

City Council Agenda



JULY 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.

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. Proclamation: In Honor of the Retirement of Electrical Mechanical Maintenance Supervisor Robert Winters
- B. Appointment: Stanislaus Regional Transit Authority Advisory Committee – Two (2) Members of City Council

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 6/25/20 in the amount of \$2,722,088.57; Weekly Demands of 7/2/20 in the amount of \$587,181.58
- B. Resolution: Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19
- C. Motion: Accepting improvements and authorizing the City Engineer to file a Notice of Completion for City Project No. 12-60D "Transit Center CCTV and Access Control"
- D. Motion: Approving Change Order No. 4 in the amount of \$19,000.33 (Non-General Fund - Fund 426), bringing the contract total to \$687,070.58 for City Project No. 17-51 "Roger K. Fall Transit Center Phase 3 TI"
- E. Motion: Awarding bid and approving an Agreement in the amount of \$1,075,000.00 (Non-General Fund - Fund 246) with VSS International, Inc. of West Sacramento, California, for City Project No. 20-004 "2020 Slurry Seals"
- F. Motion: Awarding bid and approving an Agreement in the amount of \$4,876,000 (Non-General - Fund 420) with Western Water Constructors of Santa Rosa, California for City Project No. 20-009 "Well 38 Arsenic Mitigation and ICF Treatment"
- G. Motion: Accepting the Development Fee Five-Year Report for Fiscal Years 2013-2014 through 2017-2018 as required by State of California Government Code section 66001(d)
- H. Resolution: Declaring the Intention to Order Annexation No. 28 for the property located at 1841 Geer Road (Stanislaus County APN 071-015-023) to Existing Community Facilities District No. 2 (Services Mitigation)
- I. Resolution: Re-appropriating unspent funds to Fiscal Year 2020-2021 in the amount of \$12,651.42 to account number 217-50-510.46032 "Vehicles & Small Equipment Maintenance Parts"
- J. Motion: Approving an Agreement between the City of Turlock and Kidz Love Soccer, Inc. to offer youth soccer programs within the community, in the total amount of \$120,000 for a period of thirty-six (36) months
- K. Motion: Approving an Agreement between the City of Turlock and Dragon Sports to offer youth self defense programs within the community, in the total amount of \$48,000 for a period of thirty-six (36) months
- L. Motion: Approving an Agreement between the Stanislaus County Office of Education, the City of Turlock, and the Turlock Unified School District authorizing the acceptance of an allocation of funds and execution of a grant agreement to implement the After School Education and Safety (ASES) Program
- M. Motion: Approving the five (5) year agreement with Denair Unified School District of Stanislaus County and the City of Turlock to authorize the use of Denair facilities for recreational purposes until July 28, 2025
- N. Resolution: Accepting donations made to the City of Turlock Parks, Recreation and Public Facilities Department from various donors in January 2020 through June 2020 in the amount of \$372 (monetary donations) to account number 270-61-635-399.37200_000 "Donations General" to fund/aid a variety of Parks, Recreation and Public Facilities Department programs, scholarships, and activities
- O. Motion: Approving an Agreement between the City of Turlock and the Turlock Unified School District for Police Officer services at Turlock High School and Pitman High School

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- P. Resolution: Authorizing the repayment of HOME funds in the amount of \$291,000 to credit the Turlock/Stanslaus County HOME Consortium local HOME account (Fund 256) and appropriating the repayment of \$291,000 to Fund 256 Turlock/Stanslaus County HOME Consortium from the sale proceeds of \$139,000, salary credit from Fund 255 of \$121,405, and the balance of \$30,595 from the General Fund
 - Q. Resolution: Reaffirming the policies setting the General Fund Reserve and defining and clarifying the components of fund balance for Governmental Funds
 - R. Resolution: Rescinding Resolution No. 2001-159 and adopting a new Resolution updating the Capital Asset Policy and Procedures for the City of Turlock, effective July 1, 2019 for Fiscal Year 2019-2020 and subsequent years

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:**

- A. Request to confirm Diagrams, Assessments, the Engineer's Report, and the Levying and Collection of Assessments as originally proposed for Fiscal Year 2020-21 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock pursuant to Resolution No. 97-128 (Bray)

Recommended Action:

Resolution: Confirming Diagrams, Assessments, the Engineer's Report, and the Levying and Collection of Assessments as originally proposed for Fiscal Year 2020-21 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock pursuant to Resolution No. 97-128

- B. Request for the City Clerk to confirm: a) Proof of Publication of Notice of Public Hearing; b) Signed Waiver and Consent; c) Completed and Signed Ballot, and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and Ballot Declaring Election Results (Project Planner to prompt and facilitate these steps) AND Mayor and City Council conduct public hearing confirming that no protests have been received – close hearing and adopt the two resolutions below AND Calling a Special, Mailed-Ballot Election respecting Proposed Annexation No. 27 to existing Community Facilities District Number 2 (Services Mitigation) AND Declaring the results of Mailed-Ballot Election respecting Proposed Annexation No. 27 to Community Facilities District Number 2 (Services Mitigation) and ordering annexation (*Quintero*)

Recommended Action:

Confirmation: City Clerk confirms: a) Proof of Publication of Notice of Public Hearing; b) Signed Waiver and Consent; c) Completed and Signed Ballot and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and Ballot Declaring Election Results (Project Planner to prompt and facilitate these steps)

Public Hearing: Mayor and City Council conduct public hearing confirming that no protests have been received – close hearing and adopt the two resolutions below

Resolution: Calling a Special, Mailed-Ballot Election respecting Proposed Annexation No. 27 to existing Community Facilities District Number 2 (Services Mitigation)

Resolution: Declaring the results of Mailed-Ballot Election respecting Proposed Annexation No. 27 to Community Facilities District Number 2 (Services Mitigation) and ordering annexation

9. ACTION ITEMS:

- A. Request to accept the City of Turlock’s audited Financial Statements for the fiscal year ended June 30, 2019 and related reports (*Envia*)

Recommended Action:

Motion: Accepting the City of Turlock’s audited Financial Statements for the fiscal year ended June 30, 2019 and related reports

- B. Request to authorize the City Manager to execute the Subrecipient Agreement between the County of Stanislaus and the City of Turlock for receipt of Coronavirus Aid, Relief, and Economic Security (CARES) Coronavirus Relief Funds (CRF) (*Wells*)

Recommended Action:

Resolution: Authorizing the City Manager to execute the Subrecipient Agreement between the County of Stanislaus and the City of Turlock for receipt of Coronavirus Aid, Relief, and Economic Security (CARES) Coronavirus Relief Funds (CRF)

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
 - 1. Monthly Budget Update (*Wells*)
 - 2. Citizen-Initiated Resolution Request (*Wells*)
- B. Fire Department
 - 1. Public Safety Briefing (*Carlson*)
 - 2. COVID-19 Update (*Carlson*)
- C. Parks, Recreation and Public Facilities
 - 1. Columbia Park Update (*Van Guilder*)
- D. 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