

City Council Agenda



JUNE 23, 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.

THE MEETING WILL BE STREAMED ON THE CITY OF TURLOCK WEBSITE AT WWW.CITYOFTURLOCK.ORG AND BROADCASTED ON SPECTRUM CHANNEL 2.

MEMBERS OF THE PUBLIC MAY ALSO PARTICIPATE IN THE MEETING VIA THE FOLLOWING METHODS:

JOIN BY CLICKING ON THE MEETING LINK: <https://us02web.zoom.us/j/84924629186>

OR

**JOIN BY ACCESSING THE ZOOM WEBSITE: <https://zoom.us/join>
WEBINAR ID: 849 2462 9186**

OR

**JOIN BY TELEPHONE: 669-900-6833
WEBINAR ID: 849 2462 9186**

Mayor
Amy Bublak

Council Members

Nicole Larson
Andrew Nosrati
Vice Mayor

Gil Esquer
Becky Arellano

City Manager
Toby Wells, P.E.
City Clerk
Jennifer Land
City Attorney
Douglas L. White

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 agendaized 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. Briefing: ACE Ceres–Merced Extension Project Notice of Preparation of Environmental Impact Report (*Wells*)

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: None

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 5/21/20 in the amount of \$534,067.44; Weekly Demands of 5/28/20 in the amount of \$1,927,555.15
- B. Motion: Accepting Minutes of the Special Meeting of May 13, 2020; Minutes of the Special Meeting of May 26, 2020; Minutes of the Regular Meeting of May 26, 2020
- C. Motion: Approving Amendment No. 9 to an Agreement between the City of Turlock and GHD, Inc. for City Project No. 0828 "SR-99/Fulkerth Road Interchange" to extend the term through December 31, 2020
- D. Motion: Approving Amendment No. 1 to an Agreement between the City of Turlock and Hawkins and Associates Engineering, Inc. of Modesto, California for City Project No. 16-40 "Retainer Agreement for Engineering and Surveying Services" to extend the term through June 30, 2021
- E. Motion: Awarding bid and approving an Agreement in the amount of \$1,037,979.05 (Non-General Fund - Fund 215) with Phase 1 Construction, of Atwater, California for City Project No. 17-58 "Safe Route to Schools Pedestrian Improvements, Various Locations"
- F. Motion: Awarding bid and approving an Agreement in the amount of \$233,901 (Non-General Fund - Fund 215) with Sinclair General Engineering of Oakdale, California for City Project No. 17-59 "Pedestrian Intersection Improvements, Various Locations"
- G. Motion: Approving the advertisement of construction bids for City Project No. 18-67 "Water Main Replacement"
- H. Motion: Approving Amendment No. 1 with Carollo Engineers of Walnut Creek, California in the amount of \$2,199,486 (Non-General Fund - Fund 420), bringing the contract total to \$2,678,572 for professional engineering design services for City Project No. 18-69 "Surface Water Distribution System Improvements"
- I. Motion: Approving Amendment No. 1 to a Retainer Agreement between the City of Turlock and Economic & Planning Systems, Inc., (EPS) of Oakland, California for City Project No. 16-42 "Retainer Agreement for Economic Planning and Development Fee Services" for professional economic planning and development fee services, increasing the contract by \$50,000 bringing the contract total to \$130,000, and extending the term through June 30, 2021
- J.
 1. Resolution: Approving the Engineer's Report for Fiscal Year 2020-21 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock
 2. Resolution: Declaring the City Council's Intention to levy and collect assessments for Fiscal Year 2020-21 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock
- K. Resolution: Declaring the Intention to Order Annexation No. 27 for the property located at 1347 N. Palm Street (Stanislaus County APN 042-013-006) to the Existing Community Facilities District No. 2 (Services Mitigation)
- L. Resolution: Authorizing application for, and receipt of, Local Early Action Planning (LEAP) Grants Program Funds
- M. Motion: Approving Amendment No. 1 to a Transit Funding Agreement with the Associated Students Incorporated of California State University, Stanislaus, of Turlock, California to suspend the Agreement from April 1, 2020 through June 30, 2021 and extend the term of the Agreement to June 30, 2022
- N. Motion: Approving a Professional Services Agreement with Carollo Engineers for Engineering and Construction Management Services for the Chemical System Upgrades Project at the Regional Water Quality Control Facility (RWQCF) for a period of two (2)

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- years, with an option to extend the Agreement for three (3) additional one-year terms, in an amount not to exceed \$726,784 (non-general fund) over the five-year term of the Agreement if all renewal periods are exercised
- O. Motion: Approving Amendment No. 1 to the Professional Services Agreement with Carollo Engineers for Design Services for Replacement of Biogas Waste Flare and Boiler to include an additional scope of work for rehabilitation of the primary flotators and increasing the compensation by \$494,923 for a total not-to-exceed amount of \$1,214,247 (non-general fund) over the five-year term of the Agreement if all renewal periods are exercised
- P. Motion: Approving Amendment No. 1 to the Professional Services Agreement with Municipal Financial Services for Water Fund Cash Flow Evaluation to include three (3) annual extensions to the Agreement and increasing the compensation by \$12,000, for a total not-to-exceed amount of \$28,200 (non-general fund) over the four-year term of the Agreement if all renewal periods are exercised
- Q. Motion: Accepting the City of Turlock Fire Department 2019 Annual Report
- R. Motion: Approving the updated funding allocation for the Public Services Grant Agreements with the six (6) nonprofit agencies for fiscal year 2020-2021 funded with Community Development Block Grant Program (CDBG) funds and authorizing the City Manager or designee to execute all related and necessary documents
- S. Resolution: Making certain findings and determinations in compliance with Section XIII.B of the California Constitution and Section 7910 of the California Government Code and setting the Fiscal Year 2020-21 Appropriation Limit for the City of Turlock
- T. Resolution: Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19
- U. 1. Resolution: Calling for the holding of a general municipal election to be held on Tuesday, November 3, 2020, for the election of certain officers as required by the provisions of the laws of the State of California relating to general law cities and the Turlock Municipal Code; and requesting the Board of Supervisors of the County of Stanislaus to permit the County Registrar of Voters to render election services and to consolidate the election with the statewide general election held on the same date
2. Resolution: Adopting regulations for candidates for elective office pertaining to Candidate Statements submitted to the voters at a general municipal election to be held on Tuesday, November 3, 2020

**Note: The sales tax measure will be considered by the City Council on July 6, 2020 at 5:00 p.m.*

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:**

- A. Request to order the improvements and formation of the PM 19-01 Warrior Crossing (Development Project No. 19-22) 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 2020-2021 for the PM 19-01 Warrior Crossing (Development Project No. 19-22) 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 PM 19-01 Warrior Crossing (Development Project No. 19-22) 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 2020-2021 for the PM 19-01 Warrior Crossing (Development Project No. 19-22) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

9. ACTION ITEMS:

- A. Request to adopt a budget for the City of Turlock General and Non-General Fund Budgets for Fiscal Year 2020-2021 (*Wells*)

Recommended Action:

Resolution: Adopting a budget for the City of Turlock General and Non-General Fund Budgets for Fiscal Year 2020-2021

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. Fire Department
1. Public Safety Briefing (*Carlson*)
 2. COVID-19 Update (*Carlson*)
- B. Police Department
1. Public Safety Briefing (*Amirfar*)

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. ***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."

Consultation with: City Manager Toby Wells and City Attorney Douglas L. White

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT