 12, 2021, and February 11, 2021. A virtual public hearing was held on January 19, 2021, and once more on February 16, 2021, in order to gather additional input from the public and directions from City Council on the PY 2019 Tulare CARES Act Amendment.

Lastly, the proposed Amendment V to the PY2019 AAP was informed by consultation with partner and external organizations to compare past results and estimate ongoing local needs. Similar to previous substantial amendments, City staff held a public comment period and a public meeting in order to review the proposed amendment and gather input from stakeholders. A formal public notice, in both English and Spanish, was published in local newspapers and distributed through a variety of ways in order to announce the proposed amendment and initiate the 30-day review and comment. And a public hearing was held on December 7, 2021, in order to collect additional input from the public and directions from City Council on the PY 2019 Tulare CARES Act Amendment V.

**Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

The Kings/Tulare Homeless Alliance (Alliance) serves as the local Continuum of Care for Kings and Tulare counties. The Alliance is comprised of a group of service providers, advocates, public agencies, and homeless individuals to address the needs of the homeless population in the Kings and Tulare Bi-County regions. The City of Tulare works closely with the Alliance, by actively participating in monthly Alliance meetings, which are intended to enhance coordination, share information on best practices, and develop a better understanding of the needs of the homeless population in jurisdictions across both counties. When possible, the City's programs are designed to serve homeless persons and are coordinated with the Alliance.

The City partners with collaborative partners in efforts to end homelessness. These collaborations consists of:

- Monthly Alliance Membership Meetings
- Tulare County Homeless Taskforce on Homelessness
- Tulare Ad-Hoc Committee
- Eden House - Bridge Housing Project

The City of Tulare collaborated with the Alliance, Tulare County, Self Help Enterprises and the City of Visalia to complete a 22-bed bridge housing facility via HEAP funds called Eden House. As a result, the City of Tulare will have 5 beds available for chronically homeless individuals eligible for permanent supportive housing awaiting an available unit. During their stay at Eden House, clients will receive wrap around services; including, case management, and medical/mental health services. Eden's House opened on March 2, 2020.





**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

Not applicable. The City does not receive ESG funds.

**2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities**

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Kings/Tulare Homeless Alliance (CoC)
	Agency/Group/Organization Type	Housing PHA Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education Services-Employment Service-Fair Housing Services - Victims Health Agency Child Welfare Agency Publicly Funded Institution/System of Care Regional organization Business Leaders
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs



	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The City participates in the Continuum quarterly stakeholder meetings where needs of the homeless are discussed annual funding needs determined. The Continuum supported the funding proposed in the City's 2019 AAP Amendment II.
2	<b>Agency/Group/Organization</b>	<b>Family Services Tulare County</b>
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Representative(s) of the organization were notified and asked to provide public input on the draft 2019 AAP Amendment II.
3	<b>Agency/Group/Organization</b>	<b>City of Tulare Community Services</b>
	<b>Agency/Group/Organization Type</b>	Other government - Local Grantee Department



	What section of the Plan was addressed by Consultation?	Housing Need Assessment Lead-based Paint Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Consultation, meeting provided information with Community Economic Development Department regarding lead-based Paint Strategies.
4	<b>Agency/Group/Organization</b>	<b>Self-Help Enterprises</b>
	Agency/Group/Organization Type	Housing Service-Fair Housing Regional organization Neighborhood Organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Lead-based Paint Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	Self-Help staff communicates regularly with City staff to discuss housing programs such as First Time Home Buyers program and Homeowner Rehab.
5	<b>Agency/Group/Organization</b>	<b>Kings View Corporation</b>
	Agency/Group/Organization Type	Services - Housing Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health



		Services-Education Services-Employment Service-Fair Housing Services - Victims Neighborhood Organization
	<b>What section of the Plan was addressed by Consultation?</b>	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Homelessness Strategy Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Consultation meeting provided useful information on services provided to the homeless and non-homeless with special needs such as elderly, persons with disabilities (e.g. mental, physical, developmental, persons with alcohol and drug addictions).
<b>6</b>	<b>Agency/Group/Organization</b>	<b>Housing Authority of Tulare County</b>
	<b>Agency/Group/Organization Type</b>	Housing PHA
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Public Housing Needs Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Strategy Non-Homeless Special Needs



	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Representative(s) of the organization were notified and asked to provide public input on the draft 2019 AAP Amendment II.
<b>7</b>	<b>Agency/Group/Organization</b>	<b>United Way of Tulare County</b>
	<b>Agency/Group/Organization Type</b>	Services - Housing Services-Children Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-homeless Citizen
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Homeless Needs - Chronically homeless Homelessness Strategy Non-Homeless Special Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Representative(s) of the organization were notified and asked to provide public input on the draft 2019 AAP Amendment II.

**Identify any Agency Types not consulted and provide rationale for not consulting**

The City did not intentionally exclude any groups from their outreach and data collection efforts. The City encouraged participation in the preparation of the PY 2019 Tulare CARES Act Amendment V. Input from public agencies and nonprofit organizations was requested. The City leveraged the email list serves of other community-based organizations for outreach, published formal notices and links to a draft of the proposed Amendment V in the Tulare Advanced Register and Visalia Times Delta and on their website. The public meeting and public hearing were announced at the onset of the 30-day comment period and directions on how to participate was displayed ahead of each event.



**Other local/regional/state/federal planning efforts considered when preparing the Plan**

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Kings/Tulare Homeless Alliance	As the designated Continuum of Care, the Alliance is responsible for the planning process for the bi-county region which includes the City of Tulare. The City is an active partner with the Kings/Tulare Homeless Alliance (Alliance). The City also provide funding and works closely with the Alliance in an effort to support, create and sustain solutions that address homelessness in the City. The mission of the Alliance is to coordinate and leverage policy and resources that empower community partners to address homelessness in Kings and Tulare County. Through its mission, the Alliance sets forth priorities and local policies, facilitates initiatives and tracks performance of homeless programs within the region.

**Table 3 – Other local / regional / federal planning efforts**

**Narrative (optional)**

None

## AP-12 Participation – 91.105, 91.200(c)

### 1. Summary of citizen participation process/Efforts made to broaden citizen participation

#### Summarize citizen participation process and how it impacted goal-setting

A substantial Amendment to an Annual Action Plan (AAP) usually requires a thirty (30) day public comment period. However, the Housing and Urban Development Department (HUD) waived this requirement allowing for a five (5) day public comment period in order to expedite the deployment of CDBG CARES Act (CDBG-CV) funds for activities that address community needs. As a result, the City utilized a Waiver of Community Planning and Development Grant Program and Consolidated Plan Requirement to Prevent the Spread of COVID-19 and Mitigate Economic Impacts and held a public comment period for the proposed PY 2019 Tulare CARES Act Amendment IV from January 11, 2021, through January 15, 2021, and once again on February 11 through February, 16, 2021. A public notice in English and Spanish was published in the Tulare Advanced Register and Visalia Times Delta on January 12, 2021, and again on February 11, 2021. The PY 2019 Tulare CARES Act Amendment IV was available at the Tulare Community Development Department and posted on the City website from January 11, 2021, through January 19, 2021, and again from February 11 through February 16, 2021, at <https://www.tulare.ca.gov/government/departments/community-economic-development/housing-cdbg-services/public-notices>.

Due to COVID-19 pandemic, the City also followed measures to ensure the safety of residents in the community and staff during the public noticing and receipt of public comments on the proposed PY 2019 AAP Amendment IV. To promote social distancing for the purpose of lower the risk of COVID-19 spread, a 6ft. seating policy was mandated during City Council meetings. Also, the City Council chamber public seating capacity was reduced to 12 seats and held on a first come, first serve basis.

Lastly, virtual public hearings on the 2019-20 AAP Amendment IV were held on Tuesday, January 19, and Tuesday, February 16, 2021. The public hearings allowed for limited in-person attendance and fostered public participation via YouTube at [www.youtube.com/channel/UCdWZiv2o7do1JY0OvGe1\\_aw/videos](http://www.youtube.com/channel/UCdWZiv2o7do1JY0OvGe1_aw/videos). For those sheltering in place and wishing to provide comments during meetings, instructions were given to call (559) 366-1849. Public notices, a draft of the 2019-20 AAP Amendment IV, and instructions on how to review said documents and participate in the public hearings virtually was posted at the entrance of the Tulare Public Library Council Chambers, on City website, and on the Agendas for the City Council Meeting on January 19, 2021, and February 16, 2021.

Input from local service providers, a review of letters of interests / applications for CDBG-CV funds, and public comments received during the formal comment period and hearing informed the selection of activities and the associated service levels intended to prepare for, prevent, and respond to the COVID-19 pandemic. As a result, under Amendment IV, City committed CARES Act funds to provide rent, mortgage, and utility assistance, food pantry and delivery services, and food, PPE, and basic sanitation services to people experiencing homelessness.



For the AAP Amendment V, City staff initiated a 30-day public review and comment period on Friday, November 5, 2021, with a notice published in the Tulare Advance Register and the Visalia Times Delta, displayed on the Department's webpage, shared through the list-serves of partner organizations, and on posted on social media accounts of various City Departments. City staff held a public meeting on Wednesday, November 17, 2021, to receive input and/or questions from local stakeholders on the proposed Amendment V. In-person and virtual participation was available for the public meeting, with the content of the meeting shared via the Zoom platform. Those wishing to participate in the public meeting were instructed to call 559-684-4224 and view the proceedings via Zoom. Details for accessing the meeting virtually were posted five (5) business days prior at <https://www.tulare.ca.gov/government/departments/community-economic-development/housing-cdbg-services/community-development-block-grant>.

The City of Tulare City Council held a public hearing at 7:00 PM PST on the proposed Amendment V on Tuesday, December 7, 2021, at the Tulare City Council Chambers located at 491 N. M Street in Tulare, CA 93274. In-person and virtual participation in the public hearing was available. Those wishing to provide public comment during the meeting were instructed to call 559-366-1849 and view the proceedings via YouTube at [www.youtube.com/channel/UCdWZiv2o7do1JY0OvGe1\\_aw/videos](http://www.youtube.com/channel/UCdWZiv2o7do1JY0OvGe1_aw/videos) if in-person attendance was not feasible. Throughout the 30-day public review and comment period, a copy of the proposed 2019 Annual Action Plan Amendment V was available at Tulare City Hall and on the Community Development Department website at: <https://www.tulare.ca.gov/government/departments/community-economic-development/housing-cdbg-services/public-notice>.

### **Public Meetings**

On May 19, 2020 at 7:00pm, the first PY 2019 Tulare CARES Act Amendment was presented to City Council for review and open for public comment during a public hearing. No public comments were received at the May 19, 2020 public hearing. However, by consensus of the City Council the item was continued to a special budget meeting date of May 28, 2020 at 10:00am to follow the same. At the May 28, 2020, special budget meeting. The Council decided to continue the item to the June 2, 2020 meeting for further consideration.

On June 2, 2020 at 7:00pm, the first PY 2019 Tulare CARES Act Amendment (Amendment III) was again presented to City Council for review and open for public comment during a public hearing. No public comments were received at the June 2, 2020 public hearing. After consideration by City Council, the PY 2019 Tulare CARES Act Amendment (PY 2019 AAP Amendment III) was adopted unanimously by Resolution 2020-27.

On January 19, 2021, at 7:00 PM, the second PY 2019 Tulare CARES Act Amendment (Amendment IV) was presented to City Council for review and directions. A virtual public hearing was held in order to gather additional public comments on the PY 2019 Tulare Cares Act Amendment IV. A subsequent revision to the PY2019 Annual Action Plan (AAP) Amendment IV was presented to City Council for review and directions on February 16, 2021. After a public hearing and consideration by City Council, the PY 2019 Tulare CARES Act Amendment (PY 2019 AAP Amendment IV) was adopted unanimously by Resolution 2021-05.

On December 7, 2021, at 7:00 PM PST, the third PY2019 Tulare CARES Act Amendment (Amendment V) was presented to City Council for review and directions. A public hearing was held in order to receive additional public comments on the proposed PY 2019 AAP Amendment V. After a public hearing and consideration by City Council, the PY2019 Tulare CARES Act Amendment V may be adopted by Resolution 2021-XX.

See Appendix A for full citizen participation.

### Citizen Participation Outreach

Sort Order	Mode of Outreach	Target if Outreach	Summary of response/ attendance	Summary of Comments received	Summary of Comments not accepted and reasons	URL (If applicable)
1	Internet Outreach	Non-targeted/ broad community	Full information on PY 2019 Tulare CARES Act Amendments were available for public comment on the city website from May 14 – 19, 2020, from January 11 – 15, 2021, from February 11 through February 16, 2021, and from November 5 to December 7, 2021.	Food assistance, rental / mortgage and utility relief, and services for people experiencing homelessness was identified as unmet local needs.	All comments accepted.	www.tulare.ca.gov
2	Newspaper Ad	Non-targeted/ broad community	English and Spanish public notices were published in the Tulare Advance Register newspaper on May 14, 2020, on January 11, 2021, on February 11, 2021, and on November 5, 2021.	No comments were received.	All comments accepted.	N/A

3	Newspaper Ad	Non-targeted/ broad community	English and Spanish public notices were published in the Visalia Times Delta newspaper on May 14, 2020, on January 11, 2021, on February 11, 2021, <a href="#">and on November 5, 2021</a> .	No comments were received.	All comments accepted.	N/A
4	Public posting	Non-targeted/ broad community	The PY 2019 Tulare CARES Act Amendment was available at City of Tulare Community Development Department from May 14 – 19, 2020, from January 11 – 15, from February 11-16, 2021, <a href="#">and from November 5 – December 7 for public review</a> .	No comments were received.	All comments accepted.	N/A
5	Public Hearing	Non-targeted/ broad community	An in-person and virtual public hearing was held on May 19, 2020, on January 19, 2021, on February 16, 2021, <a href="#">and on December 7, 2021</a> , at 7:00pm to allow the public an opportunity to comment on the PY 2019 Tulare CARES Act Amendments.	No comments were received.	All comments accepted.	N/A
6	Other: Special Budget Meeting	Non-targeted/ broad community	An in-person and virtual special budget meeting was held on May 28, 2020 and on <a href="#">November 17, 2021</a> , to allow the public and other stakeholders to comment on the PY 2019 Tulare CARES Act Amendment.	Public comments received expressed the need for business assistance and homeless assistance.	All comments accepted.	N/A

7	Public Hearing	Non-targeted/ broad community	An in-person and virtual public hearing was held on June 2, 2020 at 7:00pm to adopt the PY 2019 Tulare CARES Act Amendment and authorize submission to HUD.	No public comments were received. Council adopted the Amendment.	All comments accepted.	N/A
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Table 4 – Citizen Participation Outreach

## Expected Resources

### AP-15 Expected Resources – 91.220(c)(1,2)

#### Introduction

For the Program Year 2019, the City received \$649,801 in CDBG entitlement funds, \$764,948 in CARES Act funds, about \$57,748 in CDBG Program Income, and \$561,740 in Program Year 2018 roll over funds. Collectively, the PY 2019 Tulare CARES Act Amendment (PY 2019 AAP Amendment IV) revises total funding to \$2,034,237. The City also utilizes HOME and CalHome program income to assist in First Time Homebuyers and Owner-Occupied Rehab programs. The City currently does not have an Emergency Solutions Grants (ESG) or Housing Opportunities for Persons with AIDS (HOPWA).

#### Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	Public - Federal	Admin, Public Services, Economic Development, Housing, Public Improvements	1,414,709	57,748	561,740	2,034,237	0	Annual Allocation consists of \$649,801 in PY 2019 entitlement funds and \$764,948 in CARES Act funds; \$57,748 is estimated program income; \$561,740 of PY 2018 rollover funds; for a total of \$1,688,900.

Table 5 - Expected Resources – Priority Table

**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

The City of Tulare gathers data on local needs from service providers, input from City Council, and feedback from local residents. Staff continues to dedicate time, collaborating with non-profit agencies through the Kings Tulare Homeless Alliance who oversee the regional needs of homeless individuals.

This year the City will use \$15,000 CDBG Public Service funds to support the case management for Permanent Support Housing (PSH) Vouchers via the Tulare Housing First grants, which help support the 25% match requirement. The Tulare Housing First program is supported by City of Tulare, City of Porterville, and City of Visalia. Family Services of Tulare County (FSTC) is the contract administrator of these grants. These funds will help at approximately a dozen families in the City of Tulare.

The Tulare Housing First grants have been renewed for a total of \$239,412 on March 1, 2020. These funds are allocated for the Tulare Housing First chronically homeless permanent supportive housing voucher programs that cover the cities of Tulare, Visalia, and Porterville. These total funds are expected to assist a total of 25-30 homeless families within the cities of Tulare, Visalia, and Porterville.

The City will continue to partner with local non-profit developers for affordable housing activities that may provide sweat equity and non-federal funding sources.

The following are a list of potential financial funding sources to assist in address housing needs within the City:

- **Housing Authority of Tulare County (HATC)** - The Housing Authority of Tulare County provides rental assistance to very low and moderate income families, seniors and handicapped persons throughout Tulare County. HATC administers federal and state funds to provide the following programs: conventional public housing programs, housing choice voucher programs, farm labor programs, and senior housing programs.
- **Low-Income Housing Tax Credit Program (LIHTC)**: Provides federal and state tax credit for private developers and investors who agree to set aside all or a percentage of their rental units for low-income households for at least 30 years. Tax credits may also be utilized on rehabilitation projects, contributing to the preservation program. The program begins when developers and investors apply for an allocation of tax credits from the California Tax Credit Allocation Committee (CTCAC). Tax credits are awarded on a competitive basis at varying times.

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**If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

Current CDBG owned property is currently a women and children homeless shelter public facility maintained by Lighthouse Rescue Mission.

**Discussion**

None



## Annual Goals and Objectives

### AP-20 Annual Goals and Objectives

#### Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Administration and Planning	2015	2019	Administration	Citywide	Admin	CDBG: \$158,453	Administration and Planning
2	Support public service activities	2015	2019	Non-Housing Community Development	Citywide	Affordable housing Homelessness Public Services	CDBG: \$222,395	Public Facility or Infrastructure Activities for other than Low/Moderate Income Housing Benefit: 20,000 Persons Assisted Public service activities other than Low/Moderate Income Housing Benefit: 5,800 Persons Assisted Homeless Prevention: 24 Persons Assisted
3	Assist with development or renovation of housing	2015	2019	Affordable Housing	Citywide	Affordable housing Homelessness	CDBG: \$78,689	Homeowner Housing Rehabilitated: 10 Household Housing Unit Rental Units Rehabilitated: 49 Household Housing Unit
4	Improve quality & availability of public facility	2015	2019	Non-Housing Community Development	Citywide	Public Facilities	CDBG: \$694,286	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 20,000 Persons Assisted Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 8 Persons Assisted
5	Support economic development efforts	2015	2019	Non-Housing Community Development	Citywide	Economic Development	CDBG: \$272,000	Jobs created/retained: 6 Jobs Businesses Assisted: 40 Businesses Assisted

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	<b>Provide effective program administration</b>
	Goal Description	Administration and Planning costs associated with the implementation of CDBG and CARES Act CDBG funds.
2	Goal Name	<b>Support public service activities</b>
	Goal Description	Public Service funding scheduled for 2019 will be Graffiti Abatement in West Tulare LMI Area; HUD CoC Homeless Alliance Regional Support; HUD THF/SNAP funded Program Case Management; Kings View Homeless and Mental Illness Assistance, homeless veteran support; United Way emergency rental/mortgage and utility assistance; Brooks Chapel supportive services to homeless/at-risk of homelessness; Lighthouse Rescue Mission to provide a shower to homeless individual via an ADA mobile shower unit. CARES Act funds deployed for the purchase of Personal Protection Equipment for local health care providers administering COVID-19 testing, the operation of food pantry and distribution services, as well as a rental, mortgage, and utility assistance program, for low to moderate-income households adversely affected by the COVID-19 pandemic, and for the provision of food, PPE, and basic sanitation services to people experiencing homelessness.
3	Goal Name	<b>Assist with development or renovation of housing</b>
	Goal Description	Habitat for Humanity owner occupied rehabilitation and Bardsley Garden Apartment rehab.
4	Goal Name	<b>Improve quality &amp; availability of public facility</b>
	Goal Description	Public facility and infrastructure improvements will consist of Sacramento/Maple Street - water, sewer, street, ADA sidewalk improvements; Parkwood Meadows - ADA sidewalk and lightening; Family Service's domestic violence transitional housing rehab; Tulare Emergency Aid - plumbing and HVAC rehab; F Street and King Avenue ADA ramps installation. CARES Acts funds allowed the Lighthouse Rescue Mission to purchase four (4) two bedroom manufactured units for the purpose of offering emergency shelter for people experiencing homelessness to quarantine, who are over 62 years of age, or have a problematic pre-existing health condition.

5	<b>Goal Name</b>	<b>Support economic development efforts</b>
	<b>Goal Description</b>	<p>Workforce Investment Board of Tulare County (WIBTC) - to provide LMI homeless persons or persons with significant barriers to employment with job readiness skills, work-based training, transportation assistance, interview clothing assistance and job placement.</p> <p>The CARES Act: Microenterprise Business Assistance - small business grants to LMI business with five or fewer employees, including the owner(s) to provide general supportive assistance to those business directly impacted by the Coronavirus pandemic to prevent business closure. Formed an agreement with the Tulare Chamber of Commerce and/or other organizations for program marketing, application screening, and business technical assistance services for the Microenterprise Business Assistance program.</p>

# Projects

## AP-35 Projects – 91.220(d)

### Introduction

The activities undertaken during program year 2019-2020 are summarized below. CARES Act projects are described with respect to the aforementioned goals. The projects and activities implemented with CARES Act CDBG (CDBG-CV) funds began in June 2020 and continued into subsequent Program Years (2020-2021, 2021-2022).

### Projects

#	Project Name
1	2019 Administration
2	2019 Public Services
3	2019 Housing Development & Renovation
4	2019 Public Facility Improvements
5	2019 Economic Development
7	Unallocated CDBG Funds

Table 7 - Project Information

### Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Projects were allocated in efforts of maximizing funds in addressing the needs of underserved populations within the City, based on the community needs assessment as well as the current community public input. Obstacles that arose in addressing underserved needs were needs outweighed funding resources. Nonetheless, staff worked resourcefully to meet as much of the needs of the community as possible as well as the underserved populations.

**CARES Act:** Activities implemented in order to prepare for, prevent, and respond to the COVID-19 pandemic. The Program Year (PY) 2019-2020 Tulare CARES Act Amendment VI consisted of \$223,963 to the Housing Authority of Tulare County for rental, mortgage and/or utility assistance for low-income individuals and families adversely affected by the COVID-19 pandemic; \$50,000 to the United Way of Tulare County for the provision of emergency rental, mortgage, and utility assistance for low to moderate-income individuals and families adversely affected by the COVID-19 pandemic; \$49,078 to the



Salvation Army for food pantry and delivery services for low to moderate-income households adversely affected by the COVID-19 pandemic; and \$71,921 to the Salt+Light Works nonprofit organization for the provision of food, PPE, and basic sanitation services to people experiencing homelessness. [The proposed Amendment V to the PY2019 AAP will involve consolidation of unexpended CDBG-CV funds, approximately \\$186,000, to the following activities: a\) program administration and oversight; and, b\) rent, mortgage, and utility assistance.](#)

## AP-38 Project Summary

### Project Summary Information

<b>1</b>	<b>Project Name</b>	<b>2019 Administration / Planning</b>
	Target Area	Citywide
	Goals Supported	Fund efforts to provide services for homeless
	Needs Addressed	Administration
	Funding	CDBG: \$158,453
	Description	2019 CDBG Administration and Planning
	Target Date	12/8/2021 through 6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	Citywide
	Planned Activities	2019 Entitlement Administration and Planning - \$140,453 <b>CARES Act:</b> <ul style="list-style-type: none"> <li>o City Microenterprise Business Assistance Administration - \$15,374 (Tulare Chamber of Commerce)</li> <li>o <a href="#">Administration support on Rent, Mortgage, and Utility Assistance activity and overall CARES Act CDBG oversight duties – max of \$18,600 (no more than 10 percent of remaining CDBG-CV funds).</a></li> </ul>
	<b>2</b>	<b>Project Name</b>
Target Area		Citywide
Goals Supported		Support public service activities
Needs Addressed		Public Services
Funding		CDBG: \$222,395



<p><b>Description</b></p>	<p>Graffiti Abatement \$30,700; KTHA - Project Homeless Connect \$10,000; Family Services PSH Case Management \$15,000; King's View - Homeless &amp; Mental Illness Assistance \$15,000; AmVets - Homeless Veteran Support \$12,465; United Way - Rental/Mortgage &amp; Utility Assistance \$12,500; Brooks Chapel - Homeless &amp; at-risk of homeless asst. \$2,196; Lighthouse Rescue Mission – Mobile Shower \$24,500.  <b>CARES Act:</b></p> <ul style="list-style-type: none"> <li>o Altura – PPE for COVID-19 testing \$50,000</li> <li>o Tulare Emergency Aid – Food Pantry \$50,000</li> <li>o Salvation Army – Food Distribution &amp; Delivery – about \$11,000 and close activity in December 2021 (a budget reduction from original amount of \$49,078; transfer unexpended to different activities).</li> <li>o Housing Authority of Tulare County and United Way of Tulare County - Rental, Mortgage, and Utility Assistance - \$273,963 (commit about \$167,400 to United Way of Tulare County in December 2021).</li> <li>o Salt+Light Works nonprofit – food, PPE, and other services to people experiencing homelessness - \$71,921</li> </ul>
<p><b>Target Date</b></p>	<p>12/8/2021 through 6/30/2022 (CDBG-CV)</p>
<p><b>Estimate the number and type of families that will benefit from the proposed activities</b></p>	<p>20,050 LMI households and 250 homeless individuals are expected to benefit from the various proposed activities.  <b>CARES Act:</b></p> <ul style="list-style-type: none"> <li>o 2,500 LMI individuals are expected to receive free COVID-19 testing.</li> <li>o 800 + 800 LMI households are expected to benefit from food assistance.</li> <li>o 55 Low-income households are expected to receive rental assistance.</li> <li>o 15 LMI households are expected to receive mortgage and/or utility assistance.</li> <li>o 250 (unduplicated) individuals experiencing homelessness are expected to receive food, PPE, and sanitation services.</li> </ul>
<p><b>Location Description</b></p>	<p>Citywide</p>



<p><b>Planned Activities</b></p>	<p>Planned activities include graffiti abatement, Kings/Tulare Homeless Alliance Continuum of Care - Project Homeless Connect and Point in Time Survey, Family Services of Tulare County - Case management for permanent supportive housing clients, King's View PATH - homeless and mental-illness support services, AmVets - homeless and LMI veteran support, United Way - rental/mortgage and utility assistance, Brooks Chapel - supportive services to homeless and at-risk of homeless and Lighthouse Rescue Mission – Mobile Shower Unit for homeless persons.</p> <p><b>CARES Act:</b></p> <ul style="list-style-type: none"> <li>o Altura – PPE for COVID-19 testing \$50,000</li> <li>o Tulare Emergency Aid – Food Distribution \$50,000</li> <li>o Salvation Army – Food Distribution &amp; Delivery \$11,000 (close activity / process final reimbursement in December 2021; transfer about \$38,800 of original \$49,078 to different activities).</li> <li>o Housing Authority of Tulare County and United Way of Tulare County - Rental, Mortgage, and Utility Assistance - \$273,963             <ul style="list-style-type: none"> <li>o About \$147,200 remaining from the original budget and \$20,200 from food assistance activity transferred to the United Way of Tulare County to provide rent, mortgage, and utility relief payments.</li> </ul> </li> <li>o Salt+Light Works nonprofit – food, PPE, and basic sanitation services to people experiencing homelessness - \$71,921</li> </ul>																				
<p>3</p>	<table border="1"> <tr> <td data-bbox="233 1245 678 1289"><b>Project Name</b></td> <td data-bbox="678 1245 1427 1289"><b>2019 Housing Development &amp; Renovation</b></td> </tr> <tr> <td data-bbox="233 1289 678 1333"><b>Target Area</b></td> <td data-bbox="678 1289 1427 1333">Citywide</td> </tr> <tr> <td data-bbox="233 1333 678 1377"><b>Goals Supported</b></td> <td data-bbox="678 1333 1427 1377">Assist with development or renovation of housing</td> </tr> <tr> <td data-bbox="233 1377 678 1421"><b>Needs Addressed</b></td> <td data-bbox="678 1377 1427 1421">Affordable housing</td> </tr> <tr> <td data-bbox="233 1421 678 1465"><b>Funding</b></td> <td data-bbox="678 1421 1427 1465">CDBG: \$78,689</td> </tr> <tr> <td data-bbox="233 1465 678 1509"><b>Description</b></td> <td data-bbox="678 1465 1427 1509">Habitat for Humanity owner occupied rehab - \$40,000</td> </tr> <tr> <td data-bbox="233 1509 678 1554"><b>Target Date</b></td> <td data-bbox="678 1509 1427 1554">6/30/2020</td> </tr> <tr> <td data-bbox="233 1554 678 1677"><b>Estimate the number and type of families that will benefit from the proposed activities</b></td> <td data-bbox="678 1554 1427 1677">10 LMI owner occupied households are expected to benefit from the proposed activities. 49 LMI seniors and/or disabled persons.</td> </tr> <tr> <td data-bbox="233 1677 678 1722"><b>Location Description</b></td> <td data-bbox="678 1677 1427 1722">Citywide</td> </tr> <tr> <td data-bbox="233 1722 678 1837"><b>Planned Activities</b></td> <td data-bbox="678 1722 1427 1837">Habitat for Humanity owner occupied minor rehabs; such as, ADA projects, energy conservation, weatherization and emergency repairs. Bardsley Garden Apartments rehab</td> </tr> </table>	<b>Project Name</b>	<b>2019 Housing Development &amp; Renovation</b>	<b>Target Area</b>	Citywide	<b>Goals Supported</b>	Assist with development or renovation of housing	<b>Needs Addressed</b>	Affordable housing	<b>Funding</b>	CDBG: \$78,689	<b>Description</b>	Habitat for Humanity owner occupied rehab - \$40,000	<b>Target Date</b>	6/30/2020	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	10 LMI owner occupied households are expected to benefit from the proposed activities. 49 LMI seniors and/or disabled persons.	<b>Location Description</b>	Citywide	<b>Planned Activities</b>	Habitat for Humanity owner occupied minor rehabs; such as, ADA projects, energy conservation, weatherization and emergency repairs. Bardsley Garden Apartments rehab
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<b>Planned Activities</b>	Habitat for Humanity owner occupied minor rehabs; such as, ADA projects, energy conservation, weatherization and emergency repairs. Bardsley Garden Apartments rehab																				



		consists of applying for larger grants to supply the needed funding to complete the entire Bardsley Garden Apartments.
4	<b>Project Name</b>	<b>2019 Public Facility Improvements</b>
	<b>Target Area</b>	Citywide
	<b>Goals Supported</b>	Improve quality & availability of public facility
	<b>Needs Addressed</b>	Public Facilities
	<b>Funding</b>	CDBG: \$694,286
	<b>Description</b>	Sacramento/Maple St. Improvements - \$390,000; Parkwood Meadows - \$99,000; Family Services Transitional Housing Maintenance \$8,380; Tulare Emergency Aid - \$77,295; F St. & King Ave. ADA Ramps - \$40,000 <b>CARES Act:</b> <ul style="list-style-type: none"> <li>o Lighthouse Rescue Mission: Purchase 4 two-bedroom unit factory built modular to quarantine homeless individuals to prevent the spread/exposure to COVID-19. - \$79,611</li> </ul>
	<b>Target Date</b>	8/31/2020
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	An estimate of over 11,000 LMI persons are expected to benefit from the proposed activities. <b>CARES Act:</b> <ul style="list-style-type: none"> <li>o At least 8 individuals experiencing homelessness.</li> </ul>
	<b>Location Description</b>	Citywide
<b>Planned Activities</b>	Sacramento/Maple St. Improvements: Sewer, water, street and ADA sidewalk improvements - \$390,000 Parkwood Meadows: ADA sidewalk and solar light installation - \$99,000 Family Services Transitional Housing Rehab: Floor replacement -\$8,380 Tulare Emergency Aid: Plumbing and HVAC rehab - \$77,295 F St./King ADA Ramps: ADA sidewalk ramp - \$40,000 <b>CARES Act:</b> <ul style="list-style-type: none"> <li>o Lighthouse Rescue Mission: Purchase 8 unit factory built modular to quarantine homeless individuals to prevent the spread/exposure to COVID-19. - \$79,611</li> </ul>	
5	<b>Project Name</b>	<b>2019 Economic Development</b>
	<b>Target Area</b>	Citywide
	<b>Goals Supported</b>	Support economic development efforts
	<b>Needs Addressed</b>	Economic Development
	<b>Funding</b>	CDBG: \$50,000





<p><b>Description</b></p>	<p>WIBTC- Job Training, employment supportive services and placement for 6 LMI persons. - \$50,000  <b>CARES Act:</b>  <ul style="list-style-type: none"> <li>o Microenterprise Business Assistance - \$175,000</li> <li>o MBA program administration and technical assistance - \$15,374</li> </ul> </p>
<p><b>Target Date</b></p>	<p>7/1/2020</p>
<p><b>Estimate the number and type of families that will benefit from the proposed activities</b></p>	<p>6 LMI persons who are either facing homelessness or have significant barriers to employment are expected to benefit from the proposed activities.  <b>CARES Act:</b>  <ul style="list-style-type: none"> <li>o 35 LMI businesses of five (5) or fewer employees including the business owner who have been impacted by COVID-19.</li> </ul> </p>
<p><b>Location Description</b></p>	<p>Citywide</p>
<p><b>Planned Activities</b></p>	<p>WIBTC - to provide 6 LMI homeless persons or have significant barriers employment with job readiness, work-based training, transportation assistance, interview clothing and job placement - \$50,000.  <b>CARES Act:</b>  <ul style="list-style-type: none"> <li>o Microenterprise Business Assistance - \$175,000</li> <li>o Tulare Chamber of Commerce: to provide marketing, business technical assistance and screen applicants for the Microenterprise Business Assistance Program - \$15,374.</li> </ul> </p>
<p><b>6</b></p>	<p><b>Project Name</b></p>
<p><b>Target Area</b></p>	<p>Unallocated CDBG Funds</p>
<p><b>Goals Supported</b></p>	<p>Citywide</p>
<p><b>Needs Addressed</b></p>	<p>Not applicable</p>
<p><b>Funding</b></p>	<p>Not applicable</p>
<p><b>Description</b></p>	<p>CDBG: \$263,077</p>
<p><b>Description</b></p>	<p>Unallocated CDBG Funds to be rolled over into PY 2020 Annual Action Plan.</p>
<p><b>Target Date</b></p>	<p>6/30/2020</p>
<p><b>Estimate the number and type of families that will benefit from the proposed activities</b></p>	<p>Not applicable</p>
<p><b>Location Description</b></p>	<p>Citywide</p>
<p><b>Planned Activities</b></p>	<p>2020 Carryover Funds</p>



## AP-50 Geographic Distribution – 91.220(f)

### Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Funds will be distributed city-wide to low-moderate income households. The ConPlan does not specifically target areas, except to identify Low-Moderate Areas (LMA) based on the census tract for the use LMA eligible projects; such as, graffiti Abatement, street Improvements, sidewalk improvements, or park improvements that lie within those areas.

#### Tulare Citywide:

The City is in the heart of the Central Valley. It is located 20 miles west of the Sierra Nevada foothills. Highway 99 runs directly thru the City. The City covers approximately 21.0 square miles and is surrounded by farmland. Tulare is home of the World Ag Expo, over 100,000 people from throughout the world visit the Expo annually. Tulare is currently home to approximately 63,855 residents.

#### IDIS Low-Mod Census Tracts (Eligible CDBG Target Areas):

Low-Mod Income Area's (LMA) is defined as census tracts where at least 51% of the median household income is 80% or less the jurisdiction as a whole. There are a total of 9 tracks with 19 blocks groups, which are recognized as LMA. The City's CDBG eligible low-mod boundaries are:

1. **Census Tract No. 0022.02/Block No. 1, 2 and 3 (Low/Mod: 79.46%):** bound by east of Enterprise Street, south of W. Cross Avenue, west of N. J Street, and north of W. Inyo Avenue.
2. **Census Tract No. 0022.04/Block No. 1, 2 and 3 (Low/Mod: 74.55%):** bound by east of N. West Street, north of W. Cross Avenue, west of N. J Street, and south of W. Prosperity Avenue.
3. **Census Tract No. 0023.04/Block No. 1 (Low/Mod: 62.98%):** bound by east of N. J Street, south of E. Cross Avenue, west of Cherry Street and north of E. Tulare Avenue.
4. **Census Tract No. 0024.00/Block No. 3 (Low/Mod: 56.20%):** bound by east of Highway 99 to Southwest city limits and south of E. Paige Avenue to Avenue 184 city limits.
5. **Census Tract No. 0029.01/Block No. 1, 2 and 3 (Low/Mod: 75.91%):** bound by east of S. I Street, south of Highway 137, west of Highway 99, and north of E. Paige Avenue.



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6. **Census Tract No. 0029.03/Block No. 2 and 3 (Low/Mod: 66.16%):** bound by east of Highway 99, south of Highway 137, west of S. Laspina Street, and north of E. Bardsley Avenue.
7. **Census Tract No. 0030.01/Block No. 1, 2 and 3 (Low/Mod: 72.99%):** bound by east of S. West Street, north of W. Bardsley Avenue, south of W. Inyo Avenue and east of S. I Street.
8. **Census Tract No. 0030.02/Block No. 2 (Low/Mod: 61.745%):** bound by east of Pratt Street, south of W. Bardsley Avenue, west of S. I Street, and north of W. Paige Avenue.
9. **Census Tract No. 0031.00/Block No. 1 and 2 (Low/Mod: 67.11%):** bound by East Road 80, north to W. Paige Avenue, east to Highway 99, south to City limits which include Ave 208 to West Street, Pratt Street south to Wade Street, Wade Street east to I Street, south to Avenue 184.

### Geographic Distribution

Target Area	Percentage of Funds
Citywide	100

Table 8 - Geographic Distribution

### Rationale for the priorities for allocating investments geographically

Priorities following the 2015-2019 Consolidated Plan.

### Discussion

None

## Affordable Housing

### AP-55 Affordable Housing – 91.220(g)

#### Introduction

The Habitat for Humanity's Home Owner Repair program will provide home repair services to low-income, senior citizens, and disabled homeowners. Repairs will include installing ADA ramps, painting, landscaping weatherization and minor repair services to preserve homes and revitalize



neighborhoods. This project is expected to provide at least 10 home owner repairs.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	57
Special-Needs	0
<b>Total</b>	<b>57</b>

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	57
Acquisition of Existing Units	0
<b>Total</b>	<b>57</b>

Table 10 - One Year Goals for Affordable Housing by Support Type

### Discussion

The City will also be utilizing the 2019 HOME Program, HOME program income and CalHome program income to provide affordable housing to the Citizens of Tulare via the First Time Homebuyers and Homeowner Rehabilitation Programs. The City also partners with Family Service of Tulare County to provide permanent supportive housing via rental assistance to persons who are chronically homeless with a disability; such as, mental health problems, substance abuse and/or persons living with HIV/AIDS.

## AP-60 Public Housing – 91.220(h)

### Introduction

The Housing Authority of Tulare County (HATC) was established in 1945 and is committed to providing rental housing assistance to LMI households, seniors, the disabled, and special-needs populations throughout the region. The agency administers various housing assistance programs, including the public housing program, housing choice voucher program, farm labor program, and senior housing program. HATC currently provides affordable and well-maintained rental housing to over 5,000 households countywide. Additionally, HATC is a participant of HUD’s Moving to Work (MTW) demonstration program, which grants participating public housing authorities (PHAs) the ability to test innovative approaches to delivering housing assistance to households in need. MTW is a HUD effort to



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build and support innovative programs that enhance the efficacy of PHAs. HATC has capitalized on the organizational and procedural flexibility it has gained through MTW to become a more efficient agency.

### **Actions planned during the next year to address the needs to public housing**

HATC will continue to own and manage 59 units in the City. HATC recently completed 65 unit low-moderate income apartments on the corner of Bardsley and Morrison. 64 units are for very-low and low-income families at the 60% targeted area median income and lower and 1 unit will be available for an on-site manager. The new apartment complex is Mission Court Apartments. There are 2, 3- and 4-bedroom units available. These apartments will benefit low income families that in the 30%, 40%, 50%, and 60% targeted area median income. 2-bedroom units for the very low income 30% targeted area median rent will be as low as \$338 per month. The apartment complex will be walking distance to a public preschool, elementary, middle school and high school. The Tulare College of the Sequoias community college is just a few blocks away on the same street. Construction is expected to be completed in program year 2019-2020. This project will greatly assist in alleviating the need of low-income housing units for small, medium and large low-income families. The project is being funded by federal/state tax credits, private equity investments and HATC reserves.

### **Actions to encourage public housing residents to become more involved in management and participate in homeownership**

HATC is proactive in the inclusion of public-housing residents in the policy making process. An equitable and transparent policy making process that includes the opinions of public housing residents is achieved through the participation of two tenant commissioners on the HATC Board. Furthermore, HATC has installed a Resident Counsel, which is made up of five residents from all of HUD funded programs (Multifamily Housing, LIHTC, HOME, Section 8 Housing Choice Vouchers and public-housing). The Resident Counsel works with HATC staff on evaluating the effectiveness and efficiency of HATC rental assistance programs. This provides members the opportunity to provide input on necessary program modifications. A vital driving factor in the implementation of HATC programs is the promotion of tenant self-sufficiency. HATC views the goal of homeownership for program participants as one of the long term goals for all of our clients. HATC staff works with tenants to effectively provide them with the necessary resources to achieve homeownership and its Annual Re-Examination Notice provides public-housing participants with an extensive referral list that provides assistance with homeownership. This list includes programs managed by: CSET, City of Tulare, Habitat for Humanity, CalHFA, and Self Help Enterprises. HATC's program coordinator works with any interested public housing tenant in order to effectively inform them of all the different programs that are available to them. Effective collaboration between the agency and other public and nonprofit agencies is imperative to help promote homeownership among all of its tenants. Lastly, the agency has consistently been a sponsor and active participant of the Tulare County Housing Resource Fair, an event that provides participants the



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opportunity to access available public/private programs to purchase their first home.

**If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance**

The Housing Authority of Tulare County is a high performer and not determined to be troubled.

**Discussion**

None.



## AP-65 Homeless and Other Special Needs Activities – 91.220(i)

### Introduction

As previously discussed, the Alliance is a consortium of partners working to address the housing and supportive service needs of the homeless population located in the Kings and Tulare County region. The bi-county region's 10 year plan to end homelessness, *Connecting the Dots*, was developed by the Alliance.

The goals of the Plan include:

Create and implement action steps to reduce and prevent future homelessness; Form and/or expand the collaborations needed to successfully develop new housing units and connect homeless individuals with services; Capitalize on existing resources and leverage new sources of funding in order to be efficient in addressing the needs of at-risk and homeless community members; Expand the capacity of local agencies by utilizing existing best practices and educating on the effectiveness of a Housing First model; Be proactive in the Alliance's approach to addressing homelessness. To accomplish these goals, the Plan objectives are organized into three strategic categories: 1) Housing; 2) Supportive Services and Income Supports; and 3) Prevention and Outreach. The full plan is available at [www.kthomelessalliance.org](http://www.kthomelessalliance.org).

In addition, on December 17, 2019 the City endorsed the County's 5 year 2020-2024 strategic Plan, *Pathway Home: Responding to Homelessness in Tulare County* commissioned by the Tulare County Homeless Task Force.

### **Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including**

#### **Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs**

Each year the King/Tulare Homeless Alliance conducts a Point in Time (PIT) count in conjunction with the Project Homeless Connect (PHC) event. Through these two events, the Alliance is able to acquire a snapshot of the adults, children in households and unaccompanied youth living in the City who meet HUD's definition of homelessness. Information gathered through the PIT is used to understand the causes and trends over time of homelessness, as well as to determine the unmet shelter and service needs of the homeless. The City contributes CDBG funds to support the Alliance efforts and City staff participates in the annual bicounty PIT count. The Alliance has a three-prong street outreach approach, which includes events such as PHC and the PIT Count, coordination with law enforcement for referrals of street homeless, and coordination with programs serving daily meals, which is an opportunity to identify clients in need of emergency services. PHC is a national best practice that is a one-stop-shop of comprehensive support services for people experiencing homelessness. Guests attending the event are



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partnered with volunteers who assist in identifying and accessing necessary resources. In addition to these events, homeless outreach is regularly conducted by City staff in collaboration with local non-profit agencies and faith based organizations to provide meals and other quality of life. The next Project Homeless Connect event in Tulare is expected to be held on January 23, 2020 at First Baptist Church.

This program year Kings View Corporation is projected to provide 12 emergency rental assistance to homeless families within the City of Tulare. Kings View will also offer those clients with case management and essential supportive services such as bus passes, utility assistance, food vouchers, clothing assistance, DMV ID's, and hygiene kits. United Way of Tulare County will provide 15 emergency rental assistance as well to assist in preventing homelessness.

Through a partnership with the Workforce Investment Board of Tulare County (WIBTC), 6 LMI persons facing homelessness or have significant barriers will be provided job readiness skills, job training, and job placement services. Clients will also receive transportation assistance and interview clothing. Priority will be given to homeless persons to assist in long term stability in efforts of ending homelessness. Homeless persons participating in the job training program will also be given the opportunity to shower prior to job interviews through another partnership with River Valley Church.

The City formed an Ad-Hoc Homeless Committee to find solutions to reducing homelessness within the City. On December 17, 2019 the City Council passed a resolution to declare a shelter crisis within the City of Tulare. The declaration of a shelter crisis will allow the city flexibility in providing emergency housing assistance. The City is working earnestly to reducing homelessness within the City of Tulare.

### **Addressing the emergency shelter and transitional housing needs of homeless persons**

Although the City's CDBG funding is limited to directly contributing to applicable programs, a high priority is given to the need of providing permanent support housing, emergency shelters and transitional housing, as well as, substance abuse treatment, case management, mental health care, life skills training, etc. through collaboration with the Alliance and its members. Being an active participant in the Alliance, the City plays an important part in the strategic planning for the organization and for applications for funding resources.

The City is supporting Family Services of Tulare County with case management assistance to continue to provide transitional housing services to the homeless population of Tulare. In collaboration with HUD Tulare Housing First grants, Family Services is able to provide approximately a dozen families each year with permanent supportive housing voucher rental assistance from the City of Tulare.

This year the City partnered with Self-Help Enterprises, the County and the City of Visalia to open a 22-bed Bridge Housing project called Eden's House. The Bridge Housing project would provide 5 available bed for the City of Tulare chronically homeless individuals awaiting an available unit under the Tulare Housing First grants. This project is being completed via Homeless Emergency Aid Program (HEAP) funds. Individuals are expected to stay an average of 90 days while awaiting a permanent housing unit.





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While at the Bridge Housing complex, clients will receive wrap around services; such as, case management, medical and mental health services. Eden's House opened on March 2, 2020.

The Tulare Lighthouse Rescue Mission recently expanded their emergency shelter to provide a low barrier emergency shelter for males 13 years old and over for up to 90 days. The Tulare Lighthouse Rescue Mission men's shelter opened in February 2020. This is the first men's shelter in the City of Tulare.

**CARES Act:** The CARES Act funds will be used to purchase 8 unit factory modulars to quarantine homeless individuals to have tested positive for COVID-19, over the age of 62 and/or have a pre-existing health condition.

**Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again**

The City partners with the City of Porterville and the City of Visalia; as a result, there is approximately 25 housing vouchers for the homeless through the Tulare Housing First (THF) grants. This was an expansion of the successful Shelter Plus Care (SPC) program administered by the City of Tulare and Family Services of Tulare County. Implementation of the grant has proven to be extremely successful in housing chronically homeless. The case management of the program is funded by cities of Tulare, Visalia, and Porterville. Each city originally pledged at least \$15,000 of their CDBG funds to assist in funding staff to provide ongoing case management to those chronically homeless individuals receiving the THF PSH vouchers. Family Services of Tulare County is currently the administering agency. The objective for this project/outcome for this program is "availability/accessibility for the purpose of providing decent affordable permanent supportive housing."

This year the City will be partnering with AMVETS to aid in supporting homeless veterans with essential supportive services, emergency rental assistance, utility assistance, and bridge housing for veterans awaiting permanent housing.

**Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.**

The City will continue its efforts to combat homelessness by awarding funding to the Alliance to assist in Project Homeless Connect, and the Point-In-Time homeless census. The City will also continue to



## City of Tulare

support applications for HUD funding, and providing technical assistance and training local agencies that serve the homeless. In addition, the City will sponsor Project Homeless Connect for the 11th consecutive year. The objective for this project/outcome is “availability/accessibility for the purpose of providing decent affordable housing.”

This year the City is taking a proactive approach to partner with more agencies than ever before to assist in combating the homeless epidemic and preventing low-income individuals and families from becoming homeless, especially extremely low-income individuals and families. During this Action Plan the City is partnering with Kings/Tulare Homeless Alliance CoC, Family Services, King's View PATH Team, AMVETS, United Way of Tulare County, and Brooks Chapel to aid providing essential supportive services to very-low income individuals and families; such as, social services, medical/mental health services, employment, emergency rental assistance, bridge housing assistance, and motel assistance.

### **Discussion**

The City plans to undertake activities during this Action Plan to address supportive services needs for persons that are not homeless but have other special needs such as elderly, frail elderly, persons with disabilities (e.g. mental, physical, and developmental), persons with alcohol and/or drug addictions, persons with HIV/AIDS and their families, and public housing residents. The City will carry out these activities via Subrecipient's public services Kings View Corporation and Kings/Tulare Homeless Alliance Continuum of Care. Both subrecipients will provide essential supportive services to homeless persons, mentally ill, drug substance abuse users, as well as severely disabled persons.



## AP-75 Barriers to affordable housing – 91.220(j)

### Introduction:

The disparity between income and housing costs stand as the greatest barriers for households seeking to obtain affordable housing in the City. Other barriers to affordable housing in the City may include permit and development impact fees, building codes, and off-street parking standards stand, as these public policies may negatively affect the development of affordable housing and residential investment in jurisdictions across the state.

**1. Permit and Development Impact Fees:** As with many other jurisdictions across California, the City collects permit and development impact fees to offset the administrative and service costs generated from these projects, such as processing permits and building inspections. California law requires that City-enforced fees be reasonable and relative to the cost of providing specific services. These fees, however, may limit the supply of affordable housing produced due to the additional costs associated with housing construction.

**2. Building Codes:** Building codes set guidelines that identify minimum standards to ensure that building and non-building structures protect the health and safety of the community. Local building codes, however, often mandate that costly improvements be made to meet regulation requirements. The City adopted the California Building Code (CBC), which is grounded on the International Building Code. The City's building codes prove to be in line with those of other California jurisdictions and do not have significant negative consequences on the development of affordable housing in the City.

**3. Off-street Parking Standards:** Parking standards for housing units may stand as a limitation to the development of affordable housing, as these requirements increase development costs and diminish the availability of land for additional units. According to Tulare Municipal Ordinance, the City Council shall have the authority to allow a reduction in the number of required multi-family parking spaces if a developer can demonstrate that the project will not generate a need for as much parking as such a project designed for a general market.

**Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment**

The City through its bonding proceeds, grant opportunities, Measure R Funding, California Infrastructure loans, and other funding sources strives to provide new wells, major sewer and water trunk connections, and expansion of the Wastewater Treatment Facility to accommodate residential growth, and ensure maintenance of affordable housing. Notwithstanding this fact, the City will continue to evaluate its zoning ordinance and general plan policies to ensure no undue hardship is created in the development of LMI housing. Specifically, the adopted Housing Element establishes, as one of its action plan goals, "to



## City of Tulare

reduce governmental constraints to the development, improvement, and preservation of housing, particularly to housing affordable to lower and moderate income households.”[1] To accomplish this goal, zoning ordinances have been adopted to ensure that the City is compliant with second unit law and global warming solutions and will include green building material incentives or alternative to construction materials.

### **Discussion:**

Specific Housing Element Programs that were adopted in 2016 Housing Element Update that positively impact the City’s affordable and inclusive housing goals, and directly contribute to the goal of eliminating barriers to affordable housing are noted as follows:

- Ensure sufficient land is zoned at appropriate densities to accommodate the City’s Regional Housing Needs Allocation.
- Encourage residential infill development on vacant and underutilized land that are properly zoned and planned for residential uses within the City limits.
- Home builders will develop multifamily designated land at the highest allowed
- Require 8 to 12% of units in all Master Planned Communities be higher density residential. Provide adequate infrastructure and public services are provided to serve existing and planned residential development.



## AP-85 Other Actions – 91.220(k)

### Introduction:

This section discusses the City's efforts in addressing the underserved needs, expanding and preserving affordable housing, reducing lead-based paint hazards, and developing institutional structure for delivering housing and community development activities.

### Actions planned to address obstacles to meeting underserved needs

The City actions planned to address obstacles are referenced within the Analysis of Impediments to Fair Housing Choice (AI). Below reflects the Action and Goals, such as:

#### Goal 1: Expanding Affordable Housing Opportunities

- Housing Partnerships
- Affordable Housing Resources
- Housing Choice for Special Populations

#### Goal 2: Expanding Access to Financing

- Outreach to Lenders
- Education and Resources
- Unfair Lending and Insurance Practices Goal

#### Goal 3: Fair Housing Services

- Apartment Owners/Managers
- Fair Housing Testing and Audits
- Reasonable Accommodations

#### Goal 4: Affirmatively Furthering Fair Housing in the City of Tulare

- Eliminate housing discrimination
- Promote fair housing choice for all persons
- Provide opportunities for racially and ethnically inclusive patterns of housing occupancy
- Promote housing that is physically accessible to, usable by, all persons, particularly individuals



## City of Tulare

with disabilities

- Fostering compliance with the nondiscrimination provisions of the Fair Housing Act.

### **Actions planned to foster and maintain affordable housing**

The City will continue to work with Family Services of Tulare County through the 3 Tulare Housing First Voucher Programs to provide rental assistance to chronically homeless persons. The City will also continue to provide its non-profit partners with funding to acquire, rehabilitate, and sell homes to income-qualifying households at or below 80% AMI.

The City will provide case management funding to allow Family Services of Tulare County to provide the chronically homeless persons with permanent supportive housing vouchers. Essential supportive services and ongoing case management will also be provided during the duration of rental assistance.

### **Actions planned to reduce lead-based paint hazards**

The City of Tulare currently does not directly oversee a lead based paint (LBP) eradication program unless it is in conjunction with CDBG, HOME, or CalHome funded owner occupied housing rehabilitation projects. Although, the Tulare County Health and Human Services Agency, Childhood Lead Poisoning Prevention Program provides valuable educational information regarding Lead-based paint hazards.

For all of the City's housing program, applicants are informed of the dangers of lead-based paint through a brochure as part of the application process. Furthermore, Code Enforcement officers and City building inspectors are alerted to signs of lead-based paint hazards as they perform substandard housing inspections. The City requires subrecipients and developers to conduct lead testing on pre-1978 homes and multi-family units purchased and/or rehabilitated via City affordable housing programs. They are required to use safe practices and obtain a certification via a HUD-certified lead testing agency.

### **Actions planned to reduce the number of poverty-level families**

The City, in its continuing effort to reduce poverty, is implementing the following goal in an effort to increase family self-sufficiency through economic development:

Expand economic development and employment opportunity programs. Additionally, the City has identified areas that must be addressed to achieve long-term economic prosperity, which include the following:

Responding to and preventing any issues that could be raised as a result of the drought, which has affected many households in the City and surrounding areas. Ensuring that land within the City is "shovel ready" and available for development. Educating and training the City's workforce to continue to fill any new jobs that may be coming into the City.

The City will continue to work with the HATC to support the maintenance of adequate Section 8



## City of Tulare

Vouchers and other public housing within the City in proportion to the City's LMI population. The City will also be working closely with the Tulare County Economic Development Corporation, CSET and Workforce Investment Board (WIB) to facilitate and enhance economic workforce development opportunities in the City. The City will continue to work closely with, and in support of, the community service providers in meeting the special needs of its homeless and low- and moderate-income populations. Further, the City will continue to evaluate its delivery system and those of the agencies it works with to see if improvements can be made. The City anticipates that at least one (1) household will qualify for the purchase of a home under the City's First Time Low-Income Homebuyer Program funded with CDBG, HOME or CalHome funds.

The City is working with the HATC to construct a 65 unit apartment complex in the City of Tulare to house low income families that 60% of the targeted area median income or lower. The apartment complex will have 2, 3, and 4 bedroom units available. The apartment complex will be walking distance to a preschool, elementary, middle, and high school. A community college is also within walking distance just a few blocks away. This apartment complex will significantly assist in providing housing to low income families within the City of Tulare. The location of the apartment complex also assist in supporting education for these low-income children from preschool to college.

### **Actions planned to develop institutional structure**

The City will continue to work closely with, and in support of, the community service providers in meeting the special needs of its homeless and LMI populations. The City will also continue to participate in the Kings/Tulare Continuum of Care to ensure coordination and implementation of the strategic plan. Coordination with local lending institutions assisting lower income first time home buyers will be continued through public meetings and periodic Housing Fairs and/or Workshops. The City will also be working with the lenders to research various lending programs for approval to use with the City's assistance programs.

Construction for a 64 low income and 1 manager unit apartment complex called Mission Court Apartment has been completed. Very low to low-income families have already begun to move in.

### **Actions planned to enhance coordination between public and private housing and social service agencies**

The City benefits from a strong jurisdiction and region-wide network of housing, homeless and community development partners, such as the Kings/Tulare Continuum of Care and Tulare Unified School District, and HATC. To improve intergovernmental and private sector cooperation, the City will continue to participate with other local jurisdictions and developers in sharing information and resources. As discussed in AP-65, one successful example of coordination includes the Shelter Plus Care program. The City partnered with the City of Porterville and the City of Visalia to submit a HUD application for 25-30 housing vouchers for the homeless through the original Shelter Plus Care (SPC)



## City of Tulare

program now the Tulare Housing First (THF) Grants. This was an expansion of the successful SPC program administered by the City of Tulare and Family Services of Tulare County. The program has proven to be extremely successful in housing chronically homeless. Family Services of Tulare County currently is the administering agency. The objective for this project/outcome for this program is "availability/accessibility for the purpose of providing decent affordable housing." In addition to the actions listed above, the City will continue to be an active participant in the Alliance. The City plays an important part in the strategic planning for the organization and for applications for funding resources.

### **Discussion:**

Please see discussions above.





## Program Specific Requirements

### AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

**Introduction:**

The following provides additional information about the CDBG program income and program requirements.

#### Community Development Block Grant Program (CDBG)

##### Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
<b>Total Program Income:</b>	<b>0</b>

#### Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	80.00%

All available program funds are allocated in this program year. The years' covered by this Annual Action Plan Amendment are entitlement funds 2018 and 2019.

**AGENDA ITEM: Gen Bus Eng**

**CITY OF TULARE  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department: Engineering Services / Project Management**

**For Council Meeting of: December 7, 2021**

**Documents Attached:**  Ordinance  Resolution  Staff Report  Other  None

**AGENDA ITEM:**

Award and authorize the City Manager to sign contracts related to City Project EN0092, Pratt Street / Mefford-Choice Tracts Improvement Project; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of each contract amount, and approve the revised budget.

1.	Contractor	Dawson-Mauldin, LLC of Selma, CA	\$ 6,782,277.60
2.	Construction Surveying	Provost & Pritchard Consulting Group of Visalia, CA	\$ 98,000.00
3.	Labor Compliance Monitoring	Labor Consultants of California of Hanford, CA	\$ 30,600.00
4.	Materials Testing	BSK, Associates of Clovis, CA	\$ 139,067.00
5.	Construction Inspection	4 Creeks of Visalia, CA	\$ 281,660.00

**IS PUBLIC HEARING REQUIRED:**  Yes  No

**BACKGROUND/EXPLANATION:**

This project is a street and utility improvement project on: Pratt Street between Bardsley Avenue and Inyo Avenue (SR137); Walter Street between Bardsley Avenue and Elm Avenue; Oliver Street between Bardsley Avenue and Elm Avenue; Cleveland Street between Bardsley Avenue and Elm Avenue; Victoria Street between Bardsley Avenue and Elm Avenue; Elm Avenue between Howard Street and D Street; C Street between Elm Avenue and Sonora Avenue, and the Cleveland/Victoria and Victoria/Pratt alleys between Bardsley Avenue and Elm Avenue. The project will reconstruct the street section and will include ADA compliance improvements to intersection curb returns and alley/sidewalk intersections that fall within the project limits. Additionally, it will address necessary water, sewer and storm drain improvements within those limits. The need for the project was identified through the City's Pavement Management System and the review of the condition of the City's utility infrastructure. This project was included and approved as a part of the City's 2019-2024 transportation and utility CIP program budget.

Various contracts are required for the construction of this project. In addition to the actual construction contract, it will be necessary to supplement City staff with various consultant services from the City's list of on-call consultants. The following contracts are recommended for award:

- (a) **Construction Contract: Dawson-Mauldin, LLC**

On November 18, 2021 four (4) bids were opened for the Request for Bids #22-744, Pratt Street / Mefford-Choice Tracts Improvement Project. Bid opening results are attached. The Engineer's Estimate for this project was \$7,000,000. Bids ranged in cost from \$6,782,277.60 - \$8,120,339.52. The bids were evaluated to determine if they were responsive to the requirements and instructions contained in the bid documents.

Dawson-Mauldin, LLC submitted the lowest responsive bid in the amount of \$6,782,277.60. Dawson-Mauldin, LLC possesses a current and active Class "A" General Engineering Contractor's license issued by the State of California, and has submitted a licensed and experienced subcontractor who will be performing portions of the work.

Dawson-Mauldin, LLC recently completed work on the City's SW006 - Alley Sewer Replacement project and is currently performing work under separate City contracts for the City's Pleasant Ave. Improvements and Elliott Tract Improvements projects. Staff has found Dawson-Mauldin to be responsive to changing field conditions, timely in completing tasks, easy to work with, and reasonable in extra work costs.

**(b) Construction Surveying & Staking: *Provost & Pritchard Consulting Group***

During the course of constructing street, water, sewer, storm drain, and concrete improvements it will be necessary to provide construction staking so the Contractor has the necessary locations and elevations to properly construct the improvements. Additionally, the project requires existing survey monuments to be removed/destroyed and replaced requiring the services of a professional land surveyor. Survey services include field and office surveying and filing corner records with Tulare County.

As a professional service performed by a licensed surveyor, these services cannot be included in a competitively bid construction contract, and therefore cannot be performed under the Contractor's contract. Furthermore, City Staff does not have the time nor professional qualifications to perform these services.

A Request for Qualifications (RFQ) for On-Call Construction Surveying Services was issued on February 4, 2020 out of which four firms were recommended for inclusion on a list of prequalified construction surveying consultants. The Staff recommended list was approved by the City Council at their April 7, 2020 meeting.

Provost & Pritchard Consulting Group (P&P) of Visalia, CA is included on the list of On-Call Construction Surveying consultants and demonstrated in their proposal that they have the skills, expertise and resources available to meet the City's needs and timeframe to complete the work on this project. P&P has reviewed the scope of the Pleasant Avenue Improvement Project and has proposed to perform the necessary services on a time and materials basis, not to exceed \$98,000. This amount is in line with industry standards and with what the City has experienced on projects with similar scopes of work. It is also within the budgeted amount for this work on this project.

**(c) Labor Compliance Monitoring: *Labor Consultants of California***

This project is subject to Prevailing Wage requirements. To ensure proper wages are paid and accounted for in accordance with the ever-changing requirements under state and federal law, it will be necessary to perform labor compliance monitoring of those contractors and consultants subject to these requirements. Due to the complexities involved, the City simply does not have the resources available to perform this work.

A Request for Qualifications for On-Call Labor Compliance Monitoring Services was issued on February 4, 2020 out of which three (3) firms were recommended for inclusion on a list of prequalified Labor Compliance Monitoring consultants. The Staff recommended list was approved by the City Council at their April 7, 2020 meeting.

Labor Consultants of California of Hanford, CA is included on the list of pre-qualified On-Call Labor Compliance Monitoring consultants and has demonstrated in their proposal that they have the skills, expertise and resources available to meet the City's needs and timeframe to complete the work on this project. Labor Consultants of California has reviewed the scope of this project and has proposed to perform the necessary services on a time and materials basis, not to exceed \$30,600.00, in accordance with the provisions of their on-call contract. This amount is in line with industry standards and with what the City has experienced on projects with similar scopes of work. It is also within the budgeted amount for this work on this project.

**(d) Materials Testing: *BSK Associates***

During the course of constructing street, water, sewer, storm drain, and concrete improvements associated with this project, it will be necessary to perform materials testing to ensure compliance with City standards. Material testing services including laboratory testing are outside the capabilities of the City.

A Request for Qualifications for On-Call Geotechnical and Materials Testing Services was issued on February 4, 2020 out of which five firms were recommended for inclusion on a list of prequalified Geotechnical and Materials Testing consultants. The Staff recommended list was approved by the City Council at their April 7, 2020 meeting.

BSK Associates (BSK) of Fresno, CA is included on the list of pre-qualified On-Call Geotechnical and Materials Testing consultants and has demonstrated in their proposal that they have the skills, expertise and resources available to meet the City's needs and timeframe to complete the work on this project. BSK has reviewed the scope of this project and has proposed to perform the necessary services on a time and materials basis, not to exceed \$139,067.00, in accordance with the provisions of their on-call contract. This amount is in line with industry standards and with what the City has experienced on projects with similar scopes of work. It is also within the budgeted amount for this work on this project.

**(e) Construction Inspection: *4Creeks***

Due to the volume of projects citywide, both private and public, the City does not have sufficient in-house staff capacity to perform the necessary construction inspection required by the Pratt Street / Mefford-Choice Tracts Improvement Project. Inspection for contract compliance is required for public improvements including surface (asphalt concrete, base rock, and concrete) and underground (water, sewer, storm drain).

A Request for Proposals for On-Call Construction Management, Resident Engineer and Inspection Services was issued on February 4, 2020 out of which two firms were recommended for inclusion on a list of prequalified Construction Management, Resident Engineer and Inspection consultants. The Staff recommended list was approved by the City Council at their April 7, 2020 meeting.

4Creeks of Visalia, CA is included on the list of pre-qualified On-Call Construction Management, Resident Engineer and Inspection Consultants and has demonstrated in their proposal that they have the skills, expertise and resources available to meet the City's needs and timeframe to complete the work on this project. 4Creeks has reviewed the scope of this project and has proposed to perform construction inspection services on a time and materials basis, not to exceed \$281,660.00, in accordance with the provisions of their on-call contract. This amount is in line with industry standards and with what the City has experienced on projects with similar scopes of work. It is also within the budgeted amount for this work on this project.

Although the construction bid amount came in below the Engineer's Estimate, revisions to the project budget are necessary. Between the time the budget was originally developed and approved and when the design and estimate were completed, material prices across the industry dramatically increased and other cost escalation occurred. A 20% contingency was originally included in the budget to cover typical increases and changes to the design, but due to these unforeseeable fluctuations across the industry, additional funding is necessary to complete the project.

Finally, due to the inclusion of funding from various utility related funds on this project, these contracts will also be taken to the Board of Public Utilities for review and approval at its regular meeting on December 16, 2021.

**STAFF RECOMMENDATION:**

Award and authorize the City Manager to sign contracts related to City Project EN0092, Pratt Street / Mefford-Choice Tracts Improvement Project; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of each contract amount, and approve the revised budget.

1.	Contractor	Dawson-Mauldin, LLC of Selma, CA	\$ 6,782,277.60
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3.	Labor Compliance Monitoring	Labor Consultants of California of Hanford, CA	\$ 30,600.00
4.	Materials Testing	BSK, Associates of Clovis, CA	\$ 139,067.00
5.	Construction Inspection	4 Creeks of Visalia, CA	\$ 281,660.00

**CITY ATTORNEY REVIEW/COMMENTS:**  Yes  N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:**  Yes  No  N/A

**FUNDING SOURCE/ACCOUNT NUMBER:**

EN0092-050-0600 - Construction Contract  
 EN0092-050-0224 – Construction Surveying  
 EN0092-050-0205 – Labor Compliance Monitoring

EN0092-050-0612 – Materials Testing  
EN0092-050-0204 – Construction Inspection

**Submitted by: Nick Bartsch**

**Title: Sr. Project Manager**

**Date: November 19, 2021**

**City Manager Approval: \_\_\_\_\_**



# BID OPENING

## CITY OF TULARE

PROJECT EN0092 - RFB #22-744

Pratt St. / Mefford-Choice Tracts Improvement Project

Thursday, November 18, 2021 at 2:00 p.m.

Engineer's Estimate: \$7,000,000

	NAME OF COMPANY	CITY	BID AMOUNT
1	Dawson-Mauldin, LLC	Selma, CA	\$6,782,277.60
2	Emmett's Excavation, Inc.	Clovis, CA	\$7,488,358.00
3	Agee Construction Corporation	Clovis, CA	\$7,496,228.15
4	99 Pipeline, Inc.	Porterville, CA	\$8,120,339.52
5			
6			
7			
8			
9			
10			

ATTESTED AND OPENED BY: Roxanne Yoder  
CHIEF DEPUTY CITY CLERK

WITNESS: David Dodson

RECORDED: Nick Bartsch

WITNESS: Brian Barsotti

BIDS ARE SUBJECT TO REVIEW AND VERIFICATION. THE AWARD OF A CONTRACT, IF AWARDED, WILL BE TO THE LOWEST RESPONSIBLE RESPONSIVE BIDDER BASED ON THE BASE BID AMOUNT WHOSE BID COMPLIES WITH ALL THE REQUIREMENTS PRESCRIBED.



**LABOR CONSULTANTS OF CALIFORNIA**  
**PREVAILING WAGE & LABOR SPECIALIST**

PO Box 1875  
Hanford California 93232  
Lic. #15713

Phone: (559) 584-7499  
Fax: (559) 584-0897  
email: laborc@cnetech.com  
www.LaborConsultants.net

**Labor Compliance Monitoring Services Proposal for City of Tulare**  
**Pratt Street/ Mefford-Choice Tracts Improvements Project/ EN0092**

Labor Consultants of California's hourly rate for services for the abovementioned project is charged at \$85.00 per hour **not to exceed 30 hours per month**. The following is an estimated breakdown on the cost for services for the Pratt Street/ Mefford-Choice Tracts Improvements project for an estimated eleven (11) months. (Based on 220 working days divided by 20 days per month)

Total Consultant Hours for Project:

30 hours @ \$85.00 per hour @ 11 months: \$28,050

30 hours @ \$85.00 per hour @ 1 month: 2,550 (outside contractors and close out of labor compliance)

Total Proposed Cost: \$30,600

(Consultant hours includes implementation of Scope of Work for Davis-Bacon & Related Acts (DBRA) federal and state prevailing wage monitoring, Section 3 compliance including preparation of labor standard forms, applicable federal and state wage determinations, attendance at preconstruction meeting (if requested), ensuring compliance with wage rates and classifications, review of all certified payrolls, labor consultation and correspondences with the City of Tulare, interested parties and project contractors, report writing, worker on-site interviews, project related expenses such as travel to the job site, printing cost and use of telephone, fax, computer and other business related materials)

Richard Perez, Owner/Principal  
Labor Compliance Manager

10/28/2021

Date

Nick Bartsch, Sr. Project Manager  
City of Tulare

Date



November 17, 2021

Nick Bartsch  
City of Tulare  
411 E. Kern Avenue  
Tulare, CA 93274

**Subject: Construction Surveying Services for  
Pratt Street/Mefford-Choice Tract Improvements,  
City of Tulare, California**

Dear Mr. Bartsch:

Thank you for the opportunity to submit this proposal to provide land surveying services for the subject project. This proposal discusses our understanding of the project, recommends a scope of services together with associated fees, deliverables and approximate schedules, sets forth our assumptions and discusses other services that may be of interest as the project proceeds.

## Project Understanding

The City of Tulare is soliciting bids from contractors for the construction of the subject project and hopes to have construction commence in January, 2022. The City anticipates needing construction survey work to mark the physical location of the proposed improvements, verify elevations of existing and constructed improvements, and assist with survey monument preservation, as necessary.

## Scope of Services

Our proposed scope of work for this proposal is contained in one phase, described below.

### Phase CS1: (Construction Survey)

This phase includes construction surveying tasks in support of the construction of the subject project, to include:

1. Attend one preconstruction meeting.
2. Recovery and maintenance of site benchmarks and control points.
3. Verify record ties and collect additional ties to street and PLSS monuments likely to be disturbed through construction. Provide replacement monument disks and assist contractor with placement of the disks for those monuments that are disturbed through construction. Prepare a corner record form to be filed with the County Surveyor for each replaced monument.
4. Marking limits of demolition in areas not bounded by distinct physical features.
5. Offset stakes for proposed storm drain lines at 50' intervals with 2 stakes at each proposed manhole or drain inlet.

6. Offset stakes for proposed sewer lines at 50' intervals with 2 stakes at each proposed manhole.
7. Offset stakes for proposed water lines at 50' intervals, at pipeline angle points and tees, and with 1 alignment stake at each proposed service/meter and 2 stakes at proposed fire hydrants.
8. Offset stakes for curb returns, and for sidewalk improvements at alley and drive approaches where the sidewalk is not infill abutting existing improvements.
9. Offset stakes (marks on curb or adjacent sidewalk) with cut/fill to crown of the roadways, at 50' intervals and all grade breaks along each street.
10. Offset stakes for asphalt curb and valley gutter in alleys.
11. Offset stakes for relocated power poles, where their proposed positions are clearly defined in the plans.

#### Assumptions:

- The City will direct all fieldwork under this effort, and the contractor will provide 72-hours' notice before stakes are needed.
- Property lines and fencing will not need to be surveyed or staked.
- The City's contractor will make every effort to preserve construction stakes, and any re-staking will be considered extra work, to be completed on a Time & Materials basis upon approval by the City.
- Prevailing Wages and certified payrolls will be required for this project. The City will provide a DIR project number once established.

## Professional Fees

Provost & Pritchard Consulting Group will perform the project services in this phase on a time and materials basis, in accordance with our Standard Fee Schedule in effect at the time services are rendered. For budgeting purposes, our preliminary estimate is that our fees will be **\$98,000**. These services will be invoiced monthly as they are accrued. Reimbursable expenses will be invoiced in addition to professional fees and are included in the fee estimate above. If it appears we will need to exceed the upper range above, we will notify you in writing before we do so, and will provide a revised estimate. We will not continue work beyond the initial budget without additional authorization.

## Schedule

Once we receive a purchase order and are authorized to proceed, we will begin initial preparations and plan to attend a preconstruction meeting in January. Once construction commences, Provost & Pritchard will respond to requests for construction surveying within 3 business days of receipt of the approved request.

## Terms and Conditions

If acceptable, work included in this proposal will be considered as a task order under our current City of Tulare Engineering Consultant Services Agreement dated December 20, 2018. We anticipate that a City of Tulare Purchase Order will be issued for the work, which will act as our Notice to Proceed.

Sincerely Yours,

Provost & Pritchard Consulting Group



**Timothy Odom, PLS 8468**  
Project Manager



**Donald Ikemiya, RCE 56630**  
Vice President

## Terms and Conditions Accepted

By City of Tulare

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

# 2020 Standard Fee Schedule

This schedule supersedes previously published fee schedules as of the effective date of January 1, 2020. *Multi-year contracts are subject to any subsequent changes in these rates.*

Staff Type	Fee Range
<b>Engineering Staff</b>	
Assistant Engineer	\$95.00 – \$120.00
Associate Engineer	\$120.00 – \$145.00
Senior Engineer	\$150.00 – \$178.00
Principal Engineer	\$185.00 – \$225.00
<b>Specialists</b>	
Associate Biologist	\$95.00 – \$115.00
Senior Biologist	\$120.00 – \$150.00
Assistant Environmental Specialist	\$90.00 – \$115.00
Associate Environmental Specialist	\$122.00 – \$152.00
Senior Environmental Specialist	\$155.00 – \$180.00
Principal Environmental Specialist	\$190.00 – \$220.00
Associate GIS Specialist	\$95.00 – \$115.00
Senior GIS Specialist	\$120.00 – \$160.00
Assistant Geologist/Hydrogeologist	\$95.00 – \$110.00
Associate Geologist/Hydrogeologist	\$115.00 – \$140.00
Senior Geologist/Hydrogeologist	\$155.00 – \$185.00
Associate Water Resources Specialist	\$100.00 – \$120.00
Senior Water Resources Specialist	\$120.00 – \$150.00
<b>Planning Staff</b>	
Assistant Planner	\$75.00 – \$97.00
Associate Planner	\$103.00 – \$125.00
Senior Planner	\$140.00 – \$165.00
Principal Planner	\$170.00 – \$195.00
<b>Technical Staff</b>	
Assistant Technician	\$75.00 – \$95.00
Associate Technician	\$103.00 – \$125.00
Senior Technician	\$130.00 – \$150.00

Staff Type	Fee Range
<b>Construction Services Staff</b>	
Associate Construction Manager	\$120.00 – \$140.00
Senior Construction Manager	\$145.00 – \$167.00
Principal Construction Manager	\$175.00 – \$205.00
Construction Manager <sup>(1) (2)</sup>	\$147.00 – \$172.00
<b>Support Staff</b>	
Administrative Assistant	\$70.00 – \$90.00
Project Administrator	\$78.00 – \$98.00
Project Manager	\$130.00
Intern	\$65.00
<b>Surveying Services Staff</b>	
Assistant Surveyor	\$95.00 – \$115.00
Licensed Surveyor	\$130.00 – \$165.00
1-Man Survey Crew	\$170.00/\$195.00 <sup>(1)</sup>
2-Man Survey Crew	\$240.00/\$280.00 <sup>(1)</sup>
2-Man Survey Crew including LS	\$275.00/\$285.00 <sup>(1)</sup>
UAV (Drone) Services	\$210.00
<small>(Field work not including survey equipment billed at individual standard rate plus vehicle as appropriate.)</small>	
<small>(1) Prevailing wage rates shown for San Joaquin, Stanislaus, Merced, Madera, Fresno, Tulare, Kings, and Kern counties; other counties as quoted.</small>	
<small>(2) Overtime for Construction Services prevailing wage will be calculated at 125% of the standard prevailing wage rate.</small>	

## Additional Fees

Expert Witness: As quoted.

Travel Time (for greater than one (1) hour from employee's base office):

\$80/hour (unless the individual's rate is less)

## Project Costs

Mileage: IRS value + 15%

Outside Consultants: Cost + 15%

Direct Costs: Cost + 15%

**AGENDA ITEM: Gen Bus City Atty 3a**

**CITY OF TULARE, CA  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department:** City Attorney

**For Council Meeting of:** December 7, 2021

**Documents Attached:**  Ordinance  Resolution  Staff Report  Other  None

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**AGENDA ITEM:**

Review and discuss possible adoption of Urgency Ordinance 2021-05 amending Chapter 3.08 of Title 3 of the Tulare Municipal Code Pertaining to Dangerous and Illegal Fireworks.

**IS PUBLIC HEARING REQUIRED:**  Yes  No

**BACKGROUND/EXPLANATION:**

City Council directed our office to coordinate with staff to prepare an ordinance to amend the Tulare Municipal Code regarding illegal fireworks. City staff has identified that illegal and unsafe fireworks are being bought and sold which creates an unsafe environment for the residents of the City.

The ordinance adopts Municipal Code section 3.08.040 which outlines regulations for dangerous and illegal fireworks including enforcement and fines. It also defines a responsible person as anyone accepting responsibility, the property owner, renter, lessee, or block permit holder.

Fines for violations related to illegal fireworks are as follows:

<i>Number of Offenses</i>	<i>Amount of Penalty</i>
<i>First</i>	<i>\$2,000</i>
<i>Second</i>	<i>\$3,000</i>
<i>Third and all subsequent violations</i>	<i>\$4,000</i>
<i>Possession for Sale</i>	<i>\$6,500</i>

The ordinance amends the following:

- Section 3.08.030 Definitions: adds a definition for dangerous and illegal fireworks;
- Section 3.08.090 Appeals: changes the Fire Chief to the Fire Marshal; and
- Section 3.08.100 Penalties: adds a provision for the penalties related to use of illegal fireworks and adds provisions for reimbursement of costs for disposal of illegal fireworks.

This urgency ordinance requires 4/5 votes to be approved as urgency ordinance. If approved, goes into effect immediately.

**STAFF RECOMMENDATION:**

Review and discuss possible adoption of Urgency Ordinance 2021-05 amending Chapter 3.08 of Title 3 of the Tulare Municipal Code Pertaining to Dangerous and Illegal Fireworks.

**CITY ATTORNEY REVIEW/COMMENTS:**  Yes     N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:**     Yes     No     N/A

**Submitted by:** Mario Zamora

**Title:** City Attorney

**Date:** 12/1/2021

**City Manager Approval:** \_\_\_\_\_

**ORDINANCE 2021-\_\_**

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TULARE  
AMENDING CHAPTER 3.08 OF TITLE 3 OF THE TULARE MUNICIPAL CODE  
PERTAINING TO DANGEROUS AND ILLEGAL FIREWORKS**

The City Council of the City of Tulare does ordain as follows:

**SECTION 1.** Consistent with the powers vested in the City of Tulare through the California Constitution, the City of Tulare is authorized to secure and promote the public health, comfort, safety, and welfare of its citizenry. The City of Council of the City of Tulare hereby makes the followings findings:

WHEREAS, there is an immediate need to adopt this ordinance to preserve the public peace, health and safety of City residents;

WHEREAS, there is a risk of injury to persons and property associated with the use of fireworks that are classified as “dangerous and illegal fireworks” by the State of California, particularly fireworks that are shot into the air and then explode;

WHEREAS, fireworks pose a particular risk to children. Young children compose a significant percentage of all injuries from fireworks nationwide. Studies estimate that forty-five percent of all injuries from fireworks nationwide are to children under the age of fifteen, and children are often present during the use of fireworks that are classified as “dangerous and illegal fireworks” by the State of California;

WHEREAS, fireworks also pose a risk to citizens that suffer from Post-Traumatic Stress (PTS). The loud noise and flashing lights, may elicit negative feelings and cause undue stress on the individual;

WHEREAS, there is an increased risk to animals and pets. The loud noises and lights cause animals to become scared and run. Animal Control reports that the number of loose animals increases during this holiday;

WHEREAS, fireworks, classified as “dangerous and illegal fireworks” by the State of California, contain explosive powder often enough to be considered an explosive device. They are often stored and used without safety precautions in residential neighborhoods by persons without proper training, thus, creating a situation where an accident that may result in injury, property damage, or death;

WHEREAS, enforcement officers are often aware of where a dangerous and illegal firework is fired from but they do not often see the person that ignited the device. In many instances the devices are being ignited at social gatherings that are being put on by the person in control of the property;

WHEREAS, an administrative process to issue citations against persons that use or allow the use of dangerous and illegal fireworks on their property may deter the use of dangerous and illegal fireworks; and

WHEREAS, the City of Tulare has identified the need to amend the existing Fireworks Ordinance to reflect revisions to the current methods utilized by the Tulare Fire Department for both regulating “dangerous and illegal fireworks” and allowing the sale of “safe and sane fireworks” within the City of Tulare.

NOW THEREFORE:

**SECTION 2.** The following section of the Tulare Municipal Code is adopted to read:

**§ 3.08.040 Dangerous and Illegal Fireworks.**

(A) *In order to enforce this chapter, only visual verification is required by an enforcement officer of where the offense occurred. Any person accepting responsibility may be issued a citation. In the absence of a person accepting responsibility, the property owner may be cited. In all other cases, the renter, lessee, or block permit holder may be cited.*

(B) *In addition to any other remedy, penalty, or punishment stated herein or authorized by state law, each person who violates any provision of this code, or any provision of state law, as it relates to the sale, possession, or use of dangerous or illegal fireworks shall be subject to the imposition of an administrative fine. The schedule of administrative fines for such violations shall be imposed as per section 3.08.040(D).*

(C) *Persons in possession of dangerous and illegal fireworks in excess of 5000 lbs. shall be punishable under Health & Safety Code section 12700 (b)(4). Persons in possession of “destructive devices” as defined in Penal Code 16460, shall be punishable under Penal Code 18710.*

(D) *Each person who violates any section of this code shall be subject to the administrative fine as provided below:*

<i>Number of Offenses</i>	<i>Amount of Fine</i>
<i>First</i>	<i>\$2,000</i>
<i>Second</i>	<i>\$3,000</i>
<i>Third and all subsequent violations</i>	<i>\$4,000</i>
<i>Possession for Sale</i>	<i>\$6,500</i>

(E) *For purposes of calculating the fine amount as specified in this section, the number of offenses shall include every documented instance within a thirty-six (36) month period.*

(F) *Fines collected pursuant to this section shall be utilized for the safe disposal of confiscated fireworks, public outreach to prevent the possession or use of illegal fireworks and for the continued enforcement of this section.*



(G) Any duly appointed City of Tulare employee, as specified in this code, having the authority to issue an administrative citation, may lawfully enforce the provisions of section 3.08.040.

(H) Any person wishing to appeal a citation as issued per this section, shall follow the procedures as established in sections: 1.61.010 and 3.25.010 of this code. An advanced deposit of fifty percent (50%) of the fine levied shall be required. This shall not preclude an appellant the right to apply for a hardship.

The following sections of the Tulare Municipal Code are amended to read:

### **§ 3.08.030 Definitions.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**JURISDICTION.** Where the word is used in the California Fire Code, it shall mean the “City of Tulare”.

**DANGEROUS AND ILLEGAL FIREWORKS.** All fireworks not defined and classified as “Safe and Sane” under the provisions of California Code of Regulations, Title 19 et. seq.

### **§ 3.08.090 Appeals.**

Whenever the Fire Chief Marshal disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Fire Chief Marshal to the Board of Appeals within 30 days from the date of the decision appealed.

### **§ 3.08.100 Penalties.**

(A) Except as specified below, any person who violates any of the provisions of this code or standards hereby adopted or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the city or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance, respectively, be guilty of a misdemeanor, punishable by a fine not exceeding \$1,000, or by imprisonment not exceeding six months or by both the fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

(B) In addition to any other remedies, penalties, or punishments stated herein, and to the fullest extent permitted by law, any person who violates any of the provisions of this code or standards

*shall also be responsible for all costs associated with the safe disposal of all confiscated fireworks as well as all expenses, costs, fees and fines associated with the investigation of the charges.*

*The City shall provide cost reimbursement to the State Fire Marshal if required pursuant to regulations to be adopted by the State Fire Marshal addressing the State Fire Marshal's cost for the transportation and disposal of dangerous and illegal fireworks seized by the city, which costs will be part of any administrative fine imposed. However, such cost reimbursement shall not be required unless and until the State Fire Marshal provides services for the disposal of dangerous and illegal fireworks.*

*If the administrative costs and the cost of removal which are charged against the owner of a parcel of land pursuant to this section are not paid within thirty days of the date of the order, or the final disposition of an appeal therefrom, such costs may be assessed against the parcel of land pursuant to Section 38773.5 of the Government Code and may be transmitted to the tax collector for collection. Said assessment shall have the same priority as other city taxes.*

(~~B~~C) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

The foregoing urgency ordinance was introduced by the City Council of the City of Tulare, California, at a regular meeting held on this \_\_\_\_ day of \_\_\_\_, 2021, and was passed and adopted by the City Council on this \_\_\_\_ day of \_\_\_\_, 2021, by the following vote:

Aye(s) \_\_\_\_\_

Aye(s) \_\_\_\_\_ Absent(s) \_\_\_\_\_

\_\_\_\_\_  
President of the Council and Ex-Officio Mayor of  
the City of Tulare

ATTEST:

\_\_\_\_\_  
Chief Deputy City Clerk of  
the Council of the City of Tulare

**CITY OF TULARE  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department:** City Manager

**For Council Meeting of:** December 7, 2021

**Documents Attached:**  Ordinance  Resolution  Other  None

**AGENDA ITEM:**

Council discussion and direction regarding redistricting criteria.

**IS PUBLIC HEARING REQUIRED:**  Yes  No

**BACKGROUND/EXPLANATION:**

The redistricting criteria process is set forth via the Federal Voting Rights Act and California Fair Maps Act, as noted by our redistricting consultants, National Demographics Corporation:

**Redistricting Rules and Goals**

1. Federal Laws	2. California Criteria for Cities	3. Other Traditional Redistricting Principles
<p>Equal Population</p> <p>Federal Voting Rights Act</p> <p>No Racial Gerrymandering</p>	<ol style="list-style-type: none"> <li>1. Geographically contiguous</li> <li>2. Undivided neighborhoods and "communities of interest" <small>(Socio-economic geographic areas that should be kept together)</small></li> <li>3. Easily identifiable boundaries</li> <li>4. Compact <small>(Do not bypass one group of people to get to a more distant group of people)</small></li> </ol> <p style="color: red; font-size: small;">Prohibited: "Shall not favor or discriminate against a political party."</p>	<p>Minimize voters shifted to different election years</p> <p>Respect voters' choices / continuity in office</p> <p>Future population growth</p> <p>Preserving the core of existing districts</p>



At the November 2, 2021, City Council meeting Mayor Mederos and Council Member Sigala were selected to serve as an ad hoc committee to the Council on the redistricting process and have discussed whether or not there is a priority or rank order of criteria; for example, a three percent population variation versus 10 percent; that could be set.

The Council can declare goals and preferences, as long as it is done with the understanding that such criteria would be prioritized **below** the federal and state requirements.

For instance, if the Council says it prefers maps at 3% or less on population deviation, if keeping a neighborhood or community of interest undivided requires going over 3% then the state criterion to keep neighborhoods and communities of interest undivided as much as practicable would generally supersede the expressed Council preference.

Maps that violated the Council's criteria, if any, cannot be barred from consideration. Rather Council would need to review those maps too and evaluate whether, after hearing from any supporters of the map, the map's efforts at compliance with the federal and state requirements justified exceeding a Council preference to, for example, be closer to precise population balance than is otherwise required.

**STAFF RECOMMENDATION:**

Council discussion and direction regarding redistricting criteria.

**CITY ATTORNEY REVIEW/COMMENTS:** Yes N/A

**IS ADDITIONAL (NON-BUDGETED) FUNDING REQUIRED:** Yes No N/A

**FUNDING SOURCE/ACCOUNT NUMBER:**

**Submitted by:** Marc Mondell

**Title:** City Manager

**Date:** November 22, 2021

**City Manager Approval:** \_\_\_\_\_