

**CITY OF TULARE  
CITY COUNCIL MEETING MINUTES**

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

**Tuesday, April 16, 2024  
6:00 p.m. Special Meeting  
7:00 p.m. Regular Meeting**

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

**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; Chief Financial Officer Mark Roberts; City Engineer Michael Miller; Public Works Director Trisha Whitfield; Community Services Director Jason Glick; Police Chief Fred Ynclan; Fire Chief Michael Ott; Human Resources Director Shonna Oneal; Community Development Director Mario Anaya; Executive Director of Economic Development and Redevelopment Traci Myers; Chief Technology Officer Jason Bowling; Safety, Compliance & Facilities Officer Manny Correa

**1. CALL TO ORDER SPECIAL MEETING**

Mayor Sayre called to order the special meeting of the Tulare City Council at 6:05 p.m. in the Council Chamber located at 491 North M Street.

**2. STUDY SESSION**

**2.1 Draft Downtown Master Plan Update.**

**Recommended Action:** Receive a presentation by MIG of the City of Tulare's Draft Downtown Master Plan Update.

**Presented By:** City Manager Marc Mondell, Executive Director of Economic Development and Redevelopment Traci Myers, Rick Barnett of MIG

**Public Comment:** There were no public comments.

**Council Action:** Councilmember Sigala made the following suggestions: the City can reach out to Union Pacific Railroad regarding land to use for parking similar to what occurs for the annual Tulare County Fair; update parking graphic to show what areas are public parking and what areas are private parking; include an additional strategy that is specific policy or documentation guiding what the City can do in regard to things such as placing moratoriums on second hand stores; staff to provide a downtown investments dashboard to show what the City has invested in downtown; and add Tulare County as a possible business that can be located downtown in addition to Adventist Health and College of the Sequoias. The

Downtown Master Plan Update will be brought back to Council for approval on May 21, 2024.

### 3. ADJOURN SPECIAL MEETING

Mayor Sayre adjourned the special meeting 7:06 p.m.

### 4. CALL TO ORDER REGULAR MEETING

Mayor Sayre called the regular meeting of the City Council to order at 7:15 p.m. in the Council Chamber located at 491 North M Street.

### 5. PLEDGE OF ALLEGIANCE AND INVOCATION

Councilmember Sigala led the Pledge of Allegiance, and an invocation was given by Dennis Sunderland, Pastor of Tulare Bethel Church.

### 6. PUBLIC COMMENTS

Gozer, Justice, and Eris requested Council consider adopting a resolution calling for a cease fire in Gaza and stop all funding and weapons to Israel; and Adrian Herrera expressed concerns with illegal dumping in downtown and asked about securing dumpsters.

### 7. COMMUNICATIONS

City Manager Marc Mondell advised there was a letter received just before the meeting by the Leadership Counsel regarding item 11.1. The letter was sent via email to all councilmembers.

### 8. COUNCIL REPORTS AND ITEMS OF INTEREST

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

### 9. CONSENT CALENDAR

Items 9.4 and 9.5 were removed from the Consent Calendar by Council.

It was moved by Councilmember Mederos, seconded by Councilmember Sigala, and unanimously carried to approve the items on the Consent Calendar as presented except for items 9.4 and 9.5.

#### 9.1 **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.

#### 9.2 **Special and/or Regular Meeting Minutes of April 2, 2024.**

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

#### 9.3 **Purchase of FirsTwo.**

**Recommended Action:** Authorize and appropriate funds and associated revenues for the purchase of FirsTwo for a three-year contract at \$6,000 a year totaling \$18,000 with full reimbursement from the California Office of Emergency Services (Cal OES). [F. Ynclan]

**9.6 Funds from Fresno City College for Outside Training.**

**Recommended Action:** Accept and appropriate funds for outside training from Fresno City College in the amounts of \$8,921.01 and \$4,495.61. [M. Ott]

**ITEM(S) PULLED FROM CONSENT CALENDAR**

**9.4 Bid Results for Project EN0095 – Academy & Apricot Improvements.**

**Recommended Action:** [M. Miller] Award and authorize the City Manager to sign contracts related to City Project EN0095, Academy and Apricot Improvement Project; and authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of each contract amount and approve the revised budget.

Task Description	Contractor	Amount
1. Construction Contractor	Dawson-Mauldin, LLC of Selma, CA	\$9,933,583
2. Construction Inspection	NV5 of Fresno, CA	\$623,207
3. Materials Testing	Blackburn Consulting of Fresno, CA	\$385,135
4. Construction Surveying	4Creeks of Visalia, CA	\$130,000
5. Labor Compliance	Silveira Consulting of Galt, CA	\$32,880

**Council Action:** Councilmember Mederos pulled this item for clarification. It was moved by Councilmember Mederos, seconded by Mayor Sayre, and unanimously carried to approve the item as presented.

**9.5 CFT NV Developments Oversize Construction Reimbursement Agreement.**

**Recommended Action:** Authorize the City Manager to execute an oversize construction reimbursement agreement with CFT NV Developments, LLC, a Nevada Limited Liability Company, for construction costs associated with the Panda Express restaurant 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]

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

**10. PUBLIC HEARINGS**

**10.1 Lago Subdivision.**

**Recommended Action:** Adopt a resolution denying the applicants appeal of the Planning Commission’s determination to deny approval of Tentative Subdivision No. 2023-27 – Lago Subdivision; **OR** Adopt a resolution upholding the applicants appeal of the Planning Commission’s determination to deny approval of Tentative Subdivision No. 2023-27 – Lago Subdivision, adopt a resolution approving General Plan Amendment No. 2024-01 to change the existing General Plan land use designation from community commercial to low density residential on approximately 14.06 acres, pass-to-print an ordinance approving Zone Amendment No. 753 changing the zoning designation from C-3 (Retail Commercial) to R-1-4 (Small-lot Residential) on approximately 14.06 acres, adopt a resolution approving the Fourth Amendment to the Del Lago Specific Plan, and adopt a resolution to adopt the initial study / mitigated negative declaration

prepared for Tentative Subdivision No. 2023-27 – Lago Subdivision, General Plan Amendment no. 2024-01, Zone Amendment No. 753 and the Fourth Amendment of the Del Lago Specific Plan.

**Presented By:** Principal Planner Steven Sopp

**Public Comment:** The public hearing was opened at 8:45 p.m. Steve Macias and Nick Peters provided comments explaining the revisions that have been made in response to the Planning Commission and staff's concerns that were raised regarding the project. The public hearing was closed at 8:57 p.m.

**Council Action:** Councilmember Mederos recused himself from this item stating a conflict of interest due to owning property in the vicinity of the project and left the dais prior to the presentation and opening of the public hearing. Councilmember Sigala raised concern about the cement wall on Mooney and requested there be plants in place to help the wall visually disappear. Following discussion, it was moved by Councilmember Sigala and seconded by Councilmember Harrell to adopt a resolution upholding the applicants appeal of the Planning Commission's determination to deny approval of Tentative Subdivision No. 2023-27 – Lago Subdivision. Mayor Sayre called for a roll call vote.

AYES: Councilmember Sigala, Councilmember Harrell, Vice Mayor Isherwood, Mayor Sayre  
 NOES: None  
 RECUSED: Councilmember Mederos  
 PASSED 4-0

It was moved by Councilmember Sigala and seconded by Councilmember Harrell to adopt a resolution approving General Plan Amendment No. 2024-01 to change the existing General Plan land use designation from community commercial to low density residential on approximately 14.06 acres. Mayor Sayre called for a roll call vote.

AYES: Councilmember Sigala, Councilmember Harrell, Vice Mayor Isherwood, Mayor Sayre  
 NOES: None  
 RECUSED: Councilmember Mederos  
 PASSED 4-0

It was moved by Councilmember Sigala, seconded by Councilmember Harrell, and carried 4 to 0 (Councilmember Mederos recused) to pass-to-print an ordinance approving Zone Amendment No. 753 changing the zoning designation from C-3 (Retail Commercial) to R-1-4 (Small-lot Residential) on approximately 14.06 acres.

It was moved by Councilmember Sigala, seconded by Councilmember Harrell, and carried 4 to 0 (Councilmember Mederos recused) to adopt a resolution approving the Fourth Amendment to the Del Lago Specific Plan.

It was moved by Councilmember Sigala, seconded by Councilmember Harrell, and carried 4 to 0 (Councilmember Mederos recused) to adopt a resolution to adopt the initial study / mitigated negative declaration prepared for Tentative Subdivision

No. 2023-27 – Lago Subdivision, General Plan Amendment no. 2024-01, Zone Amendment No. 753 and the Fourth Amendment of the Del Lago Specific Plan.

Councilmember Mederos returned to the dais following the final action of the Council on this item.

## 10.2 Housing Element and General Plan Annual Progress Reports.

**Recommended Action:** Receive and accept the City of Tulare Housing Element and General Plan Annual Progress Reports for the 2023 calendar year and authorize staff to submit to the Governor’s Office of Planning and Research and Department of Housing and Community Development.

**Presented By:** Principal Planner Steven Sopp

**Public Comment:** The public hearing was opened at 9:43 p.m. Receiving no public comment, the public hearing was closed at 9:43 p.m.

**Council Action:** It was moved by Vice Mayor Isherwood, seconded by Councilmember Mederos, and unanimously carried to approve the item as presented.

## 11. GENERAL BUSINESS

### 11.1 Zoning Code Update.

**Recommended Action:** Receive a presentation on the Zoning Code Update.

**Presented By:** Community Development Director Mario Anaya

**Public Comment:** Clarence Ogans, Hugo Trujillo, Emma De La Rosa, and Ashley Vega provided comment concerning the negative effects of the industrial zoning surrounding the Matheny Tract community.

**Council Action:** This item was informational only; therefore, no action was taken.

### 11.2 Delegated Maintenance Agreement with Caltrans.

**Recommended Action:** Approve a Delegated Maintenance Agreement with Caltrans and authorize the City Manager to execute all necessary documents on behalf of the City thereof.

**Presented By:** Safety, Compliance and Facilities Officer Manny Correa

**Public Comment:** There were no public comments.

**Council Action:** It was moved by Councilmember Sigala, seconded by Councilmember Mederos, and unanimously carried to approve the item as presented.

### 11.3 Financial System Replacement Contract.

**Recommended Action:** Approve a sole source agreement with Tyler Technologies, Inc. for purchase and implementation of “Enterprise ERP” and for ongoing maintenance subject to minor conforming and clarifying changes acceptable to the City Attorney and City Manager for a maximum total contract value of \$948,113.65 including applicable sales tax on hardware; authorize change orders up to 10% of the of the contract or \$94,811.37 and authorize appropriation and use of \$94,811.37 from Fund 603 Technology CIP fund to cover potential contingency costs; and authorize the issuing of \$39,730 purchase order for travel expenses to be billed at actual costs from project IT2023-02.

**Presented By:** Chief Technology Officer Jason Bowling

**Public Comment:** There were no public comments.

**Council Action:** It was moved by Vice Mayor Isherwood, seconded by Councilmember Harrell, and unanimously carried to approve the item as presented.

**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 Legal Counsel - Anticipated Litigation**  
**Significant exposure to litigation pursuant to Gov. Code § 54956.9(d)(2)**  
**Number of Potential Cases: 1**

Council recessed to closed session at 10:09 p.m.

**15. RECONVENE FROM CLOSED SESSION**

Council reconvened from closed session at 10:44 p.m.

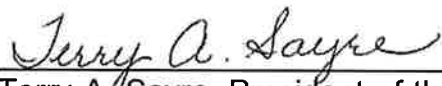
**16. CLOSED SESSION REPORT**

Mayor Sayre advised there was no reportable action.

**17. ADJOURN REGULAR MEETING**

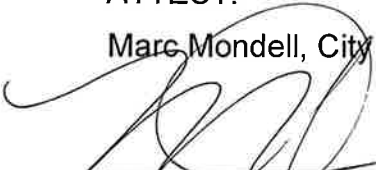
A moment of silence was held in remembrance of former City Councilmember Diane Mathis. Mayor Sayre adjourned the regular meeting at 10:46 p.m.

These meeting minutes were approved by the Council on May 7, 2024.

  
Terry A. Sayre, President of the Council  
and Ex-Officio Mayor

ATTEST:

Marc Mondell, City Clerk

  
By Melissa Hermann, Chief Deputy City Clerk

