

City Council Agenda



APRIL 28, 2020
6:00 p.m.
City of Turlock
156 S. Broadway, Turlock, California

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-29-20, ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 17, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT.

THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING VIA TELECONFERENCE BY CALLING (209)289-0280, CONFERENCE ID: 8095590 AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.

THE MEETING WILL BE STREAMED ON THE CITY OF TURLOCK WEBSITE AT WWW.CITYOFTURLOCK.ORG

Mayor
Amy Bublak

Council Members
Nicole Larson
Andrew Nosrati
Vice Mayor
Gil Esquer
Becky Arellano

City Manager
Toby Wells
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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0. A. CALL TO ORDER
 - B. SALUTE TO THE FLAG
 - C. ROLL CALL
 - D. DECLARATION OF CONFLICTS

1. CLOSED SESSION:

The Closed Session item(s) for this meeting have been agendized 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. Proclamation: National Volunteer Week, April 19-25, 2020

4. PUBLIC PARTICIPATION

MEMBERS OF THE PUBLIC WISHING TO ADDRESS THE CITY COUNCIL WILL BE GIVEN THE SAME TIME ALLOTMENT FOR COMMENTS (3 MINUTES) AS NORMALLY ALLOWED FOR MEETINGS SUBJECT TO THE PROVISIONS OF EXECUTIVE ORDER N-29-20.

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 3/19/19 in the amount of \$2,271,297.72; Accepting Weekly Demands of 3/26/19 in the amount of \$857,932.24; Accepting Monthly Demands of 9/30/19 in the amount of \$1,789,547.07; Accepting Monthly Demands of

10/31/19 in the amount of \$1,983,334.48; Accepting Monthly Demands of 12/31/19 in the amount of \$2,477,118.05; Accepting Monthly Demands of 2/29/20 in the amount of \$1,536,072.28

- B. Motion: Accepting Minutes of the Regular Meeting of March 10, 2020; Minutes of the Regular Meeting of March 24, 2020
- C.
 1. Resolution: Approving the Engineer's Report for the PM 19-01 Warrior Crossing (Development Project No. 19-22) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
 2. Resolution: Declaring the City Council's intention to order the formation of and to levy and collect assessments for the PM 19-01 Warrior Crossing (Development Project No. 19-22) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
- D. Motion: Approving a Professional Services Agreement with Carollo Engineers for Design Services for Replacement of Biogas Waste Flare and Boiler for a period of two (2) years, with an option to extend the Agreement for three (3) additional one-year terms, in an amount not to exceed \$719,324 (non-general fund) over the five-year term of the Agreement, if all renewal periods are exercised
- E. Motion: Approving a Professional Services Agreement with Provost & Pritchard Engineering Group for Design Services of the Drinking Water Chlorination Project for a period of two (2) years, with an option to extend the Agreement for three (3) additional one-year terms, in an amount not to exceed \$641,300 (non-general fund) over the five-year term of the Agreement, if all renewal periods are exercised
- F. Resolution: Accepting non-monetary donations in the amount of \$2,967.62 for event space, coffee, and refreshments for the 2020 Mayor's State of the City address held on February 20, 2020
- G. Resolution: Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19
- H. Resolution: Approving a salary range adjustment for the job classification of Police Detective from salary range 27.7 to range 28.1

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:**

- A. Request to introduce an Ordinance for first reading adding section (f) to Title 5, Chapter 5-21, Article 103 regarding State and local requirements for cannabis businesses and adding section (iv) to Title 9, Chapter 9-2, Article 518 (b)(6) regarding sign allowances for cannabis uses to the Turlock Municipal Code (*Quintero*)

Recommended Action:

Ordinance: Introducing an Ordinance for first reading adding section (f) to Title 5, Chapter 5-21, Article 103 regarding State and local requirements for cannabis businesses and adding section (iv) to Title 9, Chapter 9-2, Article 518 (b)(6) regarding sign allowances for cannabis uses to the Turlock Municipal Code

9. **ACTION ITEMS:**

- A. Request to adopt a list of projects and expenses for Fiscal Year 2020-21 funded by SB 1 "The Road Repair and Accounting Act of 2017" (*Bray*)

Recommended Action:

Resolution: Adopting a list of projects and expenses for Fiscal Year 2020-21 funded by SB 1 “The Road Repair and Accounting Act of 2017”

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. Administrative Services Department
 - 1. Next Steps Related to Ballot Measure (*Wells*)
- B. Fire Department
 - 1. Public Safety Briefing (*Carlson*)
 - 2. COVID-19 Update (*Carlson*)
- C. Police Department
 - 1. Public Safety Briefing (*Amirfar*)

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

13. CLOSED SESSION:

- A. 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: Tamara Riddle-Borges
Agency Claimed Against: City of Turlock
- B. Threat to Public Services or Facilities, Cal. Gov’t Code §54957(a)
“This chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, or a threat to the public’s right of access to public services or public facilities.”

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT