

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

October 17, 2017

A regular session meeting of the City Council, City of Tulare was held on Tuesday, October 17, 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, Jose Sigala

COUNCIL ABSENT: Greg Nunley

STUDENTS PRESENT: Wilmar Lazo

STUDENTS ABSENT: Palwinder Dhillon, Lasha Nunez

STAFF PRESENT: Joe Carlini, Heather Phillips, Rodnie Roberts, Barry Jones, Steve Bonville, 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 7:02 p.m.

II. PLEDGE OF ALLEGIAND AND INVOCATION

Coach Paul Pena led the Pledge of Allegiance and an invocation was given by Mayor Jones.

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. He further stated comments related to general business matters would be heard at the time that matter is addressed on the agenda.

Donnette Silva-Carter addressed the Council regarding several Chamber hosted events in the community.

Matt Weaver addressed the Council regarding support for Chief Wes Hensley.

Anthony Castaneda addressed the Council regarding an issue he experienced years back regarding an assault and how the police department handled the matter.

Stephen Harrell addressed the Council regarding the matter of Chief Wes Hensley.

IV. COMMUNICATIONS

There were no items for this section of the agenda.

V. CONSENT CALENDAR:

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

- (1) Authorization to read ordinances by title only.**
- (2) Approve minutes of October 3, 2017 regular meeting(s).**
- (3) Approve the cancellation of Tulare City Council meeting scheduled for Tuesday, January 2, 2018, due to city closures related to the holiday season.**
- (4) Receive a list of proposed projects to be funded through Senate Bill No. 1 (SB 1) revenues; and adopt Resolution 17-45, which includes the 2017/18 Road Maintenance and Rehabilitation Account (RMRA) funds in the City's 2017/18 Capital Improvements Projects program budget and identifies a list of proposed projects that will utilize those funds.** Mayor Jones noted for the record that Council Member Nunley requested this matter be continued due to his absence. Council Member Sigala asked Sr. Project Manager Nick Bartsch if this delay would affect funding. He responded indicating that the approval tonight is critical to the funding allocation. Mayor Jones stated that the response provided by Mr. Bartsch appeared to address Council Member Nunley's concerns. The approval of this item was taken through the approval of the consent calendar.
- (5) Approve an agreement with Juan Martinez to construct and finance utility connection and/or side walk, curb, gutter, and driveway construction and place costs thereof on property tax rolls in installments.**
- (6) Adopt Resolution 17-46 authorizing the surplus of six (6) City Motorcycles.**
- (7) Authorize purchase of Two (2) Low Floor Cutaway Transit Vans from Creative Bus Sales under CalACT RFP #15-03 in the amount of \$410,960.75.**
- (8) Approve a loan to the Transit Fund from General Fund for \$193,000. Payments will be made annually on June 30 with interest rate to be**

calculated at the annual LAIF rate on June 30. The loan will be paid off within one (1) to five (5) years based on the availability of funds in the Transit Fund Account.

VI. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) **Presentation to the Cal Ripken Pacific Southwest All Star Team 2017.** Mayor Jones recognized the team and Coaches and presented each with City of Tulare Certificates and certificates from Congressman Devin Nunes.

VII. MAYOR'S REPORT

- (1) **Appointment of Jesse Salcido to the Police Review Board by Mayor Jones for a term ending December 31, 2018.** With no discussion, Mayor Jones acknowledged his appointment of Jesse Salcido to the Police Review Board as presented.

VIII. STUDENT REPORTS

Wilmar Lazo 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 17-47 approving the 2016-2017 Consolidated Annual Performance and Evaluation Report (CAPER) providing information on the progress and status of projects administered by the City using CDBG funds and authorize the City Manager or his designee to submit the CAPER to the Department of Housing and Urban Development (HUD) on behalf of the City of Tulare.** Community Development Deputy Director Traci Myers provided a report for the Council's review and consideration. Mayor Jones opened the public hearing at 7:38 p.m. Receiving no public comment, he closed the public hearing at 7:38 p.m. Following discussion, it was moved by Council Member Sigala seconded by Council Member Macedo, and carried 4 to 0 (Council Member Nunley absent) to adopt Resolution 17-47 as presented.
- b. **Public Hearing to adopt Resolution 17-48 adopting a Mitigated Negative Declaration on the infrastructure installation and street/sidewalk improvements on I Street between San Joaquin and Pleasant Avenues and on Owens Avenue between E Street and I Street.** Community

- Development Deputy Director Traci Myers provided a report for the Council's review and consideration. Mayor Jones opened the public hearing at 7:45 p.m. Receiving no public comment, he closed the public hearing at 7:45 p.m. Following discussion, it was moved by Council Member Sigala, seconded by Vice Mayor Castellanoz, and carried 4 to 0 (Council Member Nunley absent) to adopt Resolution 17-48 as presented.
- c. Public Hearing to adopt Resolution 17-49 for the vacation of a portion of "M" Street (also known as Oak Street) from a point approximately 343 feet north of the centerline of Cartmill Avenue to the northern property lines of Assessor's Parcel Numbers 149-080-038 & 149-230-017 and reserving from the vacated street public access and utility access easements; and direct the City Clerk to cause a certified copy of the Resolution to be recorded in the Office of the Tulare County Assessor/Clerk.** Council Member Macedo recused himself due to owning property in the area. City Engineer Michael Miller provided a report for the Council's review and consideration. Mayor Jones opened the public hearing at 7:50 p.m. David Wells (Fresno) addressed the Council on an unrelated matter. Following comment, Mayor Jones closed the public hearing at 7:56 p.m. Following discussion, it was moved by Council Member Sigala, seconded by Vice Mayor Castellanoz, and carried 3 to 0 (Council Member Macedo recused, Council Member Nunley absent) to adopt Resolution 17-49 as presented.
- d. Public Hearing to adopt Resolution 17-50 accepting and approving expenditures for the State of California, Citizens Option for Public Safety (COPS) Program funds in the amount of \$100,000 to be used to fund (1) Police Officer position, salary and benefits package.** Interim Chief of Police Barry Jones provided a report for the Council's review and consideration. Finance Director Darlene Thompson commented on the item. Mayor Jones opened the public hearing at 7:58 p.m. Receiving no public comment, he closed the public hearing at 7:58 p.m. Following discussion, it was moved by Council Member Sigala, seconded by Council Member Macedo, and carried 4 to 0 (Council Member Nunley absent) to adopt Resolution 17-50 as presented.

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

Council Member Sigala requested that the January 16, 2018 Council Meeting be held in District 1. There was no consensus from the Council to move forward with this request.

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

Mayor Jones advised that the two items for closed session have been pulled.

- (a) 54956.9(5) Conference with Legal Counsel – Anticipated Litigation
Case name unspecified: Disclosure would jeopardize service of process or existing settlement negotiations
- (b) 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation (1)
Name of Case: City of Tulare v. Tulare Lodging Associates (DBA Fairfield Inns and Suites), TCSC Case No. VCU268840

XII. RECONVENE FROM CLOSED SESSION

XIII. CLOSED SESSION REPORT (if any)

XIV. ADJOURN REGULAR MEETING

Mayor Jones adjourned the regular meeting at 8:15 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