

City Council Agenda



June 22, 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

Rebecka Monez

Andrew Nosrati

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 Equality, Inclusion, Acceptance and Toleration, and of the Defense of these Ideals
- B. Briefing: COVID-19 Update, presented by Interim Fire Chief Gary Carlson

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

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 5/27/21 in the amount of \$5,111,372.39; Weekly Demands of 6/3/21 in the amount of \$1,461,388.94; Monthly Demands of 4/30/21 in the amount of \$1,163,943.31
- B. Resolution: Adopting a list of projects and expenses for Fiscal Year 2021-22 funded by Senate Bill 1 (SB 1) "The Road Repair and Accountability Act of 2017"
- C. Resolution: Approving a Memorandum of Understanding (MOU) between the Stanislaus Council of Governments (StanCOG) and the City of Turlock and the Stanislaus Regional Transit Authority (StanRTA) for the implementation of the Low Carbon Transit Operations Program (LCTOP) Regional Free Fare Days Project and authorizing the City Manager to execute the MOU and any additional documents required to fully implement the Project
- D. Motion: Awarding bid and approving an agreement in the amount of \$4,560,865 (Fund 410) with Pacific Infrastructure Corporation of Pleasanton, California, for City Project No. 20-032 "Chemical System Upgrades Project at RWQCF"
- E.
 1. Resolution: Approving the Engineer's Report for Fiscal Year 2021-22 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock
 2. Resolution: Declaring the City Council's intention to levy and collect assessments for Fiscal Year 2021-22 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock
- F.
 1. Motion: Extending the Agreement between the City of Turlock and the Stanislaus County Abandoned Vehicle Abatement Program, for a period of ten (10) years
 2. Resolution: Authorizing the extension of the Abandoned Vehicle Abatement Program until April 30, 2032
- G. Resolution: Approving modifications to the job descriptions for the positions of Purchasing Coordinator and Purchasing Coordinator-Trainee, and creation of a new job description for the position of Purchasing Supervisor, effective June 22, 2021
- H. Resolution: Approving modifications to the job descriptions for the positions of Accountant I and Accountant II; modifications to and retitling the Senior Accountant job description to Principal Accountant; and approving the new job description for Accountant III, effective June 22, 2021
- I. Resolution: Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19
- J. Motion: Declaring the Intention to Order Annexation No. 29 for the property located at 439 Wayside Drive (Stanislaus County APN 042-014-002) to Existing Community Facilities District No. 2 (Services Mitigation)
- K. Resolution: Approving revisions to the job description for the position of City Clerk, effective June 22, 2021

7. FINAL READINGS:

- A. **Recommended Action:**
Ordinance: Amending the Turlock Municipal Code Title 6, Chapter 7, regarding water conservation and education in accordance with Department of Water Resources' (DWR) new requirements for urban water suppliers to adopt a Water Shortage Contingency Plan (WSCP) and adding Title 6, Chapter 7, Section 414 to add a hand watering exemption (*Brown*)

8. PUBLIC HEARINGS:

Public Hearing Item 8A is being continued to July 13, 2021.

- A. Request to make no change in the cap on the number of beds that may be permitted under the nondiscretionary permit process within the SB 2 emergency shelter overlay district (*Quintero*)

Recommended Action:

Motion: Making no change in the cap on the number of beds that may be permitted under the nondiscretionary permit process within the SB 2 emergency shelter overlay district

9. ACTION ITEMS:

- A. Request to Approve the eight (8) Annual Funding Agreements between the City of Turlock and each of the HOME Consortium sub-recipients for the purpose of undertaking HOME eligible housing assistance activities pursuant to Title II of the Cranston-Gonzales National Affordable Housing Act of 1990 for FY 2021-2022 in the amount of \$1,468,808 (*Ramos*)

Recommended Action:

Motion: Approving the eight (8) Annual Funding Agreements between the City of Turlock and each of the HOME Consortium sub-recipients for the purpose of undertaking HOME eligible housing assistance activities pursuant to Title II of the Cranston-Gonzales National Affordable Housing Act of 1990 for FY 2021-2022 in the amount of \$1,468,808

- B. Request to Appropriate \$200,000 to account number 301-50-520.51300 "Construction Repairs/Improvements" to be funded via a transfer from Fund 117 "Cannabis Fund" unallocated reserves to provide necessary funding for City Project No. 19-51 "Columbia Pool Improvements" AND Approving a Professional Services Agreement with O'Dell Engineering, of Modesto, California, in the amount of \$148,530 for professional design services for City Project No. 19-51 "Columbia Pool Improvements" (*Bray*)

Recommended Action:

Resolution: Appropriating \$200,000 to account number 301-50-520.51300 "Construction Repairs/Improvements" to be funded via a transfer from Fund 117 "Cannabis Fund" unallocated reserves to provide necessary funding for City Project No. 19-51 "Columbia Pool Improvements"

Motion: Approving a Professional Services Agreement with O'Dell Engineering, of Modesto, California, in the amount of \$148,530 for professional design services for City Project No. 19-51 "Columbia Pool Improvements"

- C. Request to Authorize the Mayor to offer incentives for a City Manager and authorize the City Manager to offer incentives for a City Clerk, Chief of Police, Fire Chief, Development Services Director, Finance Director, Administrative Services Director and Municipal Services Director in the form of vacation and sick leave incentives, up to 80 and 40 hours respectively, and \$6,000 to be distributed 50% on the date of hire and 50% on completion of probation in Fiscal Year 2021-2022 (*Dhami*)

Recommended Action:

Resolution: Authorizing the Mayor to offer incentives for a City Manager and authorizing the City Manager to offer incentives for a City Clerk, Chief of Police, Fire Chief, Development Services Director, Finance Director, Administrative Services Director and Municipal Services Director in the form of vacation and sick leave incentives, up to 80 and 40 hours respectively, and \$6,000 to be distributed 50% on the date of hire and 50% on completion of probation in Fiscal Year 2021-2022

- D. Request to Approve the funding allocation for the Public Service Grant Agreements with the six (6) nonprofit agencies for fiscal year 2021-2022 funded with Community Development Block Grant Program (CDBG) funds and authorizing City Manager or designee to execute all related and necessary documents (*Ramos*)

Recommended Action:

Motion: Approving the funding allocation for the Public Service Grant Agreements with the six (6) nonprofit agencies for fiscal year 2021-2022 funded with Community Development Block Grant Program (CDBG) funds and authorizing City Manager or designee to execute all related and necessary documents

- E. Request to Authorize the issuance of a Request for Proposal (RFP) to conduct an executive recruitment for the position of City Manager, Chief of Police, Fire Chief, Development Services Director, and Municipal Services Director AND Authorize the Mayor to enter into a professional services agreement with a recruitment firm to conduct an executive recruitment for the position of City Manager, Chief of Police, Fire Chief, Development Services Director, and Municipal Services Director in an amount not to exceed \$100,000 AND Appropriate \$100,000 from Fund 110 "General Fund" unassigned reserves to account number 110-10-109.43060_039 "Contract Services Executive Recruitments" for the retention of a recruitment firm to conduct an executive recruitment for the position of City Manager, Chief of Police, Fire Chief, Development Services Director, and Municipal Services Director (*Dhami*)

Recommended Action:

Motion: Authorizing the issuance of a Request for Proposal (RFP) to conduct an executive recruitment for the position of City Manager, Chief of Police, Fire Chief, Development Services Director, and Municipal Services Director

Motion: Authorizing the Mayor to enter into a professional services agreement with a recruitment firm to conduct an executive recruitment for the position of City Manager, Chief of Police, Fire Chief, Development Services Director, and Municipal Services Director in an amount not to exceed \$100,000

Resolution: Appropriating \$100,000 from Fund 110 "General Fund" unassigned reserves to account number 110-10-109.43060_039 "Contract Services Executive Recruitments" for the retention of a recruitment firm to conduct an executive recruitment for the position of City Manager, Chief of Police, Fire Chief, Development Services Director, and Municipal Services Director

- F. Request to Approve the updated five-year Capital Improvement Program (CIP) for the City of Turlock for Fiscal Years 2021-22 through 2025-26 (*Bray*)

Recommended Action:

Motion: Approving the updated five-year Capital Improvement Program (CIP) for the City of Turlock for Fiscal Years 2021-22 through 2025-26

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. Fire Department
 - 1. Public Safety Briefing (*Carlson*)
- B. Police Department
 - 1. Public Safety Briefing (*Williams*)
- C. 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. Threat to Public Services or Facilities, Cal. Gov't Code §54957(a)
"This chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, or a threat to the public's right of access to public services or public facilities."
 Consultation with: Interim Fire Chief Gary Carlson and Interim City Attorney George A. Petrulakis
- B. 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: 3500 North Quincy Road, Denair, CA (APN No. 073-009-014-000)
 Agency Negotiator: City Engineer Nathan Bray, P.E.
 Negotiating Parties: Good Shephard Lutheran Church (Ron Youngdale [Pastor] and Charles Jahn [Congregational President], City of Turlock
 Under Negotiation: Price and terms of payment for the purchase of property in fee

- C. 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.
- D. Liability Claims, Cal. Gov't Code §54956.95
"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."
 Claimant: Gaviani, Nelson
 Agency Claimed Against: City of Turlock
- E. Liability Claims, Cal. Gov't Code §54956.95
"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."
 Claimant: Rojasbravo, Patricia
 Agency Claimed Against: City of Turlock
- F. Liability Claims, Cal. Gov't Code §54956.95
"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."
 Claimant: Espinoza, Carlos
 Agency Claimed Against: City of Turlock
- G. 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 Case: (2 cases)

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT