

City Council Agenda



SEPTEMBER 10, 2019

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

Mayor
Amy Bublak

Council Members

Nicole Larson

Andrew Nosrati

Gil Esquer

Becky Arellano

Vice Mayor

Interim City Manager

Michael I. Cooke

City Clerk

Jennifer Land

City Attorney

Douglas L. White

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. Members of the public will be allowed three (3) 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.

0. A. CALL TO ORDER

B. SALUTE TO THE FLAG

C. ROLL CALL

D. DECLARATION OF CONFLICTS

1. CLOSED SESSION: None

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. Recognition: Employee of the Month, August 2019, Information Technology Technician George Younan
- B. Proclamation: National Market, accepted by Owner Don Ow
- C. Proclamation: National Suicide Prevention Awareness Month, September 2019 and World Mental Health Day, October 10, 2019, accepted by the Young Ladies Institute Queen of Faith #254
- D. Recognition: Helping Hands Ministry Street Team, accepted by Liz Padilla and team members
- E. Briefing: City of Turlock Flag Policy, presented by Interim City Manager Michael I. Cooke

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 three (3) 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 8/8/19 in the amount of \$489,713.71; Weekly Demands of 8/15/19 in the amount of \$1,632,468.08
- B. Motion: Accepting Minutes of the Special Meeting of July 6, 2019; Minutes of the Special Meeting of July 23, 2019; Minutes of the Regular Meeting of July 23, 2019; Minutes of the Special Meeting of July 25, 2019
- C. Motion: Approving an Agreement with Hamner, Jewell, and Associates of Fresno, California in the amount of \$20,489 for right-of-way and property appraisal services for City Project 14-27 "Intersection Improvements at Taylor Road and Walnut Road"
- D.
 1. Motion: Approving Amendment No. 1 to the Agreement with Carollo Engineers of Walnut Creek, California in the amount of \$497,522 (Fund 413), bringing the contract total to \$1,741,198 for construction management services for City Project No. 15-39D "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification" (upgrade and expansion of the wastewater treatment plant)
 2. Resolution: Appropriating \$129,000 to account number 413-51-539.43327 "Construction Management" to be funded from Fund 410 Division 530 "WQC Operations" to provide funding for construction management services for City Project No. 15-39C "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification" (upgrade and expansion of the wastewater treatment plant)

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- E. Motion: Approving Contract Change Order No. 1 in the amount of \$34,102.00, for City Project No. 16-58 "Christoffersen Parkway Class II Bicycle Improvements," bringing the contract total to \$430,931.25
- F. Motion: Approving Amendment No. 3 to the Agreement with H. T. Harvey & Associates of Los Gatos, California in the amount of \$102,752 for biological monitoring during construction of City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component," bringing the contract total to \$501,403
- G. Motion: Approval of Contract Change Order No. 7 in the amount of \$113,080.44, for City Project No. 17-30 "West Main Corridor Rehabilitation," bringing the contract total to \$7,962,283.91
- H. Motion: Awarding bid and approving an Agreement in the amount of \$53,200.00 (Fund 410) with Heritage General, Fresno, California, for City Project No. 18-43 "Finance Counter Improvements"
- I. 1. Motion: Accepting notification of Change Order No. 2 (Final) in the decreased amount of \$31,568.79, bringing the contract total to \$1,434,255.96, for City Project No. 14-25 "East Monte Vista Avenue Rehabilitation"
2. Motion: Accepting improvements for City Project No. 14-25 "East Monte Vista Avenue Rehabilitation" and authorizing the City Engineer to file a Notice of Completion
- J. Motion: Approving an Agreement with Condor Earth Technologies, Inc. for various environmental consulting services at the City of Turlock's Regional Water Quality Control Facility (RWQCF) (wastewater treatment plant) for three (3) years, with an option to extend the Agreement for two (2) additional one-year terms, in annual amount not to exceed \$50,000, for a total not-to-exceed amount of \$250,000, over the 5-year term of the Agreement, if all renewal periods are exercised
- K. Motion: Approving Amendment No. 1 to an Agreement between the City of Turlock and Univar USA, Inc., of Kent, WA for City Contract No. 2019-44 "Sodium Bisulfite" the City of Turlock's approval of the assignment and assumptions of the Agreement dated December 11, 2018, by and between the City of Turlock and Univar USA, Inc. to Univar Solutions USA Inc.
- L. Motion: Approving the Second Amendment to the Telecommunications Site Lease Agreement between the City of Turlock and GoldenState Towers, LLC to extend the term of the Agreement
- M. Resolution: Rescinding Resolution Nos. 2018-330 and 2018-253 and adopting a new Resolution designating the authorized signatures for the City of Turlock bank accounts with Westamerica Bank
- N. Resolution: Authorizing computer and hardware purchases solely from Dell Computer Corporation, through the NASPO Contract No. 7-15-70-34-003, without compliance to the formal bidding procedures pursuant to Turlock Municipal Code Section 2-7-08(b)(5)

7. **FINAL READINGS:**

- A. **Recommended Action:**
Ordinance: Adopting an Ordinance approving a Development Agreement by and between the City of Turlock and Fire House Cooperative, Inc. located at 1601 West Main Street, Turlock, CA, County of Stanislaus, Assessor's Parcel Number 089-015-006 as introduced at the August 27, 2019 City Council meeting (*White*)
- B. **Recommended Action:**
Ordinance: Adopting an Ordinance approving a Development Agreement by and between the City of Turlock and Fuego Azul, Inc. located at 495 South Golden State Boulevard, Turlock, CA, County of Stanislaus, Assessor's Parcel Number 043-051-016 as introduced at the August 27, 2019 City Council meeting (*White*)

C. **Recommended Action:**

Ordinance: Adopting an Ordinance approving a Development Agreement by and between the City of Turlock and Cal State Ventures2 located at 501 West F Street, Turlock, CA, County of Stanislaus, Assessor's Parcel Number 043-018-006 as introduced at the August 27, 2019 City Council meeting (*White*)

8. **PUBLIC HEARINGS:**

- A. Request to introduce an Ordinance for first reading approving a Development Agreement by and between the City of Turlock and The Evergreen Market (Turlock), Inc. located at 693 N. Golden State Boulevard, Turlock, CA, County of Stanislaus, Assessor's Parcel Number 061-041-006 (*White*)

Recommended Action:

Ordinance: Introducing an Ordinance for first reading approving a Development Agreement by and between the City of Turlock and The Evergreen Market (Turlock), Inc. located at 693 N. Golden State Boulevard, Turlock, CA, County of Stanislaus, Assessor's Parcel Number 061-041-006

- B. Request to introduce an Ordinance for first reading approving a Development Agreement by and between the City of Turlock and Perfect Union Turlock, LLC located at 2500 N. Golden State Boulevard, Turlock, CA, County of Stanislaus, Assessor's Parcel Number 088-007-025 (*White*)

Recommended Action:

Ordinance: Introducing an Ordinance for first reading approving a Development Agreement by and between the City of Turlock and Perfect Union Turlock, LLC located at 2500 N. Golden State Boulevard, Turlock, CA, County of Stanislaus, Assessor's Parcel Number 088-007-025

9. **ACTION ITEMS:** None

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.

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. **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 (*continuation of Closed Session if necessary*):** None

14. REPORTS FROM CLOSED SESSION: None

15. ADJOURNMENT