

# City Council Agenda

OCTOBER 12, 2021

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



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**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](http://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](http://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](http://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\****

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Mayor  
Amy Bublak

Council Members

Nicole Larson  
Andrew Nosrati

Rebecka Monez  
Pam Franco  
Vice Mayor

Acting City Manager  
Dan Madden  
Interim City Clerk  
Kellie E. Weaver  
Interim City Attorney  
George A. Petrulakis

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**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](http://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. Presentation: Turlock Airport Presentation by Todd Smith, President, Turlock Regional Aviation Association
- B. Recognition: Introduction of Isaac Moreno, New City of Turlock Finance Director
- C. Appointment: City/County Disaster Council, Alternate Member

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

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**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 9/23/21 in the amount of \$1,483,248.37; Weekly Demands of 9/30/21 in the amount of \$1,968,496.43
- B. Motion: Accepting Minutes of the Special Meeting of September 28, 2021; Minutes of Regular Meeting of September 28, 2021
- C. Motion: Approving the Final Map and Subdivision Improvement Agreement with JKB Living, conditioned upon construction of improvements for the Legends North No. 3 subdivision (Development Project No. 7045), developed by JKB Living
- D. Motion: Approving a Five-Year Memorandum of Understanding (MOU) with Stanislaus Business Alliance (Opportunity Stanislaus) Economic Development and Workforce Strategies and authorizing the City Manager to execute the MOU  
Resolution: Appropriating \$20,000 to account number 110-10-112.47243 "Stanislaus Alliance" from Fund 110 "General Fund" Unassigned Reserves to increase the total contribution to Opportunity Stanislaus to \$50,000
- E. Resolution: Authorizing the acceptance of an allocation of funds, execution of a grant agreement, and the commitments necessary to administer the Selective Traffic Enforcement Program Grant through the California Office of Traffic Safety in an amount not to exceed \$60,000, appropriating said funds into Fund 266 "Police Grants" Program 352 "OTS Step Grant" revenue account number 266-20-255-352.35720 and expenditure accounts 266-20-255-352.41100\_013 "Overtime OTS Step Grant" with associated benefit accounts for overtime in the amount of \$54,275, 266-20-255-352.47095\_014 "Training Step Grant #PT22092" in the amount of \$2,062, and 266-20-255-352.51109\_002 "Equipment – STEP Grant #PT22092" in the amount of \$3,663, for FY 2021-2022, and authorizing the City Manager to sign all documents required to apply for and accept this grant on behalf of the City of Turlock
- F. Resolution: Authorizing the retirement of Turlock Police Department Canine "Keyser" and selling the retired canine to his current handler, Officer Queray McMihelk, in the amount of one dollar (\$1.00)
- G. Resolution: Authorizing the acceptance of \$20,000 in grant funds from the San Joaquin Valley Air Pollution Control District's Public Benefit Grant, and appropriating grant funds into revenue account number 506-00-000-221.37235 "Vehicle/Equipment Replacement" for the Parks, Recreation and Public Facilities department, and approving the purchase of one (1) eTuatara all-electric vehicle from the sole source provider, Zeronox, in the amount of \$20,400, from expense account number 506-00-000-221.51020 "Equipment Replacement" for the Parks, Recreation and Public Facilities department from unassigned reserve in Fund 506
- H. Resolution: Accepting the Turlock Downtown Property Owners Association 2020-2021 Annual Report to be filed with the City Clerk in accordance with California Streets and Highways Code Section 36650
- I. Resolution: Approving the submission of a grant application for the American Rescue Plan Act (ARPA) funding, accepting the ARPA Airport Grant in the amount of \$32,000, appropriating the grant funds to account number 401-10-125.34308 (Airport Administration, Airport - FAA ARPA Airport Grant Revenue), and authorizing the City Manager to sign and execute all documents related to the grant

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- J. Motion: Awarding RFB No. 21-026 and approving an Agreement between the City of Turlock and ABS Direct, Inc. for Laser Printing and Mailing Services of Utility Billing, Business License Renewals, and Delinquent Notices for the Municipal Services Department, Finance Division, for a period of twenty-four (24) months, with an option to extend agreement for three (3) additional one-year terms, for a total not-to-exceed amount of \$280,000 over the 2-year term of the agreement
  - K. Resolution: Appropriating \$1,875 to account number 240-00-000-203.51005\_001 "Communications Equipment Funded by PEG Fees" from Fund 240 "Small Equipment Replacement-Cable Franchise PEG Fee" unassigned reserves for computer equipment for the Yosemite Room Council Chambers
  - L. Resolution: Approving modifications to pay ranges of part-time classifications, establishing \$15.00 per hour as the minimum hourly rate of pay, in accordance with California Department of Industrial Relations minimum wage increase that will go into effect on January 1, 2022
  - M. 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 October 26, 2021 City Council Meeting*

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

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**9. ACTION ITEMS:**

- A. Request to approve Contract Change Order No. 2 in the amount of \$280,697 (Fund 218) with Granite Construction, of Fresno, California, for City Project No. 17-53 "Golden State Rehabilitation 20th Century Boulevard to Main Street," bringing the contract total to \$2,066,892.01, AND approve a Cost Sharing Agreement with Turlock Inn to defray expenses associated with the road section improvements on 20th Century Boulevard as part of City Project No. 17-53 "Golden State Boulevard Rehabilitation," AND appropriate \$260,697 to account number 215-40-420.51210 "Federal Streets Projects" to be funded from Fund 118 "Measure A" unallocated reserves to provide the necessary funding for the increased scope on City Project No. 17-53 "Golden State Rehabilitation 20th Century Boulevard to Main Street." (*Quintero*)

***Recommended Action:***

Motion: Approving Contract Change Order No. 2 in the amount of \$280,697 (Fund 218) with Granite Construction, of Fresno, California, for City Project No. 17-53 "Golden State Rehabilitation 20th Century Boulevard to Main Street," bringing the contract total to \$2,066,892.01

Motion: Approving a Cost Sharing Agreement with Turlock Inn to defray expenses associated with the road section improvements on 20th Century Boulevard as part of City Project No. 17-53 "Golden State Boulevard Rehabilitation"

Resolution: Appropriating \$260,697 to account number 215-40-420.51210 "Federal Streets Projects" to be funded from Fund 118 "Measure A" unallocated reserves to provide the necessary funding for the increased scope on City Project No. 17-53 "Golden State Rehabilitation 20th Century Boulevard to Main Street"

- B. Request to authorize use of staff time and City resources to research and prepare an Ordinance to allow Pedicabs to operate in the City of Turlock. (*Quintero*)

***Recommended Action:***

Motion: Authorizing use of staff time and City resources to research and prepare an Ordinance to allow Pedicabs to operate in the City of Turlock

- C. Request to reconsider concurrence by City Council on September 14, 2021, to develop an ad hoc committee consisting of two Councilmembers and City staff to research and prepare a staff report on establishing guidelines in support of existing Youth Drug Abuse Awareness and Prevention Program(s) funded by cannabis derived revenues AND authorize the establishment of an ad hoc committee consisting of Councilmembers Larson and Nosrati, to identify ideas and/or proposals for the use of cannabis derived revenue identified in Resolution No. 2020-003 (Attachment 1), for Youth Drug Abuse Awareness and Prevention Program(s). (*Franco*)

***Recommended Action:***

Motion: Reconsidering concurrence by City Council on September 14, 2021, to develop an ad hoc committee consisting of two Councilmembers and City staff to research and prepare a staff report on establishing guidelines in support of existing Youth Drug Abuse Awareness and Prevention Program(s) funded by cannabis derived revenues

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Motion: Authorizing the establishment of an ad hoc committee consisting of Councilmembers Larson and Nosrati, to identify ideas and/or proposals for the use of cannabis derived revenue identified in Resolution No. 2020-003 (Attachment 1), for Youth Drug Awareness and Prevention Program(s)

**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. Administrative Services

1. Administrative Update (*Madden*)

**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, 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.

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- B. 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(s): (1 case)
- C. 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: Joodel and Juana Buenrostro  
Agency Claimed Against: City of Turlock
- 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: Erin Nussbaumer  
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: Albert Ahid  
Agency Claimed Against: City of Turlock

**14. REPORTS FROM CLOSED SESSION**

**15. ADJOURNMENT**