

**CITY OF TULARE
CITY COUNCIL MEETING MINUTES**

Tulare Public Library & Council Chamber
491 North M Street, Tulare

Tuesday, November 7, 2023
6:00 p.m. - Special Meeting
7:00 p.m. - Regular Meeting

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

STAFF PRESENT: City Manager Marc Mondell; City Attorney Mario U. Zamora; Chief Deputy City Clerk Melissa Hermann; Assistant City Manager Josh McDonnell; Assistant Finance Director Melanie Gaboardi; City Engineer Michael Miller; Streets Manager Gonzalo Ramirez; Community Services Director Jason Glick; Police Chief Fred Ynclan; Fire Chief Michael Ott; Human Resources Director Janice Avila; Community Development Director Mario Anaya; Executive Director of Economic Development and Redevelopment Traci Myers; Chief Technology Officer Jason Bowling

Proper notice of this meeting was given pursuant to Government Code Section 54954.2 and 54956.

1. CALL TO ORDER SPECIAL MEETING

Mayor Sayre called the special meeting of the City Council to order at 6:02 p.m. in the Council Chamber located at 491 North M Street.

2. STUDY SESSION

2.1 Homeless Shelter Review and Discussion.

Recommended Action: Review and discuss details of the future homeless shelter and provide direction to staff thereto.

Presented By: Community Services Director Jason Glick; City Engineer Michael Miller; City Manager Marc Mondell

Public Comment: Adrienne Hillman provided insight in the possible cost of operating the homeless shelter.

Council Action: It was the consensus of Council to have staff issue a Request for Proposals for the shelter operator and order the modular units. Council also requested staff provide updates throughout the process.

3. ADJOURN SPECIAL MEETING

The special meeting was adjourned at 7:14 p.m.

4. CALL TO ORDER REGULAR MEETING

Mayor Sayre called the regular meeting of the City Council to order at 7:25 p.m. in the Council Chamber located at 491 North M Street.

5. PLEDGE OF ALLEGIANCE AND INVOCATION

Councilmember Harrell led the Pledge of Allegiance, and an invocation was given by Aaron Talbot, Pastor of First Church of God.

6. PROCLAMATIONS & RECOGNITIONS

6.1 Recognition of Frank's Automotive Repair.

7. PUBLIC COMMENTS

The following provided public comment: Donnette Silva-Carter regarding upcoming Chamber events and Janet Lebaron expressed support of the direction of the homeless shelter.

8. COMMUNICATIONS

City Manager Marc Mondell advised there were no communications.

9. COUNCIL REPORTS AND ITEMS OF INTEREST

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

It was the consensus of Council to hear Item 11.2 following Council Reports and Items of Interest.

10. CONSENT CALENDAR

Items 10.10, 10.11, and 10.12 were removed from the Consent Calendar by Council.

It was moved by Councilmember Harrell, seconded by Councilmember Mederos, and unanimously carried to approve the items on the Consent Calendar as presented except for items 10.10, 10.11, and 10.12.

10.1 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.

10.2 Special and/or Regular Meeting Minutes of October 17, 2023.

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

10.3 Notice of Completion – EN0084 Pleasant Avenue Improvements Project.

Recommended Action: Accept as complete the contract with Dawson-Mauldin, LLC. of Selma, CA for work on Project EN0084 – Pleasant Avenue Improvements, a street and utility improvement project on Pleasant Avenue between Enterprise Street and North "H" Street; and authorize the City Engineer to sign the Notice of Completion and direct the City Clerk to file the Notice of Completion with the Tulare County Recorder's Office. [M. Miller]

10.4 Contract Amendment with QK, Inc. for Project EN0094.

Recommended Action: Approve and authorize the City Manager to sign a contract amendment in the amount of \$12,750 with QK, Inc. for additional Labor Compliance services related to City Project EN0094 – Sycamore/San Joaquin Improvements, a street and utility improvement project between “O” Street and Blackstone Street, and between Tulare Avenue and San Joaquin Avenue; and authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of the revised contract amount. [M. Miller]

10.5 Parcel Map Conditional Acceptance – Cartmill Commons.

Recommended Action: Conditionally approve the parcel map for Cartmill Commons, and accept all easements and dedications offered to the City, subject to receipt of the signed parcel map, all fees, and other required items prior to January 6, 2024. [M. Miller]

10.6 Orchard 79 Oversize Reimbursement.

Recommended Action: Authorize the City Manager to execute an oversized construction reimbursement agreement with Orchard 79, LLC for regional storm drainage and Mooney Boulevard street improvement costs that were conditionally required by the City for the Orchard 79 (a.k.a. Fernjo Estates) subdivision that are eligible for reimbursement in accordance with Chapter 8.64 of the Municipal Code, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager. [M. Miller]

10.7 Quitclaim Deed Rights to Ditch Easements.

Recommended Action: Approve Quitclaim Deed for Ditch and Canal Easement recorded on August 20, 1946, in Book 1185, at Paige 2665 of Official County Records, in the City of Tulare, County of Tulare, State of California to SFT Capital LP, a California Limited Partnership. Authorize the City Manager to sign the respective Certificate of Conveyance. [M. Miller]

10.8 Little Caesars Deferred Improvement Agreement Drive Aisle.

Recommended Action: Approve a short-term deferred improvement agreement with Gussan Shedid, to defer the construction of a drive aisle connecting the developer’s parcel with the parcel to the south associated with the Little Caesars development. [M. Miller]

10.9 Letters of Support for Caltrans ITIP Programming.

Recommended Action: Authorize the mayor to sign letters of support for the inclusion of improvements to segments of State Route 99 between Delano and Pixley in Tulare County, and between Avenues 7 and 12 and Avenues 17 and 21 in Madera County, in the 2024 Interregional Transportation Improvement Program (ITIP). [M. Miller]

10.13 ERP Consultant Contract.

Recommended Action: Approve on-call professional services contract with ClientFirst Consulting of Corona, CA, for ERP implementation services subject to only minor, conforming and clarifying changes acceptable to the City Attorney and City Manager for a maximum 5 years and a maximum total contract value of \$550,000 based on piggyback contract with the City of Carlsbad. [J. Bowling]

10.14 Citizens Option for Public Safety 2023/2024 Program Funds.

Recommended Action: Adopt a resolution approving the acceptance and appropriation of Citizens Option for Public Safety (COPS) 2023/2024 Program funds from the State of California in the amount of \$108,335 to be used to fund one police officer position. [F. Ynclan]

10.15 CALAW4 Base Station Radio Purchase.

Recommended Action: Authorize the purchase of CALAW4 Base Station Radio and accessories from Motorola Solutions Inc., utilizing Los Angeles County Contract 18105 MA-IS-2240228, for a total cost of \$8,944.98. [F. Ynclan]

10.16 City Manager Employment Agreement Amendment.

Recommended Action: Approve an amendment to City Manager Marc Mondell's employment agreement. [M. Zamora]

PULLED CONSENT CALENDAR ITEMS**10.10 Quarterly Projects Dashboard.**

Recommended Action: Accept the Quarterly Projects Dashboard for Quarter 1 of Fiscal Year 2023/2024. [M. Miller]

Council Action: Councilmember Sigala pulled this item for clarification. Following discussion, it was moved by Councilmember Sigala, seconded by Councilmember Harrell, and unanimously carried to approve the item as presented.

10.11 Full-Time Contracted Position at the Tulare Cares Temporary Encampment.

Recommended Action: Approve one full-time allocated Contract position - Homeless Prevention Coordinator - to staff the Tulare Cares Temporary Encampment. [J. Glick]

Council Action: Councilmember Sigala pulled this item to express his desire to have this position not be an "at-will" position. Following discussion, it was moved by Vice Mayor Isherwood and seconded by Councilmember Harrell to approve the item as presented. Mayor Sayre called for a roll call vote.

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

NOES: Councilmember Sigala

RESULT: Motion Passed 4-1

10.12 Copy Machine Replacement.

Recommended Action: Approve piggyback lease and maintenance agreements through the County of Shasta and authorize the City Manager to sign 72-month agreements with UBEO, formerly Ray Morgan Company, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager for all City photocopy machines (21 total), excluding four copiers covered under a separate 2022 agreement. [J. Bowling]

Council Action: Councilmember Mederos pulled this item to address contract language. Assistant City Manager Josh McDonnell advised those items have been addressed. Following discussion, it was moved by Councilmember

Mederos, seconded by Councilmember Harrell, and unanimously carried to approve the item as presented.

11. GENERAL BUSINESS

11.1 Bid Results for Project EN0095 – Academy & Apricot Improvements.

Recommended Action: Review the construction bid results received for Capital Improvement Project No. EN0095 – Academy and Apricot Improvements and provide direction to staff as to how to proceed.

Presented By: City Engineer Michael Miller

Public Comment: None

Council Action: It was moved by Councilmember Mederos, seconded by Mayor Sayre, and unanimously carried to reject all bids with the intention of the project being rebid in the spring.

11.2 Informational Item - Group Homes.

Recommended Action: Receive information on zoning and local policies in regard to group homes.

Presented By: Community Development Director Mario Anaya

Public Comment: Sabrina Roche, Mandy Cordeniz, Frank Roche, Matt Parreira, and Matt Everett expressed concern over approval of transitional housing in their neighborhood. Steve Celentano also expressed concerns over these types of homes in Tulare. Silvia Moreno expressed concern over comments made regarding transitional housing as she was in support of them.

Council Action: Informational item; no action taken. Staff will research and provide information in response to questions posed by the Council.

12. FUTURE AGENDA ITEMS - NONE SUBMITTED

13. STAFF UPDATES

Staff provided updates on department activities.

14. RECESS TO CLOSED SESSION TO DISCUSS THE FOLLOWING ITEMS

14.1 Conference with Real Property Negotiations (Govt. Code § 54956.8)

Property: 144 North K Street

Agency Negotiation: Marc Mondell, Mario U. Zamora, Josh McDonnell, Traci Myers

Negotiating Parties: Sporos Enterprises, LLC

Under Negotiations: Price and terms of payment

Council recessed to closed session at 9:29 p.m.

Council reconvened from closed session at 10:33 p.m.

City Attorney Mario Zamora advised there was no reportable action.

15. ADJOURN REGULAR MEETING

The regular meeting was adjourned at 10:33 p.m.

Approved by Council: November 21, 2023

TERRY A. SAYRE, MAYOR

ATTEST:

MARC MONDELL, CITY CLERK

By Melissa Hermann, Chief Deputy City Clerk

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