

City Council Meeting Agenda

June 28, 2022

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



Amendment No. 2
Dated 6/27/2022

**and via telephone:
3643 Gaviota Avenue
Long Beach, CA 90807

Mayor
Amy Bublak

Council Members

Nicole Larson **Rebecka Monez**
Andrew Nosrati **Pam Franco** (Calling in)
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. 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.

2. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS:

3. 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. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE

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 Weekly Demands of 06/02/2022 in the amount of \$338,674.89, 06/09/2022 in the amount of \$1,160,754.63, and 06/16/2022 in the amount of \$575,611.98
- B. Motion: Accepting Minutes of the Special Meeting of May 17, 2022 and Special Meeting of May 24, 2022
- C. 1) Resolution: Approving the Engineer's Report for Fiscal Year 2022-23 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 2022-23 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock
- D. Resolution: Reaffirming the Proclamation of a Local Emergency 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)
- E. Resolution: Approving revisions to the job description for Fire Engineer
- F. Motion: Approval of Contract Change Order No. 5 in the amount of \$69,491.10 (Fund 420) with Clark Bros., Inc., of Fresno, California, for City Project No. 20-027 "City Wide Chlorination" bringing the contract total to \$4,566,712.26
- G. Motion: Approving the Subdivision Improvement Agreement and Final Map with Modesto Roselle, LLC, conditioned upon construction of improvements for the Fifth Street Community subdivision (VTSM 2020-02, Development Project No. 21-006), developed by Modesto Roselle, LLC
- H. Motion: Awarding a bid and approving an Agreement in the amount of \$2,366,102 (Fund 412 and Fund 421) with Rolfe Construction, Inc., of Atwater, California, for City Project No. 20-013 "Water and Sewer Main Extensions – N Golden State Blvd"
- I. Resolution: Approving a Purchase and Sale Agreement with Bryan D. Mello and Stefanie N. Mello, Gary W. Platt and Claudia M. Platt, and W. John R. Doidge and Judith Doidge for City Project No. 14-44 "Intersection Improvements at W. Main St and Tegner Rd" in the amount of \$4,000 (Non-General Fund - Fund 215) for right of way acquisition of 3012 W. Main Street per the terms of the Agreement
- Updated J. Motion: Approving Amendment No. 2 to the On-Call Professional Services Agreement with WMB Architects, Inc. of Sacramento, California, for City Project No. 17-61 "Retainer Agreement for Architectural Services" to extend the term through December 31, 2022

- Updated K. Resolution: Appropriating an additional ~~\$14,888.64~~ \$7,500 to account number 120-10-120.47317_006 "City Sponsored Special Events 4th of July" from the Transient Occupancy Tax (TOT) Fund 120 2022/23 reserve balances to offset the estimated costs of the 2022 Downtown 4th of July Parade and Car Show hosted by the Turlock Downtown Property Owners Association (TDPOA), and authorizing the City Manager to allocate co-sponsorship funds beyond the estimate provided to cover all accrued actual event costs
- L. Resolution: Approving Amendment No. 1 to the Memorandum of Understanding (MOU) between Stanislaus County Office of Education (SCOE), City of Turlock, and Turlock Unified School District (TUSD) to offer After School Education and Safety (ASES) programs (Attachment B) and appropriating \$51,000 to revenue account number 35720 and expense account number 44001_000 "Supplies General" in Fund 270 "Recreation Grants and Donations" to the various programs delineated in Exhibit 1 of the MOU
- M. Motion: Approving Amendment No. 3 to the Agreement between the City of Turlock and Michael Baker International, Inc. (Walnut Creek, California office) for Professional Services (City Contract No. 2022-45) in the amount of \$52,650.04 (Fund 115 "Measure A – Roads") for City Project No. 21-039 "Planning and Preliminary Design for Roads Program" in a form approved by the City Attorney
- N. Resolution: Making certain findings and determinations in compliance with Section XIII.B of the California Constitution and Section 7910 of the California Government Code and setting the Fiscal Year 2022-2023 Appropriation Limit for the City of Turlock
- O. Resolution: Approving a job description for a part-time Background Investigator
- P. Resolution: Approving Amendment No. 5 to a Professional Services Agreement between the City of Turlock and Cooperative Personnel Services dba CPS HR Consulting Services for temporary professional human resource services, increasing the contract amount by \$170,000, increasing the total contract to not exceed \$470,000
- Q. Motion: Approving Contract Change Order No. 2 in the amount of \$733,037.25 (Non-General Fund – Fund 420) with Mountain Cascade Inc. of Livermore, California for construction of City Project No. 18-69 "Surface Water Distribution System Improvements," bringing the contract total to \$32,634,717.50
- R. Motion: Awarding bid and approving an Agreement in the amount of \$57,655 (Fund 420) with Mazingo Construction, Inc. of Oakdale, California, for City Project No. 22-019 "Well No. 38 On-site Fire Hydrant"
- S. Motion: Awarding RFB No. 2022-009 and approving an Agreement with Bay City Boiler and Engineering Co., Inc. for hot water boiler repairs and preventative maintenance services for the Turlock Regional Water Quality Control Facility and the City's water system, in an annual amount not to exceed \$150,000
- T. Resolution: Approving a reclassification of the Risk Manager to Risk Management Director, approving revisions to the job description, and an amendment to the salary schedule of the existing Management Schedule of Benefits and Policies adopted by Resolution number 2022-094 dated May 24, 2022, to include all approved management salaries

6. FINAL READINGS:

7. PUBLIC HEARINGS:

8. ACTION ITEMS:

- A. Request to adopt the City of Turlock Fiscal Year (FY) 2022-2023 General Fund and Non-General Fund Budget (*Moreno*)

Recommended Action: Resolution: Adopting the City of Turlock Fiscal Year (FY) 2022-2023 General Fund and Non-General Fund Budget

- B. Request to Accept Improvements and authorizing the City Engineer to file a Notice of Completion for City Project No. 20-001 "Southeast Quadrant Road Rehabilitation" (*Quintero*)

Recommended Action: Motion: Accept Improvements and authorizing the City Engineer to file a Notice of Completion for City Project No. 20-001 "Southeast Quadrant Road Rehabilitation"

- C. Request to authorize an Agreement between the City of Turlock and AIG/Glatfelters Insurance Company for Property Insurance, in the amount of \$158,644, covering the period of July 1, 2022 to June 30, 2023 (*Dhami*)

Recommended Action: Resolution: Authorize an Agreement between the City of Turlock and AIG/Glatfelters Insurance Company for Property Insurance, in the amount of \$158,644, covering the period of July 1, 2022 to June 30, 2023

- D. Request to authorize an Agreement between the City of Turlock and Travelers Casualty & Surety Company of America for Cyber Liability Insurance, in the amount of \$28,000, covering the period of July 1, 2022 to June 30, 2023 (*Dhami*)

Recommended Action: Resolution: Authorize an Agreement between the City of Turlock and Travelers Casualty & Surety Company of America for Cyber Liability Insurance, in the amount of \$28,000, covering the period of July 1, 2022 to June 30, 2023

- E. Request to authorize an Agreement between the City of Turlock and Chubb/Ace Insurance Company for Employment Practices Liability Insurance, in the amount of \$50,039, covering the period of July 1, 2022 to June 30, 2023 (*Dhami*)

Recommended Action: Resolution: Authorize an Agreement between the City of Turlock and Chubb/Ace Insurance Company for Employment Practices Liability Insurance, in the amount of \$50,039, covering the period of July 1, 2022 to June 30, 2023

- F. Request to authorize an Agreement between the City of Turlock and National Union Fire Insurance for Liability Insurance for the Turlock Municipal Airport, in the amount of \$3,575, covering the period of July 1, 2022 to June 30, 2023 (*Dhami*)

Recommended Action: Resolution: Authorize an Agreement between the City of Turlock and National Union Fire Insurance for Liability Insurance for the Turlock Municipal Airport, in the amount of \$3,575, covering the period of July 1, 2022 to June 30, 2023

- G. Request to authorize an Agreement between the City of Turlock and Midwest Employers Casualty for Excess Workers' Compensation Insurance, in the estimated amount of \$112,692, covering the period of July 1, 2022 to June 30, 2023 (*Dhami*)

Recommended Action: Resolution: Authorize an Agreement between the City of Turlock and Midwest Employers Casualty for Excess Workers' Compensation Insurance, in the estimated amount of \$112,692, covering the period of July 1, 2022 to June 30, 2023

- H. Request to authorize Agreements between the City of Turlock and related benefit partners in conjunction with the Excess Loss Insurance for City employees for the period of July 1, 2022 to June 30, 2023 (*Dhami*)

Recommended Action: Resolution: Authorize Agreements between the City of Turlock and related benefit partners in conjunction with the Excess Loss Insurance for City employees for the period of July 1, 2022 to June 30, 2023

- I. Request to approve the purchase of one (1) 2022 Ford Explorer from an authorized dealer for the Municipal Services Department, in an amount not to exceed \$55,000 (Fund 410) as approved by City Council without compliance to formal bid procedures pursuant to Turlock Municipal Code Section 2-7-08(b)(6) (*Goodman*)

Recommended Action: Resolution: Approve the purchase of one (1) 2022 Ford Explorer from an authorized dealer for the Municipal Services Department, in an amount not to exceed \$55,000 (Fund 410) as approved by City Council without compliance to formal bid procedures pursuant to Turlock Municipal Code Section 2-7-08(b)(6)

- J. Request to authorize the continued engagement of the law firm of Atkinson, Andelson, Loya, Ruud & Romo to provide labor/employment law services to the City of Turlock pursuant to an updated Attorney Representation Agreement for the period covering July 1, 2022 – June 30, 2023 (*Dhami*)

Recommended Action: Resolution: Authorize the continued engagement of the law firm of Atkinson, Andelson, Loya, Ruud & Romo to provide labor/employment law services to the City of Turlock pursuant to an updated Attorney Representation Agreement for the period covering July 1, 2022 – June 30, 2023

- K. Request to authorize renewal of a three (3) year agreement between the City of Turlock and Keenan & Associates to administer Workers' Compensation Claims and provide Risk Management Services related to the Workers' Compensation Program, covering the period of July 1, 2022 – June 30, 2023 (*Dhami*)

Recommended Action: Resolution: Authorize renewal of a three (3) year agreement between the City of Turlock and Keenan & Associates to administer Workers' Compensation Claims and provide Risk Management Services related to the Workers' Compensation Program, covering the period of July 1, 2022 – June 30, 2023

- L. Request to authorize employment of a CalPERS Annuitant (Interim Public Works Director) pursuant to CalPERS requirements (*Dhami*)

Recommended Action: Resolution: Authorize employment of a CalPERS Annuitant (Interim Public Works Director) pursuant to CalPERS requirements

- M. Request to authorize employment of a CalPERS Annuitant (Extra Help) pursuant to CalPERS requirements and to certify a 180-day wait period exception (*Dhami*)

Recommended Action: Resolution: Authorize employment of a CalPERS Annuitant (Extra Help) pursuant to CalPERS requirements and to certify a 180-day wait period exception

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- N. Request to authorize the City Manager to release the second issuance of funding for the RAD Card Program in the amount of \$500,000 (*Eddy*)

Recommended Action: *Motion:* Authorize the City Manager to release the second issuance of funding for the RAD Card Program in the amount of \$500,000

- O. Proposed Relocation of Ace Train (*Eddy*)

Recommended Action: None. Informational Item Only.

9. 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. Monthly Department Reports (*Wilson*)

B. Water Usage Update (*Wilson*)

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION

11. 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.

12. CLOSED SESSION:

A. Public Employee Performance Evaluation -California Government Code §54957(b)(1)
Title: City Manager

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 Management Association – Public Safety

Employee Organization: Turlock Firefighters Association – Local 2434

13. REPORTS FROM CLOSED SESSION

14. ADJOURNMENT