

City Council Agenda



JUNE 12, 2018

6:00 p.m.

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



Mayor
Gary Soiseth

Council Members
William DeHart, Jr.
Matthew Jacob
Vice Mayor
Amy Bublak
Gil Esquer

Interim City Manager
Robert A. Talloni
City Clerk
Jennifer Land
Interim City Attorney
Jose M. Sanchez

SPEAKER CARDS: To accommodate those wishing to address the Council and allow for staff follow-up, speaker cards are available for any agenda item 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.

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.

1. **A. CALL TO ORDER**
 - B. SALUTE TO THE FLAG**

2. **PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS**
 - A. Recognition: Employee of the Month, May 2018 - Account Clerk I Gloria Aguilera
 - B. Proclamation: Disability Awareness Month, June 2018, accepted by Society for Disabilities Channa Kang
 - C. Presentation: Pet of the Month, presented by Animal Services Supervisor Glenna Jackson

3. **A. SPECIAL BRIEFINGS**
 1. **TURLOCK REGIONAL AVIATION ASSOCIATION**
Todd Smith, President

B. 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.

4. A. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE**B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS****C. DISCLOSURE OF TOP TEN/MAXIMUM CONTRIBUTORS****5. 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 Daily Demands of 4/19/18 in the amount of \$1,967.66; Weekly Demands of 4/26/18 in the amount of \$1,031,050.70; Weekly Demands of 5/3/18 in the amount of \$408,022.15
- B. Motion: Accepting Minutes of the Special Meeting of September 7, 2017; Minutes of the Special Meeting of September 8, 2017; Minutes of the Regular Meeting of March 13, 2018; and Minutes of the Special Meeting of March 22, 2018
- C. Motion: Approving Amendment No. 1 with Kleinfelder, Inc. of Modesto, California in the amount of \$29,500 (Fund 413) for materials testing and inspection services for City Project No. 15-39E "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification," bringing the contract total amount to \$114,500
- D.
 1. Resolution: Determining City Project No. 18-27 "Christoffersen Parkway Median Fence Installation" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines
 2. Motion: Awarding bid and approving an Agreement in the amount of \$96,996.00 (Fund 219) with Pisor Fence Division, Inc., of Antelope, California, for City Project No. 18-27 "Christoffersen Parkway Median Fence Installation"
- E. Resolution: Adopting a resolution of vacation pursuant to Division 9, Part 3, Chapter 4 of the Streets and Highways Code, to summarily vacate an excess portion of right of way along Countryside Drive
- F.
 1. Motion: Approving an Agreement between the City of Turlock and ChargePoint, Inc. (ChargePoint), of Campbell, California, for the management, payment processing, and system support of electric vehicle charging services at City-owned ChargePoint charging stations and authorizing the Mayor or City Manager to execute all documents necessary for the establishment and continued provision of ChargePoint services
 2. Resolution: Approving an electric vehicle charging session fee schedule for all City-owned ChargePoint charging stations and authorizing the City Manager, or his or her

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- designee, to modify such fees in the future to ensure cost recovery goals established by the City Council or for temporary, special situations
3. Motion: Authorizing the City Manager, or his or her designee, to pursue partnerships with businesses or organizations that may be interested in contributing financially to the costs of providing ChargePoint services to the general public, in exchange for the benefits such services may bring to the business or organization, resulting in reduced or eliminated charging session fees for end users
- G. Motion: Approving Amendment No. 1 to an agreement between the City of Turlock and Stott Outdoor Advertising of Chino, California, to exercise an existing three (3) year term extension option for the continued sale and management of advertising on the exterior of transit buses
- H. Resolution: Rescinding Resolution No. 2017-285 and adopting a new Resolution authorizing the Mayor, City Manager, 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
- I. 1. Resolution: Determining the closure of Main Street [between East Canal Drive and Market Street], Broadway [between "A" Street and Orchard Street], and First Street [between "A" Street and Orchard Street], for the 4th of July Parade, Car Show, and Street Faire hosted by Turlock Downtown Property Owners Association, in partnership with the City of Turlock, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines
2. Resolution: Approving a Special Event Permit Application for the 4th of July Parade, Car Show, and Street Faire hosted by Turlock Downtown Property Owners Association, in partnership with the City of Turlock, authorizing the associated closure of Main Street [between East Canal Drive and Market Street], Broadway [between "A" Street and Orchard Street], and First Street [between "A" Street and Orchard Street], for pedestrian safety, on Wednesday, July 4, 2018 at specified times, and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure
- J. 1. Resolution: Determining the closure of Monte Vista Avenue / University Way, between Geer Road and Crowell Road, for the 2018 California State University, Stanislaus 4th of July Celebration and Firework Display hosted by California State University, Stanislaus in partnership with the City of Turlock, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines
2. Resolution: Approving a Special Event Permit Application for the 2018 California State University, Stanislaus 4th of July Celebration and Firework Display hosted by California State University, Stanislaus in partnership with the City of Turlock, authorizing the associated closure of Monte Vista Avenue / University Way, between Geer Road and Crowell Road for pedestrian safety, on Wednesday, July 4, 2018 from 6:00 p.m. to 11:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure
- K. Motion: Approving Amendment No. 1 to an Agreement between the City of Turlock and Robertson-Bryan, Inc. to provide National Pollutant Discharge Elimination System (NPDES) permit compliance assistance for the Turlock Regional Water Quality Control Facility (RWQCF), to increase the annual compensation in an amount not to exceed \$100,000

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- L. Motion: Approving Amendment No. 1 to an Agreement with Shape, Inc. for the purchase, repair and service of Flygt brand submersible pumps and associated parts, to increase the annual of compensation, in an amount not to exceed \$ 82,131
- M. 1. Motion: Approving an Agreement with Arthur Silva, dba Silvas Dairy Trust, to take delivery of trench dewatering water during the construction of the Turlock component of the North Valley Regional Recycled Water Program
2. Motion: Approving an Agreement with Albert Mendes to take delivery of trench dewatering water during the construction of the Turlock component of the North Valley Regional Recycled Water Program
- N. Motion: Approving an Agreement between the City of Turlock and the Turlock Unified School District for Police Officer services at Turlock High School and Pitman High School
- O. Motion: Approving an Agreement between CPS HR Consulting, a California Joint Powers Authority (CPS HR), and the City of Turlock for written examination test rentals including an Extended Use Supplement to Test Security Agreement to assist with various recruitments and hiring processes, for a period of two (2) years from June 12, 2018 through June 12, 2020, in an amount not to exceed \$20,000 over the term of the Agreement
- P. 1. Motion: Approving a Professional Services Agreement for Management and Administrative Services with Regional Government Services (RGS), effective June 12, 2018, in an amount not to exceed \$70,000, and in a form approved by the Interim City Attorney
2. Resolution: Appropriating \$40,000 to account number 110-10-109.43060_000 "Contract Services General" from Fund 110 "General Fund" unallocated reserves for temporary professional human resources services
- Q. Resolution: Authorizing an Agreement between the City of Turlock and SunLife Financial for Excess Loss Insurance related to medical and prescription coverage, for Fiscal Year July 1, 2018 to June 30, 2019, with specific and aggregate annual insurance premium of \$2,023,167
- R. Resolution: Authorizing an Agreement between the City of Turlock and Travelers Property Casualty Insurance Company to maintain property insurance coverage, for Fiscal Year July 1, 2018 to June 30, 2019, with an annual premium of \$229,600
- S. Resolution: Authorizing an Agreement between the City of Turlock and Safety National Casualty Company to maintain insurance coverage for Excess Workers' Compensation Insurance, for Fiscal Year July 1, 2018 to June 30, 2019, with an annual estimated premium of \$97,891
- T. Resolution: Authorizing an Agreement between the City of Turlock and Hiscox Insurance Company to maintain insurance coverage for Employment Practices Liability Insurance, for Fiscal Year July 1, 2018 to June 30, 2019, with an annual premium of \$60,954
- U. Resolution: Authorizing an Agreement between the City of Turlock and Travelers Insurance Company to maintain Cyber Liability Coverage for Fiscal Year July 1, 2018 to June 30, 2019, with an annual premium of \$17,654
- V. Resolution: Authorizing an agreement between the City of Turlock and National Union Fire Insurance for liability insurance for Fiscal Year July 1, 2018 to June 30, 2019, with an annual premium of \$2,223
- W. 1. Resolution: Calling for the holding of a General Municipal Election to be held on Tuesday, November 6, 2018, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law Cities and the Turlock Municipal Code
2. Resolution: Requesting the Board of Supervisors of the County of Stanislaus to consolidate a General Municipal Election to be held on Tuesday, November 6, 2018,

with the Statewide General Election to be held on the same date pursuant to Section 10403 of the Elections Code

3. Resolution: Adopting regulations for candidates for elective office pertaining to Candidate Statements submitted to the voters at a General Municipal Election to be held on Tuesday, November 6, 2018

4. Resolution: Setting the deposit fee which will be required of candidates who elect to have a Candidate Statement printed in the ballot pamphlet for the General Municipal Election to be held on Tuesday, November 6, 2018

6. FINAL READINGS: None

7. PUBLIC HEARINGS

Challenges in court to any of the items listed below, may be limited to only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Turlock City Council at, or prior to, the public hearing.

- A. Request to order the improvements and formation of the Parcel Map 18-01 "Nazmi" (Development Project No. 18-23) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirm the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Parcel Map 18-01 "Nazmi" (Development Project No. 18-23) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128. (*Bray*)

Recommended Action:

Resolution: Ordering the improvements and formation of the Parcel Map 18-01 "Nazmi" (Development Project No. 18-23) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Parcel Map 18-01 "Nazmi" (Development Project No. 18-23) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

- B. Request to amend Turlock Municipal Code Title 6, Chapters 3, 4, and 5 regarding Payment of Collection Charges for Garbage, Rubbish, and Garden Refuse, Sewer Service, and Water Service. (*Cooke*)

Recommended Action:

Ordinance: Amending Turlock Municipal Code Title 6, Chapters 3, 4, and 5 regarding Payment of Collection Charges for Garbage, Rubbish, and Garden Refuse, Sewer Service, and Water Service

- C. Request to amend Turlock Municipal Code Title 2, Chapter 7, Section 04 regarding Purchasing Officer: Powers and Duties; Section 06 regarding Purchase Orders; Section 08 regarding Bidding Requirements; and Section 09 regarding Purchases: Procedures. (*Jacobs-Hunter*)

Recommended Action:

Ordinance: Amending Turlock Municipal Code Title 2, Chapter 7, Section 04 regarding Purchasing Officer: Powers and Duties; Section 06 regarding Purchase Orders; Section 08 regarding Bidding Requirements; and Section 09 regarding Purchases: Procedures

8. SCHEDULED MATTERS

- A. Request to determine the closure of North Soderquist Road, between Fulkerth Road and West Canal Drive, for the 2018 Stanislaus County Fair hosted by the Stanislaus County Fair, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND approve a Special Event Permit Application for the 2018 Stanislaus County Fair hosted by the Stanislaus County Fair, authorize the associated closure of North Soderquist Road, between Fulkerth Road and West Canal Drive for pedestrian safety, from Friday, July 13, 2018 at 12:00 p.m. through Monday, July 23, 2018 at 12:00 a.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure. (*Traini*)

Recommended Action:

Resolution: Determining the closure of North Soderquist Road, between Fulkerth Road and West Canal Drive, for the 2018 Stanislaus County Fair hosted by the Stanislaus County Fair, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines

Resolution: Approving a Special Event Permit Application for the 2018 Stanislaus County Fair hosted by the Stanislaus County Fair, authorizing the associated closure of North Soderquist Road, between Fulkerth Road and West Canal Drive for pedestrian safety, from Friday, July 13, 2018 at 12:00 p.m. through Monday, July 23, 2018 at 12:00 a.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure

- B. Request to accept a presentation and project update from Omnimeans, Ltd. of Roseville, California, a retained traffic engineering firm, regarding the results of field data collection, condition assessment, and traffic signal coordination modeling in support of federally funded City Project No. 16-55 "Signal Coordination, Various Locations". (*York*)

Recommended Action:

Motion: Accepting a presentation and project update from Omnimeans, Ltd. of Roseville, California, a retained traffic engineering firm, regarding the results of field data collection, condition assessment, and traffic signal coordination modeling in support of federally funded City Project No. 16-55 "Signal Coordination, Various Locations"

- C. Request to approve three (3) Transportation Development Act (TDA) transit claims for Local Transportation Funds (LTF) funding and State Transit Assistance (STA) funding with the Stanislaus Council of Governments (StanCOG) for eligible operating and capital expenses associated with the Roger K. Fall Transit Center, the Turlock-Denair Amtrak Station, and general Turlock Transit services for Fiscal Year 2018-19, as previously approved by StanCOG's Transit Cost Sharing Committee, and authorize the City Manager to sign and submit the subject claims AND amend the 2018-19 Municipal Budget (Funds 425 and 426) to reflect revised transit-related revenues and expenses,

contingent on approval by the Stanislaus Council of Governments (StanCOG) of the associated transit claims AND authorize the hiring of two (2) Police Officers I/II and two (2) Maintenance Workers I/II/Senior, fully allocated to Fund 426, Program 238 "Roger K. Fall Transit Center," to fill newly created positions supporting the security and maintenance of the Roger K. Fall Transit Center, contingent on approval by the Stanislaus Council of Governments (StanCOG) of the associated transit claim. (*York*)

Recommended Action:

Resolution: Approving three (3) Transportation Development Act (TDA) transit claims for Local Transportation Funds (LTF) funding and State Transit Assistance (STA) funding with the Stanislaus Council of Governments (StanCOG) for eligible operating and capital expenses associated with the Roger K. Fall Transit Center, the Turlock-Denair Amtrak Station, and general Turlock Transit services for Fiscal Year 2018-19, as previously approved by StanCOG's Transit Cost Sharing Committee, and authorizing the City Manager to sign and submit the subject claims

Resolution: Amending the 2018-19 Municipal Budget (Funds 425 and 426) to reflect revised transit-related revenues and expenses, contingent on approval by the Stanislaus Council of Governments (StanCOG) of the associated transit claims

Resolution: Authorizing the hiring of two (2) Police Officers I/II and two (2) Maintenance Workers I/II/Senior, fully allocated to Fund 426, Program 238 "Roger K. Fall Transit Center," to fill newly created positions supporting the security and maintenance of the Roger K. Fall Transit Center, contingent on approval by the Stanislaus Council of Governments (StanCOG) of the associated transit claim

- D. Request to accept the report on the condition of the Scandinavian Village Wooden Statue and the Energy Burst and provide direction to staff on the future management of the artwork. (*Van Guilder*)

Recommended Action:

Motion: Accepting the report on the condition of the Scandinavian Village Wooden Statue and the Energy Burst and providing direction to staff on the future management of the artwork

- E. Request to award RFP No. 18-016 and approve a Professional Services Agreement between the City of Turlock and Confluence Engineering Group, LLC (Confluence) for professional engineering design services for a Surface Water / Groundwater Integration Study, in an amount not to exceed \$357,856, and in a form approved by the Interim City Attorney AND appropriate \$357,856 to account number 420-52-550.43320 "Special Services/Projects" funded by a transfer from 420 "Water Enterprise" unallocated reserves for surface water / groundwater integration support services. (*Reynolds*)

Recommended Action:

Motion: Awarding RFP No. 18-016 and approving a Professional Services Agreement between the City of Turlock and Confluence Engineering Group, LLC (Confluence) for professional engineering design services for a Surface Water / Groundwater Integration Study, in an amount not to exceed \$357,856, and in a form approved by the Interim City Attorney

Resolution: Appropriating \$357,856 to account number 420-52-550.43320 “Special Services/Projects” funded by a transfer from 420 “Water Enterprise” unallocated reserves for surface water / groundwater integration support services

- F. Request to direct the City Manager to sign an Election to Extend Agreement between the City of Turlock and Townsend Public Affairs for lobbying services, in an amount not to exceed \$5,000 per calendar month and an annual amount not to exceed \$60,000 OR direct the City Manager not to sign the Election to Extend Agreement between the City of Turlock and Townsend Public Affairs for lobbying services and allow the Agreement to expire. (Cooke)

Recommended Action:

Authorizing one of the following options:

OPTION A:

Motion: Directing the City Manager to sign an Election to Extend Agreement between the City of Turlock and Townsend Public Affairs for lobbying services, in an amount not to exceed \$5,000 per calendar month and an annual amount not to exceed \$60,000

OR

OPTION B:

Motion: Directing the City Manager not to sign the Election to Extend Agreement between the City of Turlock and Townsend Public Affairs for lobbying services and allowing the Agreement to expire

9. STAFF UPDATES

Staff updates are provided for informational purposes only and no action or discussion may be undertaken, except that Council may request the matter be placed on a future agenda.

1. Policy Goals and Implementation Plan (*Executive Staff*)
2. Administrative Services
 - a. Economic Development (*Pitt*)
3. Development Services Department
 - a. Capital Projects, Building Activity, Transit, and Measure L (*Bray*)
4. Fire Department
 - a. Neighborhood Services Activities Update (*Gomez*)
5. Municipal Services Department
6. Parks, Recreation and Public Facilities
7. Police Department

10. MATTERS TOO LATE FOR AGENDA/NON-AGENDA ITEMS

The Brown Act generally prohibits any action or discussion of items not on the posted agenda. However, there are three specific situations in which a legislative body can act on an item not on the agenda:

- 1) When a majority decides there is an “emergency situation” (as defined for emergency meetings).
- 2) When two-thirds of the members present (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action “came to the attention of the local agency subsequent to the agenda being posted.” This exception requires a degree of urgency. Further, an item cannot be considered under this provision if the legislative body or the staff knew about the need to take immediate action before the agenda was posted. A “new” need does not arise because staff forgot to put an item on the agenda or because an applicant missed a deadline.
- 3) When an item appeared on the agenda of, and was continued from, a meeting held not more than five days earlier.

A legitimate immediate need can be acted upon even though not on the posted agenda by following a two-step process. First, make two determinations: (a) that there is an immediate need to take action and (b) that the need arose after the posting of the agenda. The matter is then “placed on the agenda.” Second, discuss and act on the added agenda item.

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Requests for Council items for future consideration will be scheduled in accordance with Resolution No. 2008-019 and will be brought back to the City Council no earlier than July 24, 2018, unless otherwise specified by the Mayor or a majority of the Council.

12. COUNCIL COMMENTS

Councilmembers may provide a brief report on notable topics of interest. The Brown Act does not allow discussion or action by the legislative body.

13. CLOSED SESSION

- A. Conference with Legal Counsel – Anticipated Litigation, Cal. Gov’t Code §54956.9(d)(2)
“For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist... A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.”
Potential Cases: (2 cases)

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT