

City Council Agenda



JANUARY 12, 2021

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

Rebecka Monez

Pam Franco

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. Appointment: Vice Mayor
- B. Appointment: Appointing members of the City Council to the Boards, Commissions, and Committees as listed in the agenda item
- C. Appointment: Civility Code Rules Committee
- D. Appointment: Planning Commission
- E. Appointment: Parks, Arts and Recreation Commission
- F. Appointment: CDBG Grant Selection Committee (Community Members)

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 11/19/20 in the amount of \$2,138,213.70; Accepting Weekly Demands of 11/26/20 in the amount of \$5,543,882.81; Accepting Weekly Demands of 12/3/20 in the amount of \$218,373.29; Accepting Weekly Demands of 12/10/20 in the amount of \$937,788.43; Accepting Monthly Demands of 8/31/20 in the amount of \$1,664,139.62
- B. **Motion:** Accepting Minutes of the Special Meeting of October 13, 2020; Minutes of the Special Meeting of October 27, 2020
- C. **Motion:** Approving Contract Change Order No. 10 and 17 in the amount of \$168,368.86 (Fund 305) with Agee Construction of Clovis, California, for City Project No. 0828 "SR-99/Fulkerth Road Interchange" bringing the contract total to \$12,221,933.84
- D. **Motion:** Approving the execution of a Lien Agreement for deferred payment of Development Impact fees in the amount of \$25,223.96 between the City of Turlock and Turlock Petroleum, Inc., 2219 Lander Avenue, Turlock, CA 95380
- E. **Motion:** Approving an Agreement with Shape, Inc. for maintenance services of Flygt brand pumping/mixing equipment and associated parts, in an annual amount not to exceed \$100,000 (non-general fund), for a total contract amount not to exceed \$400,000 (non-general fund), over the four (4) year term of the Agreement if all renewal periods are exercised
- F. **Motion:** Approving Amendment No. 1 to an Agreement between the City of Turlock and Condor Earth Technologies, Inc., increasing the annual compensation by \$50,000 for a total annual amount not to exceed \$100,000 (non-general fund)
- G. **Resolution:** Approving modifications to the job description for the positions of Animal Control Officer and Animal Control Officer, Sr., effective January 12, 2021
- H. **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 order the improvements and formation of the PM 20-02 Jessica House (Development Project No. 20-016) 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 20-02 Jessica House (Development Project No. 20-016) 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 20-02 Jessica House (Development Project No. 20-016) 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 20-02 Jessica House (Development Project No. 20-016) 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 accept the Turlock Downtown Property Owners Association 2019-2020 Annual Report to be filed with the City Clerk in accordance with California Streets and Highways Code Section 36650 (*Van Guilder*)

Recommended Action:

Resolution: Accepting the Turlock Downtown Property Owners Association 2019-2020 Annual Report to be filed with the City Clerk in accordance with California Streets and Highways Code Section 36650

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*)
 2. CARES Act Update (*Pitt*)
- B. Fire Department
1. COVID-19 Update (*Carlson*)

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. *Conference with Labor Negotiators*, Cal. Gov't Code §54957.6(a)
"Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation."
Agency Designated Representative: Human Resources Manager Sarah Eddy
Employee Organization: Turlock Associated Police Officers
Employee Organization: Turlock City Employees Association
Employee Organization: Turlock Firefighters Association-Local 2434
Employee Organization: Turlock Management Association-Public Safety

- Unrepresented Employees: Accountant, Sr., Administrative Analyst, Administrative Services Director, Assistant to the City Manager for Economic Development/Community Housing, Chief Building Official, City Clerk, Community Housing Program Supervisor, Deputy Director Development Services/Planning, Development Services Director, Development Services Supervisor/City Surveyor, Executive Administrative Assistant/Deputy City Clerk, Executive Administrative Assistant/Municipal Services, Executive Administrative Assistant/Public Safety, Fire Chief, Human Resources Analyst, Sr., Human Resources Manager, Human Resources Technician, Information Technology Manager, Legal Assistant, Municipal Services Deputy Director, Municipal Services Director, Office Assistant I, Parks, Recreation and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Payroll Coordinator, Police Business Unit Supervisor, Police Chief, Principal Civil Engineer, Regulatory Affairs Manager, Transit Manager, Utilities Manager, and Water Quality Control Division Manager.
- B. Public Employee Appointment, 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: Acting City Manager
- C. Conference with Labor Negotiators, Cal. Gov't Code §54957.6(a)
"Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation."
 Agency Designated Representative: Mayor Amy Bublak
 Unrepresented Employee: Acting City Manager
- D. Public Employee Appointment, 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: Interim City Attorney
- E. Conference with Labor Negotiators, Cal. Gov't Code §54957.6(a)
"Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation."
 Agency Designated Representative: Mayor Amy Bublak
 Unrepresented Employees: Interim City Attorney

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT