

City Council Agenda



JULY 9, 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.

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 - A. **CALL TO ORDER**
 - B. **SALUTE TO THE FLAG**
 - C. **ROLL CALL**
 - D. **DECLARATION OF CONFLICTS**

1. **CLOSED SESSION:**

The Closed Session items for this meeting have been agenda'd and will be heard toward the latter part of the meeting.

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. Recognition: Employee of the Month, June 2019, Secretary Dominique Sanchez
- B. Presentation: Revenue Generating Options, presented by City Manager Robert C. Lawton

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. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE**6. 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 5/30/19 in the amount of \$1,104,630.48; Weekly Demands of 6/6/19 in the amount of \$1,591,604.32; Weekly Demands of 6/13/19 in the amount of \$580,265.89; Monthly Demands of 4/30/19 in the amount of \$1,585,535.37
- B. Motion: Accepting Minutes of the Special Meeting of June 4, 2019
- C. Motion: Approving Amendment No. 1 to an Agreement with Kleinfelder, Inc., of Modesto, CA, for City Project No. 15-20 "RFQ for Materials Testing and Inspection Retainer Agreement" to extend the agreement through June 30, 2020
- D. Motion: Approving Amendment No. 1 to an Agreement with Wallace-Kuhl and Associates, Inc., of West Sacramento, CA, for City Project No. 15-20 "RFQ for Materials Testing and Inspection Retainer Agreement" to extend the agreement through June 30, 2020
- E. Motion: Approving Amendment No. 1 to an Agreement between the City of Turlock and Omni-Means, Ltd., of Roseville, CA, for City Project No. 15-22 "RFQ for Traffic Engineering Retainer Agreement" the City of Turlock's approval of the assignment and assumption of the Agreement dated May 26, 2015, by and between the City of Turlock and Omni-Means, Ltd. to GHD, Inc., and to extend the term of agreement through June 30, 2020
- F. Motion: Approving Amendment No. 1 to an Agreement with Associated Right of Way Services, Inc., of Pleasant Hill, CA, for City Project No. 16-44 "RFQ for Right-of-Way and Property Appraisal Services Retainer Agreement" to extend the agreement through June 30, 2020
- G. Motion: Approving Contract Change Order No. 6, in the amount of \$21,052.16, for City Project No. 17-30 "West Main Corridor Rehabilitation" bringing the contract total to \$7,849,303.47

- H. Resolution: Approving the purchase of one (1) bucket truck for the Municipal Services Department Electrical Mechanical Maintenance Division from Altec Industries, Inc. through the Sourcwell Contract No. 012418-ALT, in an amount not to exceed \$129,435, including a 5% contingency, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5)
- I. Resolution: Accepting an allocation of funds and appropriating funds for the 2019 Animal Homelessness and Cruelty Fund (AHCF) award from the California Department of Food and Agriculture (CDFA) in the amount of \$7,500 to be appropriated into revenue account number 266-20-255-348.35069 "Animal Services - Spay & Neuter Grant" and expenditure account number 266-20-255.348.47153 "Animal Services - Spay & Neuter Grant" in Fund 266 "Police Grants" Program 348 "Animal Services"
- J. Resolution: Accepting donations made to the City of Turlock Police Department from various donors during the third quarter of Fiscal Year 2018-19 in the amount of \$121.00 (monetary donations) and \$4,173.05 (non-monetary donations) utilized in support of the City's Animal Services, Blue Santa, General Donations, K9, and Open House
- K. Motion: Rejecting all bids received for RFB No. 19-023 for Aggregate, Asphaltic Concrete and Related Materials and re-advertise for bid proposals for Aggregate, Asphaltic Concrete and Related Materials pursuant to Turlock Municipal Code Section 2-7-09(4)
- L. Motion: Approving Amendment No. 2 to an Agreement between the City of Turlock and California CAD Solutions, Inc., for conversion of existing platform layers to a new version of GIS platform; renewal of licensing and regular GIS Service updates for FY 2019-20, to increase the total compensation amount from \$35,000 to \$91,500, and to extend the contract term through June 30, 2020
- M. Motion: Approving a Memorandum of Understanding with Stanislaus County for the contract and development of a Regional Analysis of Impediments to Fair Housing as well as a Consortium Consolidated Plan for 2021-2025 and 2021 Annual Action Plan and authorizing the City Manager to execute all related documents to this cooperative project

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:**

- A. Request to order the improvements and formation of the Fairbanks Ranch subdivision (Development Project No. 14-73) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirm the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2019-2020 for the Fairbanks Ranch subdivision (Development Project No. 14-73) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128 (*Bray*)

Recommended Action:

Resolution: Ordering the improvements and formation of the Fairbanks Ranch subdivision (Development Project No. 14-73) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2019-2020 for the Fairbanks Ranch subdivision (Development Project No. 14-73) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

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- B. Request to order the improvements and formation of the Les Chateaux subdivision (Development Project No. 14-76) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirm the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2019-2020 for the Les Chateaux subdivision (Development Project No. 14-76) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128 (*Bray*)

Recommended Action:

Resolution: Ordering the improvements and formation of the Les Chateaux subdivision (Development Project No. 14-76) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2019-2020 for the Les Chateaux subdivision (Development Project No. 14-76) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

- C. Request to order the improvements and formation of the “Superstore” (Development Project No. 19-25) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirm the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2019-2020 for the “Superstore” (Development Project No. 19-25) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128 (*Bray*)

Recommended Action:

Resolution: Ordering the improvements and formation of the “Superstore” (Development Project No. 19-25) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2019-2020 for the “Superstore” (Development Project No. 19-25) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

- D. Request to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Turlock Dental Care project (General Plan Amendment 2019-01, Rezone 2019-01 and Planned Development 277 [PD 277]) AND amend the Land Use Diagram of the Turlock General Plan [GPA 2019-01 (Turlock Dental Care)] AND introduce an Ordinance Amending the Zoning Map of the City of Turlock, attached to Title 9 of the Turlock Municipal Code [Rezone 2019-01 (Turlock Dental Care)] AND establish Conditions of Approval for Planned Development 277 (Turlock Dental Care) (*Quintero*)

Recommended Action:

Resolution: Adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Turlock Dental Care project (General Plan Amendment 2019-01, Rezone 2019-01 and Planned Development 277 [PD 277])

Resolution: Amending the Land Use Diagram of the Turlock General Plan [GPA 2019-01 (Turlock Dental Care)]

Introduction of the Ordinance:

Ordinance: Amending the Zoning Map of the City of Turlock, attached to Title 9 of the Turlock Municipal Code [Rezone 2019-01 (Turlock Dental Care)]

To be considered at the July 23, City Council Meeting

Resolution: Establishing Conditions of Approval for Planned Development 277 (Turlock Dental Care)

- E. Request to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Warrior Crossing project (General Plan Amendment 2019-02, Rezone 2019-02 and Planned Development 276 [PD 276]) AND amend the Land Use Diagram of the Turlock General Plan [GPA 2019-02 (Warrior Crossing)] AND introduce an Ordinance Amending the Zoning Map of the City of Turlock, attached to Title 9 of the Turlock Municipal Code [Rezone 2019-02 (Warrior Crossing)] AND establish Conditions of Approval for Planned Development 276 (Warrior Crossing) (*Werner*)

Recommended Action:

Resolution: Adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Warrior Crossing project (General Plan Amendment 2019-02, Rezone 2019-02 and Planned Development 276 [PD 276])

Resolution: Amending the Land Use Diagram of the Turlock General Plan [GPA 2019-02 (Warrior Crossing)]

Introduction of the Ordinance:

Ordinance: Amending the Zoning Map of the City of Turlock, attached to Title 9 of the Turlock Municipal Code [Rezone 2019-02 (Warrior Crossing)]

To be considered at the July 23, City Council Meeting

Resolution: Establishing Conditions of Approval for Planned Development 276 (Warrior Crossing)

9. ACTION ITEMS:

- A. Request to Authorizing the City Manager, or his/her designee, to make the necessary California Environmental Quality Act (CEQA) determination and approve the temporary closure of public streets, alleys, or other public rights-of-way to those who have completed the Special Event Application process, as set forth by the City of Turlock City Council, including Special Event Committee event approval, the provision of general liability insurance and coverage acceptable to the City, and adherence to an approved temporary traffic control plan, along with other standard conditions and requirements as determined by the City Manager or his/her designee (*Traini*)

Recommended Action:

Resolution: Authorizing the City Manager, or his/her designee, to make the necessary California Environmental Quality Act (CEQA) determination and approve the temporary closure of public streets, alleys, or other public rights-of-way to those who have completed the Special Event Application process, as set forth by the City of Turlock City Council, including Special Event Committee event approval, the provision of general liability insurance and coverage acceptable to the City, and adherence to an approved temporary traffic control plan, along with other standard conditions and requirements as determined by the City Manager or his/her designee

10. 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. Development Services Department Update (*Bray*)

11. 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.

12. 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.

13. 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: City Manager Robert C. Lawton
 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 Employees: Accountant, Sr., Administrative Analyst, Administrative Services Director, Assistant to the City Manager for Economic Development/Community Housing, Chief Building Official, City Clerk, Community Housing Program Supervisor, Deputy Director Development Services/Planning, Development Services Director, Development Services Supervisor/City Surveyor, Executive Administrative Assistant/Deputy City Clerk, Executive Administrative Assistant/Municipal Services, Executive Administrative Assistant/Public Safety, Fire Chief, Human Resources Analyst, Sr., Human Resources Manager, Human Resources Technician, Information Technology Manager, Legal Assistant, Municipal Services Deputy Director, Municipal Services Director, Office Assistant I, Parks, Recreation and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Payroll Coordinator, Police Business Unit Supervisor, Police Chief, Principal Civil Engineer, Regulatory Affairs Manager, Transit Manager, Utilities Manager, and Water Quality Control Division Manager.

B. Liability Claims, Cal. Gov't Code §54956.95

"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."

Claimant: Brandi Speckens

Agency Claimed Against: City of Turlock

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT