

City Council Meeting Agenda



NOVEMBER 9, 2021

6:00 p.m.

**City of Turlock Yosemite Room
156 S. Broadway, Turlock, California**

Mayor
Amy Bublak

Council Members

**Nicole Larson
Andrew Nosrati**

**Rebecka Monez
Pam Franco**
Vice Mayor

Interim City Manager
Sarah Tamey Eddy
Interim City Clerk
Kellie E. Weaver
City Attorney
George A. Petrulakis

SPEAKER CARDS: To accommodate those wishing to address the Council and allow for staff follow-up, speaker cards are available for any agendized topic or any other topic delivered under Public Comment. Please fill out and provide the Comment Card to the City Clerk or Police Officer.

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. Members of the public will be allowed five (5) minutes for comments.

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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 - 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 agendized 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:

1. Recognition: Employee of the Month, September 2021, Turlock Fire Department, Fire Marshal Mark Gomez
2. Proclamation: Law Enforcement Records and Support Personnel Day, November 9, 2021

4. PUBLIC PARTICIPATION

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. You will be allowed five (5) minutes for your comments. 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**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 10/21/21 in the amount of \$1,253,764.72; Weekly Demands of 10/28/21 in the amount of \$340,342.42; Monthly Demands of 8/31/21 in the amount of \$4,750,524.74
- B. Motion: Accepting Minutes of the Regular Meeting of October 26, 2021; AND Accepting into the Record Minutes of Special Meeting of May 4, 2018 and July 19, 2018
- C. Motion: Approving Contract Change Order No. 1 in the amount of \$177,755.50 (Fund 420) with Clark Bros., Inc., of Fresno, California, for City Project No. 20-027 "City Wide Chlorination" bringing the contract total to \$4,293,755.50
- D. Resolution: Appropriating \$150,000 to account number 410-51-530.43346 "RWQCF Master Plan Update & Capacity Study" to be funded from Fund 410 Water Quality Control unallocated reserves to provide necessary funding for City Project No. 21-036 "CIP Update to Storm and Sewer Master Plans"
Motion: Approving a Professional Services Agreement with Carollo Engineers of Walnut Creek, California, in the amount of \$149,407 for professional services for City Project No. 21-036 "CIP Update to Storm and Sewer Master Plans"
- E. Resolution: Appropriating \$60,000 to account number 217-50-511.43060_010 "Contract Services Traffic Count Data Collection" to be funded from Fund 217 Streets – Gas Tax unallocated reserves to provide necessary funding for City Project No. 20-023 "Engineering and Traffic Surveys"

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- F. Resolution: Rescinding Resolution No. 2018-153 and adopting a new Resolution authorizing the Mayor, City Manager, City Engineer, or Development Services Director to sign all documents, applications, assurances, and statements in regard to any and all Federal Highway Administration, Federal Transit Administration, or any other federally-funded or state-funded projects, to include applications filed for federal transportation assistance authorized by 49 United States Code (USC) Chapter 53 or other federal statutes administered by the Federal Transit Administration
 - G. Motion: Approving a Transportation Development Act (TDA) claim for non-motorized expenses for Fiscal Year 2021-22 in the amount of \$82,980 and authorizing the City Manager to execute and submit the claim to the Stanislaus Council of Governments (StanCOG)
 - H. Motion: Approving Amendment No. 10 to an Agreement between the City of Turlock and GHD, Inc. for City Project No. 0828 "SR-99/Fulkerth Road Interchange" to extend the agreement term through June 30, 2022
 - I. Resolution: Approving an amendment to the Memorandum of Agreement between the City of Turlock and the Thornburgs for conveyance of property in exchange for development fee credits
 - J. Motion: Approving an agreement with Core and Main, a sole source vendor pursuant to Turlock Municipal Code Section 2-7-08(b)(2), for the purchase of three-inch (3") and larger commercial and industrial Master Meter ultrasonic water meters and parts for the Municipal Services Department, in a total not to exceed amount of \$300,000
Resolution: Approving the purchase of three-inch (3") and larger commercial and industrial Master Meter ultrasonic water meters and parts from Core and Main, without compliance to the formal bid procedure, pursuant to Turlock Municipal Code Section 2-7-08(b)(2) due to the vendor being a sole source provider
 - K. Motion: Determining the need to continue the actions undertaken by the Acting City Manager in response to the emergency created by the sinkhole at the intersection of West Main and Walnut Road
 - L. Motion: Approving an agreement between the City of Turlock and Jared T. Carrillo, Esq. to act as the Hearing Officer for the City of Turlock's Administrative Citation process for the period of November 9, 2021, through November 30, 2022
Resolution: Appropriating \$40,000 to account number 110-10-112.43026 "Hearing Officer" for contracted services of a Hearing Officer for the City of Turlock's Administrative Citation Process from Fund 110 "General fund" unassigned reserve
 - M. Resolution: Approving the revised job description for Fire Prevention Inspector
 - N. Resolution: Approving the separation of the job functions assigned to the Development Services Director/City Engineer into two separate positions of Development Services Director and City Engineer, modifying the job descriptions, and approving an amendment to the salary schedule of the existing management schedule of benefits and policies previously adopted by Resolution No. 2021-131, effective November 9, 2021
 - O. Motion: Approving Amendment No. 3 to a Professional Services Agreement between the City of Turlock and Cooperative Personnel Services dba CPS HR Consulting Services for temporary professional human resource services, increasing the contract amount by \$60,000
Resolution: Appropriating One Hundred Fifty-Two Thousand, Five Hundred Ten Dollars (\$152,510) from unassigned General Fund 110 reserves to expense account number 110-10-109.43060_000 "Contract Services General" in Fiscal Year 2021-2022
 - P. Resolution: Appropriating \$1,026,649 to Fiscal Year 2021-2022 salary and benefit accounts from the General Fund 110 unassigned reserves as a result of a Tentative Agreement between the City of Turlock and Turlock Associated Police Officers (hereinafter "TAPO"), covering the period of July 1, 2021 through June 30, 2024, and

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- updating the Memorandum of Understanding (“MOU”) between the City of Turlock (“City”) and TAPO
- Q. **Resolution:** Appropriating \$534,833 to Fiscal Year 2021-2022 salary and benefit accounts from the General Fund 110 unassigned reserves as a result of a Tentative Agreement between the City of Turlock and Turlock Firefighters, Local #2434 (hereinafter “Turlock Fire”), covering the period of July 1, 2021 through June 30, 2022, and updating the Memorandum of Understanding (“MOU”) between the City of Turlock (“City”) and Turlock Fire
- R. **Resolution:** Appropriating \$41,637 to Fiscal Year 2021-2022 salary and benefit accounts from each respective fund’s unassigned reserves as the result of a Tentative Agreement between the City of Turlock and Turlock Confidential Employees group, covering the period of July 1, 2021 through June 30, 2024, and updating the Schedule of Benefit Plans and Policies (“SOB”) between the City of Turlock and Confidential Employees group
- S. **Resolution:** Appropriating \$236,591 to Fiscal Year 2021-2022 salary and benefit accounts from each respective fund’s unassigned reserves as the result of a Tentative Agreement between the City of Turlock and Turlock Management Employees group covering the period of July 1, 2021 through June 30, 2024, and updating the Schedule of Benefit Plans and Policies (“SOB”) between the City of Turlock and Management Employees group
- T. **Resolution:** Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19
- U. **Resolution:** Reaffirming the Proclamation of a Local Emergency by Interim City Manager Sarah Tamey Eddy (Director of Emergency Services) in Response to a continuing Unsheltered Homeless Crisis (UHC) within the City of Turlock and Confirming Rules and Regulations No. 1 Made and Issued by Interim City Manager Sarah Tamey Eddy (Director of Emergency Services)

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:**

- A. Request to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Rezone 2021-01, Planned Development 280 (PD 280) AND amend the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2021-01 Planned Development 280 (Balisha Ranch)] AND establish Conditions of Approval for Planned Development 280 (Balisha Ranch) (*Quintero*)

Recommended Action:

Resolution: Adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Rezone 2021-01, Planned Development 280 (PD 280)

Introduction of the Ordinance:

Ordinance: Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2021-01 Planned Development 280 (Balisha Ranch)]

To be considered at the December 14, 2021 City Council Meeting

Resolution: Establishing Conditions of Approval for Planned Development 280 (Balisha Ranch)

9. ACTION ITEMS:

- A. Request to approve an Agreement with Michael Baker International, Inc. (Walnut Creek, California office) in the amount of \$844,642.50 (Fund 118 "Measure A") for professional planning and preliminary design services for the City of Turlock's Roads Initiative Program in a form approved by the City Attorney AND approve a 10% contingency in the amount of \$85,000 for potential unanticipated changes in the scope of services AND appropriate \$929,643 to account number 118-10-115.43275_001 "Roads Program MBI" to be funded from Fund 118 "Measure A" unallocated reserves to provide the necessary funding for City Project No. 21-039 "Planning and Preliminary Design for Roads Program." (Quintero/Pezeshk)

Recommended Action:

Motion: Approving an Agreement with Michael Baker International, Inc. (Walnut Creek, California office) in the amount of \$844,642.50 (Fund 118 "Measure A") for professional planning and preliminary design services for the City of Turlock's Roads Initiative Program in a form approved by the City Attorney AND approving a 10% contingency in the amount of \$85,000 for potential unanticipated changes in the scope of services

Resolution: Appropriating \$929,643 to account number 118-10-115.43275_001 "Roads Program MBI" to be funded from Fund 118 "Measure A" unallocated reserves to provide the necessary funding for City Project No. 21-039 "Planning and Preliminary Design for Roads Program"

- B. Request to authorize use of staff time and City resources to prepare a staff report authorizing a notice of non-renewal with the City of Turlock/Stanslaus County HOME Consortium. (Franco)

Recommended Action:

Motion: Authorizing use of staff time and City resources to prepare a staff report authorizing a notice of non-renewal with the City of Turlock/Stanslaus County HOME Consortium

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. City Manager
1. Monthly Briefing (Tamey Eddy)
 2. Board, Commission, and Committee Vacancies (Weaver)
- B. Development Services
1. Year-end report. (Quintero)

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Requests for Council items for future consideration will be scheduled in accordance with the City of Turlock Elected and Appointed Officials' Handbook (Resolution No. 2019-094), unless otherwise specified by the Mayor or a majority of the Council.

12. AD HOC COMMITTEE REPORTS

A. Unsheltered Homeless Ad Hoc Committee – *Councilmember Monez (Chairperson)*

B. Fire Ad Hoc Committee – *Councilmember Franco (Chairperson)*

13. 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.

14. 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: Acting City Manager Dan Madden

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, Principal, 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, 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, Municipal Services Deputy Director, Municipal Services Director, Office Assistant I, Parks, Recreation and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Parks, Recreation and Public Facilities Superintendent, Payroll Coordinator, Police Business Unit Supervisor, Police Chief, Civil Engineer, Principal, Roads Program Manager, Transit Manager, Utilities Manager, and Water Quality Control Division Manager.

B. Public Employee Appointment, Cal. Gov't Code §54957(b)(1)

Title: City Manager (Discussion Only)

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- C. Conference with Real Property Negotiators, Cal. Gov't Code §54956.8
"Notwithstanding any other provisions of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease."
Property: 1731 W. Taylor Road, Turlock, CA, 95380, Turlock, CA (APN No. 045-055-007-000)
Agency Negotiator: Interim City Manager Sarah Tamey Eddy
Negotiating Parties: Stammerjohan William W. Trust et al.
Under Negotiation: Price and terms of payment for the purchase of property in fee.
- D. Conference with Real Property Negotiators, Cal. Gov't Code §54956.8
"Notwithstanding any other provisions of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease."
Property: 3012 W. Main Street, Turlock, CA, 95380, Turlock, CA (APN No. 044-005-001-000)
Agency Negotiator: Interim City Manager Sarah Tamey Eddy
Negotiating Parties: Mello, Richard D. Trust et al.
Under Negotiation: Price and terms of payment for the purchase of property in fee.

15. REPORTS FROM CLOSED SESSION

16. ADJOURNMENT