

City Council Agenda



APRIL 27, 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 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. Proclamation: Arbor Day, April 2021
- B. Appointment: West Turlock Subbasin Groundwater Sustainability Agency, Primary Member
- C. 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 4/1/21 in the amount of \$4,173,605.84; Weekly Demands of 4/8/21 in the amount of \$847,456.47; Weekly Demands of 4/15/21 in the amount of \$1,257,582.10
- B. Motion: Accepting Minutes of the Regular Meeting of February 23, 2021; Minutes of Special Meeting of March 9, 2021
- C.
 1. Motion: Approving Contract Change Order No. 3 (Final) in the decreased amount of \$112,167.15 (Non-General Fund – Fund 215) for City Project No. 15-44 “Rehabilitation of Hawkeye Avenue and Lander Avenue” bringing the contract total to \$1,706,888.48
 2. Motion: Accepting improvements for City Project No. 15-44 “Rehabilitation of Hawkeye Avenue and Lander Avenue” and authorizing the City Engineer to file a Notice of Completion
- D. Motion: Approving the advertisement of construction bids for City Project No. 20-013 “Water and Sewer Main Extensions – N. Golden State Blvd”
- E. Resolution: Adopting a Resolution of vacation, pursuant to Division 9, Part 3, Chapters 2 and 4 of the Streets and Highways Code, to summarily vacate those certain portions of existing public utility easements over portions of 149 W. Canal Drive (APN: 042-009-039) & 199 W. Canal Drive (APN: 042-009-038)
- F. Resolution: Authorizing the City Manager to execute Lien Agreements in a form approved by the City Attorney for the deferred payment of development impact fees
- G. Resolution: Accepting the 2020 General Plan Annual Report pursuant to California Government Code section 65400(a)(2) to be submitted to the Governor’s Office of Planning and Research and the California Department of Housing and Community Development
- H. Motion: Authorizing the sole source repairs to out of repair sidewalks in various locations throughout the City and approving an Agreement with Precision Emprise, LLC., Dba Precision Concrete Cutting of Sacramento, for sidewalk trip hazard removal projects for the City of Turlock, for a period of thirty-six (36) months, in an annual amount not to exceed \$60,000 and a total amount not to exceed \$360,000 if all renewal periods are exercised, without compliance to the formal bid procedure in accordance to Turlock Municipal Code Section 2-7-08(b)(2)
- I. Motion: Approving Amendment No. 1 to the Joint and Reciprocal Agreement with Turlock Unified School District (TUSD), for use of facilities, to update the language following California Department of Public Health guidelines regarding COVID-19
- J.
 1. Resolution: Approving modifications to the job descriptions for the positions of Information Technology Technician, Information Technology Analyst I/II, Information Technology Analyst - Senior, Information Technology Coordinator, and Information Technology Manager, effective April 27, 2021
 2. Resolution: Approving the reclassification of two (2) Senior Information Technology Analysts to Information Technology Coordinators, effective May 1, 2021
- K. Motion: Authorizing the release of unclaimed checks pursuant to California Government Code section 50055 to the City of Turlock

7. FINAL READINGS: None

8. PUBLIC HEARINGS: None

9. ACTION ITEMS:

- A. Request to approve Contract Change Order No. 1 (Final) in the amount of \$34,301.41 (Non-General Fund – Fund 246) for City Project No. 20-004 "2020 Slurry Seals" bringing the contract total to \$1,109,301.41 AND accept improvements for City Project No. 20-004 "2020 Slurry Seals" and authorizing the City Engineer to file a Notice of Completion AND appropriate \$525,000 to account number 246-60-600.43700 "Slurry Seals" to be funded from Fund 246 "Landscape Assessment District Maintenance" unassigned reserves to provide necessary funding for City Project No. 20-004 "2020 Slurry Seals" (*Bray*)

Recommended Action:

Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$34,301.41 (Non-General Fund – Fund 246) for City Project No. 20-004 "2020 Slurry Seals" bringing the contract total to \$1,109,301.41

Motion: Accepting improvements for City Project No. 20-004 "2020 Slurry Seals" and authorizing the City Engineer to file a Notice of Completion

Resolution: Appropriating \$525,000 to account number 246-60-600.43700 "Slurry Seals" to be funded from Fund 246 "Landscape Assessment District Maintenance" unassigned reserves to provide necessary funding for City Project No. 20-004 "2020 Slurry Seals"

- B. Request to authorize the use of CARES Act funds, if necessary, for the purpose of offsetting aquatics program expenses in excess of revenue generated by swim lessons, as a result of the COVID-19 Public Health Emergency by appropriating \$34,000 from account number 110-10-189.48001_325 "Transfer Out To Respond To COVID-19 Pandemic" to account number 110-61-626-102.38001_325 "Transfer In From CARES Act Funds" (*Van Guilder*)

Recommended Action:

Resolution: Authorizing the use of CARES Act funds, if necessary, for the purpose of offsetting aquatics program expenses in excess of revenue generated by swim lessons, as a result of the COVID-19 Public Health Emergency by appropriating \$34,000 from account number 110-10-189.48001_325 "Transfer Out To Respond To COVID-19 Pandemic" to account number 110-61-626-102.38001_325 "Transfer In From CARES Act Funds"

- C. Request to approve an Agreement with Community Housing and Shelter Services (CHSS), a non-profit organization, to administer a rent, mortgage, and utility assistance program to eligible households as prescribed in Attachment A and authorize the City Manager to execute all necessary documents (*Pitt*)

Recommended Action:

Motion: Approving an Agreement with Community Housing and Shelter Services (CHSS), a non-profit organization, to administer a rent, mortgage, and utility assistance program to eligible households as prescribed in Attachment A and authorizing the City Manager to execute all necessary documents.

- D. Request to approve the reorganization of the Administrative Services Department and establishing the Finance Department, effective July 1, 2021 AND approve modifications to the job description for the position of Administrative Services Director, effective July 1, 2021 AND approve a new job description for the position of Finance Director, effective July 1, 2021 AND authorize the hiring of one (1) Administrative Services Director and one (1) Finance Director through an in-house recruitment of full-time, part-time, and volunteer/intern staff (with no priority given), and an outside recruitment if needed; authorize the Acting City Manager to engage in a contract with a professional recruiting firm for the hiring of an Administrative Services Director and a Finance Director in an amount not to exceed \$40,000; and appropriate \$40,000 from Fund 110 "General Fund" unassigned reserves to account number 110-10-109.43060_039 "Executive Recruitments" in FY 20-21 (*Hampton/Eddy/Silva*)

Recommended Action:

Resolution: Approving the reorganization of the Administrative Services Department and establishing the Finance Department, effective July 1, 2021

Resolution: Approving modifications to the job description for the position of Administrative Services Director, effective July 1, 2021

Resolution: Approving a new job description for the position of Finance Director, effective July 1, 2021

Resolution: Authorizing the hiring of one (1) Administrative Services Director and one (1) Finance Director through an in-house recruitment of full-time, part-time, and volunteer/intern staff (with no priority given), and an outside recruitment if needed; authorizing the Acting City Manager to engage in a contract with a professional recruiting firm for the hiring of an Administrative Services Director and a Finance Director in an amount not to exceed \$40,000; and appropriating \$40,000 from Fund 110 "General Fund" unassigned reserves to account number 110-10-109.43060_039 "Executive Recruitments" in FY 20-21

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. Measure A Citizens Oversight Committee Update (*Hampton/Land*)
3. City of Turlock Elected and Appointed Officials Handbook Update (*Hampton*)
4. Unsheltered Homeless and Encampments Crisis Update (*Hampton/Williams*)

B. Fire Department

1. Public Safety Briefing (*Carlson*)

C. Police Department

1. Public Safety Briefing (*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 Legal Counsel – Anticipated Litigation, Cal. Gov't Code §54956.9(d)(2)

"For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist... A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency."

Potential Case: (1 case)

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: 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.

D. Public Employee Discipline/Dismissal/Release, Cal. Gov't Code §54957(b)(1)

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT