

City Council Agenda

SEPTEMBER 28, 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.

PERSONS WHO ATTEND THE MEETING ARE ASKED TO READ AND FOLLOW THE CURRENT STATE OF CALIFORNIA PUBLIC HEALTH GUIDANCE AT:

www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/What-Will-June-15-Look-Like.pdf

AND AT:

www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx#June15guidance

LISTING STATE-IMPOSED REQUIREMENTS FOR ATTENDING IN PERSON

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

****participant's phone number will be public****

Mayor
Amy Bublak

Council Members

Nicole Larson
Andrew Nosrati

Rebecka Monez
Pam Franco
Vice Mayor

Acting City Manager
Dan Madden
Interim City Clerk
Kellie E. Weaver
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. Presentation: Yosemite Community College District (YCCD) by Chancellor Henry Yong and Santanu Bandyopadhyay
- B. Proclamation: In Honor of the Retirement of Nathan Bray, Interim Development Services Director/City Engineer
- C. Recognition: Employee of the Month, July 2021, Parks, Recreation and Public Facilities Coordinator, James Governale
- D. Briefing: Roads Update (*Bray*)

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**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 9/9/21 in the amount of \$501,705.75; Weekly Demands of 9/16/21 in the amount of \$671,269.93
- B. Motion: Accepting Minutes of the Special Meeting of September 1, 2021; Minutes of Regular Meeting of September 14, 2021
- C. Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$23,750 (Non-General Fund - Fund 226) with F. Loduca Company, of Stockton, California, for City Project No. 15-76 "Bus Stop Improvements, Phase 1," bringing the contract total to \$111,975
Motion: Accepting improvements for City Project No. 15-76 "Bus Stop Improvements, Phase 1," and authorizing the City Engineer to file a Notice of Completion
- D. Motion: Approving Contract Change Order No. 2 (Final) in the amount of \$16,977 (Non-General Fund – Fund 410) for City Project No. 14-30 "Sewer Line Replacement on Angelus, Bothun, and Castor," bringing the contract total to \$422,394.60
Motion: Accepting improvements for City Project No. 14-30 "Sewer Line Replacement on Angelus, Bothun, and Castor," and authorizing the City Engineer to file a Notice of Completion
Resolution: Appropriating \$460,000 to account number 410-51-534.51160 "Bothun Rd Replace 400' of 8" Sewer Line" to be funded from Fund 410 Water Quality Control unallocated reserves in the Fiscal Year 2020-2021 budget to provide necessary funding for City Project No. 14-30 "Sewer Line Replacement on Angelus, Bothun, and Castor"
- E. Motion: Approving Amendment No. 1 to the On-Call Professional Services Agreement with WMB Architects, Inc. of Sacramento, California, for City Project No. 17-61 "Retainer Agreement for Architectural Services" to extend the term through June 30, 2022
- F. Motion: Awarding RFQ No. 21-018 and approving an Agreement with USALCO, LLC for Aluminium Chlorohydrate for the Turlock Regional Water Quality Control Facility, in an annual amount not to exceed \$300,000 (Non-General Fund)
- G. Motion: Awarding RFP No. 21-016 and approving an Agreement with St. Francis Electric, LLC of San Leandro, California, for traffic signal preventative maintenance and repair services in an annual amount not to exceed \$250,000
- H. Motion: Approving an Agreement with Larry Walker Associates for NPDES Management Services for the Municipal Services Department in an annual compensation not to exceed \$150,000 (Non-General Fund)
Motion: Approving an Agreement with Robertson-Bryan, Inc. for NPDES Management Services for the Municipal Services Department in an annual compensation not to exceed \$150,000 (Non-General Fund)
- I. Resolution: Approving the purchase of one (1) Scum Box and two (2) Break Away Skimmers from MuniQuip LLC, in an amount not to exceed \$48,253 (including a 10% contingency), for the Municipal Services Department Water Quality Control Division, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(2)

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- J. Motion: Approving a 3-year term Agreement between the City of Turlock and Citizen Communications, LLC dba Recyclist (Recyclist), to provide management of solid waste account database, regulatory compliance and outreach for commercial and multi-family waste generators within the City of Turlock. Fiscal year compensation amount not to exceed \$28,710 (+\$10,000 set up fee in the first year), and total compensation amount not to exceed \$96,130 (non-General Fund)
- K. Motion: Approving Amendment No. 1 to an Agreement between the City of Turlock and Champion Industrial Contractors, Inc. for preventive maintenance, filter change-out, repair services for HVAC units for city owned and leased buildings, to increase the total not-to-exceed compensation amount to \$500,000
- L. Resolution: Authorizing the execution of a service agreement between Delta Wireless, Inc., of Stockton, CA, and the City of Turlock, in an amount not to exceed \$230,000, for the maintenance and service of the radio system including all portable and mobile radios for the period of July 1, 2021 through June 30, 2022, in a form approved by the City Attorney, and authorizing the City Manager to sign the agreement between Delta Wireless and the City of Turlock
Resolution: Approving the sole source procurement of radio system support services and equipment from Delta Wireless, Inc., of Stockton, CA, 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)
- M. Motion: Approving Amendment No. 1 to the agreement between the City of Turlock and Axon Enterprise, Inc., increasing the compensation in an amount not to exceed an additional seventy-five thousand dollars (\$75,000) for the duration of the agreement and increasing the number of body camera sets in the scope of work by three (3)
Resolution: Appropriating \$32,000 to account number 266-20-255-361.44030_001 "Minor Equipment Safety Equipment" for three (3) additional body camera sets from the Cannabis Fund unassigned reserve through a transfer from account number 117-10-190.48001_220 "Transfers out to Fd 266 COPS Grant Match" to account number 266-20-255-361.38001_220 "Transfers In Cops Grant Match"
Resolution: Authorizing the City Manager to approve the purchase of additional body cameras and associated equipment as needed, not to exceed the amount of the agreement
- N. Motion: Approving an Agreement between the City of Turlock and Megan Zimmerman R.N., ("EMS Coordinator") to provide oversight of Turlock Fire Department medical services, policies and procedures, training and administration as outlined in the current EMS contract
- O. Motion: Approving a Professional Services Agreement with First Alarm Wellness to provide COVID-19 Case Management Services to the City of Turlock without compliance to the formal bid process, per TMC Section 2-7-08 (b) (3), for a period of one (1) year with an option to extend the agreement for two (2) additional one-year terms, in an annual compensation amount not to exceed \$78,000 and a total amount for all three (3) years not to exceed \$234,000 if all renewal periods are exercised
Resolution: Appropriating \$58,500 to account number 119-10-188.43060_044 "Contract Services Case Management" from Fund 119 "American Rescue Plan Act" unassigned reserve for COVID-19 Case Management Services to the City of Turlock for the remainder of Fiscal Year 2021-2022
- P. Resolution: Adopting a resolution to employ a CalPERS Annuitant as Interim Fire Division Chief of Operations pursuant to CalPERS Requirements and reinstate the position of Fire Division Chief of Operations effective September 29, 2021, and appropriating \$179,980 to salary and benefits account numbers in 110-30-300, General Fund Fire Department, from the General Fund unassigned reserve, for the remainder of Fiscal Year 2021-2022

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- Q. 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:** None

9. **ACTION ITEMS:**

- A. Request to appoint George A. Petrulakis of the Petrulakis Law & Advocacy, APC law firm as Contract City Attorney for the City of Turlock. (*Madden*)

Recommended Action:

Resolution: Appointing George A. Petrulakis of the Petrulakis Law & Advocacy, APC law firm as Contract City Attorney for the City of Turlock

- B. Request to approve the funding allocation for the Public Service Grant Agreements with five (5) nonprofit agencies for fiscal year 2021-2022 funded with Community Development Block Grant Program (CDBG) funds and authorizing City Manager or designee to execute all related and necessary documents. (*Ramos*)

Recommended Action:

Motion: Approving the funding allocation for the Public Service Grant Agreements with five (5) nonprofit agencies for fiscal year 2021-2022 funded with Community Development Block Grant Program (CDBG) funds and authorizing City Manager or designee to execute all related and necessary documents

- C. Request to authorize 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. (*Williams*)

Recommended Action:

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

- D. Request to Rescind Resolution No. 2021-148 and determine that pursuant to California Elections Code Section 21601, the City Council will engage in the redistricting process on its own through a series of four public hearings, whereby National Demographics Corporation (NDC) and City staff will conduct one public hearing, with the remaining three public hearings to be held by the City Council and facilitated by National Demographics Corporation. (*Madden*)

Recommended Action:

Resolution: Rescinding Resolution No. 2021-148 and determining that pursuant to California Elections Code Section 21601, the City Council will engage in the redistricting process on its own through a series of four public hearings, whereby National Demographics Corporation (NDC) and City staff will conduct one public hearing, with the remaining three public hearings to be held by the City Council and facilitated by National Demographics Corporation

- E. Request to authorize the use of staff time and City resources to research and prepare a staff report and Resolution reaffirming the Turlock City Councilmembers' commitment to the integrity of the professional recruitment process guaranteed by CPS HR Consulting and not hand-select applicants that are not qualified for the position based on CPS HR Consulting's expert analysis. (*Larson*)

Recommended Action:

Motion: Authorizing the use of staff time and City resources to research and prepare a staff report and Resolution reaffirming the Turlock City Councilmembers' commitment to the integrity of the professional recruitment process guaranteed by CPS HR Consulting and not hand-select applicants that are not qualified for the position based on CPS HR Consulting's expert analysis

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. Fire Department
 - 1. OES Deployment (*Becker/Packwood*)
- B. Police Department
 - 1. Public Safety Briefing (*Hampton*)

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. 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: Interim City 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, Principal, 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, Executive Administrative Assistant/Deputy City Clerk, Executive Administrative Assistant/Municipal Services, Executive Administrative Assistant/Public Safety, Finance Director, Fire Chief, Human Resources Analyst, Sr., Human Resources Manager, Human Resources Technician, Information Technology Manager, Municipal Services Deputy Director, Municipal Services Director, Office Assistant I, Parks, Recreation and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Parks, Recreation and Public Facilities Superintendent, Payroll Coordinator, Police Business Unit Supervisor, Police Chief, Civil Engineer, Principal, Roads Program Manager, Transit Manager, Utilities Manager, and Water Quality Control Division Manager.

B. Public Employee Appointment, Cal. Gov't Code §54957(b)(1)
 Title: City Manager (Discussion Only)

C. Liability Claims, Cal. Gov't Code §54956.95
"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."
 Claimant: Erika Pulido
 Agency Claimed Against: City of Turlock

D. Liability Claims, Cal. Gov't Code §54956.95
"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."
 Claimant: Joodel and Juana Buenrostro Prado
 Agency Claimed Against: City of Turlock

E. Liability Claims, Cal. Gov't Code §54956.95
"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."
 Claimant: Erin Nussbaumer
 Agency Claimed Against: City of Turlock

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT