

City Council Agenda



JULY 27, 2021

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-29-20, ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 17, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT.

PERSONS WHO ATTEND THE MEETING ARE ASKED TO READ AND FOLLOW THE CURRENT STATE OF CALIFORNIA PUBLIC HEALTH GUIDANCE AT:

www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/What-Will-June-15-Look-Like.pdf

AND AT:

www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx#June15guidance

LISTING STATE-IMPOSED REQUIREMENTS FOR ATTENDING IN PERSON

THIS MEETING WILL BE STREAMED ON THE CITY OF TURLOCK WEBSITE AT WWW.CITYOFTURLOCK.ORG AND BROADCASTED ON SPECTRUM CHANNEL 2. MEMBERS OF THE PUBLIC MAY ALSO PARTICIPATE IN THE MEETING VIA THE FOLLOWING METHODS:

JOIN BY CLICKING ON THE MEETING LINK: <https://us02web.zoom.us/j/84924629186>

OR

JOIN BY ACCESSING THE ZOOM WEBSITE: <https://zoom.us/join>

WEBINAR ID: 849 2462 9186

OR

JOIN BY TELEPHONE: 669-900-6833*

WEBINAR ID: 849 2462 9186

****participant's phone number will be public****

Mayor
Amy Bublak

Council Members

Nicole Larson
Andrew Nosrati

Rebecka Monez
Pam Franco
Vice Mayor

Interim City Manager
Sarah Tamey Eddy
Interim City Clerk
Allison Martin
Interim City Attorney
George A. Petrulakis

NOTICE REGARDING NON-ENGLISH SPEAKERS: The Turlock City Council meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

EQUAL ACCESS POLICY: If you have a disability which affects your access to public facilities or services, please contact the City Clerk's Office at (209) 668-5540. The City is committed to taking all reasonable measures to provide access to its facilities and services. Please allow sufficient time for the City to process and respond to your request.

NOTICE: Pursuant to California Government Code Section 54954.3, any member of the public may directly address the City Council on any item appearing on the agenda, including Consent Calendar and Public Hearing items, before or during the City Council's consideration of the item.

AGENDA PACKETS: Prior to the City Council meeting, a complete Agenda Packet is available for review on the City's website at www.cityofturlock.org and in the City Clerk's Office at 156 S. Broadway, Suite 230, Turlock, during normal business hours. Materials related to an item on this Agenda submitted to the Council after distribution of the Agenda Packet are also available for public inspection in the City Clerk's Office. Such documents may be available on the City's website subject to staff's ability to post the documents before the meeting.

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0. A. CALL TO ORDER
 - B. SALUTE TO THE FLAG
 - C. ROLL CALL
 - D. DECLARATION OF CONFLICTS

1. CLOSED SESSION:

The Closed Session item(s) for this meeting have been agendaized and will be heard toward the latter part of the meeting.

2. APPROVAL OF AGENDA AS POSTED OR AMENDED

This is the time for the City Council to remove items from the agenda or to change the order of the agenda. Matters may be taken up out of order of the established agenda by a four-fifths vote of the City Council.

3. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS:

- A. Proclamation: In Honor of National Night Out 2021
- B. Briefing: Roads Update (Bray)

4. PUBLIC PARTICIPATION

MEMBERS OF THE PUBLIC WISHING TO ADDRESS THE CITY COUNCIL WILL BE GIVEN THE SAME TIME ALLOTMENT FOR COMMENTS AS NORMALLY ALLOWED FOR MEETINGS SUBJECT TO THE PROVISIONS OF EXECUTIVE ORDER N-29-20.

Pursuant to California Government Code Section 54954.3(a), this is the time set aside for members of the public to directly address the City Council on any item of interest to the public that is within the subject matter jurisdiction of the City Council and to address the Council on any item on tonight's agenda, including Consent Calendar items. If you wish to speak regarding an item on the agenda, you may be asked to defer your remarks until the Council addresses the matter.

Pursuant to California Government Code Section 54954.2(a)(3), no action or discussion may be undertaken on any item not appearing on the posted agenda, except that the City Council, or its staff, may briefly respond to comments or questions from members of the public, provide a reference to staff or other resources for factual information, or direct staff to place the issue on a future agenda.

5. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE: None

6. CONSENT CALENDAR:

Information concerning the consent items listed hereinbelow has been forwarded to each Councilmember prior to this meeting for study. Unless the Mayor, a Councilmember or member of the audience has questions concerning the Consent Calendar, the items are approved at one time by the Council. The action taken by the Council in approving the consent items is set forth in the explanation of the individual items.

- A. Resolution: Accepting Weekly Demands of 7/8/21 in the amount of \$1,173,031.72

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- B.
1. Motion: Approving Amendment No. 2 to the Agreement with DF Engineering, Inc., of Modesto, California, in the amount of \$10,380 (Non-General Fund - Fund 215), bringing the contract total to \$139,098 for professional engineering and surveying services for City Project No. 16-60 "Linwood Avenue Pedestrian Improvements"
 2. Motion: Awarding bid and approving an Agreement in the amount of \$726,401 (Non-General Fund - Fund 215) with Rolfe Construction of Atwater, California, for City Project No. 16-60 "Linwood Ave ATP Improvements"
 3. Resolution: Appropriating \$61,875 to account number 215-40-420.51210 "Federal Street Project" to be funded from Measure A - Roads unallocated reserves to provide the funding needed for bid alternate A and associated construction engineering and contingency for City Project No. 16-60 "Linwood Ave ATP Improvements"
 4. Resolution: Appropriating \$650,000 to account number 215-40-420.51210 "Federal Street Project" to be funded from Fund 218 Division 463 "Measure L – Bikes/Peds" unallocated reserves to provide necessary funding for City Project No. 16-60 "Linwood Ave ATP Improvements"
- C.
1. Motion: Approving Amendment No. 2 to the On-Call Professional Services Agreement with Quad Knopf, Inc., of Merced, California, for City Project No. 17-57 "Retainer Agreement for Engineering and Surveying Services" to extend the term through June 30, 2022
 2. Motion: Approving Amendment No. 1 to the On-Call Professional Services Agreement with TJKM Transportation Consultants, of Sacramento, California, for City Project No. 17-57 "Retainer Agreement for Engineering and Surveying Services" to extend the term through June 30, 2022
 3. Motion: Approving Amendment No. 1 to the On-Call Professional Services Agreement with Willdan Engineering, of Fresno, California, for City Project No. 17-57 "Retainer Agreement for Engineering and Surveying Services" to extend the term through June 30, 2022
 4. Motion: Approving Amendment No. 2 to the On-Call Professional Services Agreement with Hawkins and Associates Engineering, Inc., of Modesto, California, for City Project No. 16-40 "Retainer Agreement for Engineering and Surveying Services" to extend the term through June 30, 2022
- D.
1. Motion: Approving Amendment No. 1 with DF Engineering, Inc., of Modesto, California, for City Project No. 19-40 "On-Call Land Surveying Services," setting the maximum compensation amount to \$30,000 annually
 2. Motion: Approving Amendment No. 1 with GDR Engineering, Inc., of Ceres, California, for City Project No. 19-40 "On-Call Land Surveying Services," setting the maximum compensation amount to \$30,000 annually
- E.
- Motion: Awarding base bid and bid alternates 1-3 and approving an Agreement in the amount of \$1,232,359 (Fund 218) with Dirt Dynasty, Inc., of Farmington, California, for construction of City Project No. 20-001 "Southeast Quadrant Road Rehabilitation"
- F.
1. Motion: Approving Contract Change Order No. 4 (Final) with VSS International, Inc. in the amount of \$156,316.70 (Non-General Fund – Fund 218) bringing the contract total to \$749,534.50 for City Project No. 20-003 "Northeast Quadrant Road Rehabilitation"
 2. Motion: Accepting improvements and authorizing the City Engineer to file a Notice of Completion for City Project No. 20-003 "Northeast Quadrant Road Rehabilitation"
- G.
- Motion: Awarding bid and approving an Agreement in the amount of \$152,700 (Non-General Fund - Fund 410) with Farr Construction Corporation dba Resource Development Company of Sparks, Nevada, for construction of City Project No. 20-026 "RWQCF Flotator No. 3 Recoating"
- H.
- Motion: Accepting improvements for City Project No. 20-028 "Storm Drain and Surface Improvements, Clara Drive and Forest Drive," and authorizing the City Engineer to file a Notice of Completion

- I. Motion: Approving Amendment No. 1 to an Agreement between the City of Turlock and CalChem Enterprises for the purchase of Aluminum Chlorohydrate, as a result of a change in the supplier's name
- J. Motion: Approving an Agreement with Gardner Denver Nash for maintenance services of Hoffman/Lamson Centrifugal Blowers and associated parts, in an annual amount not to exceed \$30,000 (non-general fund) over a six (6) year term of the Agreement, if all renewal periods are exercised
- K. Motion: Awarding RFP No. 21-006 and approving an Agreement with Financial Credit Network, Inc. of Visalia, California for collection agency services for the City of Turlock Municipal Services Department, in compensation of twenty-seven (27) percent, commission of collections and thirty-five (35) percent of legal and forwarded accounts commission for a period of two (2) years, with an option to extend the Agreement for three (3) additional one-year terms
- L. 1. Resolution: Appropriating \$8,200.00 to 110-20-200.43060_043 – "Contract Services Veritone" from Fund 110 "General Fund" unassigned reserves
2. Motion: Authorizing the purchase of the Veritone Contact application in the amount of \$8,200 to gather required data on police stops and transmit data to the California Department of Justice in compliance with AB953: The Racial Identity and Profiling Act of 2015
- M. Resolution: Approving the new job description for the position of Housing Finance Specialist Trainee, effective July 27, 2021
- N. Resolution: Accepting non-monetary donations in the amount of \$246.61 for pastries, coffee, and paper products for the 2021 Mayor's State of the City address held on May 6, 2021
- O. Resolution: Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19
- P. Resolution: Approval of a Resolution to Employ a CalPERS Annuitant (Interim City Clerk) pursuant to CalPERS Requirements

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:**

- A. Request to Confirm Diagrams, Assessments, the Engineer's Report, and the Levying and Collection of Assessments as originally proposed for Fiscal Year 2021-22 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock pursuant to Resolution No. 97-128 (*Bray*)

Recommended Action:

Resolution: Confirming Diagrams, Assessments, the Engineer's Report, and the Levying and Collection of Assessments as originally proposed for Fiscal Year 2021-22 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock pursuant to Resolution No. 97-128

- B. Request for the City Clerk to confirm: a) Proof of Publication of Notice of Public Hearing; b) Signed Waiver and Consent; c) Completed and Signed Ballot and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and Ballot Declaring Election Results (Project Planner to prompt and facilitate these steps) AND Mayor and City Council conduct public hearing confirming that no protests have been received – close hearing and adopt the two resolutions below AND Calling a Special, Mailed-Ballot Election respecting Proposed Annexation Number 29 to existing

Community Facilities District Number 2 (Services Mitigation) AND Declaring the results of Mailed-Ballot Election respecting Proposed Annexation Number 29 to Community Facilities District Number 2 (Services Mitigation) and ordering annexation (*Quintero*)

Recommended Action:

Confirmation: City Clerk confirms: a) Proof of Publication of Notice of Public Hearing; b) Signed Waiver and Consent; c) Completed and Signed Ballot and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and Ballot Declaring Election Results (Project Planner to prompt and facilitate these steps)

Public Hearing: Mayor and City Council conduct public hearing confirming that no protests have been received – close hearing and adopt the two resolutions below

Resolution: Calling a Special, Mailed-Ballot Election respecting Proposed Annexation Number 29 to existing Community Facilities District Number 2 (Services Mitigation)

Resolution: Declaring the results of Mailed-Ballot Election respecting Proposed Annexation Number 29 to Community Facilities District Number 2 (Services Mitigation) and ordering annexation

9. ACTION ITEMS:

- A. Request to Approve the repayment of HOME funds in the amount of \$291,000 to credit the Turlock/ Stanislaus County HOME Consortium local HOME account (Fund 256) AND Appropriate the repayment of \$291,000 to Fund 256 Turlock/Stanislaus County HOME Consortium from Fund 625 Housing Successor Agency unallocated reserve AND Approve the sale agreement, loan agreement and joint escrow instructions for the sale of the property located at 513 North Palm Avenue, Turlock (APN #061-023-041), to be sold to Housing Authority of Stanislaus County, a California public housing authority, in the amount of \$291,000, subject to the terms and conditions as outlined in Attachment A and authorize the City Manager to sign all necessary documents to effectuate the transaction. (*Ramos*)

Recommended Action:

Motion: Approving the repayment of HOME funds in the amount of \$291,000 to credit the Turlock/ Stanislaus County HOME Consortium local HOME account (Fund 256)

Resolution: Appropriating the repayment of \$291,000 to Fund 256 Turlock/Stanislaus County HOME Consortium from Fund 625 Housing Successor Agency unallocated reserve

Motion: Approving the sale agreement, loan agreement and joint escrow instructions for the sale of the property located at 513 North Palm Avenue, Turlock (APN #061-023-041), to be sold to Housing Authority of Stanislaus County, a California public housing authority, in the amount of \$291,000, subject to the terms and conditions as outlined in Attachment A and authorize the City Manager to sign all necessary documents to effectuate the transaction

- B. Request to Establish an Advisory Redistricting Commission to Assist the City Council in the Council District Redistricting Process Necessitated by the 2020 Federal Census, to be titled “City of Turlock Redistricting Commission”, Establish Requirements for

Membership on the Commission, and Establish the Manner in Which Appointments are Made to the Commission (*Petrulakis/Martin*)

Recommended Action:

Resolution: Establishing an Advisory Redistricting Commission to Assist the City Council in the Council District Redistricting Process Necessitated by the 2020 Federal Census, to be titled "City of Turlock Redistricting Commission", Establishing Requirements for Membership on the Commission, and Establishing the Manner in Which Appointments are Made to the Commission

- C. Request to Direct Staff to advertise the Roads Program Initiative - Request for Proposals AND Direct Staff to advertise the Roads Program Initiative - Request for Information (*Bray*)

Recommended Action:

Motion: Directing Staff to advertise the Roads Program Initiative - Request for Proposals

Motion: Directing Staff to advertise the Roads Program Initiative - Request for Information

10. CITY MANAGER REPORTS/UPDATES

City Manager reports/updates are provided for informational purposes only and no action or discussion may be undertaken. The City Manager may direct department heads to provide reports/updates at the City Manager's request.

- A. Administration
 - 1. American Rescue Plan Act (ARPA) Update (*Burke*)
- B. Fire Department
 - 1. Public Safety Briefing (*Carlson*)
- C. Police Department
 - 1. Public Safety Briefing (*Williams*)
- D. Municipal Services
 - 1. Monthly Departmental Update (*Brown*)

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Requests for Council items for future consideration will be scheduled in accordance with Resolution No. 2008-019.

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

Councilmembers may ask questions, provide comments, and make brief announcements on notable topics of interest. The Brown Act does not allow discussion or action by the legislative body.

13. CLOSED SESSION:

- A. Conference with Labor Negotiators, Cal. Gov't Code §54957.6(a)
"Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and

unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation.”

Agency Designated Representative: Interim City Manager Sarah Eddy

Employee Organization: Turlock Associated Police Officers

Employee Organization: Turlock City Employees Association

Employee Organization: Turlock Firefighters Association-Local 2434

Employee Organization: Turlock Management Association-Public Safety

Unrepresented Employees: Accountant, Sr., Administrative Analyst, Administrative Services Director, Assistant to the City Manager for Economic Development/Community Housing, Chief Building Official, City Clerk, Community Housing Program Supervisor, Deputy Director Development Services/Planning, Development Services Director, Development Services Supervisor/City Surveyor, Executive Administrative Assistant/Deputy City Clerk, Executive Administrative Assistant/Municipal Services, Executive Administrative Assistant/Public Safety, Finance Director, Fire Chief, Human Resources Analyst, Sr., Human Resources Manager, Human Resources Technician, Information Technology Manager, Legal Assistant, Municipal Services Deputy Director, Municipal Services Director, Office Assistant I, Parks, Recreation and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Payroll Coordinator, Police Business Unit Supervisor, Police Chief, Principal Civil Engineer, Regulatory Affairs Manager, Roads Program Manager, Transit Manager, Utilities Manager, and Water Quality Control Division Manager.

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT