

City Council Meeting Agenda



APRIL 26, 2022

6:00 p.m.

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

AMENDMENT NO. 2

Dated April 25, 2022

Mayor
Amy Bublak

Council Members
Nicole Larson
Andrew Nosrati
Rebecka Monez
Pam Franco
Vice Mayor

City Manager
Reagan M. Wilson
City Clerk
Julie Christel
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 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 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.

CALL TO ORDER SALUTE TO THE FLAG ROLL CALL DECLARATION OF CONFLICTS

- 1. CLOSED SESSION:**
The Closed Session item(s) for this meeting have been agenda'd 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:** National Volunteer Week
- 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 April 7, 2022 in the amount of \$2,346,214.82 and April 14, 2022 in the amount of \$710825.96.
- B. Motion: Accepting Minutes of the Regular and Special City Council Meetings of April 12, 2022
- C. Resolution: Approving a Memorandum of Understanding (MOU) with Stanislaus County to participate financially in a County-led road rehabilitation project in select county islands adjacent to the City's public right of way for City Project No. 21-022, "Road Rehabilitation Adjacent to County Islands," to be funded from Measure L (*Quintero*)
- D. Resolution: Accepting the 2022 schedule of maximum allowable fees charged by tow companies (*Hedden*)
- E. Resolution: Authorizing the City Manager to extend recruitment incentives, pre-accrual of up to 80 hours of vacation and up to 40 hours of sick leave, to attract and retain highly qualified candidates to fill vacancies identified in the citywide Council adopted allocated personnel plan (*Wilson*)
- F. 1) Resolution: Authorizing the City Manager to execute a Memorandum of Understanding (MOU) between the Stanislaus Council of Governments (StanCOG) and the City of Turlock for implementation of the Turlock Transit Amtrak Shuttle, a Measure L Rail Services Project, to include execution of all agreements, assurances, and related documents necessary to implement the specified project; AND
- 2) Resolution: Appropriating \$137,482 in Measure L Rail Services grant funding to various accounts as specified in the Resolution and \$137,482 expenses to various accounts as specified in the resolution to complete the necessary funding to continue operation of the Turlock Transit Amtrak Shuttle pilot project (*Quintero*)
- G. Motion: Directing staff to remove buffered bicycle lanes and retain on-street parking for City Project 17-53 "Golden State Rehabilitation 20th Century Boulevard to Main Street" (*Quintero*)
- H. 1) Motion: Authorize appropriation for subsidization of Senior Refuse Discount for the remaining of the fiscal year; AND
- 2) Resolution: appropriating \$60,000 to account number 110-00-000.47082 "Senior Garbage Credit" to be funded from Fund 110 "General Fund" unassigned reserves to provide the necessary funding for Senior Trash Discount (*Moreno*)
- I. Resolution: Approving revised job descriptions for Utilities Maintenance Worker I/II, Utilities Maintenance Worker – Senior, Utilities Supervisor – Assistant, and Utilities Supervisor (*Dhami*)

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- J. Resolution: Authorizing the City Manager to have the City of Turlock be a sponsor for Love Turlock 2022 Event at a \$2,000 sponsorship (*Wilson*)

7. FINAL READINGS:

None

8. PUBLIC HEARINGS:

- A. Request to Amend the Turlock Municipal Code, Title 4, to add Chapter 19 Police Acquisition and use of “Military Equipment” (*Pacheco*)

Recommended Action:

Ordinance: Amending the Turlock Municipal Code, Title 4, to add Chapter 19, Police Acquisition and use of “Military Equipment”

- B. Request for the City Clerk to confirm: a) Proof of Publication of Notice of Public Hearing; b) Signed Waiver and Consent; c) Completed and Signed Ballot and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and Ballot Declaring Election Results (Project Planner to prompt and facilitate these steps) AND Mayor and City Council conduct public hearing confirming that no protests have been received – close hearing and adopt the two Resolutions below AND Calling a Special, Mailed-Ballot Election respecting Proposed Annexation Number 33 to existing Community Facilities District Number 2 (Services Mitigation) AND Declaring the results of Mailed-Ballot Election respecting Proposed Annexation Number 33 to Community Facilities District Number 2 (Services Mitigation) and ordering annexation (*Quintero*)

Recommended Action:

Confirmation: City Clerk confirms: a) Proof of Publication of Notice of Public Hearing; b) Signed Waiver and Consent; c) Completed and Signed Ballot and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and Ballot Declaring Election Results (Project Planner to prompt and facilitate these steps)

Public Hearing: Mayor and City Council conduct public hearing confirming that no protests have been received – close hearing and adopt the two resolutions below:

Resolution: Calling a Special, Mailed-Ballot Election respecting Proposed Annexation Number 33 to existing Community Facilities District Number 2 (Services Mitigation)

Resolution: Declaring the results of Mailed-Ballot Election respecting Proposed Annexation Number 33 to Community Facilities District Number 2 (Services Mitigation) and ordering annexation

9. ACTION ITEMS:

- A. Appropriating \$394,172 to account number 215-40-420.51210 “Federal Street Projects” to be funded from Fund 218 “Measure L” unallocated reserves to provide necessary funding for City Project No. 20-031 “Hedstrom Road Rehabilitation” and awarding bid and approving an Agreement in the amount of \$908,088 (Non-General Fund - Fund 215) with Dirt Dynasty, Inc., of Farmington, California, for City Project No. 20-031 “Hedstrom Road Rehabilitation.

Recommended Action:

Resolution: Appropriating \$394,172 to account number 215-40-420.51210 "Federal Street Projects" to be funded from Fund 218 "Measure L" unallocated reserves to provide necessary funding for City Project No. 20-031 "Hedstrom Road Rehabilitation"

Motion: Awarding bid and approving an Agreement in the amount of \$908,088 (Non-General Fund - Fund 215) with Dirt Dynasty, Inc., of Farmington, California, for City Project No. 20-031 "Hedstrom Road Rehabilitation"

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's Update (Information only)

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION

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 Legal Counsel - Pending Litigation, California Government Code §54956.9(d)(4)
"For purposes of this section, litigation shall be considered pending when any of the following circumstances exist...Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation."
Potential Case(s): 1 Case

B. Conference with Labor Negotiators - California Government 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: Deputy City Manager Sarah Eddy
Employee Organization: Turlock Firefighters Association – Local 2434
Employee Organization: Turlock Management Association – Public Safety

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: Bruce Wedin
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: Curtiss Deoliveria
Agency Claimed Against: City of Turlock

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT