

**ACTION MINUTES OF TULARE
CITY COUNCIL, CITY OF TULARE**

February 7, 2017

A closed session meeting of the City Council, City of Tulare was held on Tuesday, February 7, 2017, at 6:00 p.m., in the Tulare Public Library & Council Chambers, 491 North “M” Street.

COUNCIL PRESENT: Carlton Jones, Maritsa Castellanoz, David Macedo, Greg Nunley, Jose Sigala

STAFF PRESENT: Joe Carlini, Paul Melikian, David Hale, Wes Hensley, Janice Avila, Steve Bonville, Darlene Thompson, Roxanne Yoder

I. CALL TO ORDER CLOSED SESSION

Mayor Jones called the closed session to order at 6:04 p.m.

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

There were no citizen comments presented.

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

Mayor Jones adjourned to closed session at 6:07 p.m., for items as stated on the agenda. Council Member Macedo recused himself from Closed Session (b) due to a business conflict with the property owners. City Attorney David Hale advised that there is an issue related to the APN of the property listed in (b) that needs evaluation and requested the item be pulled. Mayor Jones noted that he had questions on the item and stated they would proceed with this matter first, due to Council Member Macedo’s recusal.

- (a) 54957.6b Conference with Labor Negotiators
Represented/Unrepresented employee(s): Police Officers Association;
Negotiators: Paul Melikian, Janice Avila, Darlene Thompson, and Wes Hensley

- (b) 54956.8b Conference with Real Property Negotiators
Property: located in Goshen Ca. APN #072-050-018
Under Negotiation: Price, terms, conditions of sale
Negotiating parties: Paul Melikian, David Hale, Steve Bonville, Albert and Grace Goyenette, E.W.E Properties (Realtor)

A regular session meeting of the City Council, City of Tulare was held on Tuesday, February 7, 2017, at 7:00 p.m., in the Tulare Public Library & Council Chambers, 491 North "M" Street.

COUNCIL PRESENT: Carlton Jones, Maritsa Castellanoz, David Macedo, Greg Nunley, Jose Sigala

STUDENTS ABSENT: Mirian Espinoza, Ashley Logue, Yash Bhakta

STAFF PRESENT: Joe Carlini, Paul Melikian, David Hale, Wes Hensley, Willard Epps, Janice Avila, Darlene Thompson, Rob Hunt, Michael Miller, Steve Bonville, Nick Bartsch, Traci Myers, Roxanne Yoder

IV. RECONVENE CLOSED SESSION

Mayor Jones reconvened from closed session at 7:39 p.m.

V. CLOSED SESSION REPORT (if any)

Mayor Jones advised there was no reportable action.

VI. ADJOURN CLOSED SESSION

Mayor Jones adjourned closed session at 7:39 p.m.

VII. CALL TO ORDER REGULAR SESSION

Mayor Jones called the regular meeting to order at 7:39 p.m.

VIII. PLEDGE OF ALLEGIANCE AND INVOCATION

Police Chief Wes Hensley led the Pledge of Allegiance, and an invocation was given by Pastor Dennis Sunderland.

IX. CITIZEN COMMENTS

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

There were no citizen comments presented.

X. COMMUNICATIONS

- (1) Communication from Charles Ritchie regarding personal calculations concerning the City's water fund.** Local resident Charles Ritchie addressed the Council regarding his review and concerns over accounting of the City's

drought surcharge, Development Impact Fees, transfers, depreciation and the monthly revenue and expenditure reports provided to the Board of Public Utilities.

XI. CONSENT CALENDAR:

It was moved by Council Member Macedo, seconded by Council Member Sigala, and unanimously carried that the items on the Consent Calendar be approved as presented with the exception of items 4, 5 & 8.

- (1) Authorization to read ordinances by title only.**
- (2) Approve minutes of January 17, 2017 special/regular meeting(s).**
- (3) Adopt Ordinance 17-01 repealing Chapter 5.40 and adopting a new Chapter 5.40 of Title 5 of the City of Tulare Municipal Code relating to Handbills.**
- (4) Adopt Revised Resolution 17-02 authorizing the submittal of an application to the State of California, Department of Housing and Community Development for funding under the HOME Investment Partnerships Program in the amount of \$700,000 for use on the City of Tulare's First Time Homebuyer's Program and Owner Occupied Rehabilitation Program.** Council Member Sigala pulled the item to inquire about allocation of potential funding for first-time homebuyers program. Community Development Deputy Director Traci Myers responded. Following discussion, it was moved by Council Member Sigala, seconded by Council Member Macedo and unanimously carried to adopt revised Resolution 17-02 as presented.
- (5) Approve a subdivision improvement agreement for the Montecito Subdivision for recordation.** Council Member Sigala pulled the item to comment regarding landscaping and fencing concerns. He expressed a strong desire that the developer abate the area sooner rather than later. City Engineer Michael Miller responded. Council Member Nunley inquired about the previous subdivision agreement versus the proposed agreement with the new owner. City Attorney Hale addressed the questions regarding the enforceability of the previous agreement and related bonds, stating that due to the former owner filing bankruptcy and the bonds lapsing the City is unable to enforce the prior agreement. Following discussion, it was moved by Council Member Sigala, seconded by Council Member Nunley and unanimously carried to approve the item as presented.
- (6) Receive and Accept the City's annual audited financial statements Comprehensive Annual Financial Report (CAFR) for 2015-2016 fiscal year.**
- (7) Receive, review, and file the Monthly Investment Report for December 2016.**
- (8) Approve an agreement with MBIA MuniServices Company (MMC) to provide compliance and audit service of the Transient Occupancy Tax (TOT) Ordinance for the City of Tulare with the various hotels and motels within**

the City in the amount not-to-exceed \$25,000. Council Member Sigala pulled the item to inquire about the statutory limit to go back and collect. Finance Director Darlene Thompson and City Attorney David Hale advised that the statutory limit is three years. Following comment, it was moved by Council Member Sigala, seconded by Vice Mayor Castellanoz and unanimously carried to approve the item as presented.

- (9) Adopt Resolution 17-08 amending the City’s Non-Utility Position Control Budget (PCB) as follows: Delete the classification and allocation of Computer Systems Technician (salary code 3122, \$3635.60 - \$4419.10/month) in the Information Technology Division and add the position of Computer Systems Analyst (salary code 2040 \$5,868.38 - \$7,133.07/month) adjusting the cost allocation of the position from 100% 015-4652 to 50% 015-4652 and 50% 010-4610.**

XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

There were no items for this section of the agenda.

XIII. MAYOR’S REPORT

There were no items for this section of the agenda.

XIV. STUDENT REPORTS

Miriam Espinoza and Yash Bhakta reported on various school related activities.

XV. CONVENE JOINTLY AS TULARE CITY COUNCIL AND TULARE CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE TULARE REDEVELOPMENT AGENCY –

Mayor Jones convened jointly as the Tulare City Council and Successor Agency to the Tulare Redevelopment Agency at 8:12 p.m.

(1) Successor Agency:

- a. Recommend a purchase offer to the Oversight Board of the Successor Agency to the Tulare Redevelopment Agency for purchase of Assessor Parcel Number (“APN”) 181-040-011, Property #1 for the amount of \$14,000 from All Valley Housing Services Inc.**
- b. Recommend a purchase offer to the Oversight Board of the Successor Agency to the Tulare Redevelopment Agency for purchase of Assessor Parcel Number (“APN”) 170-232-012, Property #11 for the amount of \$44,900 from Tulare First Baptist Church.**
- c. Recommend a purchase offer to the Oversight Board of the Successor Agency to the Tulare Redevelopment Agency for purchase of Assessor**

Parcel Number (“APN”) 170-253-017, Property #16 for the amount of \$33,500 from Holmes Property, LLC.

General Services Director Steve Bonville provided a report for the Council’s review and consideration. Without discussion, it was moved by Council Member Sigala, seconded by Council Member Macedo and unanimously carried to approve Items 1a, b & c, as presented.

XVI. ADJOURN AS TULARE CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY AND REMAIN SEATED AS THE TULARE CITY COUNCIL –

Mayor Jones adjourned as the Successor Agency to the Tulare Redevelopment Agency and remained seated as the Tulare City Council at 8:14 p.m.

XVII. 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) City Manager:

- a. Consideration of a Letter in Support for AB1 (Frazier) and SB 1 (Beall) which will serve to provide comprehensive and sensible transportation reforms, modest increases to existing revenue sources and meaningful infrastructure investments, as encouraged by the League of California Cities.** Interim City Manager Joe Carlini provided a brief report for the Council’s review and consideration. With no further discussion, it was moved by Council Member Sigala, seconded by Council Member Macedo and unanimously carried to approve as presented.

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

XIX. ADJOURN REGULAR MEETING

Mayor Jones adjourned the regular meeting at 8:33 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