

AGENDA

**TULARE CITY COUNCIL
TUESDAY, NOVEMBER 21, 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, 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 November 7, 2017 special and regular meeting(s).
- (3) **Adopt Ordinance 17-08** approving Zone Amendment No. 723, changing the existing zoning from the RM-1 (Multi-Family) zone district to the R-1-5 (Single Family Residential, 5,000 square foot minimum lot size) zone district on property located on the south side of Olema Avenue at Hall Street, approximately 450 feet west of West Street.
- (4) Accept the required public works improvements for Phase 1 of the Montecito subdivision located along the south side of Pleasant Avenue between Cromley Street and La Dawna Street, approximately one-half mile west of West Street 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) **Adopt Ordinance 17-09** authorizing an amendment to the Contract between the City of Tulare and the Board of Administration of the California Public Employees' Retirement System to provide for changes to include employee cost-sharing of City's PERS cost.
- (6) **Adopt Resolution 17-54** authorizing the City of Tulare to apply for 2016-2017 California Transit Security Grant Program-California Transit Assistance Funds (CTSGP-CTAF) from the California Office of Emergency Services, accept the funds if awarded, and designate the City Manager or designee as the individual authorized to execute all grant documents on behalf of the City.
- (7) Receive, review, and file the Monthly Investment Report for October 2017.
- (8) Award NJPA Bid Contract #031014-ALT to Altec Industries Inc. in the amount of \$116,497.00, and approve State sales taxes in the amount of \$9611.00 for the purchase of an Aerial Lift Truck for Streets Division.
- (9) Award and authorize the City Manager to sign a contract with Don Berry Construction, Inc. of Selma, CA in an amount not to exceed \$2,352,008.36 for

street and utility improvements associated with the EN0070 – Owens Avenue and 'I' Street Improvements Project; approve the revised project budget; and authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$235,200) of the contract award amount.

- (10) Authorize the City Manager to sign a contract with Peters Engineering Group of Clovis, CA in an amount not to exceed \$161,350.00 for geographic information system (GIS) database development, inventory and conditions survey, public participation program coordination, and ADA transition plan preparation as a part of Project EN0079 – ADA Public Right of Way Transition Plan. Authorize the City Manager or his designee to approve contract change orders in an amount not to exceed 10% (\$16,135) of the contract award amount.

VI. SCHEDULED CITIZEN OR GROUP PRESENTATIONS

- (1) Legislative Update by Richard Harmon of Townsend Public Affairs.

VII. MAYOR'S REPORT

VIII. STUDENT REPORTS

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 17-55** approving the proposed 2015-2019 Consolidated Plan Second Amendment; approving Program Year (PY) 2017-2018 Community Development Block Grant (CDBG) Annual Action Plan Amendment; and to authorize the Mayor to execute the necessary certifications for transmittal to the Department of Housing and Urban Development (HUD).
- (2) Finance:
 - a. Introduction and **pass-to-print Ordinance 17-10** authorizing the City to enter into a Lease Agreement with the City of Tulare Public Financing Authority for purposes of issuing 2018 Lease Revenue Bonds (Refunding and Capital Facilities Projects), in the aggregate principal amount not to exceed \$30,000,000; the bonds will be used predominantly to refinance the outstanding 2008 Lease Revenue Bonds for savings to provide approximately \$2.5 million for street improvements.

- b. **Adopt Resolution 17-56** approving an amendment to the rental payment schedule of the City's outstanding 2006 Lease/Purchase Agreement in order to authorize a reduced interest rate and reduced payments.

(3) City Manager:

- a. Consider the reappointment of, or, alternatively direct staff to declare seats vacant effective January 1, 2018 and post a notice of vacancies/application process for the following Board of Public Utilities Members – terms ending December 31, 2017: Howard Stroman and Gregory Blevins – seeking reappointment

- b. Consider the reappointment of, or, alternatively direct staff to declare seats vacant effective January 1, 2018 and post a notice of vacancies/application process for the following Library Board Members – terms ending December 31, 2017:

Ellen Baker, Lisa Hollingshead and Michelle Lippincott – seeking reappointment

- c. Consider the reappointment of, or, alternatively direct staff to declare seats vacant effective January 1, 2018 and post a notice of vacancies/application process for the following Parks & Recreation Commission Members – terms ending December 31, 2017:

Craig Hancock and Mike Jamaica – seeking reappointment
Dennis Beck declare vacant effective January 1, 2018

- d. Consider the **adoption of Resolution 17-57** reducing the Planning Commission from a seven member body to a five member body and reconfirming previously established rules and procedures as amended; consider the reappointment of, or, alternatively direct staff to declare seats vacant effective January 1, 2018 and post a notice of vacancies/application process for the following Planning Commission Members – terms ending December 31, 2017:

Shanelle Herrera – seeking reappointment
Jeff Killion and Linda Crase declare vacant effective January 1, 2018

- e. Consideration for the removal of Council Member Jose Sigala from serving as the Tulare City Council representative on the Mid-Kaweah Groundwater Sustainability Agency Board and the appointment of a replacement thereto.

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- f. Discussion and direction to staff regarding cost sharing provisions as they relate to the City of Tulare's involvement with the Mid Kaweah Groundwater Sustainability Agency.
- g. Council discussion regarding the use of Regional Measure R funding.

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

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

- (a) 54956.9(5) Conference with Legal Counsel – Anticipated Litigation (2)

Case name unspecified: The E85 Agreement with the Vohras relating to change in the circumstances contemplated by the original Agreement, resulting in a significant change to the impact of the Agreement on both parties. Discussion of said changes from a litigation and legal standpoint and action relating to the Agreement in the form of either an amendment, addendum, or voiding of Agreement in its entirety.

Case name unspecified: Relating to possible impact of ceasing the City of Tulare's involvement with the Mid Kaweah Groundwater Sustainability Agency.

- (b) 54957(b)(1) – Public Employee Performance Evaluation: City Manager
- (c) 54957(b)(1) – Public Employee Performance Evaluation: City Attorney

XII. RECONVENE CLOSED SESSION

XIII. CLOSED SESSION REPORT (if any)

XIV. 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.]