

City Council Agenda



JUNE 11, 2019

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

Mayor
Amy Bublak

Council Members

Nicole Larson

Andrew Nosrati

Gil Esquer

Becky Arellano

Vice Mayor

City Manager
Robert C. Lawton
City Clerk
Jennifer Land
City Attorney
Douglas L. White

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.

0. A. CALL TO ORDER

B. SALUTE TO THE FLAG

C. ROLL CALL

D. DECLARATION OF CONFLICTS

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

1. CLOSED SESSION: None

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. Employee of the Month, May 2019, Facilities Maintenance Assistant Jose Lopez

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 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.

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 5/9/19 in the amount of \$1,174,117.33
- B. Motion: Accepting Minutes of the Special Meeting of May 14, 2019; Minutes of the Regular Meeting of May 14, 2019
- C. Motion: Approving Contract Change Order No. 3 in the amount of \$254,354.43 (Fund 413) with CW Roen Construction of Danville, California for City Project No. 15-39C "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification" (upgrade and expansion of the wastewater treatment plant) bringing the contract total to \$19,379,400.18
- D. Motion: Approving Contract Change Order No. 5, in the amount of \$82,329.95 with Teichert Construction for City Project No. 17-30 "West Main Corridor Rehabilitation" bringing the contract total to \$7,828,251.31
- E. Motion: Approving a Memorandum of Understanding between the City of Turlock and Turlock Unified School District for construction and maintenance of a parking facility along the north side of Canal Drive between Berkeley Avenue and Wallace Street
- F. Motion: Approving the reimbursement of certain Development Impact fees paid on Building Permit No. 18-1176 in the amount of \$109,951.23 and executing a Lien Agreement for deferred payment of said Development Impact fees between the City of Turlock and Fletcher K, LLC, 653 N. Golden State Blvd., Turlock, CA 95380
- G. 1. Resolution: Determining the closure of East Main Street [between East Canal Drive and Market Street] with Golden State Boulevard remaining open utilizing minimal soft closures, Broadway [between "A" Street and Chestnut Street], and First Street [between "A" Street and Chestnut Street] with West Olive Avenue remaining open utilizing minimal soft closures, for the 4th of July Parade, Car Show, and Street Faire hosted by Turlock Downtown Property Owners Association, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines
2. Resolution: Approving a Special Event Permit Application for the 4th of July Parade, Car Show, and Street Faire hosted by Turlock Downtown Property Owners Association, authorizing the associated closure of East Main Street [between East Canal Drive and Market Street] with Golden State Boulevard remaining open utilizing minimal soft

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- closures, Broadway [between "A" Street and Chestnut Street], and First Street [between "A" Street and Chestnut Street] with West Olive Avenue remaining open utilizing minimal soft closures, for pedestrian safety, on Thursday, July 4, 2019 at specified times, and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure
- H. 1. Resolution: Determining the closure of North Soderquist Road, between Fulkerth Road and West Canal Drive, for the 2019 Stanislaus County Fair hosted by the Stanislaus County Fair, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines
2. Resolution: Approving a Special Event Permit Application for the 2019 Stanislaus County Fair hosted by the Stanislaus County Fair, authorizing the associated closure of North Soderquist Road, between Fulkerth Road and West Canal Drive for pedestrian safety, from Friday, July 12, 2019 at 12:00 p.m. through Monday, July 22, 2019 at 12:00 a.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure
- I. Resolution: Appropriating \$8,000.00 to account number 266-20-255-350.44001_000 "OTS Vehicle Impound Supplies General" from Fund 266 "OTS Vehicle Impound" unallocated reserves for the purchase of mounting hardware and cables for three (3) new motorcycles and a radar traffic data collector
- J. Motion: Approving the Consortium Agreement between the City of Turlock and the Stanislaus Urban County for the purpose of undertaking HOME eligible housing assistance activities pursuant to Title II of the Cranston Gonzales National Affordable Housing Act of 1990, designating the City of Turlock as the lead agency of the Consortium and the Stanislaus Urban County comprised of the cities of Ceres, Hughson, Newman, Oakdale, Patterson, Riverbank, Waterford and the County of Stanislaus as sub-recipients of HOME funds for Federal Fiscal Years 2020-2023 as outlined in the Agreement
- K. Motion: Approving the eight (8) Annual Funding Agreements between the City of Turlock and each of the HOME Consortium sub-recipients for the purpose of undertaking HOME eligible housing assistance activities pursuant to Title II of the Cranston-Gonzales National Affordable Housing Act of 1990 for FY 2019-2020 in the amount of \$1,266,981
- L. Motion: Approving the Public Services Grant Agreements with the seven nonprofit agencies for fiscal year 2019-2020 funded with Community Development Block Grant Program (CDBG) funds and authorizing City Manager or designee to execute all related and necessary documents
- M. Motion: Ratifying the advertisement of RFP No. 19-026 for Design, Engineering Services during Construction, and Construction Management for Wellhead Treatment Installation
- N. Motion: Accepting the City of Turlock's Transportation Development Act (TDA) Fund Financial Statements for Fiscal Year End 2017 and 2018

6. FINAL READINGS:

- A. **Recommended Action:**
- Ordinance: Amending the Turlock Municipal Code Title 5, Chapter 5-21, including modifications to Section 5-21-103(e), to be consistent with state standards, Section 5-21-104(d)(4), to require the physical presence of a state licensed security personnel, and Section 5-21-111(c), to increase the penalty amount for the second and subsequent offenses and Chapter 5-14, Section 5-14-01; and Title 3, Chapter 3-1, Section 3-1-101, to establish a commercial cannabis pilot program and make necessary changes to the Turlock Municipal Code as introduced at the May 28, 2019 City Council meeting

7. **PUBLIC HEARINGS:** None

8. **ACTION ITEMS:**

- A. Request to approve a proposed Request for Qualifications to select qualified candidates for participation in the Turlock Cannabis Business Pilot Program (*White*)

Recommended Action:

Motion: Approval of a proposed Request for Qualifications to select qualified candidates for participation in the Turlock Cannabis Business Pilot Program

- B. Request to approve an Agreement between the City of Turlock and Axon Enterprise, Inc. to enter into a five (5) year contract to provide the City of Turlock Police Department with Axon Enterprises Officer Safety Plan 7 Plus, which will provide the City of Turlock Police Department with body cameras for its sworn officers, as well as Taser 7 Electronic Control Devices, for a five year cost not to exceed \$875,000 prior to tax AND appropriate \$280,000 to 240-00-000-213.51029 "Body Cameras" in FY 2019/20 and appropriate funding as follows: 267-20-270-320.48001_274 "Transfers Out Body Cameras" - \$108,940, 266-20-225-360.48001_274 "Transfers Out Body Cameras" - \$56,728, 116-20-225.48001_274 "Transfers Out Body Cameras" - \$94,332 in to 240-00-000-213.38001_274 "Transfers In Body Cameras" from each fund's respective unallocated reserves, and \$20,475 from Fund 240 "Small Equipment Replacement-Police Services" unallocated reserves to enter into and pay for the first year of a five (5) year agreement with Axon Enterprise, Inc. to provide Body Cameras, video and audio storage, Tasers, and requisite hardware needed to implement these systems. The remainder of the contract will be paid utilizing monies from fund 267- SLESF and fund 116- Special Tax – Public Safety Police, unallocated reserves at an annual payment schedule as outlined in the contract (*Amirfar*)

Recommended Action:

Motion: Approving an Agreement between the City of Turlock and Axon Enterprise, Inc. to enter into a five (5) year contract to provide the City of Turlock Police Department with Axon Enterprises Officer Safety Plan 7 Plus, which will provide the City of Turlock Police Department with body cameras for its sworn officers, as well as Taser 7 Electronic Control Devices, for a five year cost not to exceed \$875,000 prior to tax

Resolution: Appropriating \$280,000 to 240-00-000-213.51029 "Body Cameras" in FY 2019/20 and appropriating funding as follows: 267-20-270-320.48001_274 "Transfers Out Body Cameras" - \$108,940, 266-20-225-360.48001_274 "Transfers Out Body Cameras" - \$56,728, 116-20-225.48001_274 "Transfers Out Body Cameras" - \$94,332 in to 240-00-000-213.38001_274 "Transfers In Body Cameras" from each fund's respective unallocated reserves, and \$20,475 from Fund 240 "Small Equipment Replacement-Police Services" unallocated reserves to enter into and pay for the first year of a five (5) year agreement with Axon Enterprise, Inc. to provide Body Cameras, video and audio storage, Tasers, and requisite hardware needed to implement these systems. The remainder of the contract will be paid utilizing monies from fund 267- SLESF and fund 116- Special Tax – Public Safety Police, unallocated reserves at an annual payment schedule as outlined in the contract

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- C. Request to adopt the Fiscal Year 2019-20 General Fund and Non-General Fund Budgets with amendments as recommended by the City Manager and authorize the City Manager to make any adjustments necessary to accomplish the reductions set forth in the City Manager's Budget Memorandum and specified within the Budget Reduction Strategies (*Lawton*)

Recommended Action:

Resolution: Adopting the Fiscal Year 2019-20 General Fund and Non-General Fund Budgets with amendments as recommended by the City Manager and authorizing the City Manager to make any adjustments necessary to accomplish the reductions set forth in the City Manager's Budget Memorandum and specified within the Budget Reduction Strategies

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.

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Requests for Council items for future consideration will be scheduled in accordance with the City of Turlock Elected and Appointed Officials' Handbook (Resolution No. 2019-094), unless otherwise specified by the Mayor or a majority of the Council.

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 (*continuation of Closed Session if necessary*): None

13. REPORTS FROM CLOSED SESSION: None

14. ADJOURNMENT