



Agri-Center of the World

City of Tulare

City Council

Agenda

Mayor

Terry A. Sayre, District 2

Vice Mayor

Patrick Isherwood, District 5

Councilmembers

Jose Sigala, District 1

Stephen C. Harrell, District 3

Dennis A. Mederos, District 4

Tulare Public Library & Council Chamber
491 North M Street, Tulare
www.tulare.ca.gov

Tuesday, February 7, 2023
7:00 p.m. – Regular Meeting

Mission Statement

To promote a quality of life making Tulare the most desirable community in which to live, learn, play, work, worship and prosper.

Attending and Participating in Meetings

Regular Council meetings are held on the first and third Tuesdays of the month in the Council Chamber located in the Tulare Public Library at 491 North M Street, Tulare, subject to cancellation. Additional meetings of the City Council may be called as needed.

Attend meetings in person or access the meeting live via YouTube. For those that wish to provide public comment while not physically in attendance, call **(559) 366-1849** during Public Comments and/or Public Hearing and General Business items. Please note that there will be approximately a 20-second delay in broadcast for viewers. When calling in, mute device used for viewing the meeting.

City of Tulare YouTube Channel:

https://www.youtube.com/channel/UCdWZiv2o7do1JY0OvGe1_aw/videos

Documents related to items on the agenda are accessible on the City's website at www.tulare.ca.gov and available for viewing at the entrance of the Council Chamber.



Rules for Addressing Council

- Members of the public may address the City Council on matters within the jurisdiction of the City of Tulare.
- If you wish to address Council, please complete one of the yellow speaker cards located at the entrance to the Council Chamber and provide to the Clerk.
- Persons wishing to address Council concerning an **agendized** item will be invited to address the Council during the time that Council is considering that particular agenda item. Persons wishing to address Council concerning a **non-agendized** issue will be invited to address Council during the Public Comments portion of the meeting.
- When invited by the mayor to speak, please step up to the podium, state your name and city of residence, and make your comments. Comments are limited to three minutes per speaker.

Americans with Disabilities Act

Pursuant to the Americans with Disabilities Act, persons with a disability who require a disability-related modification or accommodation in order to participate in a meeting, including auxiliary aids or services, may request such modification from the City Clerk's Office at (559) 684-4200. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE AND INVOCATION**
3. **PRESENTATIONS**
 - 3.1. Proclamation for Black History Month.
 - 3.2. Recognize Retired Committee and Board Members.
 - 3.3. Presentation by Tulare Public Cemetery District Manager Clara Bernardo.
4. **PUBLIC COMMENTS** - This is the time for the public to comment on matters within the jurisdiction of the Tulare City Council that are not on the agenda. The Council asks that comments are kept brief and positive. The Council cannot legally discuss or take official action on request items that are introduced tonight. This is also the time for the public 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 Public Hearing or General Business items will be heard at the time those items are discussed. 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 your name and providing your city of residence.
5. **COMMUNICATIONS** - Communications are to be submitted to the City Manager's Office 10 days prior to a Council Meeting to be considered for this section of the agenda. No action will be taken on matters listed under communications; however, the Council may direct staff to schedule issues raised during communications for a future agenda. Public comments will be limited to three minutes per topic unless otherwise extended by Council.
6. **COUNCIL REPORTS AND ITEMS OF INTEREST**
7. **CONSENT CALENDAR** - All Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.
 - 7.1. Waive the reading of ordinances and approve reading by title only.
Recommended Action: Approve the reading by title only of all ordinances and that further reading of such ordinances be waived.
 - 7.2. Special and Regular Meeting Minutes of January 17, 2023 and January 27, 2023.
Recommended Action: Approve as submitted. [M. Hermann]
 - 7.3. Police Department Citizen Complaint Review Board Annual Report.
Recommended Action: Accept the Police Department Citizen Complaint Review Board's annual report for calendar year 2022. [G. Merrill]
 - 7.4. Council Community Improvement Fund Expenditure Approval.
Recommended Action: Approve the expenditure of no more than \$1,100 from each City Councilmember Community Improvement fund to purchase sleeping bags for residents of the Temporary Homeless Encampment. [J. McDonnell]

- 7.5. Real property acquisition for a portion of APN 164-130-004 needed for street right-of-way necessary to construct improvements for Project EN0088, Prosperity Avenue / West Street Traffic Signal
Recommended Action: Authorize the City Manager to complete and execute the documents necessary to purchase property and easements located on the north side of Prosperity Avenue east of West Street (portion of APN 164-130-004) needed for Project EN0088 – Prosperity Avenue & West Street Improvements Project in the amount of \$29,722, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [M. Miller]
8. **PUBLIC HEARINGS** - Comments related to Public Hearing items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Council.
- 8.1. Substantial Amendment to Fiscal Year 2022 Action Plan
Recommended Action: Adopt resolution to reallocate \$31,842.38 of Community Development Block Grant funds from Public Infrastructure activity to Affordable Housing activity and maintain \$146,400 for program administration. [G. Avitia]
9. **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.
- 9.1. ARPA Funds Allocation Approval.
Recommended Action: Approve the allocation of expenditures of American Rescue Plan Act (ARPA) Funds toward councilmember-identified programs and projects; and adopt a resolution approving the expenditure of ARPA funds. [J. McDonnell]
10. **FUTURE AGENDA ITEMS**
- 10.1. City Council Challenge Coins.
Recommended Action: Review and provide direction to either add to a future agenda or not. [Councilmember Harrell]
- 10.2. Update on the status of property sold by the City which required development.
Recommended Action: Review and provide direction to either add to a future agenda or not. [Councilmember Sigala]
- 10.3. City of Tulare resolution urging Tulare County Board of Supervisors to establish a county-wide commission on the Status of Women & Girls.
Recommended Action: Review and provide direction to either add to a future agenda or not. [Councilmember Sigala]
11. **STAFF UPDATES**
12. **ADJOURNMENT**

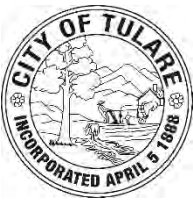
The next regularly scheduled meeting of the Tulare City Council is Tuesday, February 21, 2023, at 7:00 p.m. in the Council Chamber at the Tulare Public Library, 491 North M Street, Tulare, California.

AFFIDAVIT OF POSTING

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

I, Melissa Hermann, Chief Deputy City Clerk for the City of Tulare, hereby certify, under penalty of perjury, that I caused the posting of this agenda before 5:00 p.m. on Wednesday, February 1, 2023, at City Hall, 411 E. Kern Avenue, as well as on the City’s website.

POSTED BY: Melissa Hermann, Chief Deputy City Clerk



To: Mayor and City Council Members
From: Marc Mondell, City Manager
Subject: February 7, 2023 Agenda Memo
Date: February 2, 2023

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.

7:00 p.m. - REGULAR MEETING

- 1. CALL TO ORDER REGULAR MEETING**
- 2. PLEDGE OF ALLEGIANCE AND INVOCATION**
- 3. PRESENTATIONS**
 - 3.1. Proclamation for Black History Month.
 - 3.2. Recognize Retired Committee and Board Members.
 - 3.3. Presentation by Tulare Public Cemetery District Manager Clara Bernardo.
- 4. PUBLIC COMMENTS** - This is the time for the public to comment on matters within the jurisdiction of the Tulare City Council that are not on the agenda. The Council asks that comments are kept brief and positive. The Council cannot legally discuss or take official action on request items that are introduced tonight. This is also the time for the public 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 Public Hearing or General Business items will be heard at the time those items are discussed. 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 your name and providing your city of residence.
- 5. COMMUNICATIONS** - Communications are to be submitted to the City Manager's Office 10 days prior to a Council Meeting to be considered for this section of the Agenda. No action will be taken on matters listed under communications; however, the Council may direct staff to schedule issues raised during communications for a future agenda. Public comments will be limited to three minutes per topic unless otherwise extended by Council.
- 6. COUNCIL REPORTS AND ITEMS OF INTEREST** [Time Estimate: 7:30-7:35 p.m.]

7. **CONSENT CALENDAR** - All Consent Calendar items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion. [Time Estimate: 7:35-7:40 p.m.]

7.1. Waive the reading of ordinances and approve reading by title only.

Recommended Action: Approve the reading by title only of all ordinances and that further reading of such ordinances be waived.

7.2. Special and Regular Meeting Minutes of January 17, 2023 and January 27, 2023.

Recommended Action: Approve as submitted. [M. Hermann]

7.3. Police Department Citizen Complaint Review Board Annual Report.

Recommended Action: Accept the Police Department Citizen Complaint Review Board's annual report for calendar year 2022. [G. Merrill]

Summary: On January 18, 1994, the City Council adopted Ordinance No. 1722 establishing a Police Department Citizen Complaint Review Board. The ordinance requires an annual reporting to the City Council.

The Board is charged with the responsibility to review the Police Department's investigation of citizen complaints and provide an independent review to the Police Chief. The intention is to ensure continued and ongoing public confidence in the Police Department personnel and Police Department operations.

Together, the Police Department and the City Clerk's office received 12 complaint forms during the year.

7.4. Council Community Improvement Fund Expenditure Approval

Recommended Action: Approve the expenditure of no more than \$1,100 from each City Councilmember Community Improvement fund to purchase sleeping bags for residents of the Temporary Homeless Encampment. [J. McDonnell]

Summary: At the January 27, 2023, Special City Council meeting, the City Council discussed the need for sleeping bags with a 20-degree Fahrenheit rating in anticipation of freezing temperatures for the residents of the Temporary Homeless Encampment. Council, through consensus, subsequently directed staff to place an item on a future Council agenda to purchase the sleeping bags. One funding option mentioned was the \$2,500 Community Improvement fund that each councilmember has available to spend on an annual basis, which could be used for this purchase.

Subsequent to the Council discussion, given the anticipated freezing temperatures, staff purchased the sleeping bags, which are currently being distributed. To cover the cost of this expenditure, staff recommends that an amount of no more than \$1,100 from each councilmember's Community Improvement Fund balance (spread evenly across each councilmember's balance) be appropriated to the purchase, for a total of \$5,500. In reality, the amount will likely be substantially less than \$1,100 per account, as community-member donations have accounted for the purchase of 30 sleeping bags already.

- 7.5. Real property acquisition for a portion of APN 164-130-004 needed for street right-of-way necessary to construct improvements for Project EN0088, Prosperity Avenue / West Street Traffic Signal

Recommended Action: Authorize the City Manager to complete and execute the documents necessary to purchase property and easements located on the north side of Prosperity Avenue east of West Street (portion of APN 164-130-004) needed for Project EN0088 – Prosperity Avenue & West Street Improvements Project in the amount of \$29,722, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [M. Miller]

Summary: A traffic study was performed for a proposed development on the southeast corner of Prosperity Avenue and West Street, which showed that warrants were met for a new traffic signal at this intersection. The City Council subsequently provided staff with direction to review the condition of this intersection, and to prioritize construction of improvements at this location. The resulting project, EN0088 – Prosperity Avenue & West Street Improvements Project, will construct the intersection to its ultimate width, install ADA compliant dual curb ramps at each corner, and install master-planned utility improvements within the project limits. Street improvements will include sufficient transitions from the full-width widening at the curb returns back down to the existing pavement width. An eight-phase traffic signal with emergency preemption, video detection for both vehicle and bicycle traffic, and associated appurtenances will be included in the project.

In order to widen the intersection and construct the ultimate improvements, the City needs to acquire approximately 6,559 square feet of additional property from the subject property at 1210 W. Prosperity Avenue. The property owners are Guillermo Hernandez Rubio, Jennifer Hernandez, and Maria Gonzalez (Hernandez, et al.). The property owners have worked diligently with City Staff through the design, appraisal, and acquisition process for Project EN0088, and has agreed to provide the property needed for the project for the amount of \$29,722, which includes compensation for impacts to landscaping and irrigation improvements on the property. This amount is in accordance with an appraisal prepared by the City's right-of-way consultant dated February 3, 2022, and subsequent negotiations with the property owners.

8. **PUBLIC HEARINGS** - Comments related to Public Hearing items are limited to three minutes per speaker, for a maximum of 30 minutes per item, unless otherwise extended by the Council.

- 8.1. Substantial Amendment to Fiscal Year 2022 Action Plan. [Time Estimate: 7:40-7:55 p.m.]
Recommended Action: Adopt resolution to reallocate \$31,842.38 of Community Development Block Grant funds from Public Infrastructure activity to Affordable Housing activity and maintain \$146,400 for program administration. [G. Avitia]

Summary: The Community Development Block Grant (CDBG) Program is authorized under Title I of the Housing and Community Development Act of 1974. Its primary objective is the development of viable urban communities through distinct national objective and eligible activities. On May 17, 2022, City Council adopted a resolution approving the CDBG Annual Action Plan (AAP), which allocated the following:

Category	Activity Name	Budget
Public Infrastructure and Facilities	Planning Project - Centennial Park Restoration	\$31,842
Public Infrastructure and Facilities	Sycamore and San Joaquin	\$415,000
Public Services	Case Managers on Encampment Resolution Funding Project – three full time employees	\$110,100
Affordable Housing	Minor Home Rehabilitation Program	\$83,921
Program Administration and Planning	<ul style="list-style-type: none"> • Management, Oversight and Coordination Duties, Public Information, Advertising, Supplies, and Training with Housing and Grants Division • Fair Housing Outreach and Education Service with CSET organization 	<ul style="list-style-type: none"> • \$131,400 • \$15,000
Total CDBG funds available in Fiscal Year 2022		\$787,263

The U.S. Department of Housing and Urban Development (HUD) requires entitlement communities to develop a citizen participation plan, which describes how the City of Tulare will involve residents in the planning, implementation and assessment of how CDBG funds will be used. Under the Fiscal Years (FY) Citizen Participation Plan, a substantial amendment shall be initiated when there is a change in excess of 25% of an activity’s original approved budget or

A change in the purpose, scope, location, or beneficiaries of an activity (e.g. a cancellation). Due to the cancellation of two planned activities, Fair Housing and the Planning Project, a substantial amendment to the action plan must be adopted. Fair Housing outreach and education was not implemented by CSET due to an inadequate starting budget. The Planning activity for Centennial Park restoration was not implemented due to the availability of different funding sources.

The table below shows only the proposed adjustments:

Category	Activity Name	Budget
Public Infrastructure and Facilities	Planning Project – Centennial Park Restoration	repurpose \$31,842
Affordable Housing Preservation	Habitat for Humanity of Tulare / Kings Counties	Increase by \$31,842 to \$115,763
Program Administration and Planning	Fair Housing - CSET	Repurpose \$15,000 to other program administration expenses

9. **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.

9.1. ARPA Funds Allocation Approval. [Time Estimate: 7:55-8:10 p.m.]

Recommended Action: Approve the allocation of expenditures of American Rescue Plan Act (ARPA) Funds toward councilmember-identified programs and projects; and adopt a resolution approving the expenditure of ARPA funds.

Summary: The City of Tulare has received \$18,024,068 million in ARPA funds from the federal government. The City Council has allocated \$17,081,800 of this total towards projects and programs of a City-wide benefit.

In April 2022, the City Council opted to divide the remaining unallocated \$942,265 in ARPA funding into five equal portions of \$188,453. Each councilmember was given the responsibility of identifying programs and projects for their portion of the remaining unallocated funds.

To date, \$239,039 of the \$942,265 has been allocated. Council has continued to carefully consider the requests and options available for programs and projects to fund. The recommended action would further allocate almost all of the remaining outstanding balance.

A number of the items listed below need to be further vetted by the City’s ARPA consultant to verify their eligibility for receiving ARPA funds. However, staff is comfortable with allocating the amounts listed below under the current action with the caveat that Council may need to adjust the allocations in the future based on the findings of staff and the City’s consultant. No monies will be distributed unless and until verification of their eligibility is received.

The following items and their respective funding amounts are presented for Council consideration:

Councilmember	Totals
Harrell	\$ 168,453
AYSO	\$ 2,500
Boy Scout Troop 251	\$ 5,000
Future Farmers of America	\$ 6,000
Happy Trails Riding Academy	\$ 5,000
Historical Museum	\$ 2,500
Japanese Internment Camp Memorial	\$ 2,500
Pop Warner	\$ 5,000
Salvation Army Tulare	\$ 3,853
Tulare Animal Services	\$ 6,000
Tulare Baseball Association	\$ 2,500
Tulare Cemetery District	\$ 5,000
Tulare Downtown Association	\$ 4,100
Tulare Fire Department	\$ 3,500

Tulare Hospital and Community Health Foundation	\$ 5,000
Tulare Local Healthcare District	\$ 100,000
Tulare Softball Association	\$ 2,500
TYSL	\$ 2,500
University of California Tulare 4-H	\$ 5,000
Isherwood	\$ 80,000
His Heart Beats	\$ 5,000
New Life Ministries	\$ 10,000
Tulare Boxing Club	\$ 60,000
Tulare Chamber Incubator	\$ 5,000
Mederos	\$ 165,953
AYSO	\$ 2,500
Encore Theater Assistance	\$ 5,000
Historical Museum	\$ 953
Lighthouse Rescue Mission	\$ 5,000
National Junior Basketball	\$ 5,000
Salt and Light	\$ 5,000
Sharks Swim Club	\$ 5,000
Tulare Baseball Association	\$ 2,500
Tulare Boys and Girls Club	\$ 5,000
Tulare Chamber Incubator	\$ 25,000
Tulare Local Healthcare District	\$ 100,000
Tulare Softball Association	\$ 2,500
TYSL	\$ 2,500
Sayre	\$ 71,914
Encore Theater Assistance	\$ 5,000
Family Services of Tulare County	\$ 17,414
Grandma's House	\$ 5,000
Historical Museum	\$ 2,500
Japanese Internment Camp Memorial	\$ 5,000
Lighthouse Rescue Mission	\$ 5,000
Salt and Light	\$ 5,000
Sharks Swim Club	\$ 2,000
Tulare Animal Services	\$ 10,000
Tulare Chamber Incubator	\$ 5,000
Tulare Softball Association	\$ 5,000
Veterans Organization Assistance	\$ 5,000
Sigala	\$ 153,453
Community Improvement Project	\$ 118,453
Tulare Chamber Incubator	\$ 10,000
Tulare Softball Association	\$ 25,000
Grand Total	\$ 639,773

If the items above are approved by Council, \$893,812 of the \$942,265 in Council-specific ARPA designations will have been allocated. Based on the materials presented above and in Attachment 1, staff recommends that Council receive a staff presentation and public comment regarding the expenditure of American Rescue Plan Act (ARPA) Funds toward potential programs and projects and adopt a resolution approving the expenditure of \$639,773 in ARPA funds.

10. FUTURE AGENDA ITEMS [Time Estimate: 8:10-8:25 p.m.]

10.1. City Council Challenge Coins.

Recommended Action: Review and provide direction to either add to a future agenda or not. [Councilmember Harrell]

10.2. Update on the status of property sold by the City which required development.

Recommended Action: Review and provide direction to either add to a future agenda or not. [Councilmember Sigala]

10.3. City of Tulare resolution urging Tulare County Board of Supervisors to establish a county-wide commission on the Status of Women & Girls.

Recommended Action: Review and provide direction to either add to a future agenda or not. [Councilmember Sigala]

11. STAFF UPDATES [Time Estimate: 8:25-8:30 p.m.]

12. ADJOURNMENT



Proclamation

WHEREAS, during Black History Month, we celebrate the many achievements and contributions made by African Americans to our economic, cultural, spiritual, and political development; and

WHEREAS, Black History Month grew out of the establishment, in 1926, of Negro History Week by Carter G. Woodson and the Association for the Study of African American Life and History; and

WHEREAS, the Black History Month 2023 theme, “Black Resistance,” explores how African Americans have resisted historic and ongoing oppression; and

WHEREAS, the observance of Black History Month calls our attention to the continued need to battle racism and build a society that lives up to its democratic ideals; and

WHEREAS, the City of Tulare continues to work toward becoming an inclusive community in which all citizens are respected and recognized for their contributions and potential contributions to our community, the state, the country, and the world; and

WHEREAS, the City of Tulare is proud to honor the history and contributions of African Americans in our community, throughout our state, and nation.

NOW THEREFORE, in recognition of African Americans, past and present, in our community, we, the City Council of the City of Tulare, do hereby proclaim February 2023 as

Black History Month

in the City of Tulare and encourage all citizens to celebrate our diverse heritage and culture, and continue our efforts to create a world that is more just, peaceful, and prosperous for all.

Dated this 7th day of February, 2023.

Terry A. Sayre, Mayor

Patrick Isherwood, Vice Mayor

Jose Sigala, Councilmember

Stephen C. Harrell, Councilmember

Dennis A. Mederos, Councilmember

City of Tulare
City Council Meeting Minutes

A special meeting of the City Council of the City of Tulare was held on Tuesday, January 17, 2023 at 6:00 p.m. at the Tulare Public Library in the Council Chamber located at 491 North M Street.

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

STAFF PRESENT: Marc Mondell, Mario Zamora, Melissa Hermann, Ken Wales, Jason Bowling

1. CALL TO ORDER SPECIAL MEETING

A special meeting of the City Council was called to order at 6:00 p.m. by Mayor Mederos.

2. PUBLIC COMMENT PERTAINING TO CLOSED SESSION ITEMS - Comments are limited to items to be discussed in closed session. Speaker will be allowed three minutes each.

3. RECESS TO CLOSED SESSION TO DISCUSS THE FOLLOWING:

3.1. Conference with Real Property Negotiations pursuant to Gov. Code § 54956.8
Property: City facilities
Agency Negotiation: City Manager, City Attorney
Negotiating Parties: State of California, City of Tulare
Under Negotiation: Price and terms of payment

3.2. Conference with Legal Counsel – Anticipated Litigation
Initiation of litigation pursuant to Gov. Code § 54956.9(c): 1 case

Mayor Mederos recessed to closed session at 6:02 p.m.

4. RECONVENE FROM CLOSED SESSION

Mayor Mederos reconvened from closed session at 6:58 p.m.

5. CLOSED SESSION REPORT

Mayor Mederos advised there was no reportable action.

6. ADJOURNMENT OF SPECIAL MEETING

Mayor Mederos adjourned the special meeting at 6:58 p.m.

A regular meeting of the City Council of the City of Tulare was held on Tuesday, January 17, 2023 at 7:00 p.m. at the Tulare Public Library in the Council Chamber located at 491 North M Street.

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

STAFF PRESENT: Marc Mondell, Mario Zamora, Josh McDonnell, Melissa Hermann, Fred Ynclan, Michael Ott, Mario Anaya, Traci Myers, Diego Ibanez, Michael Miller, Trisha Whitfield, Jason Glick, , Ken Wales, Jason Bowling

7. CALL TO ORDER REGULAR MEETING

A regular meeting of the City Council was called to order at 7:00 p.m. by Mayor Mederos.

8. PLEDGE OF ALLEGIANCE AND INVOCATION

Mayor Mederos led the pledge of allegiance and an invocation was given by Reverend Susan Henard.

9. COUNCIL ACTIONS FOLLOWING THE 2022 GENERAL MUNICIPAL ELECTION

9.1. Declare results of the City of Tulare November 8, 2022 General Municipal Election. This item was tabled.

9.2. Administration of Oath of Office to newly elected City Councilmembers: Terry A. Sayre, District 2; and Dennis A. Mederos, District 4. Chief Deputy City Clerk Melissa Hermann administered a ceremonial oath of office to Terry A. Sayre and Dennis A. Mederos.

9.3. Reorganization of the City Council. It was moved by Mayor Mederos, and seconded by Councilmember Sigala to appoint Terry A. Sayre as mayor. The motion passed 5 to 0 by rollcall vote as follows:

AYES: Mayor Mederos, Councilmember Sigala, Councilmember Harrell, Councilmember Isherwood, Vice Mayor Sayre.

NOES: None

It was further moved by Councilmember Harrell and seconded by Councilmember Sigala to appoint Patrick Isherwood as Vice Mayor. The motion passed by rollcall vote as follows:

AYES: Councilmember Harrell, Councilmember Sigala, Councilmember Isherwood, Vice Mayor Sayre, Mayor Mederos

NOES: None

A recess was called at 7:10 p.m. The meeting was reconvened at 7:21 p.m.

10. PUBLIC COMMENTS

The following provided public comment: Donnette Silva-Carter of the Tulare Chamber of Commerce, Laura Fonseca, Charles Byrd, Ethel Shaver, and Miguel Ramirez of SoCalGas.

11. COMMUNICATIONS

City Manager Marc Mondell advised there were no communications.

12. COUNCIL REPORTS AND ITEMS OF INTEREST

Council reported out on recent events and discussed items of interest.

13. CONSENT CALENDAR

It was moved by Councilmember Harrell, seconded by Vice Mayor Isherwood, and unanimously carried to approve the items on the Consent Calendar as presented with the exception of items 13.8 and 13.9.

- 13.1. Waive the reading of ordinances and approve reading by title only.**
Recommended Action: Approve the reading by title only of all ordinances and that further reading of such ordinances be waived.
- 13.2. Special and Regular Meeting Minutes of December 20, 2022.**
Recommended Action: Approve as submitted.
- 13.3. Second Reading and Adoption of Ordinance 2023-01 approving Zone Amendment No. 749 changing the existing zoning designation from RM-4 (Multi-family Residential) to the R-1-4 (Small-lot Residential) on approximately 10.44-acres.**
Recommended Action: Adopt Ordinance 2023-01. [Submitted by: M. Hermann]
- 13.4. Second Reading and Adoption of Ordinance 2023-02 providing for adoption of the 2022 California Building Codes and to authorize the Building Official to accept single family residential permit applications with a site plan drawn to city standards prior to January 1, 2023 and issue said permit in compliance with the 2019 California Building Code with one extension.**
Recommended Action: Adopt Ordinance 2023-02. [Submitted by: M. Hermann]
- 13.5. Purchase of two Ford F-150 Police responder trucks.**
Recommended Action: Approve the funding for the purchase of two Ford F-150 Police Responder trucks using Police Department Fleet Replacement Funds in the FY 2022/23 budget in the amount of \$125,000. [Submitted by: J. Hamlin]
- 13.6. Surplus of Police K9 Charger.**
Recommended Action: Approve the surplus of Police K9 Charger to original vendor, Man K9. [Submitted by: F. Ynclan]
- 13.7. Kings/Tulare Area on Aging Agency (KTAAA) Amendments to the original agreement.**
Recommended Action: Authorize City Manager or designee to sign both amendments between City of Tulare and K/TAAA for the Senior Center to provide meals for the senior citizens in our community. [Submitted by: J. Glick]
- 13.8. Cooperative agreement between the City with the State of California for the funding and construction of a roundabout at the intersection of Tulare Avenue and Morrison Street.**
Recommended Action: Approve and authorize the Mayor to execute a cooperative agreement with the State of California for the funding and construction of a roundabout at the intersection of Tulare Avenue and Morrison

Street, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [Submitted by: M. Miller]

Councilmember Sigala pulled this item for clarification. City Engineer provided a brief presentation. Following discussion, it was moved by Councilmember Mederos and seconded by Mayor Sayre to approve the item as presented. The motion passed 5 to 0 by rollcall vote as follows:

AYES: Councilmember Mederos, Mayor Sayre, Councilmember Sigala, Councilmember Harrell, Vice Mayor Isherwood

NOES: None

13.9. Capital Improvements Project Dashboard for December 2022.

Recommended Action: Accept the Capital Improvements Project Dashboard for December 2022. [Submitted by: M. Miller]

Councilmember Sigala pulled this item to request an update on the status of the intersection improvements project on West Street and Prosperity Avenue. It was moved by Councilmember Sigala, seconded by Mayor Sayre, and unanimously carried to request a closed session item to receive a status update on the intersection improvements project for Prosperity Avenue and West Street.

13.10. Contract with InfoSend, Inc. of Anaheim, CA for printing and mailing services.

Recommended Action: Approve a contract with InfoSend, Inc. of Anaheim CA, subject to minor and conforming changes approved by the city manager and city attorney, for a two-year term with 5 optional one-year extensions for an estimated annual amount of \$180,000 for data processing, printing, and mailing of utility bills and authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of the awarded amount. [Submitted by: D. Ibanez]

13.11. Changes to the City's Non-Utility Position Control Budget.

Recommended Action: Adopt a resolution amending the City's Non-Utility Position Control Budget including: eliminating one (1) Senior Management Analyst and one (1) Deputy City Manager; adding one (1) Assistant Finance Director and one (1) Assistant City Manager; and, changing the salary range for the position of Police Chief. [Submitted by: M. Mondell]

13.12. Aviation Committee Appointment.

Recommended Action: Confirm the Planning Commission nomination of Commissioner Chad Petersen to serve on the Aviation Committee as the Planning Commission representative. [Submitted by: M. Hermann]

13.13. December 2022 Investments Report.

Recommended Action: Accept the monthly investments report for December 2022. [Submitted by: D. Ibanez]

13.14. Police Department Citizen Complaint Review Board Appointment.

Recommended Action: Confirm Councilmember Isherwood's appointment of Joshua Weatherbie to serve on the Police Department Citizen Complaint Review Board. [Submitted by: M. Hermann]

14. GENERAL BUSINESS**14.1. Median Solicitation Urgency Ordinance.**

Recommended Action: Adopt an urgency ordinance providing for revisions to Chapter 7.56 of the Tulare Municipal Code regulating solicitation in the median and roadside locations throughout the City of Tulare. [Submitted by: M. Correa]

Safety, Compliance and Facilities Officer Manny Correa provided a report for Council consideration. Following discussion, it was moved by Councilmember Harrell, seconded by Councilmember Mederos, and unanimously carried to adopt the urgency ordinance as presented.

14.2. Naming process of Tulare City Parks.

Recommended Action: Staff recommends the following process for naming the new Dog Park: (1) Forward the naming of the new Dog Park to the Tulare Parks and Recreation Commission for review and recommendation including the name suggested by Councilmember Harrell; and (2) Staff will present the Commission's recommendation to Council for consideration and action. [Submitted by: J. Glick]

Community Services Director Jason Glick provided a report for Council consideration. Following discussion, it was moved by Councilmember Sigala and seconded by Councilmember Mederos to direct staff to work with the Parks and Recreation Commission to hold a meeting to allow for public input and participation in the evening to make a recommendation of naming the park and bring the recommendation back to Council. The motion passed 3 to 2 by rollcall vote as follows:

AYES: Councilmember Sigala, Councilmember Mederos, Mayor Sayre

NOES: Councilmember Harrell, Vice Mayor Isherwood

14.3. Tulare Cares Temporary Encampment Rules and Regulations.

Recommended Action: Approve the Tulare Cares Temporary Encampment Operating Guidelines included as Attachment 1 and direct staff to utilize them in association with the opening of the Tulare Cares site on January 25, 2023, through the operational longevity of the temporary encampment facility; and authorize staff to make minor revisions to the Operating Guidelines as necessitated by field conditions. [Submitted by: J. Glick]

City Manager Marc Mondell provided a report for Council consideration. Public comment was received from Tulare County Homeless Initiatives Program Coordinator Noah Whitaker who expressed support for the item. Following discussion, it was moved by Vice Mayor Isherwood, seconded by Councilmember Harrell, and unanimously carried to approve the item.

14.4. Update City Council Representation on Local and Regional Boards and Committees.

Recommended Action: Approve appointments of the City Council representatives to local and regional boards and committees. [Submitted by: M. Hermann]

Council reviewed the list of current representation on local and regional boards and committees. Following discussion, it was Council consensus to update the representation list as follows:

Board/Committee	Representative
Agri-Center Board Liaison	Mederos
Tulare County Council of Cities	Isherwood
Tulare County Association of Governments (TCAG)	Sayre (Alt. Sigala)
Tulare County Local Agency Formation Commission (LAFCO)	Harrell
Tulare Downtown Association Board of Directors	Harrell
City Employee Health Insurance Committee	Harrell
City Investment Committee	Isherwood
Teens-On-Board Liaison	Isherwood
Tulare Irrigation District Joint Comm.	Mederos
Mid-Kaweah Groundwater Sustainability Agency (MKGSA) Board	Mederos
Tulare County Task Force on Homelessness	Sayre (Alt. Harrell)
Tulare County Economic Development Corporation Board of Directors	CM (Alt. Sayre)
Tulare County Regional Transit Agency Board of Directors	Sigala (Alt. Sayre)
San Joaquin Valley Unified Air Pollution Control District Citizens Advisory Committee	Mederos
San Joaquin Valley Special City Selection Committee	Sigala
Tulare County City Selection Committee (mayor selects alternate)	Sayre

14.5. Annual Development Impact Fee Fund Report.

Recommended Action: Review and accept the City's Annual Development Impact Fee (DIF) Fund Report. [Submitted by: D. Ibanez]

Chief Financial Officer Diego Ibanez provided a report for Council consideration. It was moved by Councilmember Isherwood, seconded by Councilmember Mederos, and unanimously carried to accept the Annual DIF Fund Report as presented.

15. FUTURE AGENDA ITEMS

15.1. Maintenance and repairs to the Women’s Clubhouse. [Submitted by: T. Sayre] It was Council consensus to add this item to a future agenda.

15.2. Letter to Caltrans regarding recommendations for Inyo and Howard pedestrian improvements. [Submitted by: J. Sigala] It was Council consensus to add this item to a future agenda.

15.3. Staff report request on the establishment of a Community Garden/Arts Center. [Submitted by: J. Sigala] It was Council consensus to add this item to a future agenda.

16. STAFF UPDATES

Staff provided updates on current department activities.

17. ADJOURNMENT

A moment of silence was held in memory of Angela Sigala. The regular meeting was adjourned at 9:59 p.m. by Mayor Sayre.

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

Approved by Council: February 7, 2023

City of Tulare
City Council Meeting Minutes

A special meeting of the City Council of the City of Tulare was held on Friday, January 27, 2023 at 8:00 a.m. at the Tulare Public Library in the Council Chamber located at 491 North M Street.

COUNCIL PRESENT: Terry A. Sayre, Patrick Isherwood, Stephen C. Harrell (left at 10:43, returned at 11:41), Jose Sigala, Dennis A. Mederos

STAFF PRESENT: Marc Mondell, Mario Zamora, Melissa Hermann, Josh McDonnell, Diego Ibanez, Trisha Whitfield, Jason Glick, Fred Ynclan, Michael Ott, Janice Avila, Mario Anaya, Traci Myers, Jason Bowling, Manny Correa, Brian Beck, David Dodson, Jan Bowen

1. CALL TO ORDER SPECIAL MEETING

A special meeting of the City Council was called to order at 8:03 a.m. by Mayor Sayre.

2. WELCOME AND INTRODUCTIONS

Mayor Sayre welcomed everyone to the special meeting and advised comments from the public will be heard at the time the items are presented.

3. CITY MANAGER

3.1. Purpose and overview of the special meeting. City Manager Marc Mondell discussed the purpose of the meeting and provided background for the Strategic Plan.

3.2. Presentation of the draft Strategic Plan. City Manager Marc Mondell provided a presentation for Council review and comment.

Mayor Sayre recessed the meeting at 10:09 a.m.

The meeting was reconvened at 10:25 a.m.

Public comment was provided by Tulare County Economic Development Corporation CEO Airica de Oliveira, Tulare Irrigation District General Manager Aaron Fukuda, and the City's legislative advocate Andres Ramirez of Townsend Public Affairs.

4. CITY COUNCIL

4.1. Provide input on the draft Strategic Plan. Councilmembers provided input on the presented draft Strategic Plan.

4.2. Discuss additional items. Councilmembers provided and discussed their priority items.

Mayor Sayre inquired about the City providing sleeping bags specific for freezing temperatures to the residents at the Temporary Homeless Encampment. Council

agreed and suggested either using ARPA funds or Council Community Improvement funds.

5. MAYOR AND CITY MANAGER WRAP-UP

6. ADJOURNMENT OF SPECIAL MEETING

Mayor Sayre adjourned the special meeting at 12:19 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

Approved by Council: February 7, 2023

DRAFT



Staff Report

Meeting: City Council

Date: February 7, 2023

**Item #: 7.3
Consent**

Department: Police

Submitted by: Captain Greg Merrill

Agenda Title: Police Department Citizen Complaint Review Board Annual Report

RECOMMENDED ACTION

Accept the Police Department Citizen Complaint Review Board's annual report for calendar year 2022.

SUMMARY

On January 18, 1994, the City Council adopted Ordinance No. 1722 establishing a Police Department Citizen Complaint Review Board. The ordinance requires an annual reporting to the City Council.

The Board is charged with the responsibility to review the Police Department's investigation of citizen complaints and provide an independent review to the Police Chief. The intention is to ensure continued and ongoing public confidence in the Police Department personnel and Police Department operations.

Together, the Police Department and the City Clerk's office received 12 complaint forms during the year.

FISCAL IMPACT & FUNDING SOURCE(S)

No fiscal impact associated with this action.

LEGAL REVIEW

This item does not require legal review.

ALTERNATIVE ACTION

1. Approve with changes
2. Deny
3. Table

ATTACHMENTS

1. 2022 Citizen Complaint Review Board Annual Report

Reviewed/Approved: _____

On January 18, 1994, the Council of the City of Tulare adopted Ordinance No. 0722 establishing a Police Department Citizen Complaint Review Board. The ordinance requires annual reporting to the Council of the City of Tulare.

The purpose of the Citizen Complaint Review Board is to promote the best interest of the City of Tulare and its citizens. The Board is charged with the responsibility to review the Police Department’s investigation of citizen complaints and provide an independent review to the Police Chief. The Board is not intended to review disciplinary action, if any, proposed and/or imposed upon police personnel as a result of the investigation of the citizen’s complaints. The creation of this Board is intended to ensure continued and ongoing public confidence in the Police Department personnel and Police Department operations. The current Citizen Complaint Review Board Members are as follows:

Duane Goree Jr.	Appointed June 6, 2017
Julie Leighty	Appointed March 1, 2022
Karen Present	Appointed December 18, 2018
Danny Giotto	Appointed March 1, 2022
Jennifer Burcham	Appointed March 1, 2022
Charlie Ramos	Appointed March 3, 2021
Gene Chavez	Appointed December 16, 2014

The scope of authority of the Board is to receive citizen complaints alleged police officer misconduct in the form of misuse of force, false arrest, criminal conduct, discrimination, use of racial or ethnic slurs, abuse of authority, extreme discourtesy and/or serious misconduct. The Board shall also review the Police Department investigation of all allegations of police officer misconduct. The entire Board reviews all citizen complaints and determines, by majority approval, which complaints are within the authority of the Board to review. Thirteen complaint forms were distributed during the year and twelve were returned. The complaints were classified as follows:

Misuse of force	0
False arrest	1
Discrimination	1
Criminal conduct	2
Use of racial/ethnic slurs	1
Abuse of authority	7
Extreme discourtesy	8
Serious misconduct	6
Not in scope of Board	8
Not filed timely	-
Withdrawn by Complainant	-
Other	6

Note: Of the twelve claims, ten were filed under multiple categories.

The findings of the Investigation Captain were accepted in one of the complaints. Eight complaints were found by the Board to not be within their scope of authority. Three complaints have not yet been reviewed by the Board.



Staff Report

Meeting: City Council

Date: February 7, 2023

Item #: 7.4
Consent

Department: City Manager

Submitted by: Assistant City Manager Josh McDonnell

Agenda Title: Council Community Improvement Fund Expenditure Approval

RECOMMENDED ACTION

Approve the expenditure of no more than \$1,100 from each councilmember Community Improvement fund to purchase sleeping bags for residents of the Temporary Homeless Encampment.

SUMMARY

At the January 27, 2023, Special City Council meeting, the City Council discussed the need for sleeping bags with a 20-degree Fahrenheit rating in anticipation of low temperatures for the residents of the Temporary Homeless Encampment. Council, through consensus, subsequently directed staff to place an item on a future Council agenda to purchase the sleeping bags. One funding option mentioned was the \$2,500 Community Improvement fund that each councilmember has available to spend on an annual basis, which could be used for this purchase.

Subsequent to the Council discussion, given the anticipated low temperatures, staff purchased the sleeping bags, which are currently being distributed. To cover the cost of this expenditure, staff recommends that an amount of no more than \$1,100 from each councilmember's Community Improvement Fund balance (spread evenly across each councilmember's balance) be appropriated to the purchase, for a total of \$5,500. In reality, the amount will likely be substantially less than \$1,100 per account, as community-member donations have accounted for the purchase of 30 sleeping bags already.

FISCAL IMPACT & FUNDING SOURCE(S)

At the September 20, 2022 meeting, Council approved an additional appropriation of \$2,500 to their Community Improvement funds bringing the total to \$5,000 in each councilmember's fund. With the approval of this item, the remaining balance for each councilmember's fund would be \$3,900. Actual funds spent on sleeping bag acquisition are anticipated to be far less than \$1,100 due to community-member donations.

Funding Sources	Amount
001-4010-2117 Community Improvement – D1	\$1,100
001-4010-2127 Community Improvement – D2	\$1,100
001-4010-2137 Community Improvement – D3	\$1,100
001-4010-2147 Community Improvement – D4	\$1,100
001-4010-2157 Community Improvement – D5	\$1,100

LEGAL REVIEW

This item does not require legal review.

ALTERNATIVE ACTION

1. Approve with changes
2. Deny
3. Table

If Council denies the item, staff will search for other funding sources for this purchase.

ATTACHMENTS

None

Reviewed/Approved: _____



Staff Report

Meeting: City Council

Date: February 7, 2023

Item #: 7.5
Consent

Department: Engineering Services - Project Management

Submitted by: Michael Miller, City Engineer

Agenda Title: Real property acquisition for a portion of APN 164-130-004 needed for street right-of-way necessary to construct improvements for Project EN0088, Prosperity Avenue / West Street Traffic Signal

RECOMMENDED ACTION

Authorize the City Manager to complete and execute the documents necessary to purchase property and easements located on the north side of Prosperity Avenue east of West Street (portion of APN 164-130-004) needed for Project EN0088 – Prosperity Avenue & West Street Improvements Project in the amount of \$29,722, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager.

SUMMARY

A traffic study was performed for a proposed development on the southeast corner of Prosperity Avenue and West Street, which showed that warrants were met for a new traffic signal at this intersection. The City Council subsequently provided staff with direction to review the condition of this intersection, and to prioritize construction of improvements at this location. The resulting project, EN0088 – Prosperity Avenue & West Street Improvements Project, will construct the intersection to its ultimate width, install ADA compliant dual curb ramps at each corner, and install master-planned utility improvements within the project limits. Street improvements will include sufficient transitions from the full-width widening at the curb returns back down to the existing pavement width. An eight-phase traffic signal with emergency preemption, video detection for both vehicle and bicycle traffic, and associated appurtenances will be included in the project.

In order to widen the intersection and construct the ultimate improvements, the City needs to acquire approximately 6,559 square feet of additional property from the subject property at 1210 W. Prosperity Avenue. The property owners are Guillermo Hernandez Rubio, Jennifer Hernandez, and Maria Gonzalez (Hernandez, et al.). The property owners have worked diligently with City Staff through the design, appraisal, and acquisition process for Project EN0088, and has agreed to provide the property needed for the project for the amount of \$29,722, which includes compensation for impacts to landscaping and irrigation improvements on the property. This amount is in accordance with an appraisal prepared by the City's right-of-way consultant dated February 3, 2022, and subsequent negotiations with the property owners.

FISCAL IMPACT & FUNDING SOURCE(S)

Right-of-way acquisition costs have been included in the project budget. The following funding sources would be utilized:

EN0088-030-0230

021 – Measure R – Local

- 022 – Gas Tax (HUTA)
- 010 – Water Bonds
- 615 – Sewer Wastewater CIP

LEGAL REVIEW

The City Attorney will review and approve documents necessary to purchase the subject project property prior to their execution.

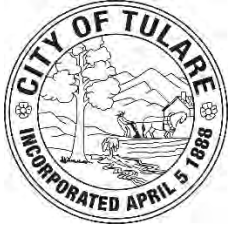
ALTERNATIVE ACTION

1. Approve with changes – Would require going back through the negotiation process with the property owner.
2. Deny – Depending on reason for denial, would require going back through the negotiation process or significant redesign of the project. Construction of the project would be delayed.
3. Table – Construction of the project would be delayed.

ATTACHMENTS

1. Certificate of Acceptance
2. Memo from Monument

Reviewed/Approved: _____



OFFICE OF THE CITY CLERK

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY, that the interest in real property conveyed by the **Grant Deed** dated _____, from **Guillermo Hernandez Rubio, Jennifer Hernandez, and Maria Gonzalez (Hernandez, et al.)** to the City of Tulare, Municipal Corporation of the State of California, was duly accepted by the City Council of the City of Tulare on **February 7, 2023**, and by the same order of the City Council of the City of Tulare, the City Manager was authorized to execute this Certificate of Acceptance to be recorded with the **Grant Deed**.

CITY OF TULARE

By: _____
Marc Mondell, City Manager

ATTEST:

Chief Deputy City Clerk



MEMORANDUM

Date: January 20, 2023

To: Michael Miller, City Engineer

From: Jesse Ortiz, Senior Agent
Monument

Regarding: Prosperity and West Traffic Signal and Improvements Project
Administrative Settlement to Acquire Property

Guillermo Hernandez Rubio, Jennifer Hernandez, and Maria Gonzalez (Hernandez, et al.)
1210 W. Prosperity Ave., Tulare, CA 93274
APN: 164-130-006

Subject Property

The subject real property, known as Assessor's Number 164-130-006, in the City of Tulare, California is located at 1210 W. Prosperity Avenue (the "Property"). The Property consists of a site area of 175,111 square feet and is currently improved with two single-family residences.

An appraisal was obtained from Hopper Company to determine the fair market value for the subject property and interests to be acquired. The appraisal, dated February 3, 2022, concluded that the value of the property rights required for the project was \$21,700.

On April 22, 2022, a written offer in the amount of \$21,700 was presented to the owner, Hernandez, et al.

Background

The City of Tulare ("City") requires the acquisition of certain property rights for the Prosperity and West Traffic Signal and Improvements Project ("Project"). The purpose of this Project is to upgrade the intersection of Prosperity Avenue and West Street from its current stop sign control to a fully signalized intersection and add ADA-compliant sidewalks.

In order to allow for the construction of this Project, the City requires the fee acquisition of 6,559 Sq. Ft. of the Property along Prosperity Avenue.

Analysis of Counteroffer

Hernandez, et al. believed that the City's compensation was not sufficient. They are being compensated \$500 for the landscaping and improvements (irrigation system within the fee take area), and that this amount was not sufficient to modify the irrigation system. They obtained a bid from a landscaper for the sprinkler system modifications in the amount of \$1,522, and their counteroffer was \$29,722.



Recommendation

Monument recommends moving forward with the administrative settlement for the negotiated amount of \$21,000. In support of this recommendation, 49 CFR 24.102(i) – Administrative Settlement states that the purchase price for a property may exceed the amount offered as just compensation when reasonable efforts to negotiate an agreement at that amount have failed and an authorized Agency official approves such administrative settlement as being reasonable, prudent, and in the public interest.

The City may determine that an administrative settlement is reasonable, prudent, and in the public interest. Factors to consider in making this determination may include, but are not limited to, damages the Grantor may suffer as a result of the acquisition, the range of probable testimony in trial and the cost of trial. Other related reasons that support an administrative settlement include diligent attempts to expedite acquisitions by agreement to avoid litigation and relieve congestion in the courts. Not accepting this proposed settlement will most assuredly put this parcel into condemnation which would result in substantial delays in getting possession.

The exposure to a jury or judge verdict could likely exceed \$40,000.00 with the possibility that the final settlement amount could be significantly higher and attorney fees could be awarded to the property owner. Both sides will represent their opinions of value based on the most current comparable sales used, market trends, and severance damages to the property as a result of the project; wherein the Grantor will argue substantially more damages to the remainder property than provided as just compensation. In the majority of eminent domain cases of this nature, the judgements favor the property owner over the public agency. Without the use of the provisions of the Administrative Settlement Process, use of more costly and time-consuming legal means such as the outlined above may become necessary to secure the required permanent property rights. Use of this administrative settlement is believed to be reasonable, prudent and in the best public interest as per the provisions of 49 CFR 24.102(i).

Due to project time constraints and the support provided for the irrigation system modification, it is recommended to accept the owner’s counteroffer. Provisions for the use of this type of settlement are delineated in the Code of Federal Regulations Title 49, Part 24, at 24.102(i).

Monument considers the recommended administrative settlement of \$21,000 to be reasonable, prudent, and in the public interest. Settlement by negotiation avoids potential future litigation and reduces risk of jury awards should it be necessary to proceed to an eminent domain case.

Approval Recommended By:



Jesse Ortiz, Senior Agent, Monument

10/20/2022

Date

City’s Acceptance of Recommendation:

City Manager

Date



JOB ESTIMATE

Trujillo's Landscape
902 E. Elma St.
Ontario Ca, 91764
909-530-8085
Trujilloslandscape@gmail.com



CLIENT INFORMATION:

Client #: 102

Due Date:

Name: Guillermo Hernandez

Phone Number:

Address: 1210 W. Prosperity Ave. Tulare Ca 93274

Email Address:

Qty.	Service/Product	Unit Cost:	Total:
1	Grass & Irrigation	\$14,400	\$14,400
2	Pine Trees	\$3,000	\$6,000
20	Bottle Brush Tree	\$35	\$700
10	Roses	\$20	\$200
2	Palm Tree 24"	\$300	\$600
1	Concrete	\$5,000	\$5,000

SUB TOTAL: \$26,900

PAID:

TAX:

TOTAL DUE:

TOTAL: \$26,900

Thank you for your business!



Approval of Just Compensation

CFR Part 24, Subpart B Section 24.102(d) states that before the initiation of negotiations, the Agency shall establish an amount which it believes is Just Compensation for the real property. The amount shall not be less than the approved appraisal of the Fair Market Value of the property, taking into account the allowable damages or benefits to any remaining property.

Date: April 12, 2022	Agency: City of Tulare
To: Nick Bartsch, Sr. Project Manager	Project: Prosperity & West Traffic Signal Project

The following parcel(s) is proposed to be partially acquired for the subject project and was appraised by **Renee E. Hendrick and Keith J. Hopper** of **Hopper Company**, State Certified General Appraisers:

Parcel Information	
Owner(s)	Assessor's Parcel Number
Rubio, Guillermo H.; Hernandez, Jennifer; Gonzalez, Maria	164-130-006
Address: 1206-1210 W. Prosperity Ave., Tulare, CA 93274	

Appraisal Information		
Appraisal Report Date	Property Take Type	Appraised Value
February 3, 2022	Partial Acquisition in fee for road purposes, & temporary construction easement	\$21,700.00

The appraised value is believed to be the full amount of just compensation for the property interest to be acquired.

Prepared By:

**Jesse Ortiz, R/W-RAC
Monument**

Approved By:

Signature: _____

By: Nick Bartsch
Its: Sr. Project Manager

Date: _____



City of Tulare	CONFIDENTIAL	Caltrans Exhibit
APPRAISAL SUMMARY STATEMENT	The document contains personal information and pursuant to Civil Code 1798.21, it shall be kept confidential in order to protect against unauthorized disclosure.	8-EX-15A
		Page 1 of 15

Dist.	Co.	Rte.	P.M.	Parcel No.	Federal Aid Project No.	Date / Revised Date
				164-130-006		February 3, 2022

Owner: Guillermo Hernandez Rubio, a married man as his sole and separate property and Jennifer Hernandez, a married woman as her sole and separate property, and Maria Gonzalez, a single woman, all as joint tenants
Date Acquired: May 10, 2019

Property Address: 1206-1210 W. Prosperity Ave., Tulare, CA 93274
Property to be acquired: Part All

Locale: The subject larger parcel property consists of a single parcel of land that is located along the north side of Prosperity Avenue, east of West Street, in northwest Tulare, California.

Total Property Area: 175,111 Sq. Ft. (larger parcel) Including Access Rights Yes No

STATUTORY BASIS OF VALUATION

The market value for the property to be acquired by The City of Tulare (the "City") is based upon an appraisal prepared in accordance with accepted appraisal principles and procedures.

Code of Civil Procedure Section 1263.320 defines Fair Market Value as follows:

- a) The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by a seller, being willing to sell but under no particular or urgent necessity for so doing, nor obliged to sell, and a buyer, being ready, willing, and able to buy but under no particular necessity for so doing, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.
- b) The fair market value of property taken for which there is no relevant, comparable market is its value on the date of valuation as determined by any method of valuation that is just and equitable.

Code of Civil Procedure Section 1263.321 defines the Value for Nonprofit, Special Use Property as follows:

A just and equitable method of determining the value of nonprofit, special use property for which there is no relevant, comparable market is as set forth in Section 824 of the Evidence Code, but subject to the exceptions set forth in subdivision (C) of Section 824 of the Evidence Code.

The market value for the property to be acquired by the City is based upon Code of Civil Procedure Section 1263.320 as defined above.

BASIC PROPERTY DATA

Interest valued: Fee Simple & Temporary use
Date of valuation: February 3, 2022 Original Updated
Applicable zoning: R-1-8 (Single Family Residential)
Area to be acquired: 6,559 Sq. Ft.
Highest and best use: As improved
Current use: Single family residence

AREAS WITHIN THE RIGHT OF WAY

The proposed acquisition of new road right-of-way (ROW) will be a partial taking in fee title. It is a linear strip of land that is 26.50 feet wide and extends across the entire south property line of the subject. Altogether it contains 6,559 square feet of land area.

Total Area = 6,559 Sq. Ft.

New Road Right-of-Way

6,559 Sq. Ft. x \$2.50/Sq. Ft. x 100%	=	<u>\$16,397.50</u>
Total	=	\$16,397.50

IMPROVEMENTS WITHIN THE RIGHT OF WAY

There are several landscaping improvements located within this take area, including concrete driveway, gravel driveway, a concrete border, two medium-sized trees, several bushes, four landscape boulders, some short portable fencing, and two mailboxes.

Improvements

Concrete Driveway-		
398 Sq. Ft. x \$6.00/Sq. Ft. x 25 % Depreciated value	=	\$1,791
Gravel Driveway-		
570 Sq. Ft. x \$1.25/Sq. Ft. x 25 % Depreciated value	=	\$534.38
Landscaping-		
Lump sum	=	<u>\$2,500</u>
Total	=	\$4,825.38

TEMPORARY CONSTRUCTION EASEMENT (TCE)

The valuation of the temporary construction easement acquisition utilizes a somewhat different methodology because this take area will not be permanently taken and will only be needed for a relatively short period of time. During this time, the larger parcel will be without the use of this area though, and the owner must be compensated accordingly. The most appropriate method of valuing this temporary easement area is to estimate the rental value of the property within the take area over the specified term.

While it is not unusual for some types of properties to be ground leased in the local market, rarely if ever are residential homesites leased in this manner, so using actual homesite ground lease data is not possible. Instead, a reasonable rate of return is considered based on the yields that are typical of other ground lease properties, like farmland that is suitable for permanent plantings (2% to 4% annual returns) and commercial sites (9% to 10% annual returns). Considering the size of the subject property and its location in northwest Tulare, an annual rate of return of 7% is estimated. Multiplying the size of the TCE taking by the fee value of the land times the 7% rate of return and the 12-month term leads to a value for the temporary easement taking of \$389.90.

Total Area = 2,228 Sq. Ft.

<u>TCE</u>		
2,228 Sq. Ft. x \$2.50/Sq. Ft. x 7% X 12 months	=	<u>\$389.90</u>
Total	=	\$389.90

Lump Sum Total = \$21,612.78

APPRAISAL SUMMARY STATEMENT (CONT.)**THE FOLLOWING INFORMATION IS BASED ON THE PARTIAL ACQUISITION ONLY**

Value of the property being
acquired including the following
improvements:

Land:	\$	<u>16,397.50</u>
Imps:	\$	<u>4,825.38</u>
TCE:	\$	<u>389.90</u>

\$ 21,612.78

Severance Damages (see page 4):

Cost to Cure Damages: \$ 0

Incurable Damages: \$ 0

Total Damages: \$ 0

Benefits (see page 4): \$ 0

Net Damages: \$ 0

The total amount of any other compensation: \$ 0

JUST COMPENSATION FOR ACQUISITION \$ 21,612.78

*** Rounded To** \$ 21,700

Construction Contract Work \$ 0

SEVERANCE DAMAGES

COST TO CURE DAMAGE ITEMS

None \$ 0

Lump Sum Total \$ 0

INCURABLE DAMAGES

(Narrative explanation and calculations, if applicable)

Lump Sum Total \$ 0

TOTAL DAMAGES \$ 0

BENEFITS

(Narrative explanation and calculations, if applicable)

Lump Sum Total \$ 0

NET DAMAGES (Total Damages less Benefits) \$ 0

CONSTRUCTION CONTRACT WORK ITEMS

Contractor will be responsible to relocate the mailboxes and the wrought iron fencing and replace the concrete border.

SUMMARY OF THE BASIS FOR JUST COMPENSATION

Selected Market Data

Four sales of comparable residential land parcels are selected for use in valuing the subject larger parcel. These data items are narratively discussed below followed by a grid that analyzes the data and shows how each item compares to the subject.

LAND SALES COMPARISON GRID				
Comparable Residential Land Sales				
	Sale No. 1	Sale No. 2	Sale No. 3	Sale No. 4
Location	Prosperity Ave.	1876 W. Prosperity	1826 W. Prosperity	Tollin Rd.
City	Tulare	Tulare	Tulare	Tulare
APN	164-150-023,024,025	164-150-024	164-150-025	164-150-032
Buyer	LHC Commodities	Montano & Zavala	Gamero & Garnica	Plascencia-Salas
Document No.	21-14410	21-40418	21-44491	21-54244
Recording Date	2/26/2021	6/1/2021	6/16/2021	7/26/2021
Sale Price	\$332,000	\$150,000	\$155,000	\$145,500
Land Area – SF	141,036	47,013	47,010	41,939
Price / SF	\$2.35	\$3.19	\$3.30	\$3.47
Topography	Level	Level	Level	Level
Zoning	R-1-8	R-1-8	R-1-8	R-A-43
Utilities	W-S-E-G	W-S-E-G	W-S-E-G	W-E-G
Off-Sites	None	None	None	None
Property Rights	=	=	=	=
Financing	=	=	=	=
Conditions of Sale	=	=	=	=
Market Conditions	+	+	+	=
Interim Value	> \$2.35	> \$3.19	> \$3.30	= \$3.47
Location	=	=	=	=
Zoning	=	=	=	=
Parcel Size	=	-	-	-
Topography	=	=	=	=
Utilities	=	=	=	=
Off-Sites	=	=	=	=
Final Indication	> \$2.35	< \$3.19	< \$3.30	< \$3.47

City of Tulare	CT Exhibit 8-EX-15A
APPRAISAL SUMMARY STATEMENT (CONT.)	Page 7 of 15

In comparing these sales to the subject property, consideration is given to various elements of comparison that market participants recognize as having an impact on the prices that are paid for this type of property. The comparison grid summarizes how each data item is compared to the subject. A "+" is shown if the data item is inferior to the subject, a "-" is used if the sale is superior, and an "=" sign is indicated if the data item is generally comparable. Not all elements of comparison are weighted equally by the market and in some instances a greater magnitude of difference is appropriate for a symbol.

Based on these comparisons, the subject land should be valued below the \$2.35 per square foot reflected in sale no. 1, but below the \$3.19 to \$3.47 per square foot indicated by sale nos. 2 through 4. Thus, the value is reasonably bracketed between \$2.35 and \$3.19 per square foot, and a unit value of \$2.50 per square foot is concluded for the subject property. When applied to the 175,111 square feet in the subject larger parcel, a total land value of \$437,778 results.

Land Size x Value per S.F. = Value of Larger Parcel Land

$$175,111 \text{ s.f.} \times \$2.50 = \$437,778$$

In a strip appraisal where the majority of the property's improvements are not being affected by the partial acquisition, it is still important to include in the value of the larger parcel the contribution of any improvements that are being taken and not replaced by the project contractor. The cost approach is used to estimate this improvement value and the table on the next page summarizes the process. The Marshall Valuation Service cost manual is used as the source for the various replacement costs.

In the end, the yard improvements add \$4,825.38 in value to the property. Adding the value of the land to the contribution of the affected improvements leads to a total value for the subject larger parcel of \$442,603.38.

Property Valuation Discussion

Comparable 1 is located along the north side of Prosperity Avenue, west of West Street, in northwest Tulare. The property includes three adjoining parcels, each of which has 1.08 acres, and together they total 141,036 square feet of land area. The parcels are in a raw condition with no off-site improvements in place along their frontage, but all public utilities are available to serve them. An R-1-8 zoning is applied to the property by the City of Tulare, which is a single-family residential district. The owner wanted to sell all three parcels as a group and listed them in August 2020 as a single property at an asking price of \$345,000. Seven months later, a sale took place in February 2021 at a price of \$332,000 or \$2.35 per square foot. Soon after, the new owner listed two of the parcels for sale again as separate lots at asking prices of \$175,000 each.

Comparable 2 represents a vacant residential land parcel that is located on the north side of Prosperity Avenue, west of West Street, in northwest Tulare. The 47,013-square-foot lot has no off-site improvements in place, but all public utilities are readily available to serve it. It is rectangular in shape and has an interior lot orientation. The zoning is R-1-8 by the City of Tulare for single-family residential uses. The property was put up for sale in March 2021 at an asking price of \$175,000, and after three months of exposure it sold in June 2021 for \$150,000. This is equal to \$3.19 per square foot. The buyer paid all cash for the property and plans to construct a new residence on the site.

Comparable 3 is adjacent to sale no. 2 and it is also a rectangular lot that is located on the north side of Prosperity Avenue, just to the west of West Street, in Tulare. This parcel contains 47,010 square feet of land area. It is unfinished with no curb or gutter off-site improvements installed, but all public utility services are available. The City of Tulare has zoned the property R-1-8 for single-family residential uses. In March 2021, the property was offered for sale at a list price of \$175,000. Two months later a buyer was found and the sale closed in June 2021 at a price of \$155,000 or \$3.30 per square foot. The buyer is planning to build a new house on the lot.

Comparable 4 refers to a vacant land parcel that is located along the south side of Tollin Road, east of Killette Road, in northwest Tulare. The property is just outside of the Tulare city limits and is zoned R-A-43 by the County for rural residential uses. The parcel has 41,939 square feet of land area. It is raw land with no off-site improvements in place, but most public utilities are available to serve it. A listing of the property hit the market in February 2021 at an asking price of \$174,900, and this was later reduced to \$160,000 in May 2021. After two more months the property sold in July 2021 for \$145,500 or \$3.47 per square foot in an all-cash transaction.

Value of Portion to be Acquired

The same unit value that has been estimated for the larger parcel is also applied to the portion of the site that is to be acquired in fee title for use as permanent right-of-way. To this is added the contributory value of the affected improvement leading to a total value for the permanent taking of \$21,222.88.

$$\text{Land Size} \times \text{Value per S.F.} = \text{Land Value} + \text{Improvement Value} = \text{Value of Permanent Taking}$$

$$6,559 \text{ s.f.} \times \$2.50 = \$16,397.50 + \$4,825.38 = \$21,222.88$$

The valuation of the temporary construction easement acquisition utilizes a somewhat different methodology because this take area will not be permanently taken and will only be needed for a relatively short period of time. During this time, the larger parcel will be without the use of this area though, and the owner must be compensated accordingly. The most appropriate method of valuing this temporary easement area is to estimate the rental value of the property within the take area over the specified term.

While it is not unusual for some types of properties to be ground leased in the local market, rarely if ever are residential homesites leased in this manner, so using actual homesite ground lease data is not possible. Instead, a reasonable rate of return is considered based on the yields that are typical of other ground lease properties, like farmland that is suitable for permanent plantings (2% to 4% annual returns) and commercial sites (9% to 10% annual returns). Considering the size of the subject property and its location in northwest Tulare, an annual rate of return of 7% is estimated. Multiplying the size of the TCE taking by the fee value of the land times the 7% rate of return and the 12-month term leads to a value for the temporary easement taking of \$389.90.

$$\text{TCE Size} \times \text{Value per S.F.} \times \text{Annual Rental Rate} \times \text{Term} = \text{Value of Temporary Easement}$$

$$2,228 \text{ s.f.} \times \$2.50 \times 7\% \times 12 \text{ months} = \$389.90$$

Adding together the values of the various portions to be acquired results in a total value for the takings of \$21,612.78.

Value of Permanent Right-of-Way Taking	\$21,228.88
Value of Temporary Construction Easement	+ \$ 389.90
Taking Total Value of Takings	\$21,612.78

City of Tulare	CT Exhibit 8-EX-15A
APPRAISAL SUMMARY STATEMENT (CONT.)	Page 9 of 15

Description of Right-of-Way Taking:

The proposed acquisition of new road right-of-way (ROW) will be a partial taking in fee title. It is a linear strip of land that is 26.50 feet wide and extends across the entire south property line of the subject. Altogether it contains 6,559 square feet of land area. There are several landscaping improvements located within this take area, including concrete driveway, gravel driveway, a concrete border, two medium-sized trees, several bushes, four landscape boulders, some short portable fencing, and two mailboxes.

Temporary Easement Taking:

The temporary construction easement (TCE) will be used by the City of Tulare (City) or its contractors for purposes of facilitating construction of adjacent public street improvements and related purposes, in, on, over, under, through, along, and across the property. The TCE will commence upon written notice of commencement of construction and shall automatically terminate upon completion of the City's construction or six months after commencement, whichever occurs first. Certain improvements, like concrete paving, will be protected in place and will not be removed, while other improvements may need to be cleared to allow for use of the TCE in the manner intended. If fencing needs to be taken down, the contractor will provide temporary fencing during the term to keep the property secure and the owner will be compensated for the need to replace it with permanent fencing after the TCE is terminated.

The TCE area taking parallels the north side of the ROW take area. It is also a linear strip of land that extends across the entire width of the parcel and it is 9.00 feet deep. In total, it contains 2,228 square feet of total land area. Additional yard improvements are situated in this area, such as concrete driveway, gravel driveway, one large tree, and one small tree. These improvements were not identified on the plans, and it is assumed that they will be protected in place and not damaged as part of the project.

Severance damages:

The only corrective work needed to repair the subject property will be the relocation of the mailbox, which will be handled by the contractor as construction contract work. Therefore, no damages to the remainder property are expected to result from the partial acquisition or from the construction and use of the planned project.

Benefits:

No benefits that will enhance the value of the remainder property are anticipated as a result of the project. Therefore, the net severance damages to the remainder are \$0.

Construction Contract Work:

Sometimes it is necessary to do certain work, either inside the right-of-way or on the owner's private property, in order to restore the utility and value of the remainder property, and this work may be most economically and/or practically performed by the project's contractor. This is known as construction contract work. For the subject property, the plans indicate that the contractor will be responsible to relocate the mailboxes and the wrought iron fencing and replace the concrete border. No other construction contract work will be done on the owner's behalf by the project contractor and any corrective work will be the responsibility of the property owner. As a result, appropriate compensation, if necessary, is included in the appraisal. It is anticipated by the appraisers that project will be designed around the access needs of the owners and the appropriate accommodations will be made for drive approaches in areas that are functional and beneficial for access to the property.

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APPRAISAL SUMMARY STATEMENT (CONT.)	Page 10 of 15

Analysis of Remainder:

In the after condition, the remainder property will be slightly smaller at 168,552 square feet, which is still a rather large residential homesite. The shape of the property will remain the same and access to the site will be unchanged. The front house will be situated 20 feet from the new right-of-way line, which is much closer than before but does remain in compliance with the zoning's setback standard. The loss of some of the landscaping should not adversely impact the overall visual appeal of the property, and the relocation of the mailboxes and fencing will be done as construction contract work. Most of the remaining improvements will be protected in place, and if any damage is done to them the contractor will be responsible for restoring the property to its pre- construction condition.

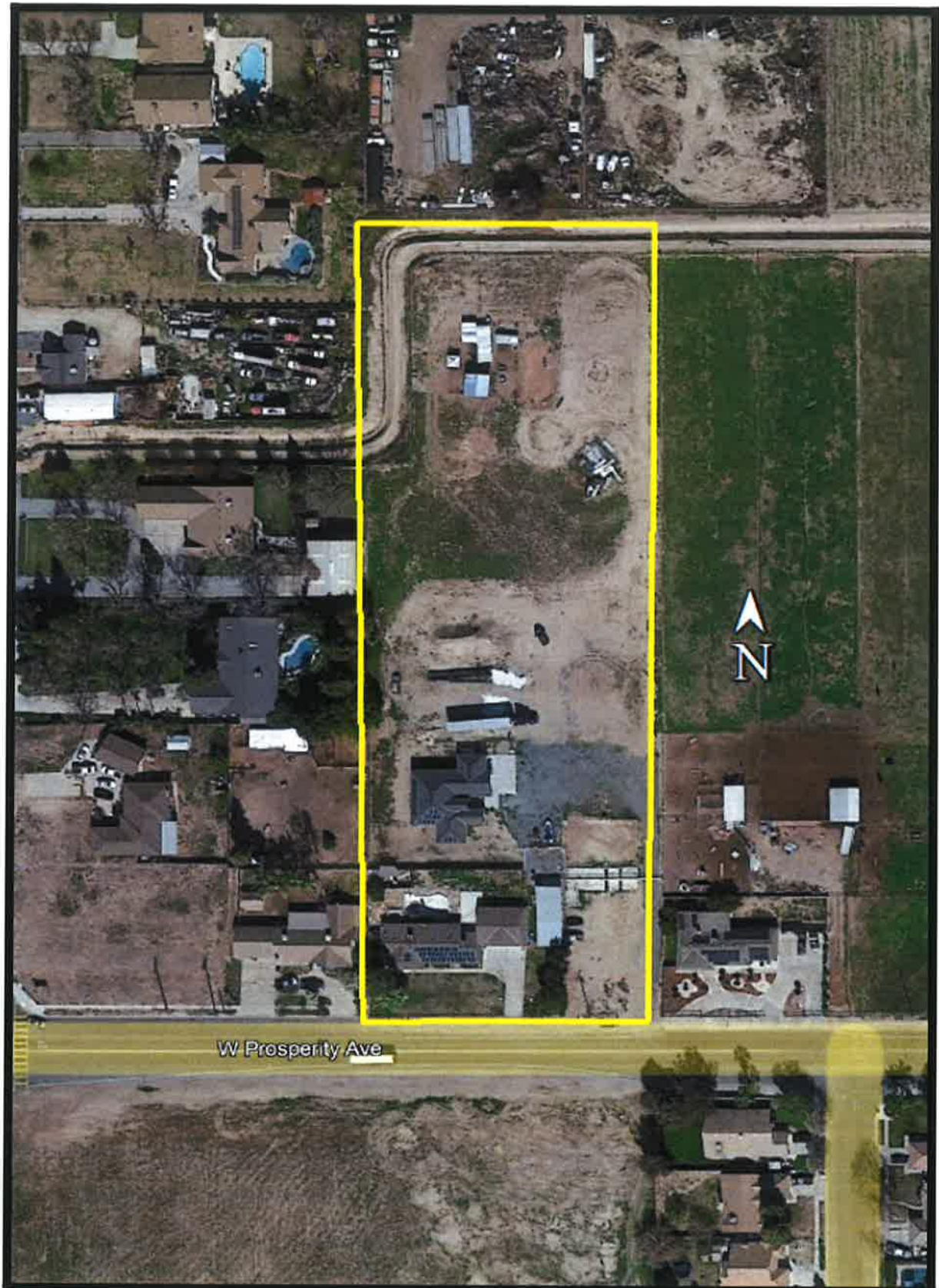
The project improvements are intended to improve traffic control and intersection safety. While this will be generally beneficial to properties in the area, the project is not likely to measurably increase the value of the subject remainder.

Final Total Value Opinion:

The final total value opinion is equal to the value of the takings plus the net severance damages to the remainder, which totals \$21,612.78 and is rounded to \$21,700.

Value of Takings + Net Severance Damages = Final Total Value Opinion

$$\mathbf{\$21,612.78 + \$0 = \$21,612.78 \cong \$21,700}$$



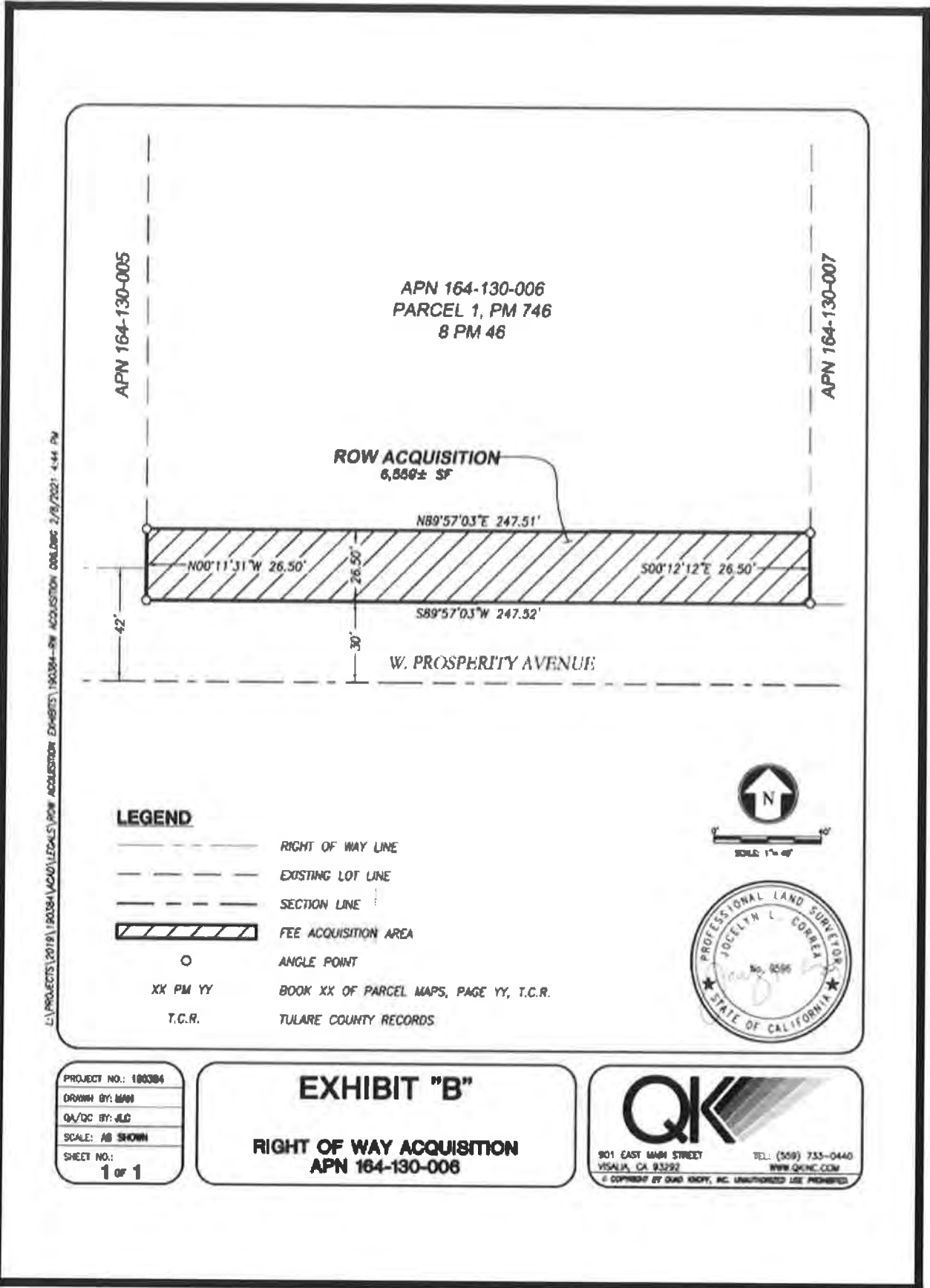
AERIAL PHOTOGRAPH



**View of the front residence
as seen from the property's front yard.**



**View across the back of the property with animal corrals in the foreground
and the second dwelling unit in the background.**



L:\PROJECTS\2019\180384\CAD\LEGAL\ROW ACQUISITION EXHIBITS\180384-ROW ACQUISITION 08/08/2019 4:44 PM

LEGEND

- RIGHT OF WAY LINE
- EXISTING LOT LINE
- SECTION LINE
- ▨ FEE ACQUISITION AREA
- ANGLE POINT
- XX PM YY BOOK XX OF PARCEL MAPS, PAGE YY, T.C.R.
- T.C.R. TULARE COUNTY RECORDS

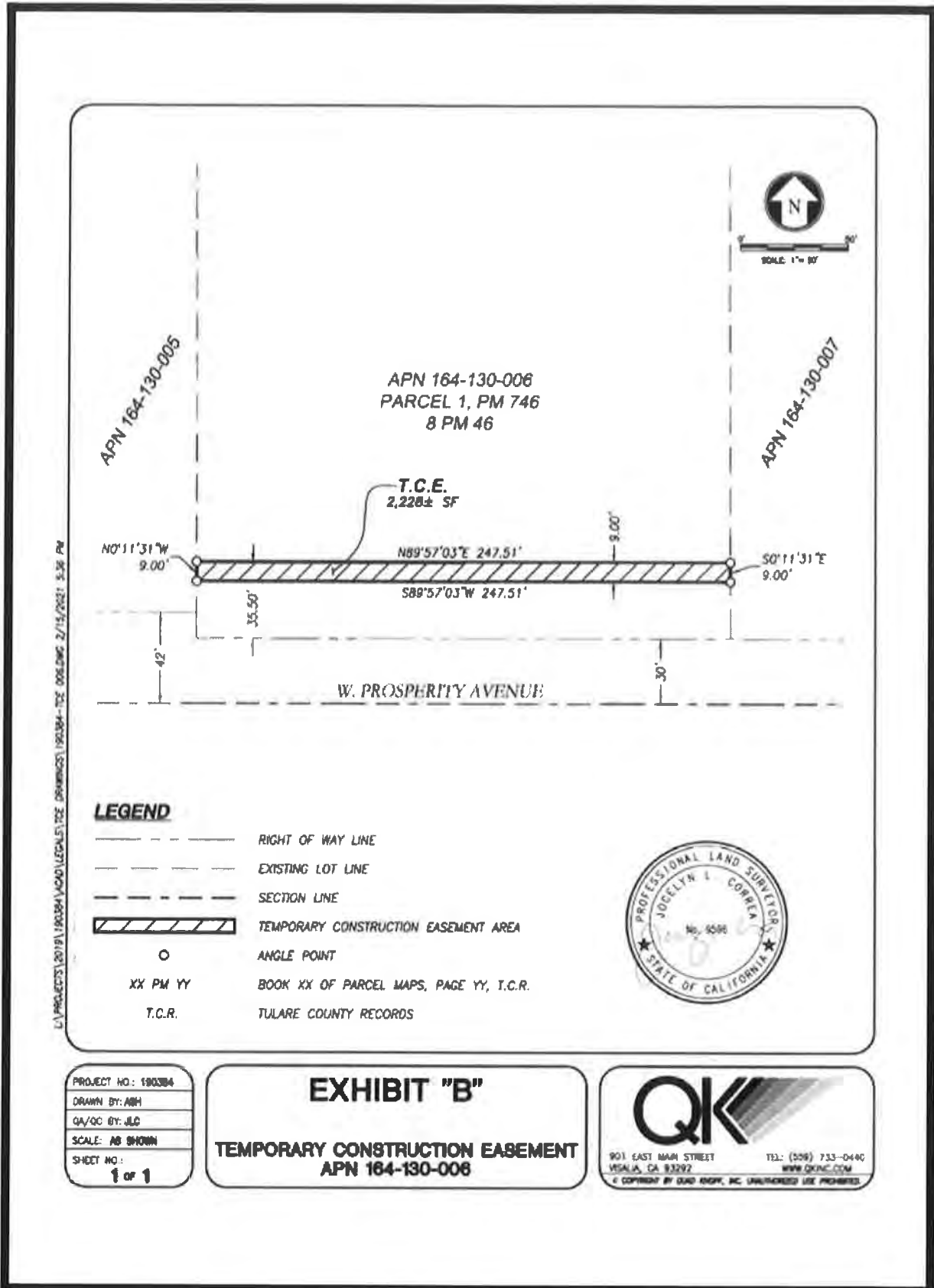


PROJECT NO.: 180384
 DRAWN BY: MAM
 QA/QC BY: JLC
 SCALE: AS SHOWN
 SHEET NO.:
1 of 1

EXHIBIT "B"
RIGHT OF WAY ACQUISITION
APN 164-130-006

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 WWW.QKINC.COM
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PLAT OF THE RIGHT-OF-WAY TAKING



PLAT OF THE TEMPORARY EASEMENT TAKING



View of the ROW and TCE take areas looking east from the southwest corner of the property.



View of the ROW and TCE take areas looking west from the southeast corner of the property.



Staff Report

Meeting: City Council

Date: February 7, 2023

Item #: 8.1
Public Hearing

Department: Community Development - Housing

Submitted by: Gladys Avitia, Housing and Grants Specialist

Agenda Title: Substantial Amendment to Fiscal Year 2022 Action Plan

RECOMMENDED ACTION

Adopt resolution to reallocate \$31,842.38 of Community Development Block Grant funds from Public Infrastructure activity to Affordable Housing activity and maintain \$146,400 for program administration.

SUMMARY

The Community Development Block Grant (CDBG) Program is authorized under Title I of the Housing and Community Development Act of 1974. Its primary objective is the development of viable urban communities through distinct national objective and eligible activities. On May 17, 2022, City Council adopted a resolution approving the CDBG Annual Action Plan (AAP), which allocated the following:

Category	Activity Name	Budget
Public Infrastructure and Facilities	Planning Project - Centennial Park Restoration	\$31,842
Public Infrastructure and Facilities	Sycamore and San Joaquin	\$415,000
Public Services	Case Managers on Encampment Resolution Funding Project – three full time employees	\$110,100
Affordable Housing	Minor Home Rehabilitation Program	\$83,921
Program Administration and Planning	<ul style="list-style-type: none">• Management, Oversight and Coordination Duties, Public Information, Advertising, Supplies, and Training with Housing and Grants Division• Fair Housing Outreach and Education Service with CSET organization	<ul style="list-style-type: none">• \$131,400• \$15,000

Total CDBG funds available in Fiscal Year 2022	\$787,263
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The U.S. Department of Housing and Urban Development (HUD) requires entitlement communities to develop a citizen participation plan, which describes how the City of Tulare will involve residents in the planning, implementation and assessment of how CDBG funds will be used. Under the Fiscal Years (FY) Citizen Participation Plan, a substantial amendment shall be initiated when there is a change in excess of 25% of an activity’s original approved budget or A change in the purpose, scope, location, or beneficiaries of an activity (e.g. a cancellation). Due to the cancellation of two planned activities, Fair Housing and the Planning Project, a substantial amendment to the action plan must be adopted. Fair Housing outreach and education was not implemented by CSET due to an inadequate starting budget. The Planning activity for Centennial Park restoration was not implemented due to the availability of different funding sources.

The table below shows only the proposed adjustments:

Category	Activity Name	Budget
Public Infrastructure and Facilities	Planning Project – Centennial Park Restoration	repurpose \$31,842
Affordable Housing Preservation	Habitat for Humanity of Tulare / Kings Counties	Increase by \$31,842 to \$115,763
Program Administration and Planning	Fair Housing - CSET	Repurpose \$15,000 to other program administration expenses

FISCAL IMPACT & FUNDING SOURCE(S)

There are sufficient funds in the FY2022-2023 CDBG funds to support these expenditures.

LEGAL REVIEW

This item does not require legal review

ALTERNATIVE ACTION

1. Approve with changes: Reallocate (\$31,842 + \$15,000) to an existing or new eligible CDBG activity with input from Council Members and City Management.
2. Deny: Require implementation of the planned activities with the CSET organization and Planning Division.
3. Table: Reschedule consideration of this item to a future City Council meeting.

If a proposed substantial amendment is not adopted at this or a subsequent meeting, then the City risks non-compliance with their Citizen Participation Plan and expenditure timeliness.

ATTACHMENTS

1. Resolution
2. Substantial Amendment to Fiscal Year 2022 Action Plan

Reviewed/Approved: _____

RESOLUTION 2023-

A RESOLUTION OF THE COUNCIL OF THE CITY OF TULARE ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2022 ANNUAL ACTION PLAN (AAP) AMENDMENT REALLOCATING \$31,842 TO EXISTING FISCAL YEAR 2022 ACTIVITIES

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

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

WHEREAS, on May 17, 2022, the City Council adopted the CDBG Annual Action Plan (AAP) for Fiscal Year (FY) 2022, through Resolution 2022-15, with an estimate of total available resources derived from City's annual allocation and estimates of CDBG program income and funds remaining from the previous program year to projects involving public infrastructure and facility improvements, the preservation and development affordable housing, the provision of public and homeless services, economic development, and CDBG program administration; and

WHEREAS, the proposed Amendment to the FY 2022 AAP identifies changes to planned activities and budgets as follows: public services activities in the amount of \$110,100; a public infrastructure improvement activity in the amount of \$415,000; an affordable housing preservation program in the amount of \$115,763; and, program administration expenses in the amount of \$146,400; and

WHEREAS, to notify the public and garner input on a proposed Amendment to 2022 Annual Action Plan, City staff issued a public notice on January 6, 2023, in the Visalia Times Delta and Tulare Advance Register, distributed a draft of the proposed amendment to local organizations, and posted a draft of the proposed amendment on a Community Development Department webpage; and

WHEREAS, the public comment period, public meeting on January 25, and public hearing on February 7 regarding the proposed amendment to the 2022 AAP was duly noticed in a newspaper of general circulation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tulare, as follows, to wit:

Section 1. The City Council hereby adopts the 2022 Annual Action Plan Amendment as presented.

PASSED, APPROVED, AND ADOPTED on this 7th day of February, 2023.

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

City of Tulare

PY 2022 Annual Action Plan Amendment I



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

Annual Action Plan

1

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The Fiscal Year (FY) 2022-2023 Annual Action Plan directs the use of the City's annual allocation of \$725,421 CDBG funds, approximately \$10,000 in available CDBG program income, and \$51,842 in CDBG funds remaining from the previous program year to projects that meet CDBG national objectives and needs established in the City's Consolidated Plan for 2020-2024. Projects and their approximate funding levels include the following: \$405,000 for public infrastructure and facility improvements; \$110,100 for homeless services; \$130,763 for affordable housing preservation; and, \$146,400 for CDBG program administration and planning work. Collectively, the City committed a total of \$787,264 (round up to nearest dollar) to the implementation of eligible activities in the FY 2022-2023.

Two of the seven planned activities for FY 2022, fair housing education and outreach and a planning project, did not proceed. As a result, City Staff recommend the reallocation of the unspent funds, \$46,843 in total, to the project areas of affordable housing preservation and program administration. The termination of two planned activities and the move to reallocate unused funds triggered a substantial amendment process as specified in the City's Citizenship Participation Plan for 2020 to 2024. With comments from residents and other stakeholders, the City Council may adopt a proposed substantial amendment to the FY 2022 Action Plan that will allocate \$31,843 of the unused CDBG funds to a minor home rehabilitation program and update total anticipated resources to reflect the actual amount available. Upon closeout of FY 2021 activities, a total of \$51,842.38 was available to reallocate to current year activities, bringing the overall amount of resources for FY 2022 to \$787,263.38 from \$780,421.

(ALL TEXT IN BLUE FONT REPRESENTS INFORMATION THAT CONCERNS THE SUBSTANTIAL AMENDMENT TO PROGRAM YEAR 2022 ANNUAL ACTION PLAN).

Executive Summary

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

1. Introduction

The CDBG Program is administered by the U.S. Department of Housing and Urban Development (HUD), and is authorized under Title 1 of the Housing and Community Development Act of 1974 (HCDA), as amended. HUD provides technical assistance and monitors participating jurisdictions to facilitate compliance with CDBG program requirements. The regulations implementing the CDBG Program are in the Code of Federal Regulation: 24 CFR Part 570. Each year, HUD allocates

CDBG funds directly to local jurisdictions with a population greater than 50,000. A five-part formula determines a jurisdiction's overall award. The formula accounts for a jurisdiction's population, extent of housing overcrowding, poverty level, age of housing stock, and growth lag. Allocations do vary on an annual basis. On average, the City of Tulare receives \$690,000 per year. The entitlement award to local jurisdictions requires planning and public input. Local jurisdictions retain control over the use of CDBG funds and determine, through citizen participation practices (e.g., meetings, hearings, and comment periods), the activities and projects to receive available CDBG funding.

Jurisdictions must use CDBG program funds to develop viable urban communities through activities and projects that provide decent housing, a suitable living environment, and/or expand economic opportunities. The projects, programs, and/or public services implemented by local jurisdictions must meet one of the following three National Objectives: 1) benefit low/moderate-income (LMI) persons; 2) prevent or eliminate slums and blight; or 3) meets an urgent need. The City requires all CDBG-funded projects and programs meet the primary National Objective of benefiting low- and moderate-income households. Projects that serve special populations such as seniors, people experiencing homelessness, and people with a disability, are also prioritized.

To receive its entitlement funding from HUD, the City is required to approve an Annual Action Plan for each fiscal year. The Annual Action Plan (AAP) describes how the City intends to invest its CDBG funds to meet the needs and goals identified in their existing Consolidated Plan (2020-2024). The City committed its 2022 allocation in the amount of \$725,421, about \$10,000 in available program income, and \$51,842 of its allocation remaining from the previous Program Year (PY), to PY 2022 projects and activities that began on or after July 1, 2022, and end on or before June 30, 2023. A total of about \$787,264 is available for the City Council, with public comment and review, to apply to individual projects and activities proposed by local nonprofit organizations, other government agencies, and/or City Departments.

[The proposed amendment to the FY 2022 Action Plan increase the total anticipated resources for the fiscal year to \\$787,264 and reallocates unutilized funds from two activities to affordable housing preservation.](#)

2. Summarize the objectives and outcomes identified in the Plan

Provide Homeless & Public Services: Use CDBG funds to establish agreements with local organizations to provide outreach, case management, connections to transitional and permanent supportive housing, and financial relief and other services to people experiencing homelessness or at-risk of becoming homeless. And commit CDBG funds to support the preservation and restoration of particular low- and moderate-income areas and neighborhoods in the City.

Preserve and Develop Affordable Housing: Use CDBG funds to preserve the City's existing stock of affordable housing units through largely minor and substantial rehabilitation programs and

individual projects, and, where feasible, invest in site improvements to facilitate the development of new affordable housing units.

Accomplish Public Infrastructure & Facility Improvements: Use of CDBG funds to accomplish physical infrastructure (e.g., roadways, sidewalk, lighting) and facilities (e.g., parks) improvements in low- and moderate-income residential neighborhoods within the City of Tulare. Projects may address safety, environmental, and/or regulatory needs.

Foster Economic Development: Use CDBG funds to support initiatives that offer job training and foster employment opportunities for low- and moderate-income households and people experiencing or at-risk of homelessness.

Provide CDBG Program Administration & Planning: Use CDBG funds to account for City staff's planning, implementation, and oversight of the local CDBG program and the associated subrecipient agreement / relationships with local nonprofit, public agency, and City Department partners. Moreover, support standard operating and planning costs related to fair housing and implementation (e.g., postage, public noticing, training).

3. Evaluation of past performance

In the spring of 2020, the City compiled comprehensive input from the public, provider organizations and agencies, and other stakeholders in the preparation of the 2020-2024 Consolidated Plan, which included an evaluation of outcomes of previous Program Years and the identification of priority needs. In the summer of 2020, the City evaluated the outcomes of Program Year 2019 projects and activities in the most recent Consolidated Annual Performance and Evaluation Report (CAPER). The report compared the objectives and outcomes identified in the Annual Action Plan to previous years and included an overall assessment of ongoing performance on measurable indicators within the ConPlan. CDBG reports on the last five-years of projects and activities are available for public review on the City's website at: <https://www.tulare.ca.gov/government/departments/community-economic-development/housing-cdbg-services/reports>.

Additionally, the City incorporated an assessment of activities and projects from the current 2021 Program Year and information from the Annual Housing Element Progress Report. The successes and challenges with the implementation of CDBG and CARES CDBG funded activities from July 1, 2020, to-date, offers guidance on how to meet ConPlan goals, while improving upon the implementation of forthcoming CDBG activities.

4. Summary of Citizen Participation Process and consultation process

Consultation / Notice of Funding Availability: Department of Housing & Community Development Department staff held a Request for Applications (RFA) period to receive comments and/or proposals for projects in Fiscal Year (FY) 2022. A public notice was published on Tuesday, February 22, 2022, in the Visalia Times Delta and Tulare Advance Register to announce the RFA, public meeting, and resources to support an application for funding. The

Department called for qualifying organizations and individuals to review the informational RFA handbook and other resources, schedule a meeting with Department staff, and submit an application for FY 2022 funds on or before Wednesday, March 23, at 5:00 PM PST (See Appendix A for copies of RFA Public Notice, Handbook, and Application). In total, the City received thirteen (13) complete applications proposing activities to address homelessness, affordable housing, and public infrastructure and facility improvements. Department staff evaluated applications according to CDBG Program national objectives and standards, the City's ConPlan, and other criteria, including, but not limited to, activity need and justification, cost reasonableness and effectiveness, and experience and past performance of the sponsor.

Public Meetings: Community Development Department staff held a public meeting on **Thursday, March 10, 2022**, to discuss the RFA for CDBG Program Year 2022, the CDBG Program, and goals within the City's ConPlan. The meeting offered both in-person and virtual participation options. A total of two individuals attended this public meeting, both stating an interest in homelessness services and housing related investment. The City notified the general public and local organizations of this meeting through published notices, social media posts, and email listserv communications with an audience of several hundred agency staff. Department staff published the particular notice and distributed through partner listservs' beginning February 25, 2022, more than 10 days before the meeting. The Department held a second public meeting on **Thursday, April 28, at 5:15 PM** to review the proposed 2022 Annual Action Plan and to receive comments. This meeting was open to the general public, local nonprofit organizations, public agencies, City Departments, and other stakeholders. Department staff provided both in-person and virtual participation options. Department staff issued a second public notice on April 15, 2022, to announce a 30-day public review and comment period, exclusively for proposed FY 2022 projects with estimated funding levels. The April 28th public meeting was identified in this particular notice and announced via social media posts and email listserv outreach. Staff published and distributed a copy of this public notice beginning April 15, 2022, more than 12 days before the public meeting.

Community Development Department staff also held a public meeting on Wednesday, January 25th, for residents and other stakeholders to learn about and comment on the proposed substantial amendment to the FY 2022 Annual Action Plan. The meeting was open to public and held at the Tulare Public Library from 5:15 to 6:00 PM PST, with an option to view and participate virtually.

Public Hearings: Department staff scheduled two public hearings, the first on **Tuesday, April 19**, and the second on **Tuesday, May 17, 2022**. These public hearings provided an opportunity for the City Council members to receive comments on the proposed FY 2022 Annual Action Plan prior to formal adoption. Public hearings operated with both in-person attendance and virtual participation via YouTube at www.youtube.com/channel/UCdWZiv2o7do1JY0OvGe1_aw/videos. For those at-home and wishing to provide comments during a council meeting, instructions were given to call (559) 366-1849. A copy of the locally distributed public notice, a draft of the proposed 2022 Annual

Action Plan, and instructions on how to review said documents and participate in the public hearings, was posted at the entrance of the Tulare Public Library Council Chambers, on the City website, and on the Agendas for the City Council Meetings on April 19 and May 17, 2022, respectively.

The City Council also held a public hearing on Tuesday, February 7, 2023 to review the proposed amendment to the 2022 Action Plan and receive public comments prior to adoption by Resolution.

Public Review and Comment: The City requested input from the public on the proposed projects and their respective budgets under the 2022 Annual Action Plan. A 30-day public review and comment period began on Friday, April 15, 2022, and concluded on Tuesday, May 17, 2022. The proposed 2022 Annual Action Plan was available at Tulare City Hall and on the Community Economic and Development Department webpage at - <https://www.tulare.ca.gov/government/departments/community-economic-development/housing-cdbg-services/public-notices>

Department staff published all public notices in English and Spanish in two widely circulated local newspapers and through the extensive listserv and eblast networks of local organizations. Department staff instructed individuals requesting a special accommodation to contact Alexis Costales, Sr. Housing and Grants Specialist, at 559-684-4224 or acostales@tulare.ca.gov.

The City requested input from the public on the proposed reallocation of funds under the 2022 Annual Action Plan. A 30-day public review and comment period began on **Friday, January 6, 2023** and concluded on **Tuesday, February 7, 2023**. A document explaining the substantial amendment is available at Tulare City Hall and on the Community Development Department website at: <https://www.tulare.ca.gov/government/departments/community-economic-development/housing-cdbg-services/public-notices>.

An English and Spanish public notice was published in the Tulare Advance Register and Visalia Times Delta newspapers on January 6, 2023. The public notices and a draft of the FY 2022 Action Plan Amendment was available at City Hall and posted on the Department of Community Development's webpage at <https://www.tulare.ca.gov/government/departments/community-economic-development/housing-cdbg-services/public-notices>.

5. Summary of public comments

According to the results of the ConPlan Survey, public meetings, and outcomes of the 2022 RFA, priority needs identified by residents and service providers included:

- **Public Infrastructure and Facility Improvements:** Street, sewer, water system repairs and/or reconstruction, together with the installment of accessible sidewalks, curbs, and ramps. As well as, the restoration of public park amenities and landscaping.
- **Provision of Homeless Services:** Offering of behavioral, primary, and mental health care services, together with homeless prevention, direct outreach, case management, and

housing placement services to emergency shelter, transitional, and/or permanent supportive housing.

- **Preservation and Development of Affordable Housing:** Rehabilitation of single- and multi-family units occupied by seniors, persons with special needs, and low- and moderate-income households, including specific repairs and/or the installation of new building features.

Public Hearings. The City held four public hearings prior to the adoption of the 2020-2024 ConPlan, two public hearings for the adoption of the 2022 Annual Action Plan (AAP), and [one public hearing for the adoption of a substantial amendment of the 2022 AAP](#). City Council and Department Staff received no comments during the public hearings on the ConPlan and the 2022 Action Plan.

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

The City of Tulare and Department staff reviewed and considered all comments and proposals for activities / projects when developing the FY 2022 Annual Action Plan.

7. Summary (See Appendix A for a full summary of citizen participation)

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

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

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

Table 1 – Responsible Agencies

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

Narrative

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

Consolidated Plan Public Contact Information

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

1. Introduction

The City composed the FY 2022 Annual Action Plan based on the needs within the City's 2020-2024 Consolidated Plan (Con Plan), an evaluation of FY 2021 project outcomes, and ongoing consultations with the public and a variety of community-based organizations (CBO) and other stakeholders. Comprehensive engagement and opportunities for input across City departments and with public officials, local residents, CBOs, and business entities within the City of Tulare informed the establishment of the ConPlan goals and those within Annual Action Plans. [The City held a public meeting and hearing for stakeholders to review and comment on the proposed amendment to the 2022 Annual Action Plan. Actions taken by the City are consistent with the City's Citizen Participation Plan which is incorporated into the ConPlan as Appendix PR-15 \(page 20\).](#)

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

In addition to annual entitlement CDBG funds, the City of Tulare received two (2) awards, totaling \$764,948, under the Coronavirus Aid, Relief, and Economic Security (CARES) Act in Program Year 2019-2020. All recipient jurisdictions are required to commit CARES Act CDBG (CDBG-CV) funds to activities that prevent, prepare for, and respond to the coronavirus (COVID-19) pandemic. The City established activities to address small business, food, medical care, and shelter needs. With marketing and technical assistance from the Tulare Chamber of Commerce, the City implemented a microenterprise business assistance (MBA) program for low to moderate-income owners and employees in the form of a fixed \$5,000 grant. A total of 35 business with five or fewer employees received a grant to offset their operating costs and/or to purchase personal protective equipment (PPE) and other items to promote safe operations during the COVID-19 pandemic. MBA grants and program administration costs totaled \$190,374.

The City collaborated with the Tulare Emergency Aid Council to support food pantry services for income eligible residents adversely affected by the COVID-19 pandemic. Overall, 809 Tulare households received food assistance with total program expenses in the amount of \$48,156. The City provided Altura Centers for Health with a grant in the amount of \$50,000 to purchase PPE and other supplies. This allotment helped Altura Centers for Health staff provide 3,609 COVID-19 tests and standard medical services to 20,265 low-to-moderate income residents at their Tulare clinics. And to offer emergency shelter and quarantine space for people experiencing homelessness, the City provided the Lighthouse Rescue Mission with a \$79,611 grant to purchase four (4) two-

bedroom manufactured housing units. The Lighthouse Rescue Mission reports providing 20 individuals with a respite stay in these new dwelling rooms, and altogether 3223 people with at least an overnight stay from August 2021 through May 2022.

Staff consulted service providers and gathered data from nonprofit and public sector organizations in December 2020 to estimate local needs. Staff presented key findings on local needs and City Council determined activity service areas and directed the available CDBG-CV funds in the amount of \$273,963 to rental, mortgage, and utility assistance, \$100,000 to food assistance, and \$25,000 for services to homeless persons. Department staff contacted an array of local agencies and organizations in order to request proposals for activities with the available CDBG-CV funds. The City received eight (8) letters of interest / applications from seven (7) different agencies and organizations prior to the close of the notice of availability of funds period. City Council committed \$223,963 to the Housing Authority of Tulare County for the provision of emergency rental assistance for low-income individuals and families adversely affected by the COVID-19 pandemic, \$50,000 to the United Way of Tulare County for the provision of emergency rental, mortgage, and utility assistance for low- to moderate-income individuals and families adversely affected by the COVID-19 pandemic, \$72,843 to the Salt+Light Works nonprofit organization for the provision of food, PPE, and other services to people experiencing homelessness, and, \$50,000 to the Salvation Army for food pantry and delivery services to income eligible households, particularly seniors, adversely affected by the COVID-19 pandemic. To-date, a total of 116 households received grant payments to fully or partly pay-off existing rent, mortgage, and utility costs and 175 households received food and palliative items.

The City continues to collaborate with the Housing Authority of Tulare County (HATC) on the Housing Choice Voucher Program. Information on State, County and local programs is promoted on the City's website to interested property owners, realtors and lenders. In 2021, HATC issued 431 Section 8 Housing Choice Vouchers, 30 Section 8 Project Based Vouchers, 3 VA Supportive Housing (VASH) program vouchers, and 3 Section 811 Mainstream Vouchers in the City of Tulare. Additionally, the City remains in contract with the Self-Help Enterprises to administer a first-time homebuyer and an owner-occupied rehabilitation program for income eligible individuals and households. Using principally HOME Program grant funds and program income from both HOME and Calhome loan portfolios, the City and Self-Help Enterprises provided three (3) homebuyer assistance loans to Tulare households in calendar year 2021.

City Council members and City Staff participate in the monthly meetings of the Tulare County Taskforce on Homelessness. Representation on this taskforce includes a County Supervisor, County Health and Human Services Agency staff, elected officials and staff from each jurisdiction in the county, various service providers (e.g., health, mental health, and behavioral health), the Continuum of Care lead agency, the HATC, affordable housing management and development organizations, and other stakeholders

in the region. Over the last program year, task force members identified ongoing efforts to meet service needs amidst the Covid-19 pandemic, progress at Project Roomkey and Homekey sites, and initiatives within each jurisdiction to serve unsheltered residents.

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

The Kings/Tulare Homeless Alliance (Alliance) serves as the local Continuum of Care for Kings and Tulare counties. The Alliance is comprised of a group of service providers, advocates, public agencies, and currently / formerly homeless individuals to address the needs of the people experiencing homelessness in the Kings and Tulare Bi-County regions. The City of Tulare collaborates with the Alliance, by actively participating in monthly Alliance meetings, consulting on new and existing programs within the City, and sharing information on best practices in order to enhance existing services. And across multiple fiscal years, the City committed CDBG funds to support direct outreach and housing placement services, as well as, to facilitate a local initiatives navigation center event for people experiencing homelessness. Most recently, the City of Tulare and five partner organizations, including the Alliance, applied to a state of California Encampment Resolution Funding (ERF) Program in December 2021. The ERF Program called for project proposals with goals to achieve improvements to health and safety conditions within target homeless encampments and the creation of meaningful paths to stable housing for the unsheltered residents. The City's project plan and funding request of \$1,566,604 was selected for award by the California Interagency Council on Homelessness (Cal ICH) on Friday, February 25th, 2022. With this ERF award, the City and its partner organizations will enhance outreach, engagement, and service offerings for upwards of 57 people experiencing homelessness within a prioritized encampment area.

Additional partner agencies and commitments regarding services and housing options for people experiencing homelessness include:

- Tulare County Homeless Taskforce on Homelessness – membership in this planning and information sharing entity.
- Eden House – financial investment in the staffing and operating costs at this bridge housing facility with beds and wrap around services for up to 22 chronically homeless individuals with a disability, of which, 5 beds are reserved for unsheltered residents from the City of Tulare.

- Kings View – financial investment in their outreach, case management, and housing placement services for people experiencing homelessness.
- Family Services of Tulare County – financial investment in their outreach, case management, and resource provisions for people experiencing homelessness and to 12 formerly homeless individuals housed with vouchers under the Tulare Housing First Program.
- Self-Help Enterprises – financial investment in the administration of affordable housing programs (e.g., down payment assistance, owner occupied rehabilitation), as well as, the development of new units for low- and moderate-income individuals and households.
 - Commitment of Housing Successor Agency funds, \$1,000,000, to the development of the Santa Fe Commons project, when complete, will offer approximately 137 units, a mix of one-, two-, and three-bedroom, units for LMI households.

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

Not applicable. The City of Tulare is not a direct recipient of ESG funds.

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

Table 2 identifies the consultations that informed the 2020-2024 Consolidated Plan and proposed FY 2022 Annual Action Plan.

Table 1 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Fair Housing Council of Central California
	Agency/Group/Organization Type	Service-Fair Housing
	What section of the Plan was addressed by Consultation?	Impediments to Fair Housing Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency provided information on the needs of households requiring fair housing services and on the region's strategy to address impediments.

2	Agency/Group/Organization	Kings/Tulare Homeless Alliance (CoC # 513)
	Agency/Group/Organization Type	Continuum of Care Regional organization
	What section of the Plan was addressed by Consultation?	Homelessness Strategy Homeless Needs – (Chronically homeless/ Families with children/ Veterans/ Unaccompanied youth)
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Regional CoC Executive Director, Coordinated Entry Manager, and other staff provided information on the status and needs of the homeless population, as well as input on the current initiatives to provide relief and minimize the occurrence of homelessness.
3	Agency/Group/Organization	State of California
	Agency/Group/Organization Type	Other government – State
	What section of the Plan was addressed by Consultation?	Economic Development Market Analysis Demographics Lead-based Paint Strategy
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	State Departments provided technical assistance on grant programs, management best practices, and data on employment and market trends, affordable housing development, population demographics, and lead poisoning.
4	Agency/Group/Organization	Housing Authority of the County of Tulare
	Agency/Group/Organization Type	Public Housing Authority
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Provided information on the status of Housing Choice Voucher programs, their subsidized properties within the City, and other initiatives to address housing insecurity and homelessness.
5	Agency/Group/Organization	County of Tulare
	Agency/Group/Organization Type	Other government – County

	What section of the Plan was addressed by Consultation?	Economic Development Demographics
		Lead-based Paint Strategy Needs Assessment Strategic Plan Homelessness Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Staff in various County Departments provided information on social welfare programs (e.g., CalWorks, CalFresh), small business and job-training programs, and data on recent market, demographic, and homelessness trends.
6	Agency/Group/Organization	City of Tulare
	Agency/Group/Organization Type	Other government – Local
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Economic Development Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	City staff and City Council Members conducted a comprehensive campaign to garner input from the public and other stakeholders in order to develop the 2020-2024 ConPlan and implement individual projects and activities under the Action Plans in 2020 and 2021.
7	Agency/Group/Organization	Tulare Chamber of Commerce
	Agency/Group/Organization Type	Economic development
	What section of the Plan was addressed by Consultation?	Market needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Received information on the current local job and business market and input from the CEO on needs and interventions for the business community.
8	Agency/Group/Organization	The Lighthouse Rescue Mission

	Agency/Group/Organization Type	Housing Services – Homeless Services – Housing Services - Children
	What section of the Plan was addressed by Consultation?	Needs Assessment Strategic Plan Homelessness Needs (chronically homeless/ families with children/unaccompanied youth) Homelessness Strategy
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Staff provided an update on the status of the organization’s services and existing housing offerings and input on the type of investments the City should pursue under Action Plans concerning emergency, transitional, and permanent supportive housing.
9	Agency/Group/Organization	Family Service of Tulare County
	Agency/Group/Organization Type	Services – Homeless Services – Housing Services - Victims of Domestic Violence Services - Children
	What section of the Plan was addressed by Consultation?	Needs Assessment Strategic Plan Homelessness Needs (Chronically homeless) Homelessness Strategy
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Representative(s) completed the community needs survey and informed the development of the 2020-2024 ConPlan. Staff also shared progress reports on their existing program within the City and information on ongoing needs.
10	Agency/Group/Organization	Kings View Corporation
	Agency/Group/Organization Type	Services – Homeless Services

		<p>Services – Mental Health</p> <p>Services – Drug and Alcohol Treatment</p> <p>Services – Behavioral Health</p> <p>Regional organization</p>
	What section of the Plan was addressed by Consultation?	<p>Needs Assessment</p> <p>Strategic Plan</p> <p>Homelessness Needs (Chronically homeless/ families with children/unaccompanied youth)</p> <p>Homelessness Strategy</p>
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	<p>Representative(s) completed the community needs survey and informed the development of the 2020-2024 ConPlan. Staff also shared progress reports on their existing program within the City and input on ongoing needs.</p>
11	Agency/Group/Organization	United Way of Tulare County
	Agency/Group/Organization Type	<p>Housing</p> <p>Services - Education</p> <p>Services – Homeless</p> <p>Services – Housing</p>
	What section of the Plan was addressed by Consultation?	<p>Needs Assessment</p> <p>Strategic Plan</p> <p>Homelessness Needs (Chronically homeless/ families with children/Unaccompanied youth)</p> <p>Homelessness Strategy</p>
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	<p>Representative(s) completed the community needs survey and informed the development of the 2020-2024 ConPlan. Staff also shared progress reports on their existing program within the City and input on ongoing needs.</p>
12	Agency/Group/Organization	Tulare Unified City School District
	Agency/Group/Organization Type	Services - Education

		Publicly Funded Institution/System of Care
	What section of the Plan was addressed by Consultation?	Needs Assessment Strategic Plan Homelessness Needs (chronically homeless/ families with children/unaccompanied youth) Homelessness Strategy
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Organization was contacted via email and asked to complete community needs survey for input in the development of the Con Plan.
13	Agency/Group/Organization	Self-Help Enterprises
	Agency/Group/Organization Type	Housing Services - Education Services – Housing Regional organization
	What section of the Plan was addressed by Consultation?	Needs Assessment Strategic Plan Economic Development Regional organization
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Organization was contacted via email and asked to complete community needs survey for input in the development of the Con Plan. Representative(s) shared progress reports on their existing program within the City and input on ongoing needs.
14	Agency/Group/Organization	Habitat for Humanity of Tulare/ Kings Counties
	Agency/Group/Organization Type	Housing Regional organization
	What section of the Plan was addressed by Consultation?	Needs Assessment Strategic Plan Non-homeless special needs

	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Representatives completed community needs survey and participated in community workshops to inform the 2020-2024 ConPlan. Representative(s) shared progress reports on their existing program within the City and input on ongoing needs.
15	Agency/Group/Organization	Altura Centers of Health
	Agency/Group/Organization Type	Services - Health
	What section of the Plan was addressed by Consultation?	Needs Assessment Strategic Plan
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Representative(s) attended a community meeting and completed community needs survey to provide input to in the development of the 2020-2024 ConPlan.
16	Agency/Group/Organization	Tulare Senior Center
	Agency/Group/Organization Type	Services - Elderly Persons
	What section of the Plan was addressed by Consultation?	Needs Assessment Strategic Plan Non-homeless special needs
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Representative(s) attended a community meeting and provided input to help develop the 2020-2024 ConPlan.
17	Agency/Group/Organization	Grandma's House - A Vision of Hope
	Agency/Group/Organization Type	Services - After School Tutoring
	What section of the Plan was addressed by Consultation?	Needs Assessment Strategic Plan
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	CEO and founder attended a community meeting held at the Tulare Chamber of Commerce and provided input in the development of the 2020-2024 ConPlan.

18	Agency/Group/Organization	Tulare Emergency Aid
	Agency/Group/Organization Type	Services - Food Distribution Services - Rental/Mortgage and Utility Assistance
	What section of the Plan was addressed by Consultation?	Needs Assessment Strategic Plan
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Organization was contacted via email to complete the community needs survey and inform the development of the ConPlan. Representative(s) shared progress reports on their existing program within the City and input on ongoing needs.
19	Agency/Group/Organization	AMVETS California Charities
	Agency/Group/Organization Type	Veteran Service Organization
	What section of the Plan was addressed by Consultation?	Needs Assessment Strategic Plan
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Organization was contacted via email to complete the community needs survey and inform the development of the ConPlan
20	Agency/Group/Organization	Workforce Investment Board of Tulare County
	Agency/Group/Organization Type	Services - Job Training and Placement
		Regional organization
	What section of the Plan was addressed by Consultation?	Needs Assessment Strategic Plan
How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Representatives attended a community meeting and provided input in regard to the needs of job training and placement. Representative(s) shared progress reports on their existing program within the City and input on ongoing needs.	

21	Agency/Group/Organization	Environmental Protection Agency
	Agency/Group/Organization Type	Other government – Federal
	What section of the Plan was addressed by Consultation?	HazMat Planning
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	City Planning and Housing & Grants staff reviewed HUD environmental databases to identify and mitigate the effects of any superfund sites and other dangerous / hazardous waste in the City. There are no superfund sites in the City.
22	Agency/Group/Organization	AT & T
	Agency/Group/Organization Type	Telephone Company
	What section of the Plan was addressed by Consultation?	Digital Divide
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Provided information on the available broadband services and special programs to income eligible households.
23	Agency/Group/Organization	Frontier
	Agency/Group/Organization Type	Non-profit
	What section of the Plan was addressed by Consultation?	Digital Divide
	How was the Agency/Group/ Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Provided information on the available broadband services and special programs to income eligible households.

Identify any Agency Types not consulted and provide rationale for not consulting

The City did not intentionally exclude any groups from their outreach and data collection efforts. The City encouraged participation in the preparation of the FY 2022 Annual Action Plan. Department staff conducted two public meetings and public hearings over a three-month period to gather input from the general public and a variety of local entities. City staff leveraged the email list serv of other community-based organizations to expand outreach and published formal notices and links to a draft of the FY 2022 AAP in the Tulare Advanced Register and Visalia Times Delta and on their website.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Table 3 – Other local / regional / federal planning efforts

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Kings/Tulare Homeless Alliance	As the designated Continuum of Care, the Alliance is responsible for the planning process for the bi-county region which includes the City of Tulare. The City is an active partner with the Kings/Tulare Homeless Alliance (Alliance). The City also provide funding and works closely with the Alliance in an effort to support, create and sustain solutions that address homelessness in the City. The mission of the Alliance is to coordinate and leverage policy and resources that empower community partners to address homelessness in Kings and Tulare County. Through its mission, the Alliance sets forth priorities and local policies, facilitates initiatives and tracks performance of homeless programs a part of the region’s system.
Housing Element – City of Tulare (2015-2023)	City of Tulare	Identifies existing housing stock condition, needs, and goals. Staff across multiple departments solicit CDBG eligible projects and programs to address preservation and development of housing for low and moderate-income households and special populations.

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Capital Improvement Plan	City of Tulare	Identifies physical infrastructure and facility improvement needs, goals, and proposed projects for the City. Staff across multiple departments coordinate the use of CDBG funds in support of projects in low and moderate-income areas within the City.

Narrative (optional)

None.

DRAFT

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

Public Meetings: Community Development Department staff held a public meeting on **Thursday, March 10, 2022**, to discuss the RFA for CDBG Program Year 2022, the CDBG Program, and the goals within the City's ConPlan. The meeting offered both in-person and virtual participation options. A total of two individuals attended this public meeting, both stating an interest in homelessness services and housing related investment. The City notified the general public and local organizations of this meeting through published public notices, social media posts, and email listserv communications with an audience of several hundred agency staff. Department staff published the particular notice and distributed through partner listservs' beginning February 25, 2022, more than 10 days before the meeting. The Department held a second public meeting on **Thursday, April 28, at 5:15 PM** to review the proposed 2022 Annual Action Plan and to receive comments. This meeting was open to the general public, local nonprofit organizations, public agencies, City Departments, and other stakeholders. Department staff provided both in-person and virtual participation options. Department staff issued a second public notice on April 15, 2022, to announce a final 30-day review and comment period, exclusively for proposed FY 2022 projects with their estimated funding levels. The April 28th public meeting was announced in this final published notice and via social media posts and email listservs. Staff published and distributed this notice beginning April 15, 2022, more than 12 days before the meeting. [The Department also held a public meeting on Wednesday, January 25, at 5:15 PM for stakeholders to learn about and comment on the proposed substantial amendment to the FY 2022 Annual Action Plan. In-person and virtual options to participate were available. The January 25th public meeting was announced in a published public notice on January 6th and via social media posts and email listservs.](#)

Notices/Website: Department staff issued a public notice on February 22 and April 15 ahead of each public meeting, including the required public hearings, in a local newspaper of general circulation (*Tulare Advance Register and Visalia Times Delta*). The first public notice introduced the Request for Applications (RFA) period, which gave interested organizations 30-days to apply and identify their funding request. Staff also distributed the public notices with information on how to participate through the listservs of the Kings Tulare Homeless Alliance and the Tulare Chamber of Commerce, reaching an audience of several hundred. For the final 30-day public comment period, staff posted a copy of the public notice and a draft of the 2022 CDBG Action Plan at City Hall and on the

Department’s webpage at - <https://www.tulare.ca.gov/government/departments/community-economic-development/housing-cdbg-services/public-notice>. The Department also published and distributed a copy of the public notice for the proposed FY 2022 AAP amendment on the above webpage and through extensive listservs.

Public Hearings: Department staff held two public hearings, the first on **Tuesday, April 19, 2022**, and the second on **Tuesday, May 17, 2022**. These public hearings provided an opportunity for the City Council members to receive comments on the proposed FY 2022 Annual Action Plan prior to formal adoption. In-person attendance and virtual participation via YouTube at www.youtube.com/channel/UCdWZiv2o7do1JY0OvGe1_aw/videos was available. For those at-home and wishing to provide comments during a council meeting, instructions were given to call (559) 366-1849. A copy of the locally distributed public notice, a draft of the proposed 2022 Annual Action Plan, and instructions on how to review said documents and participate in the public hearings, was posted at the entrance of the Tulare Public Library Council Chambers, on the City website, and on the Agendas for the City Council Meetings on April 19 and May 17, 2022, respectively. *And, the Department held another public hearing on Tuesday, February 7, 2023 for the City Council to receive comments on the proposed FY 2022 AAP amendment prior to adoption of changes by resolution.*

Table 2 – Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted & reasons	URL (if applicable)
1	Newspaper Ad	Non-targeted/ broad community	Published a public notice in English & Spanish on February 22, 2022, requesting comments and proposals from residents and/or organizations interested in applying for or guiding	See summary – Appendix A	All comments and/or applications were accepted.	N/A

			the use 2022 CDBG funding.			
2	Other	Non-targeted/ broad community	Distributed the February 22 nd Public Notice, RFA Handbook, and Application to several hundred organizations via social media posts and through multiple email listservs.	Residents and representatives of community based organizations called for homeless services, improvements to the supply of affordable housing, and fair housing education services.	All comments were accepted.	N/A
3	Public Meeting	Non-targeted/ broad community	Meeting March 10 th – 5:15 PM - Requested public participation from residents and/or representatives of organizations interested in applying for or instructing the use 2022 CDBG funds	See summary – Appendix A	All comments were accepted.	N/A
4	Newspaper Ad	Non-targeted/ broad community	Published a public notice in English & Spanish on April 15, 2022, requesting comments from residents, organizations, and other stakeholders on the proposed projects and	See summary – Appendix A	All comments and/or applications were accepted.	N/A

			activities budgets under a 2022 Annual Action Plan.			
5	Other	Non-targeted/ broad community	Distributed the April 15 th Public Notice and a draft of the 2022 Action Plan to several hundred organizations via social media posts and through multiple email listservs.	No comments received.	All comments were accepted.	N/A
6	Public Meeting	Non-targeted/ broad community	Meeting April 28 th – 5:15 PM - Requested public participation and comments from residents, representatives of organizations, and other stakeholders on the proposed projects and activities budgets under a draft 2022 Annual Action Plan.	See summary – Appendix A	All comments were accepted.	N/A
7	Public Posting	Non-targeted / broad community	All public notices, NOFA materials, and a draft of the 2022 Action Plan was available at City Hall and on the Department’s webpage.	No comments received.	All comments were accepted.	N/A

8	Public Hearing	Non-targeted / broad community	Held a hearing for public comment and/or adoption on the proposed 2022 Action Plan on May 17, 2022.	See summary – Appendix A	All comments were accepted.	N/A
9	Public Hearing	Non-targeted / broad community	Held a hearing for public comment on applications to the RFA and on proposed activities for PY 2022 on April 19 th , 2022.	See summary – Appendix A	All comments were accepted.	N/A
10	Newspaper Ad	Non-targeted/ broad community	Published a public notice in English & Spanish on January 6, 2023, requesting comments from residents, organizations, and other stakeholders on proposed changes to activities and their budgets under an amendment to the 2022 Annual Action Plan.	See summary – Appendix A	All comments and/or applications were accepted.	N/A
11	Other	Non-targeted/ broad community	Distributed the January 6 th Public Notice and a draft of the 2022 Action Plan amendment to several hundred organizations via social media posts and through multiple email listservs.	No comments received.	All comments were accepted.	N/A

12	Public Posting	Non-targeted / broad community	Copy of public notice and a draft of the 2022 Action Plan amendment was available at City Hall and on the Department's webpage.	No comments received.	All comments were accepted.	N/A
13	Public Meeting	Non-targeted/ broad community	Meeting January 25 th – 5:15 PM - Requested public participation and comments from residents, representatives of organizations, and other stakeholders on the proposed changes to activities and their budgets under an amendment to the FY 22 AAP.	See summary – Appendix A	All comments were accepted.	N/A
13	Public Hearing	Non-targeted / broad community	Held a hearing for public comment and/or adoption on the proposed 2022 Action Plan amendment on February 7, 2023.	See summary – Appendix A	All comments were accepted.	N/A

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Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The City will commit its FY2022 allocation of \$725,421, about \$10,000 in anticipated program income, and \$51,843 funds remaining from the FY2021 allocation, to Program Year 2022 activities that will begin on or after July 1, 2022, and end on or before June 30, 2023. A total of \$787,264 is available for the City Council, with public comment and review, to apply to individual activities proposed by local nonprofit organizations, other government agencies, and/or City Departments.

Anticipated Resources – Table 5 – Expected Resources – Priority Table

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 4				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	Federal Allocations and Program Income	Public & Homeless Services, Affordable Housing, Public Infrastructure & Facility Improvements, and Program Administration	\$724,421	\$10,000	\$51,843	\$787,264	\$1,065,480	Commit available CDBG resources to projects that provide public and homeless services, affordable housing preservation, public infrastructure and facility improvements, economic development, and program administration.

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City consults with and/or creates agreements with nonprofit organizations and other governmental agencies to gather and utilize additional federal and state grants. City Management and City staff, received approval to commit about \$110,100 in CDBG funds to an Encampment Resolution Funding (ERF) Program project within the City Tulare. This represents less than 10 percent of

the ERF Project's cost, and may offset case management and housing placement services for upwards of 57 people experiencing homelessness within a prioritized encampment area.

Other resources available to support projects and activities that meet the goals of the ConPlan include, but are not limited to, the following:

- Housing Authority of Tulare County – issued 431 eligible Tulare households with Section 8 Housing Choice Vouchers, 30 Section 8 Project Based Vouchers, 3 Veterans Affairs Supportive Housing (VASH) rental vouchers, and 3 Section 811 Mainstream Vouchers in the City of Tulare. It is anticipated that they will continue to assist City households over the five-year period of the ConPlan.
- Federal Home Investment Partnerships (HOME) Program funds administered through the Housing and Community Development Department of California – City applied for and received a grant award for 2018 and 2019, totaling \$1,000,000, for first-time homebuyer assistance and owner-occupied rehabilitation programs. The City reprogrammed \$90,000 of its 2018 HOME grant to implement a tenant-based rental assistance program to respond to the COVID-19 pandemic and provided housing assistance payments for past-due rent to 17 households.

CDBG does not require matching funds.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

A current CDBG owned public facility functions as emergency and transitional shelter for women and children. The facility is maintained by the Tulare Lighthouse Rescue Mission, nonprofit organization.

Discussion

The City will use a combination of the CDBG and HOME funds to meet goals within the City's ConPlan and 2022 Annual Action Plan. Since the City of Tulare does not receive HOME or ESG funds directly from HUD, third party organizations are able to partner with the City on proposals / applications for funding under these and other sources at the federal, state, and regional level.

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Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Table 6 – Goals Summary

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Indicator	Outcome
1	Public Infrastructure and Facilities Improvements	2021	2022	Non-Housing Community Development	LMA	Meet safety, accessibility, and regulatory standards within public right of ways and parks.	CDBG: \$405,000 (decrease by \$31,842.38)	Public Infrastructure or Facility Project(s) other than Low/Moderate Income Housing Benefit: 8,200 Persons Assisted	
2	Homeless Services	2021	2022	Public Services	Citywide	Provide outreach, case management, housing placement services for people experiencing homelessness.	CDBG: \$110,100	57 LMI Persons Assisted	
3	Affordable Housing	2021	2022	Affordable Housing	Citywide	Foster access to affordable housing for low- and moderate-income households and special populations.	CDBG: \$115,763 (increase by \$31,842)	Minor Home Rehab: 10 LMI Households	
4	Public Services	2021	2022	Public Services	LMA	Foster human capital and quality of life improvements for low- and moderate-income persons through job-training and placement services.	CDBG: \$0.00	N/A	

5	Program Administration	2021	2022	Administration	Citywide	Improve transparency, public involvement, and compliance with federal, state, and local regulations; Advance fair housing education and resources.	CDBG: \$146,400.38 (increase by \$0.38)	N/A
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Goal Descriptions

1	Goal Name	Public Infrastructure and Facilities Improvements
	Goal Description	<p>Promote quality of life and neighborhood revitalization through improvements to current public infrastructure (e.g., roadways, sewer and water systems, sidewalks) and facilities (e.g., parks, libraries), and by remedying aging, lower quality, or nonexistent public infrastructure and facility features.</p> <p>-City staff received a proposal to complete the Sycamore and San Joaquin Avenue Project with the City of Tulare’s Engineering Division in a designated low- and moderate-income area within the City. And a proposal from the Planning Division to conduct public outreach and produce technical plans for a restoration project at Centennial Park, a public facility within a low- and moderate-income area within the City. (Activity suspended for FY 2022).</p>
2	Goal Name	Homeless Services
	Goal Description	<p>Provide assistance to people experiencing homelessness and to those at risk of becoming homeless through outreach, support services, and aid via subsidies and establishment of new emergency, transitional, and permanent housing options.</p> <p>-City staff received proposals from seven (7) organizations to provide a variety of services for unsheltered residents and formerly homeless individuals in FY 2022.</p>

3	Goal Name	Affordable Housing
	Goal Description	<p>Improve access to affordable housing for low-income and households with special needs by collaborating with interested organizations to promote the preservation and rehabilitation of existing single family and multi-family units.</p> <p>-City staff received one proposal from a nonprofit organization to implement a minor home rehabilitation program for low- and moderate-income homeowners.</p>
4	Goal Name	Public Services / Economic Development
	Goal Description	<p>Improve access to employment and associated training opportunities to low-income and special needs households.</p> <p>-City staff did not receive a proposal from an organization implement a job training and placement program for low- and moderate-income individuals and/or those experiencing homelessness.</p>
5	Goal Name	CDBG Program Administration and Planning
	Goal Description	<p>-City staff propose using the allowable amount of CDBG funds to compensate for oversight of community development, housing, and homelessness activities, including activity setup, environmental review, oversight, monitoring, and, the provision of fair housing outreach and education services for the community through a third-party subrecipient. (Activity inactive for FY 2022).</p>

Projects

AP-35 Projects – 91.220(d)

Introduction

Four projects will receive CDBG allocation and program income funds in the Fiscal Year 2022, which spans July 1, 2022, through June 30, 2022.

Projects

Table 7- Project Information

#	Project Name
1	Public Infrastructure and Facilities Improvements
2	Homeless Services
3	Affordable Housing
4	CDBG Program Administration

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

These projects match the priority needs identified during the Consolidated Plan development process. Priority needs focused on serving low-moderate income persons and people experiencing or at risk of becoming homeless. The corresponding projects aim to improve the quality of life, condition of public infrastructure and facilities, and condition of existing housing stock for the aforementioned people. The City addressed priority needs and allocated funding to projects according to estimates of actuals costs and the caps to public service and administration activities.

AP-38 Project Summary

The City of Tulare elected to conduct citizen participation on its draft 2022 Annual Action Plan (with estimated funding amounts) according to a normal timetable and citizen participation procedures. The funding levels shown for FY 2022 projects are estimates, and once the actual 2022 grant amount is known, one or more of the proposed activities’ budgets will be proportionally increased or decreased from the estimated funding levels to match actual allocation amounts. The City of Tulare received notice of its 2022 allocation on June 3, 2022. The increase in funding to match actual allocation amount was applied to the Sycamore and San Joaquin Avenue Improvements, Minor Home Rehabilitation, Homeless Outreach and Case Management projects and activities.

Project Summary Information

1	Project Name	Public Infrastructure and Facilities Improvements
	Target Area	Low/Moderate-Income Areas (LMA)
	Goals Supported	Public Infrastructure and Facilities Improvements
	Needs Addressed	Public Infrastructure and Facilities Improvements
	Funding	CDBG: \$415,000
	Description	Use of CDBG funds to accomplish physical infrastructure (e.g., roadways, sidewalk, lighting) and facilities (e.g., parks) improvements in low-moderate income residential neighborhoods within the City. Address safety, environmental, and/or regulatory needs.
	Target Date	6/30/2023

<p>Estimate the number and type of families that will benefit from the proposed activities</p>	<p>A) Sycamore and San Joaquin Avenue Improvements – estimated 905 total households, with about 545 low- and moderate-income households.</p> <p>B) Centennial Park Planning and Restoration Project – estimated 1,720 total households, with about 1,275 low- and moderate-income households. (Activity suspended for FY 2022).</p>
<p>Location Description</p>	<p>Low/Moderate-Income Areas</p>
<p>Activities and Budgets</p>	<ul style="list-style-type: none"> • Sycamore and San Joaquin Ave Improvements – activity addressing water, sewer, and storm drain main lines and laterals / services, as well as, costs of street repairs, including street drains, curbs, and gutters. <ul style="list-style-type: none"> ○ Estimated Budget- \$405,000 • Centennial Park Restoration – Year 1 Planning – conduct public outreach and prepare conceptual planning for enhancements to public amenities and other features at this public park. <ul style="list-style-type: none"> ○ Estimated Budget – \$30,000
<p>2</p>	<p>Project Name</p>
<p>Target Area</p>	<p>Homeless Services</p>
<p>Goals Supported</p>	<p>Citywide</p>
<p>Needs Addressed</p>	<p>Homeless Services</p>
<p>Funding</p>	<p>Homelessness</p>
<p>Description</p>	<p>CDBG: \$110,100</p>
<p>Target Date</p>	<p>Use of CDBG funds to establish agreements with local organizations to provide street outreach, case management, and housing navigation services for people experiencing homelessness.</p>
<p>Target Date</p>	<p>6/30/2023</p>

	Estimate the number and type of families that will benefit from the proposed activities	57 people experiencing homelessness
	Location Description	Citywide
	Activities and Budgets	<ul style="list-style-type: none"> • Kings Tulare Homeless Alliance / Continuum of Care Agency – facilitate improvements to living, health, and safety conditions, and a transition to interim and/or permanent housing for about 20 people experiencing homelessness in a prioritized encampment area(s). <ul style="list-style-type: none"> ○ Budget - \$36,700 • Kings View – facilitate improvements to living, health, and safety conditions, and a transition to interim and/or permanent housing for about 20 people experiencing homelessness in a prioritized encampment area(s). <ul style="list-style-type: none"> ○ Budget - \$36,700 • Salt+Light Works – facilitate improvements to living, health, and safety conditions, and a transition to interim and/or permanent housing for about 20 people experiencing homelessness in a prioritized encampment area(s). <ul style="list-style-type: none"> ○ Budget - \$36,700
3	Project Name	Affordable Housing
	Target Area	Citywide
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$115,763
	Description	Use CDBG funds to preserve the City’s existing stock of affordable housing units through principally minor rehabilitation and repairs to primary building features (e.g., roofing, siding, flooring).
	Target Date	6/30/2023

	Estimate the number and type of families that will benefit from the proposed activities	10 low- and moderate-income individuals / families.
	Location Description	Citywide
	Activities and Budgets	<ul style="list-style-type: none"> • Habitat for Humanity of Tulare / Kings Counties – administer a minor home rehabilitation program for low- and moderate-income households. Principally physical improvements to key building features and ADA enhancements for at least 10 LMI households. <ul style="list-style-type: none"> ○ Budget - \$115,763
4	Project Name	CDBG Program Administration
	Target Area	Citywide
	Goals Supported	Program Administration
	Needs Addressed	Grant Administration and Planning
	Funding	CDBG: \$146,400
	Description	Use CDBG funds to account for City staff oversight and strategy for the CDBG program and associated agreements with multiple organizations, as well as cover standard operating and planning costs related to grant management (e.g., postage, public noticing, training, studies) and the delivery of fair housing services. (This service was inactive in FY 2022).
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	Not applicable.
	Location Description	Citywide

Activities and Budget(s)	<ul style="list-style-type: none"> • General management, oversight, and coordination <ul style="list-style-type: none"> ○ Budget - \$97,000 + \$15,000 • Public Information and Advertising <ul style="list-style-type: none"> ○ Budget - \$20,000 • Fair Housing Activities through a third-party subcontractor <ul style="list-style-type: none"> ○ Budget - \$15,000 • Training and travel costs for City and subrecipient staff <ul style="list-style-type: none"> ○ Budget - \$12,000
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AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

CDBG funds will be available citywide for eligible projects that serve LMI individuals or households. Citywide eligible projects include homeless services, affordable housing, and program administration. The Sycamore and San Joaquin Ave ~~and Centennial Park Restoration projects~~ will involve a low- and moderate-income area benefit.

Low-Mod Census Tracts (CDBG Eligible Target Areas): Low-Mod Income Area Benefit (LMA) concentration is defined as census tracts where at least 51% of the median household income is 80% or less the jurisdiction as a whole. LMA projects may include public service and public infrastructure and facility improvement projects. Nine (9) census tracts with 19 blocks groups are recognized as low-mod areas. The City's current CDBG eligible LMA boundaries are:

1. **Census Track No. 0022.02/Block No. 1, 2 and 3 (Low/Mod: 79.46%):** bound by east of Enterprise Street, south of W. Cross Avenue, west of N. J Street, and north of W. Inyo Avenue.
2. **Census Track No. 0022.04/Block No. 1, 2 and 3 (Low/Mod: 74.55%):** bound by east of N. West Street, north of W. Cross Avenue, west of N. J Street, and south of W. Prosperity Avenue.
3. **Census Track No. 0023.04/Block No. 1 (Low/Mod: 62.98%):** bound by east of N. J Street, south of E. Cross Avenue, west of Cherry Street and north of E. Tulare Avenue.
4. **Census Track No. 0024.00/Block No. 3 (Low/Mod: 56.20%):** bound by east of Highway 99 to Southwest city limits and south of E. Paige Avenue to Avenue 184 city limits.
5. **Census Track No. 0029.01/Block No. 1, 2 and 3 (Low/Mod: 75.91%):** bound by east of S. I Street, south of Highway 137, west of Highway 99, and north of E. Paige Avenue.
6. **Census Track No. 0029.03/Block No. 2 and 3 (Low/Mod: 66.16%):** bound by east of Highway 99, south of Highway 137, west of S. Laspina Street, and north of E. Bardsley Avenue.
7. **Census Track No. 0030.01/Block No. 1, 2 and 3 (Low/Mod: 72.99%):** bound by east of S. West Street, north of W. Bardsley Avenue, south of W. Inyo Avenue and east of S. I Street.
8. **Census Track No. 0030.02/Block No. 2 (Low/Mod: 61.745%):** bound by east of Pratt Street, south of W. Bardsley Avenue, west of S. I Street, and north of W. Paige Avenue.
9. **Census Track No. 0031.00/Block No. 1 and 2 (Low/Mod: 67.11%):** bound by East Road 80, north to W. Paige Avenue, east to Highway 99, south to City limits which include Ave

208 to West Street, Pratt Street south to Wade Street, Wade Street east to I Street, south to Avenue 184.

A map of the City’s CDBG Eligible LMA Target Areas is provided in the ConPlan **Appendix F**.

Geographic Distribution – Table 8

Target Area	Percentage of Funds
Citywide	44
Low/Moderate-Income Areas (LMA)	56

Rationale for the priorities for allocating investments geographically

For FY 2022-2023, the funding distribution is about 56 percent in CDBG eligible LMA target areas and 44 percent for Citywide benefit. The amount of CDBG funds available to the City each year and the cost of capital improvement projects tend to affect the geographic distribution of funds the most. A majority of the year’s CDBG funds are committed to the public infrastructure and facility improvement projects.

Discussion

The distribution of funding to projects and the geographic outcomes are determined through public comment and review, Department staff consultation with stakeholders, and directions from City Council.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

During FY 2022-2023 the City will assist at least 10 low and moderate-income owner occupied families with needed minor rehabilitation; such as, roof installation, ADA accessibility improvements, mold abatement, and other necessary work via a partnership with Habitat for Humanity of Tulare / Kings Counties.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	10
Special-Needs	0
Total	10

Table 3 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	10
Acquisition of Existing Units	0
Total	10

Table 4 - One Year Goals for Affordable Housing by Support Type

Discussion

The City will also utilize HOME and CalHome program funds to provide additional affordable housing income-eligible Tulare households through the First-time Homebuyer and Homeowner Rehabilitation programs via a partnership with Self-Help Enterprises.

AP-60 Public Housing – 91.220(h)

Introduction

The City does not own or manage public housing.

Actions planned during the next year to address the needs to public housing

HATC will continue to own and manage 205 Public Housing units in the City of Tulare. There is no plan to purchase additional public-housing units, removing any units from its inventory. During FY 2022-2023, HATC plans to continue Capital Fund improvements on units in the City. Expenditures will cover maintenance and rehabilitation in public-housing units within the City. Capital Fund expenditures covered a large range of projects: including roofing replacement, landscaping improvements, carpet replacement, Air Conditioning and Heating unit improvements.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

HATC is proactive in the inclusion of public-housing residents in the policy making process. An equitable and transparent policy making process that includes the opinions of public housing residents is achieved through the participation of two tenant commissioners on our HATC Board. Furthermore, HATC has installed a Resident Counsel which is made up of five residents from all of HUD funded programs (Multifamily Housing, LIHTC, HOME, Section 8 Housing Choice Vouchers and public-housing). The Resident Counsel works with HATC staff on evaluating the effectiveness and efficiency of HATC rental assistance programs. This provides members the opportunity to provide input on program modifications.

A vital driving factor in the implementation of HATC programs is the promotion of tenant self-sufficiency. HATC views the goal of homeownership for program participants as one of the long-term goals for all of its clients. HATC staff works with tenants to effectively provide them with the necessary resources to achieve homeownership. HATC Annual Re-Examination Notice provides public-housing participants with an extensive referral list that provides assistance with homeownership. This list includes programs managed by: [CSET](#), Habitat for Humanity and Self Help Enterprises. HATC's program coordinator works with any interested public housing tenant in order to effectively inform them of all the different programs that are available to them. Effective collaboration between HATC and other public and nonprofit agencies is imperative to help promote homeownership among all of its tenants.

If the PHA is designated as troubled, describe the manner in which financial assistance will be

provided or other assistance

Not applicable.

Discussion

The City of Tulare does not own or manage public housing units.

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AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

During FY 2022-2023, the City will commit CDBG and other funds to provide street outreach and engagement, case management, housing placement, and supportive services to unsheltered residents and formerly homeless individuals.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

City will commit \$110,100 to an Encampment Resolution Funding (ERF) Program project. The City's project plan and funding request of \$1,566,604 was selected for award by the California Interagency Council on Homelessness (Cal ICH) on Friday, February 25th, 2022.

With this ERF award, the City and its partner organizations will enhance outreach, engagement, and service offerings for upwards of 57 people experiencing homelessness within a prioritized encampment area. The City's prioritized area involves a collection of sites at Centennial and Rotary Skate Parks and on vacant land between the Union Pacific Railroad and I Street.

Tulare's ERF project will be led by case managers from the Kings Tulare Homeless Alliance, Kings View, and Salt+Light Works organizations respectively. These case managers will conduct daily outreach and engagement to foster trust and relationship building and to facilitate the usage of field-based integrative services and housing placement plans. With buy-in, case managers will implement a housing plan with their clients according to Housing First standards to secure housing at available emergency, transitional, and/or permanent housing units. And to foster sustainability, each client will receive funds to cover 12-months of rent, utility, and other household costs.

Specialty services under the ERF Project include the delivery of behavioral and medical health care from the Homeless Multi-Disciplinary Team with the Tulare County Health and Human Services Agency and the Adventist Health Mobile Care Unit. Unsheltered residents in the prioritized encampment area will have access to first aid, wound care, health screenings, and medicine, as well as access to substance use assessment and counseling and a connection to social service programs.

The ERF Project also addresses critical basic needs. The target group of people will receive access to food, palliative relief items, a third-party operated two-stall bathroom and shower

facility, and a waste removal service. In addition to the efforts aimed at improving health and safety conditions in the prioritized encampment area, the ERF project provides funds for park restoration planning and construction costs. With public input and collaboration, \$280,000 in grant funds are available to accomplish physical improvements to amenities at Centennial Park.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City provided the Tulare Lighthouse Rescue Mission with \$79,611 in CARES Act CDBG funds to purchase four manufactured units for service as emergency shelter. The units will be operational in Program Year 2021. The Lighthouse Rescue Mission will continue to operate a 16-bed women and children up to 12 years of age shelter and a 12-bed shelter for males age 13 and up. Both shelters provide up to 90 days of respite; however, clients are able to stay longer if they have no other options. Additional services for clients include warm meals, showers, laundry, temporary employment, and peer support.

The City will continue to utilize five beds within the Eden House project located in the City of Visalia, which provides wrap around services, including mental health care, for individuals / families transitioning from emergency shelter to permanent housing. The Eden Housing project involved the use of Homeless Emergency Aid Program (HEAP) and California Emergency Solutions and Housing (CESH) funds. Individuals are expected to stay an average of 90 days while awaiting a permanent housing unit.

The City regularly commits CDBG and/or other funds to Family Services of Tulare County to continue their case management and wrap around services for clients housed under the Tulare Housing First Program. Under this federal program, Family Services is typically able to provide twelve chronically homeless individuals from Tulare with permanent supportive housing each year via a rental voucher.

Lastly, the City continues to engage and coordinate with the local continuum of care and the Tulare County Homeless Task Force. Regular meetings allow the City to stay aware of funding and partnership opportunities that meet their own and regional emergency shelter and transitional housing needs.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were

recently homeless from becoming homeless again

The City of Tulare will commit funds over the five-year ConPlan period (2020-2024) to the regional CoC. The regional CoC seeks to provide housing and services to people experiencing homelessness. In utilizing coordinated assessment, the CoC aims to match households within the shortest amount of time, and connect clients with services that can help them to transition to self-sufficiency. Over first program year of the ConPlan and likely into subsequent years, the City commits CDBG resources and other funds to the Tulare Lighthouse Rescue Mission, Kings/Tulare Homeless Alliance, Family Services of Tulare County, Salt+Light Works, and the Kings View Corporation to help chronically homeless individuals, unsheltered families and unaccompanied youth transition to permanent housing and independent living.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

According to HUD's *Strategies for Preventing Homelessness*, "Homelessness prevention is an essential element of any effort to end homelessness either locally or nationwide." This HUD report indicates it is less expensive and disruptive to keep a household housed in place. To this end, the City will explore the use of CDBG funds to support programs that provide direct assistance to households at risk of becoming homeless. The City will also participate in regional homeless planning efforts, including the Tulare Kings Alliance-CoC's Discharge Plan, which aims to prevent individuals leaving institutions, hospitals, etc., from becoming homeless.

The CoC's prevention strategies focus on effective discharge planning, with an emphasis on requiring foster care programs, in-patient mental health hospitals, hospitals and correctional facilities to provide discharge planning services to clients to ensure that they have access to housing and other needed support services, including respite care, upon discharge. Action steps include convening a working group with stakeholders to examine the discharge planning policies and systems within corrections facilities and each County's human service agencies and identifying initiatives to improve those policies and systems; identifying "cross-cutting" initiatives to improve policies and practices across multiple County agencies. In addition, due to the number of probation and prison sites located within the region, the CoC has adopted a plan

to develop a Continuum-wide, multi-system community re-entry plan that includes housing.

Discussion

The City's homeless strategy focuses on the prevention of homelessness where feasible and the provision of CDBG and other resources to support local service providers that offer effective engagement, services, and housing options for people experiencing homelessness. The City also seeks opportunities to facilitate the development of new housing (emergency, bridge, and permanent supportive units) and the associated wrap around services necessary to address homelessness and housing insecurity and to facilitate self-sufficiency.

DRAFT

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

Local policies and regulations affect both the quantity and type of residential development, while trends within the national and regional economies, along with federal monetary policies, often play a larger role in shaping residential and commercial development within the City of Tulare. Ongoing assessment of the conditions and regulations that affect the local housing market is critical. The City of Tulare must prepare for future growth through actions that protect the public's health, safety, and prosperity, without impeding access to new and existing housing to members of the community.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City will evaluate its land use, zoning, building codes and associated permitting fees in order to maintain critical services and facilitate the production and preservation of affordable.

Discussion:

City staff is aware of the need for additional affordable housing, per input from community at housing workshops, findings from housing surveys, and through recent assessments of housing market trends from local and state sources. CDBG funds are the only regular funding source available to the City and staff will review how to leverage the resource to support development and rehabilitation efforts within the City. The urgency of the affordable housing shortfall within the City also necessitates the identification and use of new public, philanthropic, and private funding sources to drive new development and rehabilitation projects and/or programs.

Recent Housing Element Updates that address barriers to and facilitate progress towards the City's affordable and inclusive housing goals include, but are not limited to, the following:

- Completion of the rezone of a sufficient amount of land for the City's low-income Regional Housing Needs Allocation requirement.
- Ongoing promotion of residential infill development on vacant and underutilized land that is properly zoned and planned for residential uses within the City limits.
- Ongoing promotion with Homebuilders to develop multifamily designated land at the highest allowable density.
- For new annexations, require that 8 to 12% of the land in all Master Planned

- Communities be designated for higher density residential.
- Ensure adequate infrastructure and public services for existing and planned residential development.

DRAFT

AP-85 Other Actions – 91.220(k)

Introduction:

The City will take the actions identified below in order to fulfill the goals of the Strategic Plan within the 2020-2024 Consolidated Plan.

Actions planned to address obstacles to meeting underserved needs

During FY 2022, the City will encourage and support HATC's efforts to obtain additional rental assistance funding, especially for senior, disabled, and low-income households. Public infrastructure improvements will provide access to individuals with disabilities and mobility limitations. ~~Finally, the City will form a subrecipient relationship with Community Services & Employment Training, Inc. (CSET) to deliver outreach and education services on Fair Housing issues to promote the safe, secure, and decent housing for all individuals without regard to their race, color, religion, gender, national origin, familial status, disability, age, source of income or other characteristics protected by laws.~~

Actions planned to foster and maintain affordable housing

During the 2022 program year, the City of Tulare will commit CDBG funding principally to low and moderate-income households. This includes multiple public infrastructure and improvement projects and a minor home rehabilitation activity.

Actions planned to reduce lead-based paint hazards

The City will continue to provide information to contractors on training and lead-based paint requirements. In addition, the City will ensure their housing rehabilitation programs maintain compliance with HUD regulations regarding lead-based paint hazards and other policies.

Actions planned to reduce the number of poverty-level families

The City will support several activities that aim to reduce the number of households living in poverty:

Case management, referral to housing and vouchers, and provision of job training and placement offer relief and foster employment opportunities and social, health, and mental well-being.

Actions planned to develop institutional structure

The City has no additional actions planned to develop its institutional structure. The City will continue to work closely with the County of Tulare Housing Authority, as well as with

counterparts at the local and county level.

Actions planned to enhance coordination between public and private housing and social service agencies

The City of Tulare does not operate public housing. HATC provides rental assistance in the community. Federal legislation requires that the Housing Authority prepare five-year and one-year plans that highlight its mission, goals, and objectives as it relates to public and assisted housing programs. The City will review the Authority's plans and will provide HATC the opportunity to review and consult with the City regarding its ConPlan and Annual Action Plans. The goal of this cross-consultation is to provide consistent and coordinated housing services for City residents.

The City maintains and seeks new relationships with local nonprofit organizations and other entities. As the City continues to implement its CDBG program, it will incorporate information and other resources from local partner organizations to accomplish ConPlan needs and goals.

Discussion:

The City's 2022 Annual Action Plan was considered and adopted as presented during a City Council on May 17, 2022.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

Introduction:

Each HUD program that is covered by the ConPlan regulations must address certain program-specific requirements. Below are the requirements for the CDBG program as prescribed by the ConPlan template.

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	80.00%

**HOME Investment Partnership Program (HOME)
Reference 24 CFR 91.220(l)(2)**

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:

Not applicable.

2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:

Not applicable.

3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:

Not applicable.

4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:

Not applicable.

**Housing Trust Fund (HTF)
Reference 24 CFR 91.220(l)(5)**

1. Distribution of Funds

- a. Describe the eligibility requirements for recipients of HTF funds (as defined in 24 CFR § 93.2).

Not applicable.

- b. Describe the jurisdiction's application requirements for eligible recipients to apply for HTF funds.

- c. Describe the selection criteria that the jurisdiction will use to select applications submitted by eligible recipients.

- d. Describe the jurisdiction's required priority for funding based on geographic distribution, which is a description of the geographic areas of the State (including areas of low-income and minority

concentration) in which it will direct assistance during the ensuing program year.

e. Describe the jurisdiction's required priority for funding based on the applicant's ability to obligate HTF funds and undertake eligible activities in a timely manner.

f. Describe the jurisdiction's required priority for funding based on the extent to which rents for units in the rental project are affordable to extremely low-income families.

g. Describe the jurisdiction's required priority for funding based on the financial feasibility of the project beyond the required 30-year period.

h. Describe the jurisdiction's required priority for funding based on the merits of the application in meeting the priority housing needs of the jurisdiction (such as housing that is accessible to transit or employment centers, housing that includes green building and sustainable development features, or housing that serves special needs populations).



Staff Report

Meeting: City Council

Date: February 7, 2023

Item #: 9.1
General Business

Department: City Manager

Submitted by: Assistant City Manager Josh McDonnell

Agenda Title: ARPA Funds Allocation Approval

RECOMMENDED ACTION

Approve the allocation of expenditures of American Rescue Plan Act (ARPA) Funds toward councilmember-identified programs and projects; and adopt a resolution approving the expenditure of ARPA funds.

SUMMARY

The City of Tulare has received \$18,024,068 million in ARPA funds from the federal government. The City Council has allocated \$17,081,800 of this total towards projects and programs of a City-wide benefit.

In April 2022, the City Council opted to divide the remaining unallocated \$942,265 in ARPA funding into five equal portions of \$188,453. Each councilmember was given the responsibility of identifying programs and projects for their portion of the remaining unallocated funds.

To date, \$239,039 of the \$942,265 has been allocated. Council has continued to carefully consider the requests and options available for programs and projects to fund. The recommended action would further allocate almost all of the remaining outstanding balance.

A number of the items listed below need to be further vetted by the City's ARPA consultant to verify their eligibility for receiving ARPA funds. However, staff is comfortable with allocating the amounts listed below under the current action with the caveat that Council may need to adjust the allocations in the future based on the findings of staff and the City's consultant. No monies will be distributed unless and until verification of their eligibility is received.

The following items and their respective funding amounts are presented for Council consideration:

Councilmember	Totals
Harrell	\$ 168,453
AYSO	\$ 2,500
Boy Scout Troop 251	\$ 5,000
Future Farmers of America	\$ 6,000
Happy Trails Riding Academy	\$ 5,000
Historical Museum	\$ 2,500
Japanese Internment Camp Memorial	\$ 2,500
Pop Warner	\$ 5,000
Salvation Army Tulare	\$ 3,853
Tulare Animal Services	\$ 6,000

Tulare Baseball Association	\$ 2,500
Tulare Cemetery District	\$ 5,000
Tulare Downtown Association	\$ 4,100
Tulare Fire Department	\$ 3,500
Tulare Hospital and Community Health Foundation	\$ 5,000
Tulare Local Healthcare District	\$ 100,000
Tulare Softball Association	\$ 2,500
TYSL	\$ 2,500
University of California Tulare 4-H	\$ 5,000
Isherwood	\$ 80,000
His Heart Beats	\$ 5,000
New Life Ministries	\$ 10,000
Tulare Boxing Club	\$ 60,000
Tulare Chamber Incubator	\$ 5,000
Mederos	\$ 165,953
AYSO	\$ 2,500
Encore Theater Assistance	\$ 5,000
Historical Museum	\$ 953
Lighthouse Rescue Mission	\$ 5,000
National Junior Basketball	\$ 5,000
Salt and Light	\$ 5,000
Sharks Swim Club	\$ 5,000
Tulare Baseball Association	\$ 2,500
Tulare Boys and Girls Club	\$ 5,000
Tulare Chamber Incubator	\$ 25,000
Tulare Local Healthcare District	\$ 100,000
Tulare Softball Association	\$ 2,500
TYSL	\$ 2,500
Sayre	\$ 71,914
Encore Theater Assistance	\$ 5,000
Family Services of Tulare County	\$ 17,414
Grandma's House	\$ 5,000
Historical Museum	\$ 2,500
Japanese Internment Camp Memorial	\$ 5,000
Lighthouse Rescue Mission	\$ 5,000
Salt and Light	\$ 5,000
Sharks Swim Club	\$ 2,000
Tulare Animal Services	\$ 10,000
Tulare Chamber Incubator	\$ 5,000
Tulare Softball Association	\$ 5,000
Veterans Organization Assistance	\$ 5,000
Sigala	\$ 153,453
Community Improvement Project	\$ 118,453
Tulare Chamber Incubator	\$ 10,000
Tulare Softball Association	\$ 25,000
Grand Total	\$ 639,773

If the items above are approved by Council, \$893,812 of the \$942,265 in Council-specific ARPA designations will have been allocated. Based on the materials presented above and in Attachment 1, staff recommends that Council receive a staff presentation and public comment regarding the expenditure of American Rescue Plan Act (ARPA) Funds toward potential programs and projects and adopt a resolution approving the expenditure of \$639,773 in ARPA funds.

FISCAL IMPACT & FUNDING SOURCE(S)

If the recommended action above is approved by the City Council, the following account balances will remain per councilmember:

Councilmember	Amount Allocated	Amount Remaining
Isherwood	\$140,000	\$48,453
Mederos	\$188,453	\$0
Harrell	\$188,453	\$0
Sayre	\$188,453	\$0
Sigala	\$188,453	\$0

LEGAL REVIEW

This item does not require legal review.

ALTERNATIVE ACTION

1. Approve with changes
2. Deny
3. Table

ATTACHMENTS

1. Resolution approving allocation of ARPA funds

Reviewed/Approved: _____

RESOLUTION 2023-

**A RESOLUTION OF THE COUNCIL OF THE CITY OF TULARE
ALLOCATING AMERICAN RESCUE PLAN ACT FUNDS FROM THE UNITED
STATES GOVERNMENT**

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

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

WHEREAS, the City of Tulare has been awarded a total of \$18,024,068 in funding; such funding was received in two tranches; and

WHEREAS, the City of Tulare has received the initial funding in the amount \$18,024,068 as of September 1, 2022; and

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

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

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

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

WHEREAS, the City of Tulare, on December 7, 2021, adopted Resolution 2021-52 approving the allocation of \$12,351,800 ARPA funds to the following projects:

Project/Program	Amount
ARPA Consultant	\$50,000
Marketing and Social Media	\$100,000
Set aside for ongoing Pandemic Response	\$50,000
Courthouse Remodel	\$1,300,000
Downtown Façade/Rehabilitation Grant	\$1,000,000
Downtown Master Plan Update	\$100,000
Homeless Shelter	\$2,000,000

Zumwalt Park Refurbishment	\$5,000,000
Vaccination Incentive	\$220,000
City Employee One-Time Bonus	\$681,800
Fire Department Ladder Truck	\$1,500,000
Dispatch Radio Replacement	\$350,000
Total Allocation	\$12,351,800

WHEREAS, the City of Tulare, on February 15, 2022, adopted Resolution 2022-05 approving the allocation of an additional \$4,730,000 in ARPA funds to the following projects:

<u>Project/Program</u>	<u>Amount</u>
Police and Fire CAD/RMS Replacement	\$1,180,000
HWY 99 Water Crossing (International Agri-Center Way)	\$1,200,000
Financial System Replacement	\$1,650,000
Live/Recorded/Remote Council Chambers Upgrade	\$200,000
Tulare Joint Union High School – 50M Pool	\$500,000
Total Allocation	\$4,730,000

WHEREAS, the City of Tulare, on September 20, 2022, adopted Resolution 2022-52 approving the allocation of an additional \$254,039 in ARPA funds to the following projects:

<u>Project/Program</u>	<u>Councilmember</u>	<u>Amount</u>
Water Tower Artwork	Mederos	\$7,500
Eden House	Sayre	\$116,539
Elementary School Support	Harrell	\$15,000
Police Explorer Program	Harrell	\$5,000
Grandma’s House	Isherwood,	\$10,000
	Mederos	\$5,000
Family Services of Tulare County	Isherwood	\$15,000
Mission Oak High Engineering Pathway	Isherwood	\$5,000
Tulare Boys and Girls Club Support	Isherwood	\$10,000
Japanese Internment Camp Memorial	Sigala,	\$30,000
	Isherwood,	\$15,000
	Mederos	\$5,000
Historical Museum Support	Sigala,	\$5,000
	Isherwood	\$5,000
	Mederos	\$5,000
Total Allocation		\$254,039

WHEREAS, through the adoption of Resolutions 2021-52, 2022-05, and 2022-52, the City of Tulare has a remaining balance of \$688,226 in undesignated ARPA funds; and

WHEREAS, the City of Tulare has analyzed and considered a variety of programs and projects for additional ARPA funding allocations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tulare, as follows, to wit:

Section 1. The City of Tulare is authorized to accept and receive funding under the American Rescue Plan Act (ARPA) and re-verifies that it accepts the total allocation of \$18,024,068 of Fiscal Recovery Funds from the United States Department of Treasury.

Section 2. The City Council's adoption of Resolution 2021-52 approving the allocation of \$12,351,800 in ARPA funds remains in full force and effect.

Section 3. The City Council's adoption of Resolution 2022-05 approving the allocation of \$4,730,000 in ARPA funds remains in full force and effect.

Section 4. The City Council's adoption of Resolution 2022-52 approving the allocation of \$254,039 in ARPA funds remains in full force and effect.

Section 5. An additional \$xxx in ARPA funding is hereby allocated to programs and projects as follows:

Project/Program	Councilmember	Amount
New Life Ministries	Isherwood	\$10,000
His Heart Beats	Isherwood	\$5,000
Tulare Boxing Club	Isherwood	\$60,000
Tulare Local Hospital District	Mederos, Harrell	\$100,000 \$100,000
Tulare Chamber Incubator	Mederos, Sayre, Sigala, Isherwood	\$25,000 \$5,000 \$10,000 \$5,000
Tulare Boys and Girls Club	Mederos	\$5,000
Encore Theater Assistance	Mederos, Sayre	\$5,000 \$5,000
Tulare Baseball Association	Mederos, Harrell	\$2,500 \$2,500
Tulare Softball Association	Mederos, Harrell, Sayre, Sigala	\$2,500 \$2,500 \$5,000 \$25,000
Lighthouse Rescue Mission	Mederos, Sayre	\$5,000 \$5,000
Salt and Light	Mederos, Sayre	\$5,000 \$5,000
National Junior Basketball	Mederos	\$5,000
Sharks Swim Club	Mederos, Sayre	\$5,000 \$2,000
AYSO	Mederos,	\$2,500

	Harrell	\$2,500
TYSL	Mederos,	\$2,500
	Harrell	\$2,500
Historical Museum	Mederos,	\$953
	Harrell,	\$2,500
	Sayre	\$2,500
Future Farmers of America	Harrell	\$6,000
Japanese Internment Camp Memorial	Harrell,	\$2,500
	Sayre	\$5,000
Pop Warner	Harrell	\$5,000
Tulare Cemetery District	Harrell	\$5,000
Tulare Hospital & Comm. Health Found.	Harrell	\$5,000
Tulare Downtown Association	Harrell	\$4,100
Tulare Fire Department	Harrell	\$3,500
Happy Trails Riding Academy	Harrell	\$5,000
University of California Tulare 4-H	Harrell	\$5,000
Salvation Army Tulare	Harrell	\$3,853
Boy Scout Troop 251	Harrell	\$5,000
Family Services of Tulare County	Sayre	\$17,414
Veterans Organization Assistance	Sayre	\$5,000
Community Improvement Project	Sigala	\$118,453
Tulare Animal Services	Harrell,	\$6,000
	Sayre	\$10,000
Grandma's House	Sayre	\$5,000
Total Allocation		\$639,773

Section 6. This resolution shall take effect upon its adoption by the City Council.

PASSED, APPROVED, AND ADOPTED on this 7th day of February, 2023.

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



City of Tulare
Agri-Center of the World

COUNCIL ITEM REQUEST FORM

The Council Item Request Form is for members of the City Council to submit written requests to the City Clerk’s Office for inclusion of an item on a future City Council meeting agenda. At the meeting where the initial written request is heard, discussion shall be limited to whether the item should be added to an agenda and a date, not the merit of the item. A majority vote of the City Council is required for the item to be added to a future Council meeting agenda for action. No more than 10 items may be submitted collectively for consideration by all councilmembers at any regular meeting of the Council, and in that regard, no individual councilmember may submit more than three items for consideration at any regular meeting of the Council. In the event more than 10 items are submitted collectively, no more than two items shall be accepted for consideration from any one councilmember.

NAME OF REQUESTING COUNCILMEMBER Stephen Harrell	TODAY'S DATE Jan.26, 2023	AGENDA DATE Feb. 7, 2023
ITEM TITLE City Council Challenge Coins		
BRIEF DESCRIPTION/BACKGROUND INFORMATION OF ITEM <p>Many departments within the city and elsewhere will give challenge coins in recognition of exceptional service, exceptional accomplishments, service to the community, visiting dignataries, and to build moral within orginizations.</p> <p>Even though the challenge coin has a long history with the armed forces over the past few years Law Enforcement and the Fire Service have started giving out challenge coins. Now we are seeing other entities utilizing the challenge coin</p> <p>I think this provides the city council the opportunity to develop our own challenge coin as a way of showing appreciation and recognition by an individual council member. One side of the coin would be the city seal as depicted below the reverse would say Tulare City Council and could include some other logo or branding depicting the city council.</p> <p>If considered I would recommend the 1.75 in coin over the 2 in. pricing for 100 initial coins could be \$500.00 to \$1,000.00 depending on set up cost and the style of coin.</p> <div style="display: flex; justify-content: space-around; align-items: center;">   </div>		



City of Tulare

Agri-Center of the World

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NAME OF REQUESTING COUNCILMEMBER	TODAY’S DATE	AGENDA DATE
JOSE SIGALA	1-30-23	2-7-23

ITEM TITLE
 Update on the status of property sold by the city which required development.

BRIEF DESCRIPTION/BACKGROUND INFORMATION OF ITEM
 Dear Council,

I would like to request your support in placing on the agenda for the Tuesday, February 21st meeting an update from staff, in open or closed session, on the status of city property sold that required development as part of the purchase and that the staff report include options council may have to reacquire those properties out of compliance..

I appreciate your consideration of this request.

Thank you.
 JOSE SIGALA



City of Tulare

Agri-Center of the World

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NAME OF REQUESTING COUNCILMEMBER JOSE SIGALA	TODAY’S DATE 1-30-23	AGENDA DATE 2-7-23
ITEM TITLE City of Tulare Resolution - Urging Tulare County Board of Supervisors to establish a county-wide commission on the Status of Women & Girls.		
BRIEF DESCRIPTION/BACKGROUND INFORMATION OF ITEM Dear Council, I would like to request your support in placing on the agenda for the Tuesday, March 7th a City Resolution drafted by city staff to be presented to the Tulare County Board of Supervisors encouraging them to establish a new county-wide commission on the Status of Women & Girls. On that evening, it will be our 7th year where we will be honoring women in Tulare who have made an impact worthy of recognition as Tulares Women of the Year. Unfortunately, as we enter 2023, there are still a number of issues, challenges and obstacles women and girls continue to face not only in our city but throughout the county which hinder them from reaching full parity with men and boys. These are of concern include: continued high poverty rates, lack of educational attainment, limited opportunities in business, sports, investments and so much more. The county’ s commission can follow the work others similar commissions throughout the state have done to improve the opportunities of women and girls. I believe that the City of Tulare can help begin the conversation at the Board of Supervisors on the need and importance of establishing such a commission. I appreciate your consideration of this request. Thank you. JOSE SIGALA		