

AGENDA

**TULARE CITY COUNCIL
TUESDAY, AUGUST 2, 2016
Closed Session 6:30 p.m.
Regular Session 7:00 p.m.
TULARE PUBLIC LIBRARY & COUNCIL CHAMBERS
491 North "M" Street**

**MISSION STATEMENT
TO PROMOTE A QUALITY OF LIFE MAKING TULARE THE MOST DESIRABLE COMMUNITY IN
WHICH TO LIVE, LEARN, PLAY, WORK, WORSHIP AND PROSPER.**

Meeting audio will be uploaded to the City's website www.tulare.ca.gov, no later than the Friday following the meeting, barring any technical difficulties, accessible by selecting the appropriate meeting date on the City Meeting Calendar page.

6:30 p.m.

I. CALL TO ORDER CLOSED SESSION

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

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

- (a) 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation
City of Tulare vs. W. M. Lyles, et. al., TCSC Case No. VCU260168

7:00 p.m. (Or, immediately following Closed Session)

IV. RECONVENE CLOSED SESSION

V. CLOSED SESSION REPORT (if any)

VI. ADJOURN CLOSED SESSION

VII. CALL TO ORDER REGULAR SESSION

VIII. PLEDGE OF ALLEGIANCE AND INVOCATION

IX. CITIZEN COMMENTS

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

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

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

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

X. COMMUNICATIONS

*Communications are to be submitted to the City Manager's Office 10 days prior to a Council Meeting to be considered for this section of the Agenda. No action will be taken on matters listed under communications; however, the Council may direct staff to schedule issues raised during communications for a future agenda. Citizen comments will be limited to **three minutes**, per topic, unless otherwise extended by Council.*

XI. CONSENT CALENDAR

All Consent Calendar Items are considered routine and will be enacted in one motion. There will be no separate discussion of these matters unless a request is made, in which event the item will be removed from the Consent Calendar to be discussed and voted upon by a separate motion.

- (1) Authorization to read ordinances by title only.
- (2) Approve minutes of July 19, 2016 regular meeting(s).
- (3) Approve the re-nomination of Edward Henry as the City of Tulare's appointee to the Tulare County Association of Governments (TCAG) Measure "R" Citizen's Oversight Committee for a term two-year term, July 1, 2016 to June 30, 2018.
- (4) Authorize the City Manager to sign a contract with Willdan Engineering of Fresno, CA in the amount of \$200,358.00 for surveying, design, bidding and construction support services for Project EN0064, a street improvement project on 'E' Street . Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$20,035) of the contract award amount.
- (5) Accept Grant of Easement for water pipeline and temporary construction easement from Sterling Real Estate Partners II, LLC for the installation, repair

and maintenance of a water pipeline to provide a city water main from Bardsley Avenue to the Sierra Vista No. 2 Subdivision located on the east side of Irwin Street at Cabrillo Avenue.

- (6) Approve the Parcel Map filed by 99 Prosperity Development LLC, a California Limited Liability Company for the division of land located on the east side of Morrison Street south of Bardsley Avenue, and accept the public utility easement shown thereon.
- (7) Conditionally approve the Parcel Map filed by Greg Nunley for the division of land located at the southeast corner of Seminole Avenue and Mooney Blvd. (SR 63) for recordation, 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 October 1, 2016.
- (8) Accept June Investment Report.
- (9) **Adopt Resolution 16-36** authorizing the City of Tulare to apply for 2015-2016 California Transit Security Grant Program-California Transit Assistance Funds (CTSGP-CTAF) from the California Office of Emergency Services, accept the funds if awarded, and designate the City Manager or designee as the individual authorized to execute all grant documents on behalf of the City.
- (10) **Adopt Resolution 16-37** amending the Memorandum of understanding (Side Letter) with California League of City Employees Association (C.L.O.C.E.A.) to include language regarding cleaning services on employee uniforms and **adopt Resolution 16-38** between the City and the Tulare Police Offices Union (TPOU) to include language regarding physical fitness pay, to comply with CalPERS regulations and findings.
- (11) **Adopt Ordinance 16-08** approving Zone Amendment No.715 from R-1-6 (Single Family Residential, 6,000 sq. ft. min. lot area) and C-4 (Service Commercial) to RM-3 (Multi-family Residential, 3,000 sq. ft. min. lot area per unit); to construct a 10 unit multi-family apartment complex on approximately one-half acre site. Property is located at the northeast corner of Inyo Avenue and Sacramento Street. (APN's 175-014-003 & 005).
- (12) Approve the revised Project Budget for PD0017 at \$292,627, and authorize the City Manager to execute sole source contracts with FileoneQ for an evidence computer program in the amount of \$71,210 and Systems and Space Shelving for shelving and storage in the amount of \$92,675, and Authorize the City Manager to approve contract change orders not to exceed 10% (\$7,120 and \$9,267) of the contract award amount.

XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

XIII. MAYOR'S REPORT

XIV. STUDENT REPORTS

XV. GENERAL BUSINESS

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

(1) Public Hearing:

- a. Public Hearing to **adopt Resolution 16-39** approving the Proposed FY 2016/17 Action Plan of Community Development Block Grant (CDBG) program funds.
- b. Public hearing to **adopt Resolution 16-40** confirming diagram and assessments and levying assessments pursuant to Landscape and Lighting Act of 1972 for fiscal year 2016-17.
- c. Public hearing to **adopt Resolution 16-41** regarding placing costs of constructing utility connections and/or sidewalk, curb, gutter, and driveway construction on property rolls in installments.

(2) Human Resources:

- a. Safety & Regulatory Compliance Program Update by Bruno Huerta, Safety & Regulatory Compliance Analyst. *[Verbal presentation no written material.]*

XVI. COUNCIL/STAFF UPDATES, REPORTS OR ITEMS OF INTEREST – GC 54954.2(a)(2)

XVII. ADJOURN REGULAR MEETING

In compliance with the Americans with Disabilities and Brown Act, if you need special assistance to participate in the meeting, including the receipt of the agenda and documents in the agenda package in an alternate format, please contact the City Manager's Office (559) 684-4200. Notification 48 hours prior to the meeting will enable the city to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35, 104 ADA Title II), and allow for the preparation of documents in the appropriate alternate format.

[Note: Pursuant to Government Code 54957.5 - Effective 7/1/08 Documents produced and distributed less than 72 hours prior to or during an open session of a regular meeting to a majority of the legislative body regarding any item on the agenda will be made available for public inspection at the meeting and at the City Clerk's Office at City Hall located at 411 East Kern Avenue during normal business hours.]