

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

February 21, 2017

A closed session meeting of the City Council, City of Tulare was held on Tuesday, February 21, 2017, at 6:30 p.m., in the Tulare Public Library & Council Chambers, 491 North “M” Street.

COUNCIL PRESENT: Carlton Jones, Maritsa Castellanoz^{6:56 p.m.}, Greg Nunley, Jose Sigala

COUNCIL ABSENT: David Macedo

STAFF PRESENT: Joe Carlini, David Fike, 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 6:34 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 discussions at 6:34 p.m.

- (a) 54956.9(4) Conference with Legal Counsel – Anticipated Litigation
Case name unspecified: Disclosure would jeopardize service of process or existing settlement negotiations.

A regular session meeting of the City Council, City of Tulare was held on Tuesday, February 21, 2017, at 7:00 p.m., in the Tulare Public Library & Council Chambers, 491 North “M” Street.

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

COUNCIL ABSENT: David Macedo

STUDENTS ABSENT: Mirian Espinoza, Yash Bhakta

STAFF PRESENT: Joe Carlini, David Fike, 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 7:14 p.m.

V. CLOSED SESSION REPORT (if any)

Assistant City Attorney David Fike advised that the Council concurred to instruct staff to initiate litigation, disclosure of which would potentially jeopardize service of process or settlement negotiations. At such time that the matter is filed with the Court, the name of the defendant will become public.

VI. ADJOURN CLOSED SESSION

Mayor Jones adjourned closed session at 7:14 p.m.

VII. CALL TO ORDER REGULAR SESSION

Mayor Jones called the regular meeting to order at 7:15 p.m.

VIII. PLEDGE OF ALLEGIANCE AND INVOCATION

Police Chief Wes Hensley led the Pledge of Allegiance, and an invocation was given by Mayor Jones.

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

There were no items for this section of the agenda.

XI. CONSENT CALENDAR:

It was moved by Council Member Sigala, seconded by Council Member Castellanoz, and unanimously carried that the items on the Consent Calendar be approved as presented with the exception of items 3, 4, 5 & 10.

(1) Authorization to read ordinances by title only.

- (2) **Approve minutes of January 27 & 31, 2017 and February 7, 2017 special/regular meeting(s).**
- (3) **Receive informational report on current City of Tulare, City Council 2016/2017 travel budget.** Vice Mayor Castellanoz pulled the item to request an amendment to the policy regarding reporting the matter during council meetings. Following discussion it was moved by Vice Mayor Castellanoz, seconded by Mayor Jones and carried 3 to 1 (Council Member Sigala voting No; Council Member Macedo absent) to cease the quarterly reporting at the council meetings. Staff will bring an item to Council at the March 21, 2017 meeting amending the current policy with regard to this provision.
- (4) **Authorize the City Manager to sign a contract with Provost & Pritchard Consulting Group of Visalia, CA in an amount not to exceed \$254,200.00 for topographic surveying, geotechnical analysis, design, bidding and construction support services for Project EN0070, a street improvement project on 'I' Street and Owens Avenue. Authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$25,420) of the contract award amount.** Council Member Sigala pulled the item to seek clarification on the use of CDBG funds. Supervising Project Manager Nick Bartsch and Community Development Deputy Director Traci Myers provided responses thereto. With no further discussion it was moved by Council Member Sigala, seconded by Vice Mayor Castellanoz and carried 4 to 0 (Council Member Macedo absent) to approve the item as presented.
- (5) **Adopt Resolution 17-09 of the City Council of the City of Tulare authorizing the City of Tulare to:**
- **Apply for a First 5 Tulare County Grant in the amount of \$53,200 for the purpose of purchasing replacement toddler play equipment at Caesar Chavez Park and adding parent benches; and**
 - **Authorize in-kind grant match of 20% (in-house labor) in the amount of \$13,300 for removal of the old equipment, excavation, and the upgrading of the playground's ADA access, surfacing, and drainage improvements as needed; and**
 - **Designate the City Manager as the individual authorized to execute all grant documents on behalf of the City; and**
 - **Authorize acceptance of the award if funding is approved by First 5 Tulare County.**

Council Member Sigala pulled the item to request staff also look into grant funding to install exercise equipment in parks. With no further discussion, it was moved by Council Member Nunley and carried 4 to 0 (Council Member Macedo absent) to adopt Resolution 17-09 as presented.

- (6) **Accept the required public works improvements for Kaweah Estates No. 5 & 6 Subdivision located north of Levin Avenue, east of Irwin Street as complete, authorize the City Engineer to sign the Notice of Completions, and direct the City Clerk to file the Notice of Completions with the Tulare County Recorder's Office.**
- (7) **Accept the required public works improvements for the KCOK Ranch No. 1 Subdivision located east of Mooney Boulevard, north of Seminole Avenue as complete, 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.**
- (8) **Accept a Grant of Easement from CRD Construction Co., Inc., a California Corporation, for a temporary vehicular turnaround located at the north end of Durango Street. Authorize the City Manager to sign the Certificate of Acceptance.**
- (9) **Review and approve the project scope and budget for a new Fire Equipment Replacement Fund project.**
- (10) **Adopt the Three-Year Memorandum of Understanding (July 1, 2015 through June 30, 2018) by and between the City of Tulare and the Tulare Police Officers Union (TPOU).** Council Member Sigala pulled the item to comment. Without discussion it was moved by Council Member Sigala, seconded by Council Member Nunley and carried 4 to 0 (Council Member Macedo absent) to approve the item as presented.

XII. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) Presentation by Arnoldo Avalos from Bold Productions, Inc., regarding PuebloFest at the International Agri-Center, March 17, 18 & 19, 2017.

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 9:16 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”) 176-051-003 Property #2 for the amount of \$22,000 to Juan Carlos Miguel Garcia.**
- 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”) 170-232-010 Property #7 for the amount of \$16,000 to Gerrid Climer.**
- 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”) 170-232-011 Property #8 for the amount of \$16,000 to Gerrid Climer.**
- d. **Recommend a purchase offer to the Oversight Board of the Successor Agency to the Tulare Redevelopment Agency for purchase of Assessor Parcel Number (“APN”) 170-232-016 Property #9 for the amount of \$28,000 to All Valley Housing Services, Inc.**
- e. **Recommend a purchase offer to the Oversight Board of the Successor Agency to the Tulare Redevelopment Agency for purchase of Assessor Parcel Number (“APN”) 170-241-011 Property #12 for the amount of \$45,000 to All Valley Housing Services, Inc.**
- f. **Recommend a purchase offer to the Oversight Board of the Successor Agency to the Tulare Redevelopment Agency for purchase of Assessor Parcel Number (“APN”) 170-241-012 Property #13 for the amount of \$45,000 to All Valley Housing Services, Inc.**
- g. **Recommend a purchase offer to the Oversight Board of the Successor Agency to the Tulare Redevelopment Agency for purchase of Assessor Parcel Number (“APN”) 170-242-016 Property #14 for the amount of \$41,250 to All Valley Housing Services, Inc.**
- h. **Recommend a purchase offer to the Oversight Board of the Successor Agency to the Tulare Redevelopment Agency for purchase of Assessor Parcel Number (“APN”) 170-242-017 Property #15 for the amount of \$41,250 to All Valley Housing Services, Inc.**
- i. **Recommend a purchase offer to the Oversight Board of the Successor Agency to the Tulare Redevelopment Agency for purchase of Assessor Parcel Number (“APN”) 170-263-002, Property #19 for the amount of \$10,500 to Teofilo Tomas Lazcano Castillo.**

- j. **Recommend a purchase offer to the Oversight Board of the Successor Agency to the Tulare Redevelopment Agency for purchase of Assessor Parcel Number (“APN”) 176-031-001, Property #21 for the amount of \$22,900 to Laura Sanchez De Zaragosa.**
- k. **Recommend a purchase offer to the Oversight Board of the Successor Agency to the Tulare Redevelopment Agency for purchase of Assessor Parcel Number (“APN”) 181-050-043, Property #25 for the amount of \$25,000 to Ron Vander Weerd.**

General Services Director Steve Bonville provided a report for the Council’s review and consideration. Following discussion it was moved by Council Member Sigala to approve the items as presented. The motion failed for lack of a second. It was moved by Vice Mayor Castellanoz, seconded by Council Member Sigala and carried 4 to 0 (Council Member Macedo absent) to postpone the matter to the meeting of March 21, 2017. Staff was directed to provide further information on the market value and best use of the properties.

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 9:45 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) Public Hearing:

- a. **Public hearing to adopt Resolution 17-10 approving a Mitigated Negative Declaration for Zone Amendment No. 710 and General Plan Amendment No. 2015-14; adopt Resolution 17-11 approving General Plan Amendment No. 2015-14; and pass-to-print Ordinance 17-02 amending the zoning from Single Family Residential (R-1-7) to Retail Commercial (C-3) on 4.74 acres of vacant property located at the southwest corner of Cartmill and SR 99. (APN: 166-240-008).** Community Development Deputy Director Traci Myers, provided a report for the Council’s review and consideration. Mayor Jones opened the public hearing at 9:48 p.m., receiving no public comment he closed the public hearing at 9: 48 p.m. With no further discussion it was moved by Vice Mayor Castellanoz, seconded by Council Member Sigala and carried 4 to 0 (Council Member Macedo absent) to adopt Resolution 17-10 as presented ; it was further moved by Council Member Sigala, seconded by Vice Mayor Castellanoz and carried 4 to 0 (Council Member Macedo absent) to adopt Resolution 17-11 as presented; it was

further moved by Vice Mayor Castellanoz, seconded by Council Member Sigala and carried 4 to 0 (Council Member Macedo absent) to pass-to-print Ordinance 17-02 as presented.

(2) Police:

- a. Review and discussion of the City of Tulare Police Department's operating procedure regarding immigration enforcement.** It was moved by Council Member Sigala, seconded by Vice Mayor Castellanoz and carried 4 to 0 (Council Member Macedo absent) to move this item up on the agenda before the Successor Agency portion of the agenda. Police Chief Wes Hensley provided a brief report for the Council's review and consideration. The following spoke on behalf of the item and appreciation of the Tulare Police Department's internal policy on the matter of immigration:

Alex Gutierrez, Jose Torres, Katie Wagner, Sal Casarez, Mimi DeLaGarza, Jessica Macias Mercado, Alandra Santiago, Eric Medina, McKenzie Hays, Joanna Zegarra, Isacc Chitay, Megan Casebeer Soleno, Steve Pendleton and Arturo Hernandez.

Following discussion, it was moved by Council Member Sigala to formalize the Police Department's Standard Operation Policy on immigration in a Resolution, it failed for lack of a second. Mayor Jones, Vice Mayor Castellanoz and Council Member Nunley were satisfied with the department's policy and did not believe it was necessary, at this time, to duplicate that policy in the form of a Resolution.

(3) City Manager:

- a. Review, discussion and direction to staff regarding the appointment of members to City of Tulare Boards, Commissions and Committees.** Mayor Jones discussed the process to select the members of the Board of Public Utilities as defined by the Charter. Council Member Sigala indicated he would like to see selections of members to the respective bodies, similar to that of the Police Review Board. The Council concurred that allowing each seat to select someone from their district or at large may allow for greater diversity and inclusion on these bodies. Community Development Director Rob Hunt suggested mirroring what is done in Visalia and have members report to a specific Council Member to enhance communication. Mayor Jones expressed a desire for Council Members to appoint by seat from either district and/or at-large. Following a lengthy discussion it was the concurrence of the Council that the matter be reagendaized for March 21, 2017 for further direction.

- b. **Consideration of a request to schedule a joint meeting of the City Council, Board of Public Utilities (BPU), Planning Commission and staff to serve as a needs assessment and brain storming session with regard to business development.** Interim City Manager Joe Carlini provided a report for the Council's review and consideration. Following discussion, Thursday, March 16, 2017 at 6:30 p.m. was scheduled for this joint meeting.
- c. **Receive update on AB 2 Community Revitalization and Investment Authorities and provide direction to staff.** Council Member Sigala requested this matter be moved to the meeting of March 21, 2017, to allow time for discussion.
- d. **Consideration of recognizing International Women's Month 2017 by each Council District selecting a woman from their district who has had a key impact to the community to be celebrated at the March 21, 2017 City Council Meeting.** Council Member Sigala provided a brief report for the Council's consideration. Following discussion, it was moved by Council Member Sigala, seconded by Vice Mayor Castellanoz and carried 4 to 0 (Council Member Macedo absent) to approve the item and Council are urged to nominate deserving woman from their district or within the City to recognize this year and going forward.

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 10:38 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