

**ACTION MINUTES
CITY COUNCIL OF THE CITY OF TULARE**

April 5, 2022

A closed session of the City Council of the City of Tulare was held on Tuesday, April 5, 2022, at 6:15 p.m. in the Tulare Public Library and Council Chamber located at 491 North M Street.

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

STAFF PRESENT: Marc Mondell, Mario Zamora, Janice Avila, David Rossman, Fred Ynclan, Ken Wales, Jason Bowling, Melissa Hermann

I. CALL TO ORDER CLOSED SESSION

Mayor Mederos called the closed session to order at 6:17 p.m.

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

There were no citizen comments.

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

- 1. 54957(b)(1) Public Employee Performance Evaluation – City Manager**

Mayor Mederos adjourned to closed session at 6:18 p.m.

IV. RECONVENE CLOSED SESSION

V. CLOSED SESSION REPORT (if any)

VI. ADJOURN CLOSED SESSION

Council reconvened from closed session which adjourned at 7:01 p.m.

A regular meeting of the City Council of the City of Tulare was held on Tuesday, April 5, 2022, at 7:00 p.m. in the Tulare Public Library and Council Chamber located at 491 North M Street.

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

STAFF PRESENT: Marc Mondell, Mario Zamora, Josh McDonnell, David Rossman, Fred Ynclan, Janice Avila, Traci Myers, Darlene Thompson, Michael Miller, Trisha Whitfield, Jason Glick, Ken Wales, Jason Bowling, Melissa Hermann

VII. CALL TO ORDER REGULAR MEETING

Mayor Mederos called the regular meeting to order at 7:01 p.m.

VIII. PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Mederos led the Pledge of Allegiance and an invocation was given by Vice Mayor Sayre.

IX. CITIZEN COMMENTS

Mayor Mederos requested those who wish to speak on matters not on the agenda within the jurisdiction of the Council, or to address or request a matter be pulled from the Consent Calendar to do so at this time. He further stated comments related to General Business matters would be heard at the time that matter is addressed on the agenda.

Donnette Silva-Carter, Tulare Chamber of Commerce CEO, shared about recent and upcoming Chamber events.

Robyn Leonardo, James [unintelligible], Robert [unintelligible], all of Tulare, shared their concerns regarding the homeless issue.

Monte Staples, Tulare, addressed the Council regarding the Pilot Traffic Calming Program.

Xavier Avila, Tulare, requested support for the hospital as well as shared his concerns and comments regarding the homeless.

John Harman, Tulare Downtown Association, thanked staff for their efforts with the Downtown Rehabilitation Grant Program.

X. COMMUNICATIONS

City Manager Marc Mondell read a letter into the record that was received from William Farrenkopf thanking the City for their collaborative efforts with the recent Band and Orchestra Festival. Mr. Mondell also introduced Police Chief Wes Hensley who announced his upcoming retirement with a date of June 3, 2022.

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XI. CONSENT CALENDAR

It was moved by Council Member Harrell, seconded by Council Member Sigala, and unanimously carried that the items on the Consent Calendar be approved as presented with the exception of item 9.

1. **Authorization to read ordinances by title only.**
2. **Approve minutes of the March 15, 2022, regular meeting and March 22, 2022, special closed session. [Submitted by: M. Hermann]**
3. **Receive the monthly investments report for February 2022. [Submitted by: D. Thompson]**
4. **Adopt Resolution 2022-12 setting the maximum Utility User's Tax at \$13,620.00 per utility for the period July 1, 2022 through June 30, 2023. [Submitted by: D. Thompson]**
5. **Conditionally approve the final map and subdivision improvement agreement for Phase 4 of Kensington Estates subdivision for recordation, and accept all easements and dedications offered to the City, subject to receipt of the signed final map, all fees, and other required items prior to June 4, 2022. [Submitted by: M. Miller]**
6. **Conditionally approve the final map and subdivision agreement for the Oak Creek No. 3 subdivision for recordation, and accept all easements and dedications offered to the City on the final map, subject to receipt of all fees and other required items prior to June 4, 2022. [Submitted by: M. Miller]**
7. **Adopt Resolution 2022-13 designating the intersections of Stockham Avenue at Spruce Street and Alpine Avenue at Spruce Street as all-way stop intersections, and authorizing the installation of corresponding stop control. [Submitted by: M. Miller]**
8. **Adopt Resolution 2022-14 amending the City's Non-Utility Position Control Budget (PCB) to reflect the positional and salary adjustments necessary to implement a minor organizational restructuring. [Submitted by: M. Mondell]**
9. **Authorize City staff to use the Prosperity Sports Park Clubhouse as the primary location for a cooling and warming center with the Claude Meitzenheimer Community Center as a secondary location if the primary location is unavailable. [Submitted by: D. Sewell]** Vice Mayor Sayre pulled this item for clarification. Division Chief Rodnie Roberts responded thereto. Council made various suggestions such as lowering and raising the trigger temperatures as well as taking into consideration pets. It was the consensus of Council to bring this item back to the April 19 meeting for further discussion.

XII. SCHEDULED PRESENTATIONS

1. **Proclamation in honor of National Library Week, April 3-9, 2022.** Library Manager Heidi Clark provided comment. Mayor Mederos presented Ms. Clark and Library Board members who were present with a proclamation in honor of National Library Week.

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

Mayor's Report was taken out of order and was presented following the Pledge of Allegiance and invocation.

Mayor Mederos brought up the recent issue regarding a youth at the local baseball park being stuck with a needle. City Manager Marc Mondell provided additional comment in regard to homelessness and the City's efforts as it relates to this issue as well as stated the items the City has agreed to following a meeting with the Tulare Baseball Association.

XIV. GENERAL BUSINESS

1. Public Hearing

- (a) **Consideration and possible approval of Ordinance 2022-01 for the approval of a Development Agreement with Valley Pure. [Submitted by: M. Zamora]** City Attorney Mario Zamora provided a report for the Council's consideration. Mayor Mederos opened the public hearing at 8:31 p.m. Receiving no public comment, the public hearing was closed at 8:32 p.m. Tony of Valley Pure provided comment. It was moved by Council Member Sigala, seconded by Vice Mayor Sayre, and carried 3 to 2 (Council Members Harrell and Isherwood voting no) to pass to print Ordinance 2022-01.
- (b) **Consideration and possible approval of Ordinance 2022-02 for the approval of a Development Agreement with J Street Solutions (Herb 'N Vibes). [Submitted by: M. Zamora]** City Attorney Mario Zamora provided a report for the Council's consideration. Mayor Mederos opened the public hearing at 8:37 p.m. Receiving no public comment, the public hearing was closed at 8:37 p.m. It was moved by Council Member Isherwood, seconded by Vice Mayor Sayre, and carried 4 to 1 (Council Member Harrell voting no) to pass to print Ordinance 2022-02.
- (c) **Consideration and possible approval of Ordinance 2022-03 for the approval of a Development Agreement with Token Farms. [Submitted by: M. Zamora]** City Attorney Mario Zamora provided a report for the Council's consideration. Mayor Mederos opened the public hearing at 8:56 p.m. Receiving no public comment, the public hearing was closed at 9:00 p.m. It was moved by Council Member Sigala, seconded by Vice Mayor

Sayre, and carried 4 to 1 (Council Member Harrell voting no) to pass to print Ordinance 2022-03.

2. Community and Economic Development

- (a) **Review and approve the policies, procedures, and application process for the City's Downtown Building Rehabilitation Grant Program [Submitted by: T. Myers]** Community and Economic Development Director Traci Myers provided a report for the Council's consideration. Questions posed by the Council were responded to by staff. Following discussion, it was the consensus of Council to provide further input individually to staff and bring this item back to the April 19 meeting considering what was discussed during tonight's meeting.

3. Police

- (a) **Review and direct staff on the City's Municipal Code regulations regarding feral cats. [Submitted by: F. Ynclan]** Captain Fred Ynclan provided a report for the Council's consideration. Vice Mayor Sayre provided additional comment. Representatives from the Visalia Feral Cat Coalition, Janice Bower and Philip Irwin, stated what their organization could do to assist the City with a spay/neuter clinic. Following discussion, it was the consensus of Council to continue to work on this item and bring it back to a future meeting for Council consideration.

4. City Manager

- (a) **Discuss allocation of the final \$942,268 in American Rescue Plan Act Funds and direct staff on same. [Submitted by: M. Mondell]** Deputy City Manager Josh McDonnell provided a report for the Council's consideration. Philip Smith, Tulare Local Healthcare District, provided comment. There was no action taken on this item.

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

Council Member Harrell requested and received consensus from Council to draft a letter the Southern Pacific Rail Road stating the issues including the fiscal impact on the City for assisting in removing homeless and cleaning the property. The letter will be brought back for consideration at the April 19 meeting.

Council Member Sigala requested and received consensus from Council to schedule a study session to discuss the potential cannabis tax.

Mayor Mederos requested and received consensus from Council to have a letter of support for AB 2017 drafted and presented to Council for approval at the April 19 meeting.

XVI. ADJOURN REGULAR MEETING

Mayor Mederos adjourned the regular meeting at 10:28 p.m.

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

ATTEST:

Chief Deputy City Clerk and Clerk of the
Council of the City of Tulare