

# City Council Meeting Agenda



September 24, 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)

Acting City Manager

**Gary R. Hampton**

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](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.

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

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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. Certificate of Recognition to Texas Roadhouse - Turlock in recognition of their donation to the 2024 State of Turlock event (Bublak)
- B. Certificate of Recognition to Nothing Bundt Cakes - Turlock in recognition of their donation to the 2024 State of Turlock event (Bublak)
- C. Proclamation for National Fire Prevention Safety Week, October 6, 2024 through October 12, 2024 (Bickle)

**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 30, 2024 through September 5, 2024 in the amount of \$3,059,754.74, AP EFT July 2024 in the amount of \$1,642,499.90, and the Investment and Cash Report for August 31, 2024 in the amount of \$281,417,279.51.
- B. Motion: Accepting the Minutes of the September 10, 2024 Regular City Council Meeting, and the amended Minutes of the July 9, 2024 Regular City Council Meeting.
- C. Motion: Waiving Reading of All Ordinances on the Agenda, Except by Title
- D. 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)

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- E. Motion: Accepting improvements for City Project No. 22-005 "Washington Road Bridge Railing Repair" and authorizing the City Engineer to file a Notice of Completion (Pezeshk)
- F. Resolution 2024-XXX: Re-appropriating project funds from reserves to Fiscal Year 2024-25 totaling \$6,082,000 for various capital improvement projects from each respective fund (Fisher)
- G. Resolution 2024-XXX: Appropriating \$225,000 from Fund 217 "Gas Tax" unallocated reserves to account number 217-50-511.48001\_317 "Transfers Out To F215 STRS ADA-P1758" to Fund 215 "Streets - Grant Funded Projects" account number 215-40-420.38001\_317 "Transfers In From F217 STRS ADA-P1758" to be expensed from account number 215-40-420.51210 "Federal Streets Projects" to complete local match funding for City Project No. 17-58 "Safe Route to Schools Pedestrian Improvements, Various Locations" (Morris)  
  
Motion: Accepting improvements for City Project No. 17-58 "Safe Route to Schools Pedestrian Improvements, Various Locations" and authorizing the City Engineer to file a Notice of Completion (Morris)
- H. Motion: Authorizing staff to proceed with the advertisement for construction bids for City Project No. 14-44 "Intersection Improvements at West Main Street and Tegner Road" (Morris)
- I. Resolution 2024-XXX: Determining the award of bid is exempt from the provisions of CEQA in accordance with Section 15301 of the CEQA guidelines, awarding bid and approving an Agreement with Arrow Construction of Sacramento, California in the amount of \$132,640.00 and authorizing a construction contingency amount of \$13,264.00 (10.0%) for construction of City Project No. 23-058 "City Utility Trench Repair 2024" to be funded equally by Fund 420 "Water" account number 420-52-550.43145 "Pave Trenches" and Fund 410 "Water Quality Control" account number 410-51-531.43145 "Pave Trenches" (Morris)
- J. Resolution 2024-XXX: Determining the award of bid is exempt from the provisions of CEQA in accordance with Section 15301 of the CEQA guidelines, awarding bid and approving an Agreement with Pro-Ex Construction, Inc. of Rancho Cordova, California in the amount of \$72,000.00 and authorizing a construction contingency amount of \$7,200.00 (10.0%) for the construction of City Project No. 23-020 "Transit Center Canopy Repair" to be funded by Fund 426 "Transit" account number 426-40-415-238-002.51240 "Transit Capital" (Morris)

**8. FINAL READINGS**

**9. PUBLIC HEARINGS**

- A. Approving the purchase and sale agreement and joint escrow instructions, loan agreement, regulatory agreement, promissory note, deed of trust, and grant deed for the sale of the property located at 901 High Street, Turlock, Stanislaus County, APN 061-040-013, to United Samaritans Foundation, a non-profit organization, in the amount of \$550,000.00, and authorize the City Manager to sign all necessary documents to effectuate the transaction; Approving the purchase and sale agreement and joint escrow instructions, loan agreement, regulatory agreement, promissory note, deed of trust, and grant deed for the sale of the property located at 829-831 Vermont Ave., Turlock, Stanislaus County, APN 050-035-011, to be sold to United Samaritans Foundation, a non-profit organization, in the amount of \$840,000.00, and authorize the City Manager to sign all necessary documents to effectuate

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the transaction. (Werner)

**Recommended Action:**

Resolution 2024-XXX: Approving the purchase and sale agreement and joint escrow instructions, loan agreement, regulatory agreement, promissory note, deed of trust, and grant deed for the sale of the property located at 901 High Street, Turlock, Stanislaus County, APN 061-040-013, to United Samaritans Foundation, a non-profit organization, in the amount of \$550,000.00, and authorize the City Manager to sign all necessary documents to effectuate the transaction.

Resolution 2024-XXX: Approving the purchase and sale agreement and joint escrow instructions, loan agreement, regulatory agreement, promissory note, deed of trust, and grant deed for the sale of the property located at 829-831 Vermont Ave., Turlock, Stanislaus County, APN 050-035-011, to be sold to United Samaritans Foundation, a non-profit organization, in the amount of \$840,000.00, and authorize the City Manager to sign all necessary documents to effectuate the transaction.

- B. Approving the purchase and sale agreement and joint escrow instructions, loan agreement, regulatory agreement, promissory note, deed of trust, and grant deed for the sale of the property located at 1205 Lambert Way, Turlock (APN 061-040-013), to be sold to We Care Program, a non-profit organization, in the amount of \$725,000, subject to the terms and conditions as outlined in Attachment B and authorize the City Manager to sign all necessary documents to effectuate the transaction. (Werner)

**Recommended Action:** Resolution 2024-XXX: Approving the purchase and sale agreement and joint escrow instructions, loan agreement, regulatory agreement, promissory note, deed of trust, and grant deed for the sale of the property located at 1205 Lambert Way, Turlock (APN 061-040-013), to be sold to We Care Program, a non-profit organization, in the amount of \$725,000, subject to the terms and conditions as outlined in Attachment B and authorize the City Manager to sign all necessary documents to effectuate the transaction.

**10. ACTION ITEMS**

- A. Approving an Amended and Restated promissory note, First Amendment to a loan agreement with forgivable terms, a modification to the deed of trust, and First Amendment to the Regulatory Agreement in a form approved by the City Attorney, between the City of Turlock and Turlock Gospel Mission, a 501(C)(3) non-profit organization, for the rehabilitation of the real property located at 432 S. Broadway, Turlock (APN #043-049-032-000) in the total amount of \$491,053, to be funded in the amount of \$91,053 from Fund 257 "State HOME Fund" account 257-41-491.47212 "Homeless Assistance Projects" and \$400,000 from Fund 255 "CDBG" account 255-41-485.47210\_006 "Housing Program Services Programs Public Improvements" subject to the terms and conditions as outlined in Attachment A, and authorizing the City Manager to execute all related and necessary documents. (Werner/Hampton)

**Recommended Action:** Resolution 2024-XXX: Approving an Amended and Restated promissory note, First Amendment to a loan agreement with forgivable terms, a modification to the deed of trust, and First Amendment to the Regulatory Agreement in a form approved by the City Attorney, between the City of Turlock and Turlock Gospel Mission, a 501(C)(3) non-

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profit organization, for the rehabilitation of the real property located at 432 S. Broadway, Turlock (APN #043-049-032-000) in the total amount of \$491,053, to be funded in the amount of \$91,053 from Fund 257 "State HOME Fund" account 257-41-491.47212 "Homeless Assistance Projects" and \$400,000 from Fund 255 "CDBG" account 255-41-485.47210\_006 "Housing Program Services Programs Public Improvements" subject to the terms and conditions as outlined in Attachment A, and authorizing the City Manager to execute all related and necessary documents.

- B. Approving revised Measure A Expenditure Policy to establish guidelines on the use of three-quarter (3/4) cent transactions and use (sales) tax and budget amendment to Fiscal Year 2023-2024 and 2024-2025 for Fund 110 "General Fund" and Fund 118 "Measure A General" in various salary, benefits, and transfer accounts (Moreno)

**Recommended Action:** Resolution 2024-XXX: Approving revised Measure A Expenditure Policy to establish guidelines on the use of three-quarter (3/4) cent transactions and use (sales) tax and budget amendment to Fiscal Year 2023-2024 and 2024-2025 for Fund 110 "General Fund" and Fund 118 "Measure A General" in various salary, benefits, and transfer accounts

**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.

**12. COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS**

**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 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)

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15. **REPORTS FROM CLOSED SESSION**
16. **ADJOURNMENT**