

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

September 19, 2017

A regular session meeting of the City Council, City of Tulare was held on Tuesday, September 19, 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

STAFF PRESENT: Joe Carlini, Sarah Tobias, Willard Epps, Wes Hensley, Rob Hunt, Josh McDonnell, Michael Miller, Darlene Thompson, Trisha Whitfield, Roxanne Yoder

I. CALL TO ORDER REGULAR SESSION

Mayor Jones called the regular meeting to order at 7:04 p.m.

II. PLEDGE OF ALLEGIAND AND INVOCATION

Chris Soria led the Pledge of Allegiance and an invocation was given by Josh McDonnell.

III. 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. She 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.

IV. COMMUNICATIONS

There were no items for this section of the agenda.

V. CONSENT CALENDAR:

It was moved by Council Member Sigala, seconded by Vice Mayor Castellanoz, and unanimously carried 4 to 0 (Council Member Macedo absent) that the items on the Consent Calendar be approved as presented.

- (1) **Authorization to read ordinances by title only.**
- (2) **Approve minutes of September 5, 2017 regular meeting(s).**
- (3) **Authorize the City Manager or his designee to sign a contract amendment with Willdan Engineering of Fresno, CA in the amount of \$54,960 for additional design services on the EN0064 - 'E'. St. Improvements project between Bardsley Avenue and Rainier Court.**
- (4) **Adopt Resolution 17-41 to accept the Title VI Program for the City of Tulare transit service.**

VI. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

There were no items for this section of the agenda.

VII. MAYOR'S REPORT

- (1) **Proclamation Recognizing Relay for Life of Tulare 2017.** Ashley Geary and Jessica Smith addressed the Council regarding Relay and thanked the City for their support. Mayor Jones presented a Proclamation in recognition of Relay for Life of Tulare 2017.

VIII. STUDENT REPORTS

- (1) **Introduction of new City Council Teens on Board Representatives, Wilmer Lazo (Tulare Union), Palwinder Dhillon (Tulare Union) and Lasha Nunez (Mission Oak).** Wilmar Lazo, Palwinder Dhillon and Lasha Nunez introduced themselves and reported on various school related activities.

IX. 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 17-42 adopting a Mitigated Negative Declaration for General Plan Amendment No. 2017-02 and Zone Amendment No 720 and adopt Resolution 17-43 to approve General Plan Amendment No. 2017-02 providing for a change in land use designation on approximately 19.5 acres, located on the east side of Mooney Boulevard approximately 1,700 feet north of Tulare Avenue, from Community Commercial and Medium Density Residential to Low Density Residential, and pass-to-print Ordinance**

17-07 approving Zone Amendment No. 720, changing the existing zoning from the C-3 (Retail Commercial) and R-M-2 (Multi-Family Residential) zone districts to the R-1-6 (Single Family Residential, 6,000 square foot minimum lot size) zone district. Council Member Nunley declared a financial conflict and recused himself from discussions.

Contract Planner, Dawn Marple, provided a report for the Council's review and consideration. Mayor Jones opened the public hearing at 7:21 p.m. Shawn Day addressed the Council in support of the project. Unidentified speaker from Hanford addressed the Council regarding the project and if it complied with certain requirements. Community & Economic Development Director Josh McDonnell responded thereto. Chris Pimentel addressed the Council inquiring if consideration to having a shared cost brick wall. The Applicant noted that they would work with the neighbors regarding that request. With no further comments, Mayor Jones closed the public hearing at 7:24 p.m.

Following discussion, it was moved by Council Member Sigala, seconded by Vice Mayor Castellanoz and carried 3 to 0 (Council Member Macedo absent, Council Member Nunley recused) to adopt Resolution 17-42, as presented; it was further moved by Council Member Sigala, seconded by Vice Mayor Castellanoz and carried 3 to 0 (Council Member Macedo absent, Council Member Nunley recused) to adopt Resolution 17-43, as presented; last, it was moved by Council Member Sigala, seconded by Vice Mayor Castellanoz and carried 3 to 0 (Council Member Macedo absent, Council Member Nunley recused) to pass-to-print Ordinance 17-07, as presented.

(2) City Manager:

a. Consideration for appointment three members to the City of Tulare Measure I Oversight Committee, one member to the Planning Commission and one member to the Board of Public Utilities.

Following discussion, it was moved by Mayor Jones, seconded by Vice Mayor Castellanoz and carried 3 to 1 (Council Member Sigala voting no, Council Member Macedo absent) to appoint Chris Soria to the Board of Public Utilities.

Following discussion, it was moved by Vice Mayor Castellanoz, seconded by Council Member Nunley, and carried 4 to 0 (Council Member Macedo absent) to appoint Joshua Cox to the Planning Commission. Mayor Jones requested that a reorganization of the Planning Commission be brought for consideration at the next meeting.

Following discussion, Mayor Jones selected Maria Grijalva as his seat's representative and Council Member Nunley selected Nic Ferreira as his

seat's representative to serve on the Measure I Oversight Committee. The fifth seat to be filled by Council Member Macedo will be agendaized for the next meeting.

- b. Consideration of a letter from the Tulare City Council to the Chairman of the State Audit Committee to perform a formal audit on the Tulare Local Healthcare District Hospital bonds and operations.** City Attorney Sarah Tobias advised Council if they should decide to draft a letter that the City Attorney's Office be included to ensure that the process, from a legal standpoint, is followed appropriately. Following a lengthy discussion and comments, it was moved by Council Member Nunley, seconded by Mayor Jones and carried 3 to 1 (Council Member Sigala voting no and Council Member Macedo absent) to continue this item to the next meeting to have a full Council consider the request.

Mayor Jones allowed the public to comment on the matter. Katie Wagner, Chris Soria, Alberto Aguilar and Jesse Salcido addressed the Council regarding this matter.

- c. Consideration of a letter from the Tulare City Council to local congress members urging their legislative support of Deferred Action for Childhood Arrivals (DACA) to ensure a permanent solution regarding the President's "wind down" of the program.** Jessica Macias Malcado, Pedro Hernandez, Jose Loza, Alex Chavez, Katie Wagner obo Donna Serna, Mario Magelino & Benny Corona, Katie Wagner, Omar (did not state last name), Sal Casarez, Ricardo Franco, Wilmer Lazo, Lasha Nunez, Andrea Kelly, and Paul Vargas addressed the Council in support of DACA. Following comments, it was moved by Council Member Sigala, seconded by Vice Mayor Castellanoz and carried 4 to 0 (Council Member Macedo absent) to approve the letter including addressing to Senator McCarthy.

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

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

Mayor Jones adjourned to closed session at 9:40 p.m.

- (a) 54956.8b Conference with Real Property Negotiators**
Property: Located in Tulare California at the South East Corner of East Alpine Avenue and Nelder Grove Street (Portion of APN 172-040-079)
Under Negotiation: Price, terms, conditions regarding disposition of property
Negotiating Parties: Joseph Carlini, Steve Bonville, Mike Miller, Darlene Thompson, Rob Hunt, Sarah Tobias

- (b) **54956.9(5) Conference with Legal Counsel – Anticipated Litigation**
Case name unspecified: Disclosure would jeopardize service of process or existing settlement negotiations

XII. RECONVENE FROM CLOSED SESSION

Mayor Jones reconvened from closed session at 10:15 p.m.

XIII. CLOSED SESSION REPORT (if any)

Mayor Jones advised there was no reportable action.

XIV. ADJOURN REGULAR MEETING

Mayor Jones adjourned the regular meeting at 10:15 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