

City Council Meeting Agenda

Amendment No. 1
08/26/2024



August 27, 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
Tuesday, August 27, 2024**

Next City Council Resolution: 2024-130

Next Ordinance: 1317-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: Erik Schulze - Retirement
- B. Presentation: Small Business Development and Assistance Program Update - Pressert Marketing (Sims)
- C. Appointment: By motion, appointing Brent Bohlender to the Parks, Arts and Recreation Commission for a term expiring on 12/31/2027 (Christel)

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. 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 August 2, 2024 through August 8, 2024 in the amount of \$845,006.47, August 9, 2024 through August 15, 2024 in the amount of \$1,133,331.48, AP EFT June 2024 in the amount of \$213,589.26, the Investment and Cash Report for July 31, 2024 in the amount of \$285,654,496.94
- B. Motion: Accepting the Minutes of the August 13, 2024 Regular City Council meeting
- C. Motion: Waiving Reading of All Ordinances on the Agenda, Except by Title
- D. Resolution 2024-XXX: Approving the purchase and delivery of four (4) 2024 Ford E-Transit 350 MR battery electric vans from A-Z Bus Sales, Inc. of Sacramento, California, to be used as revenue services vehicles, utilizing the CalACT/Basin Transit cooperative purchasing agreement, in an amount not to exceed \$827,325, expensed to Fund 426 "Transit" account number 426-40-415-243-002.51261 without compliance to formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5), in support of City Project No. 22012 "Transit

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Demand Response Zero-Emission Vehicle Purchase,” and authorizing the City Manager to execute all documents necessary to seek related grant funding and complete the purchase (York)

- E. Motion: Accepting improvements for City Project No. 18-69 "Surface Water Distribution System Improvements" and authorizing the City Engineer to file a Notice of Completion (Fremming)
- F. 1) Motion: Reaffirming the determination made by the City Manager in response to the emergency created by the inoperative computer room air conditioning units at the Public Safety Facility and finding that the emergency will not permit a delay resulting from a competitive solicitation for bids pursuant to Public Contract Code 22050(c)(2) (Fisher)

2) Resolution 2024-XXX: Appropriating \$325,377 to Fund 118 "Measure A - General" account number 118-20-205.51413 "HVAC" from Fund 118 unallocated reserves and authorizing a contingency amount of \$15,000 (5.01%) for Contract 2025-019 with Champion Industrial Contractors, Inc. for costs associated with City Project No. 24-035 "Server Room AC Unit Replacement at the Public Safety Facility" (Fisher)
- G. Resolution 2024-XXX: Approving Amendment No. 2 to City Contract 2024-062 with NV5, Inc. in the amount of \$28,107.43, bringing the contract total to \$128,107.43, to be funded by Fund 420 "Water Enterprise," account number 420-52-551.51126 "Water Main/Waterline Replacement" for Materials Testing and Inspection Services for City Project No. 18-67, "Water Main and Sewer Replacement 2023" (Morris)
- H. Resolution 2024-XXX: Approving an agreement between the City of Turlock and Axon Enterprise, Inc. to enter into a five (5) year agreement to provide the City of Turlock Police Department with Axon Enterprises Officer Safety Plan 7 Plus, the body cameras for the Turlock Police Department, Axon Air, and merging the existing agreements for a five (5) year cost not to exceed \$2,060,900 (Hedden)

8. FINAL READINGS

9. PUBLIC HEARINGS

- A. Introduction and first reading of an Ordinance amending the Turlock Municipal Code Title 5, Chapter 5-20 regarding camping on public property. This amendment would revoke the current Chapter 5-20 and replace this chapter with a new one for matters relating to camping prohibitions and penalties. (Petrolakis)

Recommended Action: Ordinance 13XX-CS Introduction and first reading of an Ordinance amending the Turlock Municipal Code Title 5, Chapter 5-20 regarding camping on public property. This amendment would revoke the current Chapter 5-20 and replace this chapter with a new one for matters relating to camping prohibitions and penalties.

10. ACTION ITEMS

- A. Authorize the City Manager to enter into another agreement with Legacy Health Endowment for the City to continue to support the Person-Centered Care Program from October 1, 2024 to September 30, 2025 and appropriate \$400,000 from Fund 119 "American Rescue Plan Act"

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unassigned reserve to account 119-10-188.43060_000 "Contract Services General" (Loehr)

Recommended Action: Resolution 2024-XXX: Authorize the City Manager to enter into another agreement with Legacy Health Endowment for the City to continue to support the Person-Centered Care Program from October 1, 2024 to September 30, 2025 and appropriate \$400,000 from Fund 119 "American Rescue Plan Act" unassigned reserve to account number 119-10-188.43060_000 "Contract Services General"

- B. Authorizing the City Manager to enter into an agreement with Kosmont & Associates, Inc., DBA Kosmont Companies to provide services for an Economic Development Strategic Plan Update in the amount not to exceed \$77,470 and appropriate this amount from unrestricted reserves within Fund 120 "Tourism Fund" to account 120-10-120.43288 "Economic Development Strategic Plan" (Sims)

Updated

Recommended Action: Resolution 2024-XXX: Authorizing the City Manager to enter into an agreement with Kosmont & Associates, Inc., DBA Kosmont Companies to provide services for an Economic Development Strategic Plan Update in the amount not to exceed \$77,470 and appropriate this amount from unrestricted reserves within Fund 120 "Tourism Fund" to account 120-10-120.43288 "Economic Development Strategic Plan"

- C. Approving payment of annual investor invoice of \$50,000 for year four (4) of a five-year Memorandum of Understanding (MOU) with Stanislaus Business Alliance (Opportunity Stanislaus) Economic Development and Workforce Strategies and authorizing the City Manager approve annual payment (Sims)

Recommended Action: Motion: Approving payment of annual investor invoice of \$50,000 for year four (4) of a five-year Memorandum of Understanding (MOU) with Stanislaus Business Alliance (Opportunity Stanislaus) Economic Development and Workforce Strategies and authorizing the City Manager approve annual payment

- D. Accepting the Turlock Downtown Property Owners Association 2023-2024 Annual Report to be filed with the City Clerk in accordance with California Streets and Highways Code Section 36650 (Sims)

Recommended Action: Resolution 2024-XXX: Accepting the Turlock Downtown Property Owners Association 2023-2024 Annual Report to be filed with the City Clerk in accordance with California Streets and Highways Code Section 36650

- E. Appointing and employing CalPERS retired annuitant Gary Hampton as Acting City Manager pursuant to CalPERS requirements and suspending the applicability of section 14.05 of the City's personnel system rules and regulations, as to the City Manager and/or the City Manager's relatives during the period of Mr. Hampton's appointment as Acting City Manager (Eddy)

Recommended Action:

Resolution 2024-XXX: Appointing and employing CalPERS retired annuitant Gary Hampton as Acting City Manager pursuant to CalPERS requirements and suspending the applicability of section 14.05 of the City's personnel system rules and regulations, as to the City Manager and/or the City Manager's relatives during the period of Mr. Hampton's appointment as Acting

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City Manager

- F. Approving an Employment Agreement between the City of Turlock and Gary Hampton as Acting City Manager (Dhami)

Recommended Action: Resolution 2024-XXX: Approving an Employment Agreement Between the City of Turlock and Gary Hampton as Acting City Manager

11. 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. Columbia Pool Update (Fisher)

12. COUNCILMEMBER 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. COUNCIL ITEMS FOR FUTURE CONSIDERATION

14. 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: Deputy City Manager Sarah Eddy

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

- 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): Three (3)

15. REPORTS FROM CLOSED SESSION

16. ADJOURNMENT