

# AGENDA

**TULARE CITY COUNCIL  
TUESDAY, August 15, 2017  
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](http://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.

## **7:00 p.m.**

### **I. CALL TO ORDER REGULAR SESSION**

### **II. PLEDGE OF ALLEGIANCE AND INVOCATION**

### **III. 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 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.*

#### **IV. 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.*

#### **V. 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 August 1, 2017 special/regular meeting(s).
- (3) **Adopt Resolution 17-38** updating the City of Tulare's Conflict of Interest Code for designated employees, commissions and/or agencies and disclosure categories.
- (4) Accept the required public works improvements for Quail Creek No.2 Subdivision located west of Morrison Street, north of Levin 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.
- (5) Accept the required public works improvements for Quail Creek No.3 Subdivision located west of Morrison Street, north of Levin 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.
- (6) Approve a list of pre-qualified consultants for on-call construction management, resident engineer and inspection services, and authorize the City Manager to enter into consultant professional service contracts, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager, with NV5 Inc. of Fresno, CA, 4Creeks, Inc. of Visalia, CA, and 4Leaf, Inc. of Pleasanton, CA for a period of up to two years.

- (7) Approve a list of pre-qualified consultants for on-call construction surveying services, and authorize the City Manager to enter into consultant professional service contracts, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager, with Lane Engineers, Inc. of Tulare, CA, 4Creeks, Inc. of Visalia, CA, Provost & Pritchard of Visalia, CA and Cannon of Bakersfield, CA for a period of up to two years.
- (8) Approve a list of pre-qualified consultants for on-call geotechnical engineering and materials testing services, and authorize the City Manager to enter into consultant professional service contracts, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager, with NV5 West, Inc. of Bakersfield, CA, Krazan & Associates, Inc. of Clovis, CA, Moore Twining Associates, Inc. of Fresno, CA and Kleinfelder of Fresno, CA for a period of up to two years.
- (9) Approve a list of pre-qualified consultants for on-call labor compliance and monitoring services, and authorize the City Manager to enter into consultant professional service contracts, subject only to minor conforming and clarifying changes acceptable to the City Attorney and City Manager, with Labor Consultants of California of Hanford, CA, QK of Visalia, CA, and WSP of Sacramento, CA for a period of up to two years.
- (10) Authorize the City Manager to enter into a contract subject to minor conforming and clarifying changes acceptable to the City Attorney and the City Manager with 5 Bars, LLC for a master plan and marketing strategy for wireless communications facilities and infrastructure; and authorize the City Manager to approve Future License Agreements with wireless carriers working with 5 bars LLC that are congruent with the a developed and approved wireless master plan.
- (11) Authorize City Manager or designee to sign 2017/2018 Contract with the Kings/Tulare Area Agency on Aging for the City of Tulare to provide meals and services to the senior citizens in the community and immediate area.

**VI. SCHEDULED CITIZEN OR GROUP PRESENTATIONS**

**VII. MAYOR'S REPORT**

**VIII. STUDENT REPORTS**

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

**(1) City Council:**

- a. Recommend a purchase offer to the Successor Agency to the Tulare Redevelopment Agency for purchase of Assessor Parcel Number (“APN”) 170-241-011, Property #12 for the amount of \$42,500.00, and to authorize the City Manager to sign all documents required for the sale and Legal Counsel to make any minor conforming changes.
- b. Recommend a purchase offer to the Successor Agency to the Tulare Redevelopment Agency for purchase of Assessor Parcel Number (“APN”) 170-241-012, Property #13 for the amount of \$42,500.00, and to authorize the City Manager to sign all documents required for the sale and Legal Counsel to make any minor conforming changes.
- c. Recommend a purchase offer to the Successor Agency to the Tulare Redevelopment Agency for purchase of Assessor Parcel Number (“APN”) 170-242-016, Property #14 for the amount of \$38,750.00, and to authorize the City Manager to sign all documents required for the sale and Legal Counsel to make any minor conforming changes.
- d. Recommend a purchase offer to the Successor Agency to the Tulare Redevelopment Agency for purchase of Assessor Parcel Number (“APN”) 170-242-017, Property #15 for the amount of \$38,750.00, and to authorize the City Manager to sign all documents required for the sale and Legal Counsel to make any minor conforming changes.

**(2) Successor Agency:**

- a. Accept and recommend a purchase offer from the City of Tulare to the Oversight Board of the Successor Agency to the Tulare Redevelopment Agency (“Oversight Board”) for purchase of Assessor Parcel Number (“APN”) 170-241-011, Property #12, in the amount of \$42,500.
- b. Accept and recommend a purchase offer from the City of Tulare 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 \$42,500.

- c. Accept and recommend a purchase offer from the City of Tulare 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 \$38,750.
- d. Accept and recommend a purchase offer from the City of Tulare 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 \$38,750.

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

**XI. 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. Discuss attendance at the League of California Cities Annual Conference, scheduled September 13 – 15, 2017 and select Voting Delegate and alternate for Conference business session to be held Friday, September 15, 2017, authorizing the City Clerk to execute the delegate form; and Review the Annual League of California Cities Conference Resolution providing input/direction to the City's voting delegate.

(2) Community & Economic Development:

- a. Council consideration and direction to staff on the request by VCD Athletic Program for an economic development assistance grant in the sum of \$1040 for the payment of fees and costs associated with the rental of Zumwalt Park for a free Olympic Amateur boxing event to be held September 23, 2017.

(3) Transit:

- a. Status update on the formation of a Regional Transit System between local Cities and County.

(4) City Attorney:

- a. Discussion of current City of Tulare policy, relating to use of City Council Chambers for purposes other than City business. Based upon the recommendation of the City Attorney and as a result of concerns relating to

after-hours staffing and public safety, adopt amendment to policy that would limit usage for purposes other than City business or, in the alternative, adopt proposed amendment to policy that would prohibit use of Council Chambers for purposes other than City business.

**XII. COUNCIL/STAFF UPDATES, REPORTS OR ITEMS OF INTEREST – GC 54954.2(3)**

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

- (a) 54956.8b Conference with Real Property Negotiators  
Property: Properties purchased from RDA, APN's #170-241-011, #170-241-012, #170-242-016, and #170-242-017  
Under Negotiation: Price, terms, conditions of sale for potential sales and/or development agreements  
Negotiating parties: Joe Carlini, Steve Bonville, Josh Mc Donnell, and Heather Phillips
- (b) 54957.6b Conference with Labor Negotiators  
Represented/Unrepresented Employee(s): Tulare City Professional Fire Fighters Association (all units); C.L.O.C.E.A  
Negotiators: Joseph V. Carlini, Heather N. Phillips
- (c) 54957(b)(1) – Public Employee Performance Evaluation: City Manager

**XIV. RECONVENE CLOSED SESSION**

**XV. CLOSED SESSION REPORT (if any)**

**XVI. 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.]