

City Council Agenda



AUGUST 11, 2020

6:00 p.m.

City of Turlock Yosemite Room

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.

- 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. Recognition: Employee of the Month – July 2020, Electronic Instrumentation Technician, Senior Robin Dysart
- B. Proclamation: National Health Center Week, August 9-15, 2020
- C. Appointment: City of Turlock and Stanislaus State University Joint Taskforce on Diversity and Inclusion – One (1) Member 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 7/9/20 in the amount of \$1,538,081.46; Monthly Demands of 4/30/20 in the amount of \$2,357,181.86; Monthly Demands of 5/31/20 in the amount of \$1,674,220.76
- B. Motion: Accepting Minutes of the Special Meeting of June 16, 2020; Minutes of the Special Meeting of July 6, 2020
- C. Motion: Approving Amendment No. 1 to the Agreement with DF Engineering, of Modesto, California in the amount of \$5,940 (Non-General Fund - Fund 215), bringing the contract total to \$128,718 for professional engineering and surveying services for City Project No. 16-60 "Linwood Avenue Pedestrian Improvements"
- D. Motion: Approving the advertisement for construction bids for City Project No. 17-53 "Golden State Rehabilitation 20th Century Boulevard to Main Street"
- E.
 1. Resolution: Approving the submission of a grant application for the WaterSMART Drought Response Program for City Project No. 18-69 "Surface Water Distribution System Improvements" committing to the obligations associated with receipt of a financial assistance grant and cooperative agreement, and authorizing the City Manager to sign all documents related to the WaterSMART grant
 2. Motion: Approving Amendment No. 2 with Carollo Engineers of Walnut Creek, California in the amount of \$32,664 (Non-General Fund - Fund 420), bringing the contract total to \$2,711,236 for professional engineering design services for City Project No. 18-69 "Surface Water Distribution System Improvements"
- F. Motion: Approving the advertisement for construction bids for City Project No. 20-001 "Southeast Quadrant Road Rehabilitation"
- G.
 1. Motion: Awarding a Retainer Agreement with ECORP Consulting, Inc., of Rocklin, CA, for City Project No. 20-017 "RFQ for Retainer Agreement for Environmental Study Services" in an amount not to exceed \$150,000 annually
 2. Motion: Awarding a Retainer Agreement with Rincon Consultants, Inc., of Sacramento, CA, for City Project No. 20-017 "RFQ for Retainer Agreement for Environmental Study Services" in an amount not to exceed \$150,000 annually
- H.
 1. Motion: Awarding a Retainer Agreement with Associated Right of Way Services, Inc., of Pleasant Hill, CA, for City Project No. 20-018 "RFQ for Retainer Agreement for Right-of-Way and Property Appraisal Services" in an amount not to exceed \$150,000
 2. Motion: Awarding a retainer agreement with Bender Rosenthal, Inc., of Fresno, CA, for City Project No. 20-018 "RFQ for Retainer Agreement for Right-of-Way and Property Appraisal Services" in an amount not to exceed \$150,000
 3. Motion: Awarding a retainer agreement with Hamner, Jewel and Associates, of Fresno, CA, for City Project No. 20-018 "RFQ for Retainer Agreement for Right-of-Way and Property Appraisal Services" in an amount not to exceed \$150,000
- I. Motion: Approving a Professional Services Agreement between the City of Turlock and West Yost Associates for the preparation of the 2020 Urban Water Management Plan in an amount not to exceed \$98,230 from account number 420-52-550.43320 "Special Services/Projects" (Non-General Fund)
- J. Resolution: Re-appropriating unspent funds to Fiscal Year 2020-21 in the amount of \$15,000 (non-general fund) to account number 506-00-000-223.51020 "Equipment Replacement" from Fund 506 "Vehicle/Equipment Replacement" unallocated reserves in Program 223 "Water Enterprise" for the purchase of one (1) 2019 Ford Fusion Energi Plug-In Hybrid Sedan Titanium for the Municipal Services Department from Downtown

Ford Sales of Sacramento, California, and \$20,000 to account number 506-00-000-223.37235 "San Joaquin Valley Air Pollution Control District Grant" revenue for grant proceeds

- K. **Resolution:** Authorizing the City Manager to work with the City Attorney to update and finalize the Non-Disclosure Agreement for potential new industries
- L. **Motion:** Awarding RFQ No. 20-015 and approving an Agreement with Joe Gomes & Sons, Inc. for gasoline and diesel fuel card lock fueling service for city vehicles and equipment, for a period of three (3) years, with an option to extend the Agreement for three (3) additional one-year terms, in an annual amount not to exceed \$600,000 and a total amount not to exceed \$3,600,000 over the 6-year term of the Agreement, if all renewal periods are exercised

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:** None

9. **ACTION ITEMS:**

- A. Request to adopt a Resolution of Support for the City of Turlock Police Department (*Wells*)

Recommended Action:

Resolution: Adopting a Resolution of Support for the City of Turlock Police Department

- B. Request to approve the California Military Department's request to end the ninety-nine (99) year lease as a result of the lead mitigation in the former indoor shooting range, accepting the facility "as is" and directing the City Manager to facilitate the transfer of the facility back to the City of Turlock AND Accepting the appraisal report (Exhibit A) for the property located at 1040 Flower St. AND Directing staff to proceed with the "Letter of Interest" (Exhibit B) process to evaluate potential development opportunities for the property located at 1040 Flower St. (*Van Guilder*)

Recommended Action:

Resolution: Approving the California Military Department's request to end the ninety-nine (99) year lease as a result of the lead mitigation in the former indoor shooting range, accepting the facility "as is" and directing the City Manager to facilitate the transfer of the facility back to the City of Turlock

Motion: Accepting the appraisal report (Exhibit A) for the property located at 1040 Flower St.

Motion: Directing staff to proceed with the "Letter of Interest" (Exhibit B) process to evaluate potential development opportunities for the property located at 1040 Flower St.

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. Economic Development Update (*Pitt*)
- B. Development Services
 - 1. Monthly Department Update (*Bray*)
- C. Fire Department
 - 1. COVID-19 Update (*Carlson*)
- D. Parks, Recreation and Public Facilities
 - 1. Columbia Park Update (*Van Guilder*)

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
- B. *Public Employee Performance Evaluation*, Cal. Gov't Code §54957(b)(1)
"Subject to paragraph (2), this chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session."
Title: City Manager

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT