

City Council Meeting Agenda

AMENDMENT NO. 1 04/06/2024



April 9, 2024

6:00 PM

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

Mayor
Amy Bublak

Council Members

Kevin Bixel
Cassandra Abram

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 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.

1. **CALL TO ORDER**
2. **SALUTE TO THE FLAG**
3. **ROLL CALL AND DECLARATION OF CONFLICTS**
4. **APPROVAL OF AGENDA AS POSTED OR AMENDED**

**CITY OF TURLOCK
CITY COUNCIL
REGULAR MEETING AGENDA
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Next City Council Resolution: 2024-039

Next Ordinance: 1311-CS

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.

5. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS

- A. Proclamation: Animal Care and Control Appreciation Week (April 14-20, 2024)
- B. Proclamation: National Telecommunications Week (April 14-20, 2024)
- C. Presentation: Love Turlock
- D. Briefing: Fire Department Project List Update (Hunter)

6. 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.

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

8. 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. Motion: Accepting the Weekly demands of 03/15/2024 through 03/21/2024 in the amount of \$1,455,820.88, 03/22/2024 through 03/28/2024 in the amount of \$2,417,805.86, the payroll EFT for 12/01/2023 through 12/31/2023 in the amount of \$2,311,608.90 the AP EFT for 02/01/2024 through 02/29/2024 in the amount of \$230,807.39, and the Investment and Cash Report for February 29, 2024 in the amount of \$271,231,535.40
- B. Motion: Accepting Minutes of the March 26, 2024 meeting of the City of Turlock City Council
- C. Resolution 2024-XXX: Approving Amendment No. 2 to Agreement No. 2020-79 between the City of Turlock and Provost & Pritchard Consulting Group for Design Services of the Drinking Water Chlorination Project to include an additional scope of work for continuation of construction administration and construction management, and increasing the total

Amended

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compensation by \$22,442.35, for a total not-to-exceed amount of \$858,742.35 from Fund 420 "Water", account number 420-52-551.43359 "Professional Engineering Services" (Fisher)

- Amended** D. 1) Resolution 2024-XXX: Approving Amendment No. 9 to the Agreement with Carollo Engineers of Walnut Creek, California, in the amount of \$213,106 for additional SCADA programming work, bringing the contract total to a not to exceed amount of \$6,813,434, for City Project No. 18-69 "Surface Water Distribution System Improvements" to be funded in Fund 420 "Water" account number 420-52-551.51356 "Surface Water Dist. Imp.-Terminal Facilities"
- 2) Resolution: 2024-XXX: Approving Amendment No. 3 to an Agreement with West Yost Associates of Davis, California, in the amount of \$118,304, for construction management services, bringing the contract total to a not to exceed amount of \$2,866,288, for City Project No. 18-69 "Surface Water Distribution System Improvements" to be funded in Fund 420 "Water" account number 420-52-551.51356 "Surface Water Dist. Imp.-Terminal Facilities" (Fisher)
- Amended** E. Resolution 2024-XXX: Approving grant deeds to transfer property identified as Caltrans Parcels numbered 16660-1 and 16661-1 from the City of Turlock to the State of California for City Project No. 0828 "SR-99/Fulkerth Road Interchange" (Morris)
- F. Resolution 2024-XXX: Accepting improvements for City Project No. 22-001 "Design of Projects for 2022 Construction for Roads Program" (Bid Package 3) and authorizing the City Engineer to file a Notice of Completion (Morris)
- Amended** G. Resolution 2024-XXX: Awarding bid and approving an Agreement with Tracy Grading and Paving Inc., of Tracy, California in the amount of \$160,693.00 and authorizing a construction contingency amount of \$16,069 (10.0%) for construction of City Project No. 19-48 "Sewer Replacement in Alley Behind 147 S Broadway Street" to be funded by Fund 410 "Water Quality Control" account number 410-51-534.51189 "Sewer Line Replace-Alleys" (Fisher)

9. FINAL READINGS

- A. Second and final reading of an Ordinance amending the Zoning Map of the City of Turlock, California attached to Title 9 of the Turlock Municipal Code [Rezone 2022-02, Planned Development 281 – (Monarch Place)] and approval of a resolution Establishing Conditions of Approval for Planned Development 281 (Monarch Place) located at 2630 Roberts Road, 3436-3448 and 3536 N. Golden State Boulevard, Stanislaus County APNs 087-027-001 through 087-027-018 (Werner)

Recommended Action: Ordinance 13XX-CS: Second and final reading of an Ordinance amending the Zoning Map of the City of Turlock, California attached to Title 9 of the Turlock Municipal Code [Rezone 2022-02, Planned Development 281 – (Monarch Place)]

Recommended Action: Resolution 2024-XXX: Establishing Conditions of Approval for Planned Development 281 (Monarch Place) located at 2630 Roberts Road, 3436-3448 and 3536 N. Golden State Boulevard, Stanislaus County APNs 087-027-001 through 087-027-018

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10. PUBLIC HEARINGS

- A. Determining extension of City of Turlock water lines and connection of the existing property at 625 E. Taylor Road, Stanislaus County Assessor's Parcel Number 045-061-025, located outside the jurisdictional boundary of the City of Turlock, is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303(d) [New Construction or Conversion of Small Structures] of the CEQA Guidelines; Approving an Out-of-Boundary Service Agreement for Water Connection Affecting Real Property located at 625 E. Taylor Road, Stanislaus County Assessor's Parcel Number 045-061-025 establishing the conditions under which the City would provide water services to the property and authorizing the City Manager to sign and submit an Out-of-Boundary Service Application to the Stanislaus County LAFCO, and to execute all documents, applications, assurances, agreements, and statements that may be required to implement the agreement; and Authorizing the City Manager to certify a Stanislaus LAFCO Out-of-Boundary Service Application and submit the application requesting LAFCO approval for the property located at 625 E. Taylor Road, Stanislaus County Assessor's Parcel Number 045-061-025 a property located outside the City of Turlock jurisdictional to connect to the City of Turlock water system (Hampton & Werner)

Recommended Action:

Resolution 2024-XXX: Determining extension of City of Turlock water lines and connection of the existing property at 625 E. Taylor Road, Stanislaus County Assessor's Parcel Number 045-061-025, located outside the jurisdictional boundary of the City of Turlock, is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303(d) [New Construction or Conversion of Small Structures] of the CEQA Guidelines

Motion: Approving an Out-of-Boundary Service Agreement for Water Connection Affecting Real Property located at 625 E. Taylor Road, Stanislaus County Assessor's Parcel Number 045-061-025 establishing the conditions under which the City would provide water services to the property and authorizing the City Manager to sign and submit an Out-of-Boundary Service Application to the Stanislaus County LAFCO, and to execute all documents, applications, assurances, agreements, and statements that may be required to implement the agreement

Motion: Authorizing the City Manager to certify a Stanislaus LAFCO Out-of-Boundary Service Application and submit the application requesting LAFCO approval for the property located at 625 E. Taylor Road, Stanislaus County Assessor's Parcel Number 045-061-025 a property located outside the City of Turlock jurisdictional to connect to the City of Turlock water system

- Amended** B. Finding that Natural Healing Center (NHC) has complied in good faith with terms and conditions of the Development Agreement between NHC and the City of Turlock for the operation of a cannabis retail dispensary at 3401 W. Monte Vista Avenue, Turlock, CA, County of Stanislaus, Assessor's Parcel Number 087-003-039 (Werner)

Recommended Action: Resolution 2024-XXX: Finding that Natural Healing Center (NHC) has complied in good faith with terms and conditions of the Development Agreement between NHC and the City of Turlock for the operation of a cannabis retail dispensary at 3401 W. Monte Vista Avenue, Turlock, CA, County of Stanislaus, Assessor's Parcel Number 087-003-039

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11. ACTION ITEMS

- Amended
- A. Adopting the updated Policies and Procedures for the Housing Division for administering the City of Turlock Community Development Block Grant (CDBG), the CDBG Monitoring Plan, the Turlock/Stanslaus County HOME Consortium policies and procedures, adopting the Turlock/Stanslaus County HOME Monitoring Plan, adopting the City of Turlock Residential Anti-Displacement and Relocation Assistance Policy, and adopting the City of Turlock/Stanslaus County HOME Consortium Affirmative Fair Housing Marketing Policies and Procedures (Werner)

Recommended Action: Resolution 2024-XXX: Adopting the updated Policies and Procedures for the Housing Division for administering the City of Turlock Community Development Block Grant (CDBG), the CDBG Monitoring Plan, the Turlock/Stanslaus County HOME Consortium policies and procedures, adopting the Turlock/Stanslaus County HOME Monitoring Plan, adopting the City of Turlock Residential Anti-Displacement and Relocation Assistance Policy, and adopting the City of Turlock/Stanslaus County HOME Consortium Affirmative Fair Housing Marketing Policies and Procedures

- B. Authorizing the City Manager to execute any documents necessary to apply for Staffing for Adequate Fire and Emergency Response Program (SAFER) Grant to fully fund 9 full time Firefighters for a term of three-years beginning Fiscal Year 2024-2025

Recommended Action: Resolution 2024-XXX: Authorizing the City Manager to execute any documents necessary to apply for Staffing for Adequate Fire and Emergency Response Program (SAFER) Grant to fully fund 9 full time Firefighters for a term of three-years beginning Fiscal Year 2024-2025

- C. Approving an agreement with Genesis Behavior Center, Inc., in a form approved by the City Attorney, in an amount not to exceed \$642,500 for Personalized repetitive Transcranial Magnetic Stimulation (PrTMS®) to be funded by American Rescue Plan Act (ARPA) and appropriate funds to Fund 119 "American Rescue Plan Act" account 119-10-188.43060_000 "Contract Services General" (Dhami)

Recommended Action: Resolution 2024-XXX: Approving an agreement with Genesis Behavior Center, Inc., in a form approved by the City Attorney, in an amount not to exceed \$642,500 for Personalized repetitive Transcranial Magnetic Stimulation (PrTMS®) to be funded by American Rescue Plan Act (ARPA) and appropriate funds to Fund 119 "American Rescue Plan Act" account 119-10-188.43060_000 "Contract Services General"

12. 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

13. COUNCIL ITEMS FOR FUTURE CONSIDERATION

14. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

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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.

15. CLOSED SESSION

- A. Conference with Legal Counsel – Initiation of Litigation, Cal. Gov't Code 54956.9(d)(4)“For the 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 Cases: One (1)
- 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): Two (2)
- C. Public Employee Performance Evaluation, Cal. Gov't Code §54957(b)(1)
Title: City Attorney
- D. 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: Deputy 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 Groups: Turlock Management and Confidential Employees

16. REPORTS FROM CLOSED SESSION

17. ADJOURNMENT

DECLARATION OF POSTING

I, Julie Christel, City Clerk for the City of Turlock, certify that I caused to be posted an amended copy of the City of Turlock City Council Agenda for the Regular Meeting of Tuesday, April 9, 2024 at City Hall, 156 S. Broadway, Turlock, California, 95380 on Saturday, April 6, 2024.

/s/Julie Christel
Julie Christel, City Clerk