

# City Council Agenda



**OCTOBER 27, 2020**

**6:00 p.m.**

**City of Turlock Yosemite Room**

**156 S. Broadway, Turlock, California**

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**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](http://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**

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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](http://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: None

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 9/17/20 in the amount of \$1,035,064.82; Accepting Weekly Demands of 9/24/20 in the amount of \$1,422,691.66; Accepting Weekly Demands of 10/01/20 in the amount of \$1,987,497.25; Accepting Monthly Demands of 7/31/20 in the amount of \$8,271,595.27

- B. Motion: Accepting Minutes of the Special Meeting of August 25, 2020; Minutes of the Regular Meeting of August 25, 2020
- C. Resolution: Appropriating \$20,000 to account number 411-51-536.43060 "Contract Services" from Fund 411 "Storm Drainage Construction" unallocated reserves to provide funding for professional services associated with the Storm Drain Master Plan
- D.
  1. Resolution: Approving the Engineer's Report for the PM 20-02 Jessica House (Development Project No. 20-016) 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 20-02 Jessica House (Development Project No. 20-016) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
- E. Resolution: Accepting donations made to the City of Turlock Parks, Recreation and Public Facilities Department from various donors in July 2020 through September 2020 in the amount of \$331 (monetary donations) in 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
- F. Motion: Awarding RFP No. 20-028 and approving an Agreement with Polydyne of Riceboro, Georgia, for Anionic Emulsion Polymer for the Municipal Services Department, in an annual amount not to exceed \$30,000 (non-general fund), having met all the specifications of RFP No. 20-028 and being the lowest responsive and responsible bidder pursuant to Turlock Municipal Code Section 2-7-09(c)(5)
- G. Motion: Awarding RFP No. 20-027 and approving an Agreement with Polydyne of Riceboro, Georgia, for Cationic Emulsion Polymer for the Municipal Services Department, in an annual amount not to exceed \$100,000 (non-general fund), having met all the specifications of RFP No. 20-027 and being the lowest responsive and responsible bidder pursuant to Turlock Municipal Code Section 2-7-09(c)(5)
- H. Motion: Approving a Maintenance Agreement between the City of Turlock and HSQ Technology for maintenance service of the Telemetry software/hardware for a period of two (2) years, with an option to extend the Agreement for three (3) additional one-year terms, in an annual amount not to exceed \$50,000 (non-general fund), over the five-year term of the Agreement, if all renewal periods are exercised
- I. Resolution: Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:**

- A. Request to approve the Fiscal Year 2019-2020 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program (CDBG) and HOME Investment Partnerships Program (HOME), authorize submission of the CAPER to the United States Department of Housing and Urban Development (HUD), and authorize the City Manager or designee to execute related necessary documents (*Pitt*)

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**Recommended Action:**

**Motion:** Approving the Fiscal Year 2019-2020 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program (CDBG) and HOME Investment Partnerships Program (HOME), authorizing submission of the CAPER to the United States Department of Housing and Urban Development (HUD), and authorizing the City Manager or designee to execute related necessary documents

**9. ACTION ITEMS:**

- A. Authorizing the City Manager to terminate the City of Turlock's participation in a Memorandum of Understanding (MOU) with the City of Modesto and Stanislaus County for the implementation of a new Joint Powers Authority (JPA), the Stanislaus Regional Transit Authority (SRTA), in accordance with MOU Section VI(B) AND Reaffirming the strategic direction for transit services outlined in the Short-Range Transit Plan (SRTP), previously adopted in February 2020, as amended due to the COVID-19 pandemic, and directing the City Manager, or his or her designee, to include a provision in the next SRTP for a full evaluation of governance structure options AND Reaffirming the City of Turlock's commitment to regional cooperation in the planning and provision of transit services and directing the City Manager, or his or her designee, to continue to coordinate with regional transit partners to reduce barriers to access for regional travel, improve service quality, and identify opportunities for joint or leveraged procurements (*Bray*)

**Recommended Action:**

**Motion:** Authorizing the City Manager to terminate the City of Turlock's participation in a Memorandum of Understanding (MOU) with the City of Modesto and Stanislaus County for the implementation of a new Joint Powers Authority (JPA), the Stanislaus Regional Transit Authority (SRTA), in accordance with MOU Section VI(B)

**Motion:** Reaffirming the strategic direction for transit services outlined in the Short-Range Transit Plan (SRTP), previously adopted in February 2020, as amended due to the COVID-19 pandemic, and directing the City Manager, or his or her designee, to include a provision in the next SRTP for a full evaluation of governance structure options

**Resolution:** Reaffirming the City of Turlock's commitment to regional cooperation in the planning and provision of transit services and directing the City Manager, or his or her designee, to continue to coordinate with regional transit partners to reduce barriers to access for regional travel, improve service quality, and identify opportunities for joint or leveraged procurements

- B. Review, discuss, and direct staff on Coronavirus Aid, Relief and Economic Security (CARES) Act funding priorities for the Coronavirus Relief Fund (CRF) (*Wells*)

**Recommended Action:**

**Motion:** Review, discuss, and direct staff on Coronavirus Aid, Relief and Economic Security (CARES) Act funding priorities for the Coronavirus Relief Fund (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. Re-opening Public Meetings (*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 (*Pacheco*)

**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:**

*Closed Session Item 13C has been agendized as part of the Special Meeting (scheduled at 5:00 p.m. on this date) as well as this Regular Meeting to allow for continued discussion if necessary.*

- 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. Conference with Legal Counsel – Existing Litigation, Cal. Gov't Code §54956.9(d)(1)  
*"For purposes of this section, litigation shall be considered pending when any of the following circumstances exist... Litigation, to which the local agency is a party, has been initiated formally."*  
 Name of Case: Anabella Badalian, Matthew Jacob v. City of Turlock, et al.; Case No. CV-20-004616

- C. 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 Attorney

**14. REPORTS FROM CLOSED SESSION**

**15. ADJOURNMENT**