

City Council Agenda



MAY 11, 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: National Police Week, May 9 – 15, 2021
- B. Proclamation: Public Works Week, May 16 – 22, 2021
- 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 4/22/21 in the amount of \$952,122.04; Monthly Demands of 3/31/21 in the amount of \$2,542,239.61
- B. Motion: Accepting Minutes of the Regular Meeting of March 9, 2021; Minutes of the Special Meeting of March 16, 2021; Minutes of the Special Meeting of March 23, 2021
- C. Motion: Approving the Memorandum of Understanding between the City of Turlock and Turlock American Little League for the use of Pedretti Park for youth baseball programs within the community
- D. Motion: Approving the Memorandum of Understanding between the City of Turlock and Turlock National Little League for the use of Pedretti Park and Soderquist ball field for youth baseball and softball programs within the community
- E.
 1. Motion: Approving a professional services agreement with Dyett & Bhatia Urban and Regional Planners for the SB 2 Planning Grant Zoning Ordinance Amendments in an amount not to exceed \$184,410 in a form approved by the Interim City Attorney
 2. Motion: Authorizing the City Manager to enter into a Memorandum of Understanding between the City of Turlock and County of Stanislaus for Development of Accessory Dwelling Unit (ADU) Standard Plans
- F. Motion: Approving a professional services agreement with Dyett & Bhatia Urban and Regional Planners for the LEAP Planning Grant Housing Element, Safety Element, Environmental Justice Element Updates, and associated environmental work in an amount not to exceed \$305,000 in a form approved by the Interim City Attorney
- G.
 1. Resolution: Authorizing the execution of an agreement for reimbursement between Turlock Gospel Mission and the City of Turlock to provide shelter services during the Local Emergency of an Unsheltered Homeless and Encampment Crisis
 2. Resolution: Authorizing the execution of an agreement between Stanislaus Behavioral Health and Recovery Services and the City of Turlock for Homeless Engagement Multi-Disciplinary Team Activity
 3. Resolution: Authorizing the execution of an Opt-In to a Memorandum of Understanding between the City of Modesto and Stanislaus County for limited cross-jurisdictional enforcement of state and local laws
- H. Resolution: Appropriating \$270,000 from Fund 506 "Small Equipment Replacement" unassigned reserves to account number 506-00-000-213.51020 "Equipment Replacement" for the purchase of six (6) replacement marked patrol vehicles from Downtown Ford Sales, Sacramento, California, through the City of Sacramento Contract No. B19153311005
- I. Motion: Approving an agreement ("Agreement") with White Brenner LLP ("Firm") to provide special counsel legal services to the City of Turlock ("City") and authorizing the Acting City Manager to execute the Agreement on behalf of the City
- J. Resolution: Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19
- K. Resolution: Reaffirming the Proclamation of a Local Emergency by Acting City Manager Gary R. Hampton (Director of Emergency Services) in Response to the Unsheltered Homeless and Encampment Crisis within the City of Turlock and Confirming Rules and Regulations No. 1 Made and Issued by Acting City Manager Gary R. Hampton (Director of Emergency Services)

7. FINAL READINGS: None

8. PUBLIC HEARINGS:

- A. Request to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Rezone 2020-01, Planned Development 279 (PD 279) AND amend the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2020-01 Planned Development 279 (Fifth Street Community)] AND establish Conditions of Approval for Planned Development 279 (Fifth Street Community) (*Quintero*)

Recommended Action:

Resolution: Adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Rezone 2020-01, Planned Development 279 (PD 279)

Introduction of the Ordinance:

Ordinance: Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2020-01 Planned Development 279 (Fifth Street Community)]

To be considered at the May 25, 2021 City Council Meeting

Resolution: Establishing Conditions of Approval for Planned Development 279 (Fifth Street Community)

- B. Request to approve the Fiscal Year 2021-2022 Annual Action Plan for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME), authorize submission of the Annual Action Plan to the United States Department of Housing and Urban Development (HUD), approve funding for the Public Service Grant Program, and authorize the City Manager or designee to execute all related and necessary documents (*Pitt*)

Recommended Action:

Resolution: Approving the Fiscal Year 2021-2022 Annual Action Plan for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME), authorizing submission of the Annual Action Plan to the United States Department of Housing and Urban Development (HUD), approving funding for the Public Service Grant Program, and authorizing the City Manager or designee to execute all related and necessary documents

Public Hearing Item 8C is being continued to June 22, 2021.

- C. Request to make no change in the cap on the number of beds that may be permitted under the nondiscretionary permit process within the SB 2 emergency shelter overlay district (*Quintero*)

Recommended Action:

Motion: Making no change in the cap on the number of beds that may be permitted under the nondiscretionary permit process within the SB 2 emergency shelter overlay district

9. ACTION ITEMS:

- A. Request to reduce the amount of budgeted HEAP funds by \$92,000 to the We Care project for a remaining balance of approximately \$38,414.83 AND increase the amount of budgeted HEAP funds by \$92,000 to the Turlock Gospel Mission for the day center upgrade project AND approve a promissory note, loan agreement with forgivable terms, and deed of trust in a form approved by the Interim City Attorney, between the City of Turlock and Turlock Gospel Mission, a 501 (C)(3) non-profit organization, for the remodel and upgrade of the real property located at 432 S. Broadway, Turlock (APN #043-049-032-000) in the amount of \$330,000, subject to the terms and conditions as outlined in Attachment A, and authorize the City Manager to sign all necessary documents to effectuate the transaction (*Pitt*)

Recommended Action:

Motion: Reducing the amount of budgeted HEAP funds by \$92,000 to the We Care project for a remaining balance of approximately \$38,414.83

Motion: Increasing the amount of budgeted HEAP funds by \$92,000 to the Turlock Gospel Mission for the day center upgrade project

Resolution: Approving a promissory note, loan agreement with forgivable terms, and deed of trust in a form approved by the Interim City Attorney, between the City of Turlock and Turlock Gospel Mission, a 501 (C)(3) non-profit organization, for the remodel and upgrade of the real property located at 432 S. Broadway, Turlock (APN #043-049-032-000) in the amount of \$330,000, subject to the terms and conditions as outlined in Attachment A, and authorizing the City Manager to sign all necessary documents to effectuate the transaction

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. Unsheltered Homeless and Encampments Crisis Update (*Hampton/Williams*)
- B. Development Services
 - 1. Monthly Departmental Update (*Bray*)

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 Appointment, Cal. Gov't Code §54957(b)(1)
Title: Acting City Manager
- D. Public Employee Discipline/Dismissal/Release, Cal. Gov't Code §54957(b)(1)

14. **REPORTS FROM CLOSED SESSION**

15. **ADJOURNMENT**