

**To: Mayor and City Council Members**  
**From: Marc Mondell, City Manager**  
**Subject: January 11, 2022 Agenda Items**  
**Date: January 6, 2022**

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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.

**5:30 p.m.**

**I. CALL TO ORDER CLOSED SESSION**

**II. CITIZEN COMMENTS** - Comments from the public are limited to items listed on the agenda (GC 54954.3a). Speakers will be allowed three minutes. Please begin your comments by stating and spelling your name and providing your city of residence.

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

(a) 54956.9(d)(2) & (e)(1) Conference with Legal Counsel – Anticipated Litigation One (1) [Submitted by: M. Zamora]

**IV. RECONVENE CLOSED SESSION**

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

**VI. ADJOURN CLOSED SESSION**

**6:00 p.m. (Or, immediately following Closed Session)**

**VII. CALL TO ORDER SPECIAL SESSION**

**VIII. PLEDGE OF ALLEGIANCE AND INVOCATION:**

**IX. CITIZEN COMMENTS**

*This is the time for citizens to comment on subject matters, not on the agenda within the jurisdiction of the Tulare City Council. The Council Members ask that you keep your comments brief and positive. Creative criticism, presented with appropriate*

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*courtesy, is welcome. The Council cannot legally discuss or take official action on citizen request items that are introduced tonight.*

*This is also the time for citizens to comment on items listed under the Consent Calendar or to request an item from the Consent Calendar be pulled for discussion purposes. Comments related to general business/city manager items or public hearing items will be heard at the time the item is discussed or at the time the Public Hearing is opened for comment.*

*In fairness to all who wish to speak, each speaker will be allowed **three minutes**, with a maximum time of 15 minutes per item, unless otherwise extended by Council. Please begin your comments by stating and spelling your name and providing your city of residence.*

**X. COMMUNICATIONS** [Time Estimate: 6:15 – 6:20 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.*

**XI. CONSENT CALENDAR** [Time Estimate: 6:20 – 6:30 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 December 16 and December 21, 2021 regular/special meeting(s). [Submitted by: R. Yoder]** The minutes of the December 17 and December 21, 2021 regular/special meeting(s) are submitted for Council approval. **Staff recommends Council approve as presented.**
- (3) Receive response letter from Tulare County Resource Management Agency regarding City's letter request for roadway improvements. [Submitted by: M. Mondell]** Receive response letter from Tulare County Resource Management Agency regarding City's letter for roadway improvements related to West Street between existing city limits north of Prosperity and Cartmill Avenue, Gail Avenue between West Street and existing limits at Northridge Street, the intersections of Cartmill and West Street, Gail Avenue and West Street, Zumwalt and West Street and Elster Avenue and West Street.

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- (4) **Authorize the City Manager to execute an oversize construction reimbursement agreement with Pilot Travel Centers LLC for construction costs associated with development of the Flying J Travel Center that are eligible for reimbursement in accordance with Chapter 8.64 of the Municipal Code, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [Submitted by: M. Miller]**

As part of development of the Flying J Travel Center located at the southwest corner of Paige Avenue and Blackstone Street, Pilot Travel Centers LLC was required to install oversized street improvements. These included, but were not limited to the following:

- Intersection improvements and the installation of a traffic signal at Paige Avenue and Blackstone Street;
- Improvements to the northbound Highway 99 ramps at Paige Avenue, and the installation of a traffic signal at their intersection with Paige Avenue;
- Intersection improvements and the installation of a traffic signal at Paige Avenue and Laspina Street;
- Improvements to the southbound Highway 99 Ramps at Blackstone Street, and the installation of a traffic signal at their intersection with Blackstone Street;
- Supplemental paving width and thickness associated with the Flying J Travel Center's frontage improvements along Paige Avenue; and,
- Dedication of additional right-of-way on Paige Avenue to accommodate an eastbound right-turn lane at Blackstone Street.

Costs associated with supplemental size and capacity are eligible for oversized construction reimbursement in accordance with Chapter 8.64 of the Municipal Code. The attached oversized construction reimbursement agreement identifies the work completed by the Developer that is reimbursable under the City's oversize reimbursement procedures, and specifies that the City will reimburse the developer for their expenditures plus accrued interest as funding becomes available through the City's development impact fee program. **Staff recommends Council authorize the City Manager to execute an oversize construction reimbursement agreement with Pilot Travel Centers LLC for construction costs associated with development of the Flying J Travel Center that are eligible for reimbursement in accordance with Chapter 8.64 of the Municipal Code, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager, as presented.**

- (5) **Authorize the City Manager to sign a contract with 4 Creeks of Visalia, CA in an amount not to exceed \$99,400 for topographic surveying, complete design, bidding and construction support services for the rehabilitation improvements needed in the City Hall/Police Department/Former County Courthouse parking lots and associated perimeter security and ADA improvements; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$9,940) of the contract award amount; and approve the project scope and budget. [Submitted by:**

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**N. Bartsch]** In conjunction with the City's recent acquisition of the former Tulare County Courthouse building, located adjacent to City Hall, the need to make improvements to the existing building and surrounding adjacent parking lot were identified. Improvements to the courthouse building are necessary for the City to occupy it as desired. At this time, the City plans to utilize a portion of the building for the Police Department to expand its office space and allow for social distancing requirements of COVID 19. It will make remaining space accessible for use as a Small Business Incubator to encourage small businesses who might have otherwise launched during the pandemic. ADA compliance improvements, electrical and mechanical upgrades, as well as minor aesthetic improvements will be required to facilitate these uses.

Additionally, with the inclusion of the remaining portion of property within the city block now under the City's purview, the City intends to make improvements to the security of its facilities by constructing fencing around the perimeter. With these improvements, a review and revisions to the functional layout of the parking lot, necessary reconfiguration of ADA paths of travel, drainage enhancements, and pavement issues will be addressed.

A Request for Qualifications (RFQ) for On-Call Engineering and Land Surveying Consultants was issued on October 20, 2020. Ten (10) firms submitted all the necessary information to be considered for inclusion in a list of pre-approved consultants to provide these services. The proposals were reviewed and rated in accordance with the consultant selection procedures identified in the RFQ, and the top six (6) firms were recommended for inclusion on the list of prequalified general engineering and land surveying consultants. On December 15, 2020, the City Council approved this list of (6) consultants.

4 Creeks of Visalia, CA is included on the list of pre-qualified on-call Engineering 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 design of this project. Initially, 4 Creeks has proposed to perform the necessary design work associated with Phase 1 – Parking Lot, Perimeter Security, and associated ADA improvements for \$99,400. The proposed cost is in accordance with their current on-call contract, in line with industry standards, and falls within the amount budget for this work on this project. As the remaining scope of work is finalized for the renovation of the building itself, subsequent contracts/amendments will be brought back to the City Council for review and approval. **Staff recommends Council authorize the City Manager to sign a contract with 4 Creeks of Visalia, CA in an amount not to exceed \$99,400 for topographic surveying, complete design, bidding and construction support services for the rehabilitation improvements needed in the City Hall/Police Department/Former County Courthouse parking lots and associated perimeter security and ADA improvements; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$9,940) of the contract award amount; and approve the project scope and budget, as presented.**

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**XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS**

**XIII. MAYOR/COUNCIL REPORTS OR ITEMS OF INTEREST** – GC 54954.2(a)(3) [Time Estimate: 6:30 p.m. – 6:40 p.m.]

**XIV. GENERAL BUSINESS**

*Comments related to General Business Items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Council.*

**(1) Public Hearing:** [Time Estimate: 6:40 – 7:00 p.m.]

**a. Reappoint Library Board members Ellen Baker and Lisa Hollingshead, and declare vacant the remaining expired seat, adjusting terms as noted and direct staff to post a vacancy notice. [Submitted by: M. Hermann]**

The Library Board is a five-member advisory board whose members are appointed by the Mayor with the consent of the Council in accordance with California Education Code § 18910. Board members serve three-year terms with staggering end of terms going out at the end of the fiscal year (June 30).

Currently, there are three members whose terms ended December 31, 2021, who are all seeking reappointment: Ellen Baker, Lisa Hollingshead, and Michelle Lippincott. The Mayor provided the attached communication indicating his desire to reappoint two of the three members, Ellen Baker and Lisa Hollingshead. The third seat held by Michelle Lippincott will be declared vacant and a Notice of Vacancy is required to be posted for a minimum of ten days prior to filling vacancies.

The attached communication also proposes the following term-ending dates in order to comply with the Education Code:

- Trustee ONE (Ellen Baker): 6/30/2025
- Trustee TWO (Lisa Hollingshead): 6/30/2025
- Trustee THREE (Vacant): 6/30/2024
- Trustee FOUR (Margaret “Peggy” DeMuth): 6/30/2024
- Trustee FIVE (Donna Shauland): 6/30/2023

**Staff recommends Council Reappoint Library Board members Ellen Baker and Lisa Hollingshead, and declare vacant the remaining expired seat, adjusting terms as noted and direct staff to post a vacancy notice, as presented.**

**b. Review and appoint members to fill vacancies on City boards, commissions, and committees. [Submitted by: M. Hermann]** Currently, there are 10 vacancies on City boards, commissions, and committees. Following the December 21, 2021 Council meeting, a Notice of Vacancies

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was posted in accordance with California Government Code § 54974(a). Council has been provided copies of applications submitted by those interested in serving for their review and consideration.

**Aviation Committee**

There has been one vacancy on the Aviation Committee since June 2020 with a term ending December 31, 2023, previously held by John Arriola. Council would be appointing someone to complete the unfinished term. At the time of this writing, there are no applications for this committee.

Currently, the appointment process is unclear; therefore, staff recommends that committee members are nominated and approved by majority vote of the Council.

**Committee on Aging**

There has been one vacancy on the Committee on Aging since 2019 with a term ending December 31, 2025, previously held by Priscilla Musgrove. At the time of this writing, there has been one application received which was submitted by Jevon Price who is also interested in serving on other boards, commissions, and committees as indicated on his application.

Since the last Council meeting, staff found the Rules and Procedures for the Committee on Aging. The appointment process established in these Rules and Procedures allows for the Mayor to appoint the members with approval of the Council.

**Measure I Citizen Oversight Committee**

There are two vacancies on this committee with terms ending December 31, 2023 (appointment by Council Seat 4) and December 31, 2025 (appointment by Council Seat 3). At the time of this writing, there have been two applications received: (1) Jevon Price who is also interested in serving on other boards, committees, and commissions, and (2) Joshua Weatherbie who is also interested in serving on the Police Department Complaint Review Board.

Committee members are appointed by seat of the five Council members with confirmation by majority vote of the Council. Mayor Mederos will appoint a new member to serve with a term ending December 31, 2025. Council Member Harrell will appoint a new member to serve with a term ending December 31, 2023.

**Parks and Recreation Commission**

At the December 21, 2021, Council meeting, Council declared former Commissioner Porchia's seat vacant as he was not seeking reappointment. This is an at-large appointment with a term ending December 31, 2025. At the time of this writing, there has been one application received: (1) Jorge (George) Herrera.

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The municipal code states that “the Mayor and each Council member shall have the right to nominate commissioners from the citizens at large confirmed by majority vote of the Council.”

### **Planning Commission**

There are two vacancies on the Planning Commission with terms ending December 31, 2023 (appointment by Council Seat 2) and December 31, 2025 (appointment by Council Seat 1). At the time of this writing, there have been two applications received that are eligible for consideration: (1) Jorge Diaz and (2) Chad Petersen.

Commissioners are appointed by seat of the five Council members with confirmation by the majority of the Council. Vice Mayor Sayre will appoint a new commissioner with a term ending December 31, 2023. Council Member Sigala will appoint a new commissioner with a term ending December 31, 2025.

### **Police Department Citizen Complaint Review Board**

There are three vacancies on the Police Department Citizen Complaint Review Board with terms ending December 31, 2022. As provided in the staff report for the December 21, 2021, meeting, Board members are appointed in January immediately following the bi-annual November election. Due to recent term ending date extensions over the past year and a half, term ending dates have not been following what is stated in the municipal code. As such, all term ending dates have been adjusted to December 31, 2022, for all current and incoming Board members. There is one at-large vacancy with the other two vacancies to be appointed by Council Seat 1 and 2. At the time of this writing, there have been two applications received: (1) Jevon Price and (2) Joshua Weatherbie.

Board members are appointed by each of the five Council members with confirmation by the majority of the Council, and two remaining members are selected at large by the Council. Council Member Sigala and Vice Mayor Sayre will appoint new members. There is one at-large member to be appointed by Council as well.

**Staff recommends Council Review and appoint members to fill vacancies on City boards, commissions, and committees, as requested.**

- c. **Adopt Resolution 2022-01 nominating a candidate to the San Joaquin Valley Air Pollution Control District Governing Board in accordance with procedures adopted by the Special City Selection Committee.** According to the rotation schedule adopted by the San Joaquin Valley Air Pollution Control District Special City Selection Committee (Committee), there is currently a vacancy on the Air Board that must be filled by a council member from a city with a population of less than 100,000 from Tulare County. Pursuant to Health & Safety Code Section 40600.5, appointments to the Air Board will be made by the Committee. Currently, Council Member Sigala has

been serving as an alternate, but has indicated that he is not seeking reappointment.

Governing Board Meetings are generally held on the third Thursday of each month at 9:00 a.m. at the Central Region Office, Governing Board Room, 1990 E. Gettysburg Avenue, Fresno, CA.

The City Council must nominate one of its own, as a candidate to the Air Board for consideration of appointment by the Selection Committee on a publicly noticed agenda approved by Resolution no later than Wednesday, January 12, 2022, in order to ensure timely notification to the City Selection Committee, which meets Wednesday, January 19, 2022. **Staff recommends Council adopt Resolution 2022-01 nominating a candidate to the San Joaquin Valley Air Pollution Control District Governing Board in accordance with procedures adopted by the Special City Selection Committee, as requested.**

**XV. STAFF UPDATES AND FUTURE AGENDA ITEMS** – GC 54954.2(a)(3) [Time Estimate: 7:00 – 7:15 p.m.]

**XVI. ADJOURN REGULAR SESSION**



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

**December 16, 2021**

**A Special Joint Session of the City Council and the Board of Public Utilities of the City of Tulare was held on Thursday, December 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

**BPU PRESENT:** Howard Stroman, Ray Fonseca, Thomas Griesbach, Renee Soto, Tony Sozinho

**STAFF PRESENT:** Marc Mondell, Megan Dodd, Melissa Hermann, Michael Miller, Eric Furtado, Tim Doyle, Andrew Bettencourt, Nick Bartsch, Jose Rivas, Jason Bowling

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

Mayor Mederos and President Stroman called the Special Joint Session to order at 5:00 p.m.

**II. PLEDGE OF ALLEGIANCE AND INVOCATION**

Mayor Mederos led the Pledge of Allegiance and moment of silence for the 800,000 U. S. COVID-19 deaths.

**III. 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 citizen comments.

**IV. PRESENTATION BY TULARE IRRIGATION DISTRICT GENERAL MANAGER / MID-KAWEAH GSA INTERIM GENERAL MANAGER**

Tulare Irrigation District General Manager and Mid-Kaweah GSA Interim General Manager Aaron Fukuda provided a presentation for the Council and Board's review. Questions posed by the two bodies were responded to by Mr. Fukuda.

**V. ADJOURN SPECIAL JOINT SESSION**

Mayor Mederos and President Stroman adjourned the Special Joint Session at 7:10 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**

**December 21, 2021**

**A Special Session of the City Council, City of Tulare was held on Tuesday, December 21, 2021, at 6:00 p.m. in the Tulare Public Library & Council Chambers, 491 North M Street.**

**COUNCIL PRESENT:** Dennis A. Mederos<sup>(via Zoom)</sup>, Terry A. Sayre, Jose Sigala<sup>(via Zoom)</sup>, Stephen C. Harrell, Patrick Isherwood

**STAFF PRESENT:** Marc Mondell, Josh McDonnell, Mario Zamora, Wes Hensley, Dave Rossman, Janice Avila, Traci Myers, Darlene Thompson, Michael Miller, Trisha Whitfield, Jason Glick, Brian Beck, Jason Bowling, Jose Rivas, Nick Bartsch, Roxanne Yoder

**6:00 p.m.**

**I. CALL TO ORDER SPECIAL SESSION**

Mayor Mederos called the Special Session to order at 6:03 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.

Angel Ruiz addressed the Council in regard to reconsideration of his application to the Planning Commission, since he resides outside of the city limits.

**III. SPECIAL SESSION**

- a. **Consideration for the reappointment or appointment of new applicants to City boards, commissions, and committees; and/or declare seats vacant effective January 1, 2022, for those who are not seeking reappointment or for those Council chooses not to reappoint and direct staff to post vacancy notices; and receive a report regarding the process for appointing members to City boards, commissions, and committees. [Submitted by: M. Hermann]** City Manager Marc Mondell provided a report for the Council's review and consideration. Following discussion, the Council approved the following:

At the direction of the Mayor, reappointments/appointments and terms for the Library Board will be taken under consideration and will be agendized for the January 11, 2022, for further action. It was suggested three seats will be set for 2025 and the remaining two will be set for 2023.

It was moved by Council Member Harrell, seconded by Vice Mayor Sayre, and unanimously carried to reappoint Mike Jamaica and Craig Hancock to the Parks & Recreation Commission and declare vacant the seat of Ira Porchia.

It was moved by Council Member Sigala, seconded by Vice Mayor Sayre, and unanimously carried to declare vacant the seats of Joshua Cox (Seat 1) and Deanna Rocha (Seat 2). It was further moved by Council Member Harrell, seconded by Council Member Isherwood, and unanimously carried to reappoint Anthony Olivares (Seat 3) to the Planning Commission. Council Member Sigala and Vice Mayor Sayre indicated their preference of appointing Jorge Diaz and Chad Petersen, respectively, at a future meeting.

It was moved by Council Member Harrell, seconded by Council Member Isherwood, and unanimously carried to declare vacant the seats of Maria Grijalva (Seat 1) and Xavier Avila (Seat 2), and further reappoint the seats of Gene Chavez (Seat 5), Karen Presant (Seat 4) and Duane Goree (at-large) to the Police Department Citizen Complaint Review Board. Note: one at-large appointment remains vacant.

It was moved by Council Member Harrell, seconded by Vice Mayor Sayre, and unanimously carried to reappoint Jackie Zupp and Albert Lemus to the Committee on Aging. Note: one seat remains vacant.

It was moved by Council Member Sigala, seconded by Council Member Harrell, and unanimously carried to reappoint Richard Dituri (Seat 1), Jose Ruiz-Salas (Seat 5) to the Measure I Committee, and further declare vacant the seats of Maria Grijalva (Seat 3) and Wayne Ross (Seat 4) and upon filling align terms to that of Ms. Rowsey's (Seat 2).

Lastly, Council Member Sigala requested and received consensus to agendize a future item to consider selection by seat for those boards, commissions, and committees that are capable of being changed.

#### IV. ADJOURN SPECIAL SESSION

Mayor Mederos adjourned the Special Session at 7:10 p.m.

**A Regular Session of the City Council, City of Tulare was held on Tuesday, December 21, 2021, at 7:00 p.m. in the Tulare Public Library & Council Chambers, 491 North M Street.**

**COUNCIL PRESENT:** Dennis A. Mederos<sup>(via Zoom)</sup>, Terry A. Sayre, Jose Sigala<sup>(via Zoom)</sup>, Stephen C. Harrell, Patrick Isherwood

**STAFF PRESENT:** Marc Mondell, Josh McDonnell, Mario Zamora, Wes Hensley, Dave Rossman, Janice Avila, Traci Myers, Darlene Thompson, Michael Miller, Trisha Whitfield, Jason Glick, Brian Beck, Jason Bowling, Jose Rivas, Nick Bartsch, Roxanne Yoder

#### V. CALL TO ORDER REGULAR SESSION

Mayor Mederos called the Regular Session to order at 7:20 p.m.

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

Council Member Isherwood led the Pledge of Allegiance and an invocation was led by Vice Mayor Sayre.

## **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.

Gary Grijalva addressed the Council with concerns of fender benders at the intersection of Inyo and O Street.

## **VIII. COMMUNICATIONS**

City Manager Marc Mondell advised Council of a thank you note received from Library staff that he distributed for their review.

## **IX. CONSENT CALENDAR**

**It was moved by Council Member Harrell, seconded by Council Member Isherwood, and unanimously carried that the items on the Consent Calendar be approved as presented with the exception of items 6, 9 & 10.**

- (1) Authorization to read ordinances by title only.**
- (2) Approve minutes of December 7, 2021 special/regular meeting(s).  
[Submitted by: R. Yoder]**
- (3) Adopt Resolution 2021-59 allowing for Council Members to attend council meetings remotely pursuant to Assembly Bill (AB) 361. [Submitted by: M. Zamora]**
- (4) Approve the extension of deadline to submit draft maps for the Tulare City Council redistricting process from Monday, January 3, 2022 by 5 p.m., to Friday, January 7, 2022 by 5 p.m. [Submitted by: M. Mondell]**
- (5) Adopt 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]**
- (6) Approve a contract with Monument of Sacramento, CA for right-of-way acquisition services associated with Project EN0088 - Prosperity Avenue**

and West Street Improvements in the amount of \$56,000; and authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of the contract award amount. [Submitted by: N. Bartsch] Council Member Sigala pulled for comment. Senior Project Manager Nick Bartsch responded thereto. With no further discussion, it was moved by Council Member Sigala, seconded by Vice Mayor Sayre, and unanimously carried to approve the item as presented.

- (7) **Authorize the City Manager to execute the standard form letter to Caltrans indicating the City's intention to accept the relinquishment of State right-of-way on San Joaquin Avenue immediately west of the Highway 99 southbound ramps and on Sierra Avenue immediately east of the Highway 99 northbound ramps, and waive the ninety (90) days' notice of "Intention to Relinquish" requirement contained in Section 73 of the Streets and Highway Code. [Submitted by: M. Miller]**
- (8) **Receive the monthly investment report for November 2021. [Submitted by: D. Thompson]** Mayor Mederos pulled for comment. Finance Director Darlene Thompson responded thereto. With no further discussion, it was moved by Mayor Mederos, seconded by Council Member Sigala, and unanimously carried to receive the item as presented.
- (9) **Acknowledgment and acceptance of Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA) for the fiscal year ended June 30, 2020. [Submitted by: D. Thompson]**
- (10) **Accept all required public work improvements for the Del Lago Playground located at 1700 N. Laspina, Tulare CA as complete, authorize the Community Services Director 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: J. Glick]** Staff pulled for clarification as to direction notation from South to North. With no further discussion, it was moved by Council Member Harrell, seconded by Council Member Isherwood, and unanimously carried to approve the item as presented.
- (11) **Accept the Police Department Citizen Complaint Review Board's annual report for calendar year 2021. [Submitted by: G. Merrill]**

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

- (1) **Spotlight on Excellence – Employee Recognition [Submitted by: M. Mondell]** City Manager Marc Mondell provided an introduction of the item and Police Chief Wes Hensley, who along with Sgt. Raymond Guerrero, recognized Julia Franco as this quarter's Employee Recognition.

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

**XII. CONVENE JOINTLY AS TULARE CITY COUNCIL AND TULARE CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE TULARE REDEVELOPMENT AGENCY –**

Mayor Mederos convened jointly as the Tulare City Council and Successor Agency at 7:53 p.m.

**(1) Successor Agency:**

- a. Adopt Resolution 2021-01 a Resolution of the Successor Agency to the former Tulare Redevelopment Agency approving and adopting the recognized obligation payment schedule for the July 1, 2022 through June 30, 2023 period and the fiscal year 2022-23 administrative budget. [Submitted by: D. Thompson]** Finance Director Darlene Thompson provided a brief report for the joint bodies review and consideration. With no further discussion, it was moved by Council Member Isherwood, seconded by Vice Mayor Sayre, and unanimously carried to adopt Successor Agency Resolution 2021-01, as presented.

**XIII. ADJOURN AS TULARE CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND REMAIN SEATED AS THE TULARE CITY COUNCIL –**

Mayor Mederos adjourned as the Successor Agency, but remained seated as the Tulare City Council at 7:55 p.m.

**XIV. GENERAL BUSINESS**

*Comments related to General Business items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Council.*

**(1) Public Hearing:**

- a. Public Hearing to pass-to-print Ordinance 2021-06, amending Chapter 8.36 of Title 8 of the City Code, City Park and Trail Section 8.36.010 through section 8.36.420. [Submitted by: M. Zamora and J. Glick]** City Attorney Mario Zamora provided a report for the Council's review and consideration. Mayor Mederos opened the public hearing at 8:02 p.m. Nick Sherwood of the Parks and Recreation Commission addressed the Council in support of the Ordinance. With no further public comment, Mayor Mederos closed the public hearing at 8:04 p.m.

Following questions and comments posed by Council and addressed by staff, it was moved by Mayor Mederos, seconded by Council Member Isherwood, and unanimously carried to pass-to-print Ordinance 2021-06, as presented.

- b. **Public hearing under the Tax and Equity Fiscal Responsibility Act (“TEFRA”) in connection with the proposed issuance of revenue bonds by the California Municipal Finance Authority (the “CMFA”), a joint exercise of powers authority and public entity of the State of California, in an amount not to exceed \$23,000,000, (the “Bonds”); adopt Resolution 2021-60 to become a member of the CMFA to approve the financing of the Project by the CMFA and authorize the Mayor or designee thereof to execute the Joint Exercise of Powers Agreement with the CMFA. [Submitted by: T. Myers]** Council Member Isherwood declared a work conflict and left the room. Community & Economic Development Director Traci Myers provided a report for the Council’s review and consideration. Mayor Mederos opened the public hearing at 8:25 p.m. With no public comment, Mayor Mederos closed the public hearing at 8:26 p.m. With no discussion, it was moved by Council Member Harrell, seconded by Council Member Sigala, and carried 4 to 0 (Council Member Isherwood recused) to adopt Resolution 2021-60, as presented.

**(2) City Attorney:**

***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 Attorney Mario Zamora provided a report for the Council’s review and consideration. With no public comment or comment by Council, it was moved by Council Member Harrell, seconded by Council Member Isherwood, and unanimously carried to adopt Urgency Ordinance 2021-05, as presented.

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

**XVI. ADJOURN REGULAR SESSION**

Mayor Mederos adjourned the regular session at 8:47 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



# RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD  
VISALIA, CA 93277  
PHONE (559) 624-7000  
FAX (559) 730-2653

Aaron R. Bock      Economic Development and Planning  
Reed Schenke      Public Works  
Sherman Dix      Fiscal Services

REED SCHENKE, DIRECTOR

MICHAEL WASHAM, ASSOCIATE DIRECTOR

December 13, 2021

City of Tulare  
Attn: Dennis A. Mederos, Mayor  
411 East Kern Avenue  
Tulare, CA 93274

RECEIVED

DEC 16 2021

CITY CLERKS OFFICE  
CITY of TULARE

Re: Request for Roadway Improvements

Mayor Mederos,

Thank you for reaching out to me regarding your concerns for some of the traffic conditions on County roads surrounding the City of Tulare. We take these items seriously and staff has actively been reviewing the issues you brought up. We were able to take quick action on some of the requests or conditions that you identified. Some of the other items require a bit more analysis, and ultimately, funding or resources to be allocated before we can move forward. Following is a synopsis of the requests and a summary of what we have been able to complete or ascertain at this point.

If you have any questions, or future concerns, please do not hesitate to contact me directly, or through your Public Works Department (of whom I consider to have an outstanding relationship).

1. **West Street (Road 92) between existing City limits north of Prosperity Avenue (Avenue 240) and Cartmill Avenue (Avenue 248)**
  - This roadway is about 24 feet wide. The existing road is too narrow for the installation of an edge line strip (the minimum standard roadway width for edge line is 26 feet in width). Further evaluation and resource allocation is required for widening the roadway.
  - Regarding pavement markers, the County does not install raised pavement markers on two lane roads.
  - We have added this road to our striping program and county crews will refresh the centerline striping as soon as weather permits – likely in the spring.
  
2. **Gail Avenue between West Street (Road 92) and existing City limits at Northridge Street**
  - The current pavement width of this roadway is 17 feet; there is limited space for pavement widening due to existing power poles and other infrastructure.
  - As we prepare our 2022 annual maintenance program, we will consider this road for inclusion.
  - This segment of roadway is adjacent to the City limit line and within the urban development boundary of the City of Tulare. Due to limited County resources and the traffic volume on this road if the City would like to expedite widening of Gail Avenue, one option would be for the City to enter into a maintenance agreement with the County which would allow for the City to construct the requested improvements to meet City standards.
  - Staff will evaluate feasibility of improving the intersection of West Street and Gail Avenue. Further information on Item 4 below.



**3. Intersection of Cartmill Avenue and West Street**

- Reflective sheeting has been added to the stop sign posts and existing signs have been replaced and upgraded.
- The County has conducted a traffic signal analysis for this intersection. Based on preliminary information, it appears that the intersection meets warrants for a traffic signal. We will include this location on our intersection signalization list for future consideration. Countywide, there are many locations on this list and actual improvements are prioritized based on safety concerns, traffic volume, level of service, future and actual development, and funding opportunities.
- The County will further evaluate this intersection for possible signal/roundabout project.

**4. Intersection of Gail Avenue and West Street**

- Staff is evaluating the streetlight request at this intersection. The County locates streetlights based on traffic volumes, speeds, and adjacent property uses. If this location meets the necessary criteria, we will coordinate with Southern California Edison to install streetlights as appropriate.
- Staff is evaluating southbound left-turn lane request.
- Larger enhanced reflectivity street name signs were installed at intersection.
- The County will install a Gail Avenue street name sign along West St.

**5. Intersection of Zumwalt Avenue and West Street**

- Staff is evaluating streetlight request at this intersection. The County locates streetlights based on traffic volumes, speeds, and adjacent property uses. If this location meets the necessary criteria, we will coordinate with Southern California Edison to install streetlights as appropriate.
- Staff has spoken to the property owner at the southeast corner regarding the large shrub and the potential visibility issues it creates and the owner will trim tree to improve visibility.
- Larger street name signs were installed at this intersection.

**6. Intersection of Elster Avenue and West Street**

- Staff is evaluating streetlight request at this intersection. The County locates streetlights based on traffic volumes, speeds, and adjacent property uses. If this location meets the necessary criteria, we will coordinate with Southern California Edison to install streetlights as appropriate.
- Larger street name signs were installed at this intersection.

Like you, we have noticed increased traffic in the region surrounding your intersection project at Prosperity and West Street and we will continue to monitor that area with a focus on safety and service levels.

Again, I'd like to thank you and your staff for your continued collaboration. Please do not hesitate to contact me if you have any questions or if any other need arises.

Sincerely,



Reed Schenke, Director

Tulare County Resource Management Agency

cc: Tulare County Chief Administrative Officer, Jason T. Britt  
Tulare County Board of Supervisor, Pete Vander Poel  
TCAG Director, Ted Smalley

**AGENDA ITEM: Consent**

**CITY OF TULARE  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department:** Engineering Services / Engineering

**For Council Meeting of:** January 11, 2022

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

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**AGENDA ITEM:**

Authorize the City Manager to execute an oversize construction reimbursement agreement with Pilot Travel Centers LLC for construction costs associated with development of the Flying J Travel Center that are eligible for reimbursement in accordance with Chapter 8.64 of the Municipal Code, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager.

**IS PUBLIC HEARING REQUIRED:**  Yes  No

**BACKGROUND/EXPLANATION:**

As part of development of the Flying J Travel Center located at the southwest corner of Paige Avenue and Blackstone Street, Pilot Travel Centers LLC was required to install oversized street improvements. These included, but were not limited to the following:

- Intersection improvements and the installation of a traffic signal at Paige Avenue and Blackstone Street;
- Improvements to the northbound Highway 99 ramps at Paige Avenue, and the installation of a traffic signal at their intersection with Paige Avenue;
- Intersection improvements and the installation of a traffic signal at Paige Avenue and Laspina Street;
- Improvements to the southbound Highway 99 Ramps at Blackstone Street, and the installation of a traffic signal at their intersection with Blackstone Street;
- Supplemental paving width and thickness associated with the Flying J Travel Center’s frontage improvements along Paige Avenue; and,
- Dedication of additional right-of-way on Paige Avenue to accommodate an eastbound right-turn lane at Blackstone Street.

Costs associated with supplemental size and capacity are eligible for oversized construction reimbursement in accordance with Chapter 8.64 of the Municipal Code. The attached oversized construction reimbursement agreement identifies the work completed by the Developer that is reimbursable under the City’s oversize reimbursement procedures, and specifies that the City will reimburse the developer for their expenditures plus accrued interest as funding becomes available through the City’s development impact fee program.

**STAFF RECOMMENDATION:**

Authorize the City Manager to execute an oversize construction reimbursement agreement with Pilot Travel Centers LLC for construction costs associated with development of the Flying

J Travel Center that are eligible for reimbursement in accordance with Chapter 8.64 of the Municipal Code, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager.

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

The oversized construction reimbursement agreement have been reviewed and approved as to form by the City Attorney.

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

**FUNDING SOURCE/ACCOUNT NUMBER:**

DIF Street – Principal / 001-4320-8206

DIF Street – Interest / 001-4320-8306

**Submitted by: Michael Miller**

**Title: City Engineer**

**Date: December 27, 2021**

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

**OVERSIZED CONSTRUCTION REIMBURSEMENT AGREEMENT**

This Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 2022, by and between the CITY OF TULARE, hereinafter referred to as the "CITY", and **PILOT TRAVEL CENTERS LLC**, hereinafter referred to as "DEVELOPER".

**WITNESSETH**

WHEREAS, said DEVELOPER has installed supplemental size, capacity, number, or length of improvements and/or excessive right of way as required by the city as a condition of a development or extension of city facilities for the Pilot / Flying J Travel Center (hereinafter referred to as "**PROJECT**") located at the southwest corner of Paige Avenue and Blackstone Street in the City of Tulare (hereinafter referred to as "**PROPERTY**"); and

WHEREAS, the provisions of Chapter 8.64 of Title 8 of the City Code of Tulare requires in the event that sewer, water, storm drain or street improvements are installed by a developer or an applicant or right of way is dedicated which contain oversize, the CITY shall enter into a reimbursement agreement for oversize; and

WHEREAS, the DEVELOPER has submitted all anticipated oversized costs to the CITY for review, approval and inclusion into the reimbursement agreement prior to the start of construction; and

WHEREAS, oversize shall be based on the actual cost of installation or the appraised value of right of way. In addition, reimbursement shall be limited to the additional material and equipment costs where a difference of pipe size is involved or for excessive right of way dedications shall be limited to the fair market value based on the zoning at the time the right of way is acquired or first specified as a condition of development approval if applicable, whichever comes first, and land values at the time of acceptance. Further, the costs of engineering, staking, compaction tests, and all fees paid to the city, county or state shall be excluded, except for that portion of the inspection fees attributable to the oversized portion; and

WHEREAS, The CITY shall pay pursuant to Section 66486 of the Government Code an amount attributable to interest on the oversize.

NOW, THEREFORE, be it agreed, by and between the CITY and DEVELOPER as follows:

I. Oversize improvements installed and/or excessive right of way dedicated by the DEVELOPER and their principal costs less any credits given the DEVELOPER against fees due the CITY for installation of these improvements and/or excessive right of way dedicated are as follows:

**STREET FACILITIES**

| <b>Description</b>  | <b>Quantity</b> | <b>Unit Measure</b> | <b>Unit Price</b> | <b>Oversize Cost</b> |
|---|-----------------|---------------------|-------------------|----------------------|
| Paige Avenue / Highway 99 Interim Improvements – Engineering Costs  | 1               | l.s.                | \$20,900.00       | \$20,900             |
| Paige Avenue / Highway 99 Interim Improvements – ROW Dedication Costs   | 40,059          | s.f.                | \$5.00            | \$200,295            |
| Paige Avenue / Highway 99 Interim Improvements – Traffic signal installations at Paige Avenue/Blackstone Street, Paige Avenue/Northbound Hwy 99 Ramps, Paige Avenue/Laspina Street, and Blackstone Street/Southbound Hwy 99 Ramps | 1               | l.s.                | \$1,343,347       | \$1,343,347          |
| Paige Avenue Frontage Improvements – A.C. Paving Oversize Area  | 434.2           | tons                | \$90.00           | \$39,078             |
| Paige Avenue Frontage Improvements – Class 2 Aggregate Base Oversize Area   | 1,624.8         | tons                | \$35.00           | \$56,868             |
| Paige Avenue Frontage Improvements – Supplemental Depth of Roadway Excavation Oversize Area   | 1037.6          | c.y.                | \$20.00           | \$20,752             |
| Paige Avenue Frontage Improvements – A.C. Paving Developer Area   | 0               | tons                | \$90.00           | \$0                  |
| Paige Avenue Frontage Improvements – Class 2 Aggregate Base Developer Area  | 594.5           | tons                | \$35.00           | \$20,808             |
| Paige Avenue Frontage Improvements – Supplemental Depth of Roadway Excavation Developer Area  | 303.7           | c.y.                | \$20.00           | \$6,074              |
| Paige Avenue Off-site Improvements – A.C. Paving  | 153             | tons                | \$90.00           | \$13,770             |
| Paige Avenue Off-site Improvements – Class 2 Aggregate Base   | 572.5           | tons                | \$35.00           | \$20,038             |
| Paige Avenue Off-site Improvements – Roadway Excavation   | 365.6           | c.y.                | \$20.00           | \$7,312              |
| Paige Avenue Off-site Improvements – Fire Hydrant Relocation at Northbound Hwy 99 Ramps   | 1               | l.s.                | \$16,039.00       | \$16,039             |
| Paige Avenue Off-site Improvements – Replace water meter box at Northbound Hwy 99 Ramps   | 1               | l.s.                | \$2,947.00        | \$2,947              |
| <b>Total Street Facilities Oversize =</b>   |                 |                     |                   | <b>\$1,768,228</b>   |
| <b>Less Development Impact Fee Credits Issued To Date =</b>   |                 |                     |                   | <b>\$0.00</b>        |
| <b>Principal Due To Developer =</b>   |                 |                     |                   | <b>\$1,768,228</b>   |

II. The CITY shall pay interest on the remaining principal at a variable rate compounded annually. The interest rate for each calendar year shall be equal to the average annual Local Agency Investment Fund (LAIF) rate of return on City of Tulare investments from the previous calendar year. Interest for a portion of a year shall be prorated to the nearest month and shall commence from the acceptance date on the notice of completion.

III. Reimbursements are to be made by mail to the DEVELOPER at the following address:

Pilot Travel Centers LLC  
5508 Lonas Drive  
Knoxville, TN 37909  
Attention: Brandon Parks

IV. The DEVELOPER shall not transfer the rights to reimbursements without the express written consent of the CITY after having submitted a signed and notarized written request for said transfer to the City Engineer.

V. This Agreement represents the entire understanding of the CITY and the DEVELOPER as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This Agreement may not be modified or altered except in writing signed by the CITY and the DEVELOPER.

VI. If any section, subsection, paragraph, sentence, clause, or phrase of this Agreement is held to be unconstitutional or invalid or ineffective by any Court or tribunal of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Agreement, or any part thereof.

IN WITNESS WHEREOF, this Agreement is executed on the date and year first above written.

“CITY”

“DEVELOPER”

By \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

Title \_\_\_\_\_

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

*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

|                               |
|-------------------------------|
| <b>AGENDA ITEM: Consent 5</b> |
|-------------------------------|

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

**Submitting Department: Engineering Services / Project Management**

**For Council Meeting of: January 11, 2022**

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

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**AGENDA ITEM:**

Authorize the City Manager to sign a contract with 4 Creeks of Visalia, CA in an amount not to exceed \$99,400 for topographic surveying, complete design, bidding and construction support services for the rehabilitation improvements needed in the City Hall/Police Department/Former County Courthouse parking lots and associated perimeter security and ADA improvements; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$9,940) of the contract award amount; and approve the project scope and budget.

**IS PUBLIC HEARING REQUIRED:**  Yes  No

**BACKGROUND/EXPLANATION:**

In conjunction with the City's recent acquisition of the former Tulare County Courthouse building, located adjacent to City Hall, the need to make improvements to the existing building and surrounding adjacent parking lot were identified. Improvements to the courthouse building are necessary for the City to occupy it as desired. At this time, the City plans to utilize a portion of the building for the Police Department to expand its office space and allow for social distancing requirements of COVID 19. It will make remaining space accessible for use as a Small Business Incubator to encourage small businesses who might have otherwise launched during the pandemic. ADA compliance improvements, electrical and mechanical upgrades, as well as minor aesthetic improvements will be required to facilitate these uses.

Additionally, with the inclusion of the remaining portion of property within the city block now under the City's purview, the City intends to make improvements to the security of its facilities by constructing fencing around the perimeter. With these improvements, a review and revisions to the functional layout of the parking lot, necessary reconfiguration of ADA paths of travel, drainage enhancements, and pavement issues will be addressed.

A Request for Qualifications (RFQ) for On-Call Engineering and Land Surveying Consultants was issued on October 20, 2020. Ten (10) firms submitted all the necessary information to be considered for inclusion in a list of pre-approved consultants to provide these services. The proposals were reviewed and rated in accordance with the consultant selection procedures identified in the RFQ, and the top six (6) firms were recommended for inclusion on the list of prequalified general engineering and land surveying consultants. On December 15, 2020, the City Council approved this list of (6) consultants.



4 Creeks of Visalia, CA is included on the list of pre-qualified on-call Engineering 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 design of this project. Initially, 4 Creeks has proposed to perform the necessary design work associated with Phase 1 – Parking Lot, Perimeter Security, and associated ADA improvements for \$99,400. The proposed cost is in accordance with their current on-call contract, in line with industry standards, and falls within the amount budget for this work on this project. As the remaining scope of work is finalized for the renovation of the building itself, subsequent contracts/amendments will be brought back to the City Council for review and approval.

**STAFF RECOMMENDATION:**

Authorize the City Manager to sign a contract with 4 Creeks of Visalia, CA in an amount not to exceed \$99,400 for topographic surveying, complete design, bidding and construction support services for the rehabilitation improvements needed in the City Hall/Police Department/Formal County Courthouse parking lots and associated perimeter security and ADA improvements; Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$9,940) of the contract award amount; and approve the project scope and budget.

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

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

**FUNDING SOURCE/ACCOUNT NUMBER:**

017 – Lease Revenue Bonds

028 – ARPA

**Submitted by:** Nick Bartsch

**Title:** Sr. Project Manager

**Date:** December 22, 2021

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

## American Rescue Plan Act (ARPA) CIP

|   |               |
|---|---------------|
| <b>PROJECT # FM00XX</b>                             | <b>G/L #:</b> |
| Court House Renovation & Parking Lot Rehabilitation |               |
| <b>(Capital)</b>                                    |               |
| <b>District(s): 1,2,3,4,5</b>                       |               |

**PROJECT MANAGER:** Nick Bartsch

**PROJECT DESCRIPTION & PURPOSE:** Remodel the existing courthouse adjacent to City Hall, to allow occupancy by the police department and other potential interim uses. (e.g. Business Incubator) ; Rehabilitate the City Hall/Courthouse/Police Department parking lot to address security, ADA compliance, drainage, pavement and circulation issues.

**KEY POINTS:**

- Expansion of Office space to allow for Social Distancing requirements of COVID19
- Provide a business Incubation space to encourage small businesses who might have otherwise launched during the pandemic
- Address Security and ADA compliance issues.

**PROJECT STATUS:** Conceptual

**PROJECTED START DATE:** 1/1/2022

**PROJECTED END DATE:** 6/30/2023

**FUTURE M & O:** Additional funding will be required to properly maintain the facilities  
(Additional Cost & Department Responsibility)

**CATEGORIES (1-5):** Category 2: Address negative economic impacts caused by the public health emergency

|                                       | Fiscal Year |             |           |           |           |                      | Total       | Unfunded |
|---------------------------------------|-------------|-------------|-----------|-----------|-----------|----------------------|-------------|----------|
|                                       | 2021/2022   | 2022/2023   | 2023/2024 | 2024/2025 | 2025/2026 | Thru Dec. 31<br>2026 |             |          |
| <b>Costs Description</b>              |             |             |           |           |           |                      |             |          |
| Couthouse Building Acquisition        | \$500,000   | \$0         | \$0       | \$0       | \$0       | \$0                  | \$500,000   | \$0      |
| Environmental                         | \$3,000     | \$0         | \$0       | \$0       | \$0       | \$0                  | \$3,000     | \$0      |
| Parking Lot/Site Design               | \$109,340   | \$0         | \$0       | \$0       | \$0       | \$0                  | \$109,340   | \$0      |
| Courthouse Conceptual Design          | \$50,000    | \$0         | \$0       | \$0       | \$0       | \$0                  | \$50,000    | \$0      |
| Final Design/Construction Phase Costs | \$0         | \$2,317,660 | \$0       | \$0       | \$0       | \$0                  | \$2,317,660 | \$0      |
| Department Staff Time                 | \$10,000    | \$10,000    | \$0       | \$0       | \$0       | \$0                  | \$20,000    | \$0      |
| <b>Total Costs:</b>                   | \$672,340   | \$2,327,660 | \$0       | \$0       | \$0       | \$0                  | \$3,000,000 | \$0      |
| <b>Funding Sources</b>                |             |             |           |           |           |                      |             |          |
| 017 - 2018 Lease Revenue Bonds        | \$672,340   | \$1,027,660 | \$0       | \$0       | \$0       | \$0                  | \$1,700,000 | \$0      |
| 028 - ARPA Funds                      | \$0         | \$1,300,000 | \$0       | \$0       | \$0       | \$0                  | \$1,300,000 | \$0      |
| <b>Total Funding:</b>                 | \$672,340   | \$2,327,660 | \$0       | \$0       | \$0       | \$0                  | \$3,000,000 | \$0      |

December 17, 2021

**Mr. Michael Miller**

City Engineer  
City of Tulare  
411 E. Kern Ave.  
Tulare, CA 93274



**Subject: Downtown Tulare Revitalization Parking Lot Project (Civic Center/Police Block only),  
4Creeks Project No. 21394**

Dear Mr. Miller,

Our understanding is that the City would like to utilize our services for surveying, planning, architecture, and engineering for the parking lots at the Civic Center/Police Block. This work will be done in accordance with our current on-call contract and will generally include the following services.

**Task 1: Project Kick-Off Meeting**

- Provide the City of Tulare with a list of designated consultant contacts.
- Conduct a site visit prior to the Kick-off meeting and assess the conditions involving the design of the project.
- Develop a list of issues and questions and coordination items for the Project Kick-off meeting.
- Identify all necessary improvements that are needed for a complete design.
- Prepare and submit an initial project schedule.
- Define City and Consultant responsibilities.
- Review and discuss Scope and Budget.

The above **Task 1** services will be provided for a **Fixed Fee of \$1,900.**

**Task 2: Topographic Survey**

This task includes a topographic field survey of the landscape areas, existing buildings, parking lot areas, sidewalk, ADA features, walkways, and other pertinent site features, of the existing park and complex site area. To complete this task, the following items will be required:

- Perform Topographic field Survey shall include (but not limited to):
  - Observable Utility (including inverts, rim elevations, etc.)
  - Building locations
  - Paved/Parking areas
  - Grass and landscaped areas
  - Curb and gutter
  - Concrete/Sidewalk (pedestrian travel way routes for ADA compliance)
  - Tie into City of Tulare benchmark system
  - Tie in adjacent centerline or property line monuments for base line control of site (rotation)
- Prepare Topographic Survey Map

The above-described **Task 2** services will be provided for a **Fixed Fee of \$12,500** (based on prevailing wage rates).

**Task 3: Procedure & Schedule for Abandonment of Alley**

- Utility Research & Coordination
  - Show existing utility locations on construction documents.
  - Meet with utility companies at around the 50% design stage to determine if conflicts exist.
  - Work with utility companies to address and resolve identified conflicts.

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

- Determine the need to reserve and expect from the closure the permanent easement and right at any time to construct, maintain, operate, replace, remove, and renew public utilities.
- Provide legal description and exhibit(s) for the alley abandonment and public utility easement (PUE).

The above **Task 3** services will be provided for a **Fixed Fee of \$6,000**.

#### **Task 4: Civil Design Development and Construction Documents**

##### **Design Development**

- Site Development
  - Civil – Modify existing conceptual layout of ADA parking stalls, sidewalk, security fencing (max height of 7-ft), traffic flow, wheel stops, curb planters, drainage improvements, gates, Knox box locations, and keyless entry system. Also include schematic design for locations of video cameras.
  - Solar – Provide conceptual layout of parking canopy structures and solar panels. Our understanding is that the City will have us solicit 2-3 proposals from solar companies. City will decide which company they want to use for this project. Solar company will provide parking canopies and solar system for the project.
  - Landscaping – Include conceptual landscaping layout.
- Agency Coordination
  - Meet with property owners (Police Department and City of Tulare) to review and discuss the proposed improvements for the project.
  - Gather information from owners to incorporate into the design.
  - Prepare and submit conceptual site plan and preliminary cost estimate to owners for review and comment. **We are assuming a maximum of two (2) iterations for owner review and comments before proceeding to construction documents.**

**For the Construction Document task, Plans and Cost estimates will be provided at the 30%, 90%, and 100% final submittal stages. Specifications will be provided at the 90%, and 100% submittal stages.**

**Plans will be on 22x34 size sheets**

##### **Construction Documents**

4Creeks anticipates providing the following plan sheets for the project:

- Cover Sheet
- General Notes
- Egress Plan
- Architectural Details (Decorative Fencing assumed)
- Topographic Survey & Demolition Plans
- Parking Lot Site Plan (dimensions included)
- Grading & Drainage Plan
- Striping and Signage Plans
- Construction and City Standard Details
- Electrical Plans
- Electrical Details
- Security camera plan (by others)
- Solar/covered parking (by others)
- Landscape & Irrigation Plans
- Landscape & Irrigation Details

Our understanding is that the City would like to have covered parking canopies with solar panels installed. Typically the City will contract directly with the selected solar company and they will provide the canopies and solar panel system. 4Creeks will coordinate construction documents with the solar company.

Below are the responsibilities of the following design disciplines:

- Civil
  - General notes and details
  - Demolition plans as required
  - Site plan with proposed improvements
  - Grade elevations of surface improvements
  - Accessibility details as needed
- Electrical
  - Electrical Drawings
  - Electric Gate Controls
  - Power Connections
- Irrigation
  - Plumbing design, plans, and specifications (City to provide master specifications for modification)
  - Irrigation Control System
  - Research and confirm the existing water lines have enough capacity to serve the site for irrigation.
- Landscape
  - Trees and parking lot landscaping
- Cost Estimate
  - Provide opinion of probable cost estimate based on the Construction Documents.
  - Provide construction cost estimates at 30%, 90%, and 100% construction document sets.
- Technical Specifications
  - Provide technical specifications, special provisions, and bid item descriptions to complete the project.
  - Include City standard specifications.
  - Our understanding is that the City will provide their typical master technical bid document in word format and we will modify all of the information for this project.
- Address Agency Plan Review Comments
  - Provide plan check sets at 30% and 90% construction document sets.
  - We plan on holding 3 meetings with the City at the following stages 30%, 90% and 100% plan submittal stages.
  - Address plan check comments from the City at each submittal stage.

The above **Task 4** services will be provided for a **Fixed Fee of \$68,000**.

#### **Task 5: Construction Administration**

- Attend the pre-construction meeting
- Respond to Requests for Information
- Review Submittals if requested by the City

The above **Task 5** services will be provided on a **Time and Materials basis with an Estimated Fee of \$11,000**. The following is a breakdown of what we expect per Phase.

**Total Estimated Contract Amount if all Tasks 1-5 are included = \$99,400**

#### **Project Management:**

The overall project management will be provided by Chris Crawford. Matthew Ainley, Will Ruoff, and Steven Macias will assist to design the project.

**Project Schedule:**

We expect to complete the project based on notice to proceed from client.

Task 1, Topographic Survey: 6 weeks from NTP

Task 4, Conceptual Layouts/Design: Varies, first concept 5 weeks from NTP

Other tasks, TBD on final scope

**City of Tulare Responsibilities**

- Provide a draft set of front-end bid specifications in Word format
- Provide record drawings for the project area if available
- Provide potholing as necessary to determine true utility locations
- Provide guidance to consultant scope of work questions
- Pay for all permits
- Pay and contract for owner furnished items
- Process all building and engineering permits through the appropriate City departments to gain approval

**Exclusions**

- Any work not specifically listed in this scope of services.

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  
Project Manager



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

encl: Fee Schedule

Approval:

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

\_\_\_\_\_  
Date



## 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>     | Associate Construction Inspector                     | <b>\$110</b>     |
| Engineer                               | <b>\$120</b>     | Construction Inspector                               | <b>\$130</b>     |
| Senior Engineer                        | <b>\$140</b>     | Senior Construction Inspector                        | <b>\$150</b>     |
| Principal Engineer                     | <b>\$170</b>     |  |                  |
|  |                  |  |                  |
| <b>Planning Services</b>               |                  | <b>Construction Management</b>                       |                  |
| Associate Planner                      | <b>\$100</b>     | Associate Construction Manager                       | <b>\$120</b>     |
| Planner                                | <b>\$120</b>     | Construction Manager                                 | <b>\$140</b>     |
| Senior Planner                         | <b>\$140</b>     | Senior Construction Manager                          | <b>\$160</b>     |
| Principal Planner                      | <b>\$160</b>     |  |                  |
|  |                  |  |                  |
| <b>Structural Engineering Services</b> |                  | <b>Technical Services</b>                            |                  |
| Associate Structural Engineer          | <b>\$125</b>     | Project Technician I                                 | <b>\$60</b>      |
| Structural Engineer                    | <b>\$135</b>     | Project Technician II                                | <b>\$75</b>      |
| Senior Structural Engineer             | <b>\$145</b>     | Project Technician III                               | <b>\$90</b>      |
|  |                  | Project Technician IV                                | <b>\$100</b>     |
|  |                  |  |                  |
| <b>GIS Services</b>                    |                  | <b>Public Outreach Coordination</b>                  |                  |
| Associate GIS Technician               | <b>\$90</b>      | Associate Outreach Coordinator                       | <b>\$100</b>     |
| GIS Technician                         | <b>\$100</b>     | Outreach Coordinator                                 | <b>\$120</b>     |
| Senior GIS Technician                  | <b>\$120</b>     |  |                  |
|  |                  |  |                  |
| <b>Utility Design Services</b>         |                  | <b>Water Consulting Services</b>                     |                  |
| Associate Designer                     | <b>\$110</b>     | Associate Water Consultant                           | <b>\$100</b>     |
| Designer                               | <b>\$120</b>     | Water Consultant                                     | <b>\$120</b>     |
| Senior Designer                        | <b>\$130</b>     | Senior Water Consultant                              | <b>\$140</b>     |
|  |                  |  |                  |
| <b>Land Surveying Services</b>         |                  | <b>Executive Staff</b>                               |                  |
| Assistant Surveyor                     | <b>\$100</b>     | Associate Executive                                  | <b>\$120</b>     |
| Land Surveyor                          | <b>\$120</b>     | Executive  | <b>\$130</b>     |
| Senior Surveyor                        | <b>\$140</b>     | Senior Executive                                     | <b>\$140</b>     |
| Principal Land Surveyor                | <b>\$170</b>     |  |                  |
| 1-Man Survey Crew *                    | <b>\$115</b>     | <b>Software Engineering Services</b>                 |                  |
| 2-Man Survey Crew *                    | <b>\$185</b>     | Associate Software Engineer                          | <b>\$75</b>      |
| 3-Man Survey Crew*                     | <b>\$250</b>     | Software Engineer                                    | <b>\$110</b>     |
| Drone Pilot                            | <b>\$155</b>     | Senior Software Engineer                             | <b>\$130</b>     |
|  |                  |  |                  |
| <b>Expert Witness</b>                  |                  |  |                  |
| Expert Witness                         | <b>\$205</b>     |  |                  |
|  |                  |  |                  |

### Direct Charges

At cost plus fifteen percent (15%):

- Transportation and per-diem expenses (auto mileage @ current IRS rate, off-road charges \$50.00/day)
- Printing and reproduction: \$0.03 per b/w copy, \$0.12 per color copy, \$0.80 per sq. ft. large printing
- Equipment rentals, subcontractors, laboratory analyses
- Website Hosting Fees: \$15/mo. | \$150/annual

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







Dennis A. Mederos, Mayor

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

## **LIBRARY BOARD**

The undersigned submits the following report and appointments concerning the Tulare Public Library pursuant to the California Education Code:

- A. As set forth in Education Code § 18910, the Tulare Public Library is to be managed by a Board of Library Trustees to be appointed by the Mayor with the consent of the legislative body.
- B. In Education Code § 18911, the Trustees shall hold office for three (3) years. To clarify the designation of each Trustee, the Library Trustees shall be designated by number as follows:

|                |   |
|----------------|---|
| Trustee ONE:   | (Currently held by Ellen Baker with term expiring 12/31/2021)             |
| Trustee TWO:   | (Currently held by Lisa Hollingshead with term expiring 12/31/2021)       |
| Trustee THREE: | (Currently held by Michelle Lippincot with term expiring 12/31/2021)      |
| Trustee FOUR:  | (Currently held by Margaret [Peggy] DeMuth with term expiring 12/31/2021) |
| Trustee FIVE:  | (Currently held by Donna Schauland with term expiring 12/31/2022)         |

- C. In order to comply with Education Code § 18911, the undersigned proposes that the term of each Trustee shall run as follows:

|                |                      |
|----------------|----------------------|
| Trustee ONE:   | Present – 06/30/2025 |
| Trustee TWO:   | Present – 06/30/2025 |
| Trustee THREE: | Present – 06/30/2024 |
| Trustee FOUR:  | Present – 06/30/2024 |
| Trustee FIVE:  | Present – 06/30/2023 |

D. As Mayor, due diligence has been given through the interview process, the review of materials and evaluation of candidates. After utilizing the discretionary power of appointment as Mayor as set forth in the Education Code, the following selections are made:

|                |                   |
|----------------|-------------------|
| Trustee ONE:   | ELLEN BAKER       |
| Trustee TWO:   | LISA HOLLINGSHEAD |
| Trustee THREE: | DECLARED VACANT   |

E. As to the remaining two (2) Trustee seats, Margaret (Peggy) DeMuth shall finish her term (June 30, 2024) as Trustee FOUR and Donna Schauland shall finish her term (June 30, 2023) as Trustee FIVE.

F. The appointments, declarations of vacancy and designated terms are subject to consent of Council.

Having submitted the above, the undersigned hereby requests the matter be placed on the Agenda at the January 11, 2022, Special Meeting of the Tulare City Council

Dated: December 31, 2021



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

**AGENDA ITEM: Gen Bus City Mgr 1b**

**CITY OF TULARE  
AGENDA ITEM TRANSMITTAL SHEET**

**Submitting Department:** City Manager

**For Council Meeting of:** January 11, 2022

**Documents Attached:**    Ordinance    Resolution    Other    None

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**AGENDA ITEM:**

Review and appoint members to fill vacancies on City boards, commissions, and committees.

**IS PUBLIC HEARING REQUIRED:**    Yes    No

**BACKGROUND/EXPLANATION:**

Currently, there are 10 vacancies on City boards, commissions, and committees. Following the December 21, 2021 Council meeting, a Notice of Vacancies was posted in accordance with California Government Code § 54974(a). Council has been provided copies of applications submitted by those interested in serving for their review and consideration.

**Aviation Committee**

There has been one vacancy on the Aviation Committee since June 2020 with a term ending December 31, 2023, previously held by John Arriola. Council would be appointing someone to complete the unfinished term. At the time of this writing, there are no applications for this committee.

Currently, the appointment process is unclear; therefore, staff recommends that committee members are nominated and approved by majority vote of the Council.

**Committee on Aging**

There has been one vacancy on the Committee on Aging since 2019 with a term ending December 31, 2025, previously held by Priscilla Musgrove. At the time of this writing, there has been one application received which was submitted by Jevon Price who is also interested in serving on other boards, commissions, and committees as indicated on his application.

Since the last Council meeting, staff found the Rules and Procedures for the Committee on Aging. The appointment process established in these Rules and Procedures allows for the Mayor to appoint the members with approval of the Council.

**Measure I Citizen Oversight Committee**

There are two vacancies on this committee with terms ending December 31, 2023 (appointment by Council Seat 4) and December 31, 2025 (appointment by Council Seat 3). At the time of this writing, there have been two applications received: (1) Jevon Price who is also interested in serving on other boards, committees, and commissions, and (2) Joshua Weatherbie who is also interested in serving on the Police Department Complaint Review Board.

Committee members are appointed by seat of the five Council members with confirmation by majority vote of the Council. Mayor Mederos will appoint a new member to serve with a term

ending December 31, 2025. Council Member Harrell will appoint a new member to serve with a term ending December 31, 2023.

**Parks and Recreation Commission**

At the December 21, 2021, Council meeting, Council declared former Commissioner Porchia's seat vacant as he was not seeking reappointment. This is an at-large appointment with a term ending December 31, 2025. At the time of this writing, there has been one application received: (1) Jorge (George) Herrera.

The municipal code states that "the Mayor and each Council member shall have the right to nominate commissioners from the citizens at large confirmed by majority vote of the Council."

**Planning Commission**

There are two vacancies on the Planning Commission with terms ending December 31, 2023 (appointment by Council Seat 2) and December 31, 2025 (appointment by Council Seat 1). At the time of this writing, there have been two applications received that are eligible for consideration: (1) Jorge Diaz and (2) Chad Petersen.

Commissioners are appointed by seat of the five Council members with confirmation by the majority of the Council. Vice Mayor Sayre will appoint a new commissioner with a term ending December 31, 2023. Council Member Sigala will appoint a new commissioner with a term ending December 31, 2025.

**Police Department Citizen Complaint Review Board**

There are three vacancies on the Police Department Citizen Complaint Review Board with terms ending December 31, 2022. As provided in the staff report for the December 21, 2021, meeting, Board members are appointed in January immediately following the bi-annual November election. Due to recent term ending date extensions over the past year and a half, term ending dates have not been following what is stated in the municipal code. As such, all term ending dates have been adjusted to December 31, 2022, for all current and incoming Board members. There is one at-large vacancy with the other two vacancies to be appointed by Council Seat 1 and 2. At the time of this writing, there have been two applications received: (1) Jevon Price and (2) Joshua Weatherbie.

Board members are appointed by each of the five Council members with confirmation by the majority of the Council, and two remaining members are selected at large by the Council. Council Member Sigala and Vice Mayor Sayre will appoint new members. There is one at-large member to be appointed by Council as well.

**STAFF RECOMMENDATION:**

Review and appoint members to fill vacancies on City boards, commissions, and committees.

**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:** January 3, 2022

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

**AGENDA ITEM: Gen Bus City Mgr 1c**

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

**Submitting Department:** City Manager

**For Council Meeting of:** January 11, 2022

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

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**AGENDA ITEM:**

Adopt Resolution 2022-01 nominating a candidate to the San Joaquin Valley Air Pollution Control District Governing Board in accordance with procedures adopted by the Special City Selection Committee.

**IS PUBLIC HEARING REQUIRED:**  Yes  No

**BACKGROUND/EXPLANATION:**

According to the rotation schedule adopted by the San Joaquin Valley Air Pollution Control District Special City Selection Committee (Committee), there is currently a vacancy on the Air Board that must be filled by a council member from a city with a population of less than 100,000 from Tulare County. Pursuant to Health & Safety Code Section 40600.5, appointments to the Air Board will be made by the Committee. Currently, Council Member Sigala has been serving as an alternate, but has indicated that he is not seeking reappointment.

Governing Board Meetings are generally held on the third Thursday of each month at 9:00 a.m. at the Central Region Office, Governing Board Room, 1990 E. Gettysburg Avenue, Fresno, CA.

The City Council must nominate one of its own, as a candidate to the Air Board for consideration of appointment by the Selection Committee on a publicly noticed agenda approved by Resolution no later than Wednesday, January 12, 2022, in order to ensure timely notification to the City Selection Committee, which meets Wednesday, January 19, 2022.

**STAFF RECOMMENDATION:**

Adopt Resolution 2022-01 nominating a candidate to the San Joaquin Valley Air Pollution Control District Governing Board in accordance with procedures adopted by the Special City Selection Committee.

**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 28, 2021

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

**RESOLUTION 2022-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
TULARE NOMINATING A CANDIDATE FOR THE SAN JOAQUIN VALLEY AIR POLLU-  
TION CONTROL DISTRICT GOVERNING BOARD IN ACCORDANCE  
WITH PROCEDURES ADOPTED BY THE  
SPECIAL CITY SELECTION COMMITTEE**

**WHEREAS**, Health and Safety Code Section 40600.5 created a Special City Selection Committee for the appointment of city members of the San Joaquin Valley Air Pollution Control District (District) Governing Board; and,

**WHEREAS**, Leadership and direction of air pollution control activities in the Valley are provided by the Governing Board of the San Joaquin Valley Unified Air Pollution Control District (Valley District). The Board is comprised of 15 members: eight county Supervisors from each of the eight Valley counties (Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus and Tulare) selected by their respective county Boards of Supervisors, five City Council members selected by the cities within the District, and two public members appointed by the Governor. These locally elected officials and appointees, acting as policy makers, ensure that implementation of state and federal air pollution mandates in the Valley is tailored to local conditions and is responsive to local needs; and,

**WHEREAS**, the Special City Selection Committee is responsible for the appointments and has adopted procedures and a rotation schedule for making their appointments, from nominations put forth by area cities; and,

**WHEREAS**, the Vote to select a nominee took place as an item on the publicly noticed agenda scheduled for Tuesday, January 11, 2022.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Tulare nominates City of Tulare Council Member \_\_\_\_\_ for consideration by the Special City Selection Committee for appointment to the District Governing Board.

**Passed, approved, and adopted this 11<sup>th</sup> day of January, 2022.**

\_\_\_\_\_  
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 Manager/City Clerk of the City of Tulare, certify the foregoing is the full and true Resolution 2022-01 passed and adopted by the Council of the City of Tulare at a special meeting held on January 11, 2022, by the following vote:

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

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

Dated: MARC MONDELL, CITY MANAGER/CITY CLERK

By Roxanne Yoder, Chief Deputy