

City Council Agenda



MARCH 23, 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 BE OPEN TO THE PUBLIC. SEATING CAPACITY WILL BE LIMITED TO THE FIRST 14 PEOPLE, ON A FIRST COME FIRST SERVE BASIS. COMPLIANCE WITH ALL HEALTH & SAFETY GUIDELINES INCLUDING COVID-19 SCREENING, TEMPERATURE CHECKS, FACE COVERINGS, AND PHYSICAL DISTANCING MEASURES WILL BE REQUIRED FOR IN-PERSON ATTENDANCE. PLEASE PLAN TO ARRIVE APPROXIMATELY 15 MINUTES PRIOR TO THE SCHEDULED MEETING START TIME TO ALLOW FOR SCREENING PROCESSES. FOR MORE INFORMATION, PLEASE VISIT THE CITY OF TURLOCK WEBSITE AT WWW.CITYOFTURLOCK.ORG.

THIS 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

Rebecka Monez
Pam Franco
Vice Mayor

Acting City Manager
Gary R. Hampton
City Clerk
Jennifer Land
Interim City Attorney
George A. Petrulakis

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.

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: Vietnam Veterans Day, March 29, 2021
- B. Briefing: COVID-19 Update, presented by Interim Fire Chief Gary Carlson

4. PUBLIC PARTICIPATION

MEMBERS OF THE PUBLIC WISHING TO ADDRESS THE CITY COUNCIL WILL BE GIVEN THE SAME TIME ALLOTMENT FOR COMMENTS 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. 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 2/25/21 in the amount of \$989,717.07; Weekly Demands of 3/4/21 in the amount of \$1,347,115.00; Monthly Demands in the amount of \$2,511,149.40
- B. Motion: Accepting Minutes of the Regular Meeting of January 26, 2021; Minutes of the Special Meeting of February 3, 2021; Minutes of the Special Meeting of February 9, 2021
- C. Motion: Approving the Final Map and Subdivision Improvement Agreement with FQC, Inc., conditioned upon construction of improvements for the SM 19-01 FQC subdivision (Development Project No. 20-029)
- D. Motion: Approving the advertisement for construction bids for City Project No. 20-032 "Chemical System Upgrades Project at RWQCF"
- E.
 - 1. Resolution: Approving the sole source purchase of air purification and surface treatment technology for City transit vehicles from United Safety and Survivability Corporation (USSC) of Exton, Pennsylvania, to address the COVID-19 public health emergency in an amount not to exceed \$58,668 (Funds 425 and 426), without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(6) and in support of City Project No. 21004 "Transit Air Purification Upgrades"
 - 2. Resolution: Approving the sole source purchase of air purification technology for the Roger K. Fall Transit Center from United Safety and Survivability Corporation (USSC) of Exton, Pennsylvania, to address the COVID-19 public health emergency in an amount not to exceed \$13,384 (Fund 426), without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(6) and in support of City Project No. 21004 "Transit Air Purification Upgrades"
 - 3. Resolution: Authorizing the City Manager, or his or her designee, to procure additional air purification or antimicrobial equipment, materials, or services, as needed to maintain or extend enhanced cleaning protocols in the air and on surfaces in City vehicles and facilities from United Safety and Survivability Corporation (USSC) of Exton, Pennsylvania, contingent on the availability of budgeted funds, without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(6)
- F. Resolution: Authorizing the City Manager, or his or her designee, to procure equipment, materials, or maintenance and support services from ANGI Energy Systems, LLC (ANGI), of Janesville, Wisconsin, to repair, support, and maintain ANGI Compressed Natural Gas (CNG) fueling systems, contingent on the availability of budgeted funds, without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(6)
- G. Motion: Approving Amendment No. 2 to an Agreement between the City of Turlock and Robertson-Bryan, Inc. to provide National Pollutant Discharge Elimination System (NPDES) permit compliance assistance for the Turlock Regional Water Quality Control Facility (RWQCF), increasing the compensation to an annual amount not to exceed \$150,000 (non-general fund) for the remaining term of the Agreement
- H. Motion: Accepting the City of Turlock's audited Financial Statements for the Transportation Development Act for the fiscal year ended June 30, 2020
- I. Motion: Approving a Professional Services Agreement with MGT of America Consulting, LLC for preparation of a Cost Allocation Plan required under federal regulations for Fiscal Year 2021-22, for a period of one (1) year with an option to extend the agreement for two (2) additional one-year terms, in an annual amount not to exceed \$17,000 and a total amount not to exceed \$51,000 if all renewal periods are exercised

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- J.
 - 1. Motion: Approving Amendment No. 1 to the Memorandum of Understanding between the City of Turlock and the County of Stanislaus to increase the Homeless Emergency Aid Program Grant Funds in the amount of \$15,942.07
 - 2. Resolution: Appropriating \$15,942.07 to account number 257-41-489.34145 "HEAP Funding (Homeless Emergency Aid Program)"
 - K. Resolution: Approving the Tentative Agreement revising the Memorandum of Understanding ("MOU") between the City of Turlock ("City") and Turlock Firefighters, Local #2434 ("Turlock Fire") covering the period of July 1, 2020 through June 30, 2021 and appropriating \$100,000 from General Fund unassigned reserves to account number 110-30-300.41059 "Continuous Service Pay" and related roll-up costs

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:**

- A. Request to approve a Substantial Amendment to the Fiscal Year 2020-2021 Annual Action Plan for the Community Development Block Grant (CDBG) Program to program CDBG Coronavirus (CDBG-CV) Round 1 and 3 funds and authorizing submittal to the United States Department of Housing and Urban Development (HUD); and authorizing the City Manager to execute all necessary documents (*Pitt*)

Recommended Action:

Resolution: Approving a Substantial Amendment to the Fiscal Year 2020-2021 Annual Action Plan for the Community Development Block Grant (CDBG) Program to program CDBG Coronavirus (CDBG-CV) Round 1 and 3 funds and authorizing submittal to the United States Department of Housing and Urban Development (HUD); and authorizing the City Manager to execute all necessary documents

9. **ACTION ITEMS:**

- A. Request to approve Amendment No. 5 with Carollo Engineers of Walnut Creek, California, in the amount of \$1,896,809 (Non-General Fund - Fund 420) bringing the contract total to \$5,142,559, for professional engineering design services for City Project No. 18-69 "Surface Water Distribution System Improvements" AND approve Amendment No. 1 with Horizon Water and Environment, LLC of Oakland, California, in the amount of \$29,440 (Non-General Fund - Fund 420) bringing the contract total to \$100,281, for professional environmental services and biological monitoring during construction of City Project No. 18-69 "Surface Water Distribution System Improvements" AND appropriate \$1,926,000 to account number 420-52-551.51356 "Surface Water Dist. Imp.-Terminal Facilities" from Fund 420 "Water" unassigned reserves for professional design services and environmental services and biological monitoring during construction of City Project No. 18-69 "Surface Water Distribution System Improvements" (*Bray*)

Recommended Action:

Motion: Approving Amendment No. 5 with Carollo Engineers of Walnut Creek, California, in the amount of \$1,896,809 (Non-General Fund - Fund 420) bringing the contract total to \$5,142,559, for professional engineering design services for City Project No. 18-69 "Surface Water Distribution System Improvements"

Motion: Approving Amendment No. 1 with Horizon Water and Environment, LLC of Oakland, California, in the amount of \$29,440 (Non-General Fund - Fund 420) bringing the contract total to \$100,281, for professional environmental services and biological monitoring during construction of City Project No. 18-69 "Surface Water Distribution System Improvements"

Resolution: Appropriating \$1,926,000 to account number 420-52-551.51356 "Surface Water Dist. Imp.-Terminal Facilities" from Fund 420 "Water" unassigned reserves for professional design services and environmental services and biological monitoring during construction of City Project No. 18-69 "Surface Water Distribution System Improvements"

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 (*Hampton/Silva*)
2. Unsheltered Homeless and Encampments Crisis Update (*Hampton/Williams*)

B. Fire Department

1. Public Safety Briefing (*Carlson*)

C. Municipal Services

1. Monthly Departmental Update (*Brown*)

D. Parks, Recreation and Public Facilities

1. Recreation Facilities Re-opening (*Van Guilder*)

E. Police Department

1. Public Safety Briefing (*Williams*)
2. Radio/CAD/RMS Update (*Williams*)

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Requests for Council items for future consideration will be scheduled in accordance with Resolution No. 2008-019.

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: Interim Fire Chief Gary Carlson and Interim City Attorney George A. Petrulakis
- B. 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.
- C. Public Employee Discipline/Dismissal/Release, Cal. Gov't Code §54957(b)(1)

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT