

City Council Meeting Agenda

February 28, 2023

6:00 p.m.

City of Turlock Yosemite Room
156 S. Broadway, Turlock, California

Amendment No. 1
February 28, 2023



Mayor
Amy Bublak

Council Members
Kevin Bixel
Cassandra Abram
Rebecka Monez
Pam Franco
Vice Mayor

City Manager
Reagan M. Wilson
City Clerk
Julie Christel
City Attorney
George A. Petrulakis

SPEAKER CARDS: To accommodate those wishing to address the Council and allow for staff follow-up, speaker cards are available for any agenda item or any other topic delivered under Public Comment. Please fill out and provide the Comment Card to the City Clerk or Police Officer.

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.

CALL TO ORDER SALUTE TO THE FLAG ROLL CALL AND DECLARATION OF CONFLICTS

1. 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.

2. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS

- A. Presentation: Certificate of Recognition to Matt Cranford in honor of his retirement as CEO of the Stanislaus County Fair
- B. Proclamation: Go Green Week – March 13-17, 2023
- C. Presentation: Turlock Fire Department Fire Services Master Plan presented by CityGate Associates, LLC.

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Next City Council Resolution: 2023-042

Next Ordinance: 1298-CS

3. PUBLIC PARTICIPATION

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.

4. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE

5. 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 02/09/2023 in the amount of \$1,674,298.45; 02/16/2023 in the amount of \$1,122,389.92; and the 08/31/2022 EFT Payments in the amount of \$34,837,526.18
- B. Resolution: Approving an Agreement for services with Aqua-Aerobic Systems, Inc., in a form approved by the City Attorney, for tertiary cloth filter repairs and preventative maintenance services for the Municipal Services Department in an annual amount not to exceed \$150,000, using funds from Fund 410-51-534.51391 "Tertiary Filter Equipment Replacement" (*Goodman*)
- C. Resolution: Approving Contract Change Order No. 5 in the amount of \$187,215.40 (Fund 420 "Water Enterprise") with Mountain Cascade Inc. of Livermore, California, for construction of City Project No. 18-69 "Surface Water Distribution System Improvements" bringing the contract total to \$32,960,348.82 (*Schulze*)
- D. Resolution: Opposing Initiative No. 21-0042A1, the Taxpayer Protection and Government Accountability Act (*Eddy*)
- Amended E. Resolution: Awarding bid and approving Contract 2023-89 with Animal Damage Management, Inc., in a form approved by the City Attorney, for gopher control program services, for a term of three (3) years, with an option to extend the Contract for two (2) additional one-year terms, in an amount not to exceed \$90,000 annually and a total amount not-to-exceed \$450,000 over the 5-year term of the Contract, if all renewal periods are exercised, utilizing funds from "Landscape Assessments 246-60-600.43153 - Gopher Control," "Water Quality Control 410-51-532.43153 - Gopher Control," and "Parks - 110-60-600.43153 Gopher Control" (*Schulze*)
- F. Resolution: Approving an Agreement for services with Aquatic Informatics, in a form approved by the City Attorney, for the Regulatory Compliance Software for the Wastewater, Water and Pretreatment Programs for the Municipal Services Department in the total compensation amount not to exceed \$200,000 which includes a 9% contingency for the duration of the five-year agreement, utilizing funds from Fund 410 Water Quality Control accounts 410-51- 530.44010_007 "Computer Software Maintenance - Linko" and account 410-51- 530.44010_014 "Computer Software Maintenance - WIMs" plus Fund 420 Water account 420-52-550.44010_001 "Computer Software Maintenance" (*Goodman*)

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- G. Resolution: Approving Amendment No. 1 to Agreement No. 2022-025 with Univar Solutions USA, Inc., in a form approved by the City Attorney, for sodium hypochlorite to increase the annual compensation amount by \$500,000 for a total compensation not to exceed amount of \$1,000,000 and appropriate \$500,000 from Fund 410 Water Quality Control unallocated reserves to account 410-51-530.44005_006 “Chemicals Chlorine” (*Goodman*)
- H. Resolution: Approving Amendment No. 1 to Agreement No. 2023-24 with WesTech Engineering Inc., in a form approved by the City Attorney, for the “Biotower Rehabilitation Project” for the Municipal Services Department to include additional language change in Section 22 (Cancellation for Breach by either party) and Section 28 (Liability to City) (*Goodman*)
- I. Resolution: Accepting an allocation of funds to administer the Selective Traffic Enforcement Program Grant through the California Office of Traffic Safety in an amount not to exceed \$70,000, and appropriating said funds into account number 266-20-255-352.35720 “OTS Step Grant” and accounts 266-20-255-352.41100_013 “Overtime OTS Step Grant” with associated benefit accounts for overtime in the amount of \$53,172, 266-20-255-352.47095_016 “Training Step Grant #PT23185” in the amount of \$2,358, 266-20-255-352.44001_042 “Supplies STEP Grant #PT23185” in the amount of \$4,470 and 266-20-255-352.51109_003 “Equipment STEP Grant #PT23185” in the amount of \$10,000, in Fund 266 “Police Grants” Program 352 “OTS Step Grant” (*Hedden*)
- J. Resolution: Accepting a donation to the City of Turlock Police Department Unmanned Aerial System program from Harvest Church not to exceed \$16,000, and appropriating said funds to revenue account number 266-20-255-351.37200_000 “Donations General” and expense account number 266-20-255-351.47157 “Police Donations Expenses” in Fund 266 “Police Services Grants” in support of the purchase of a drone and associated equipment (*Hedden*)
- K. Resolution: Accepting an allocation of funds and appropriating funds for the 2022 UC Davis – Welcome Grant, California for All Animals, in the amount of \$5,000 to be appropriated into revenue account number 266-20-255-348.35069 and expenditure account 266-20-255-348.47153 in Fund 266 “Police Grants” Program 348 “Animal Services” (*Hedden*)
- L. Resolution: Accepting an allocation of funds and appropriating funds for the 2022 UC Davis – California for All Animals in the amount of \$20,000 to be appropriated into revenue account number 266-20-255-348.35072 and expenditure account 266-20-255-348.47161 in Fund 266 “Police Grants” Program 348 “Animal Services” (*Hedden*)

6. FINAL READINGS

- A. Second and final reading of an Ordinance amending Turlock Municipal Code (TMC) Section 5-4-06 Social Host Liability (*Hedden*)

Recommended Action: Ordinance XXXX-cs: Second and final reading of an ordinance amending Turlock Municipal Code (TMC) Section 5-4-06 Social Host Liability

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- B. Second and final reading of an Ordinance amending Turlock Municipal Code (TMC) Title 4, to add Chapter 20, Spectators Prohibited at Street Races and Reckless Driving Exhibitions (*Hedden*)

Recommended Action: Ordinance XXXX-cs: Second and final reading of an Ordinance amending Turlock Municipal Code (TMC) Title 4, to add Chapter 20, Spectators Prohibited at Street Races and Reckless Driving Exhibitions

- C. Second and final reading of an Ordinance approving a Development Agreement by and between the City of Turlock and Evergreen Market Turlock, Inc. located at 101 E Glenwood Avenue, Turlock, CA, County of Stanislaus, Assessor's Parcel Number 044-022-013 (*Quintero*)

Recommended Action: Ordinance XXXX-cs: Second and final reading of an Ordinance approving a Development Agreement by and between the City of Turlock and Evergreen Market Turlock, Inc. located at 101 E Glenwood Avenue, Turlock, CA, County of Stanislaus, Assessor's Parcel Number 044-022-013

7. PUBLIC HEARINGS

- A. Superseding and replacing Resolution No. 2021-251 and adopting updated cost recovery percentages, schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-1 et seq (*Moreno*)

Recommended Action: Resolution: Superseding and replacing Resolution No. 2021-251 and adopting updated cost recovery percentages, schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-1 et seq

8. ACTION ITEMS

- A. Providing forty (40) hours of time bank to any full-time employee belonging to the Turlock Associated Police Officers (TAPO) bargaining unit who successfully recruits a Lateral Police Officer or a Police Officer Trainee to be used within two (2) years of accrual (*Hedden*)

Recommended Action: Resolution: Providing forty (40) hours of time bank to any full-time employee belonging to the Turlock Associated Police Officers (TAPO) bargaining unit who successfully recruits a Lateral Police Officer or a Police Officer Trainee to be used within two (2) years of accrual

- B. Authorizing the execution of Memorandum of Understanding (MOU) between Stanislaus County and the City of Turlock for Automated License Plate Recognition System, in an annual amount not to exceed \$105,000 and a total amount not-to-exceed \$568,218, using funds from account number 117-10-190.51034 – Cameras for License Plate Reader Program, over the five (5) year term of the agreement (*Hedden*)

Recommended Action: Resolution: Authorizing the execution of Memorandum of Understanding (MOU) between Stanislaus County and the City of Turlock for Automated License Plate Recognition System, in an annual amount not to exceed \$105,000 and a total amount not-to-exceed \$568,218, using funds from account number 117-10-190.51034 – Cameras for License Plate Reader Program, over the five (5) year term of the agreement

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9. 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. Monthly Department Reports (*Wilson*)
- B. Home ARP Update (*Quintero*)

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION

11. 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.

12. CLOSED SESSION

- A. Conference with Labor Negotiators - California Government 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: Deputy City Manager Sarah Eddy
Employee Organization: Turlock Management Association – Public Safety
Employee Organization: Turlock Firefighters Association – Local 2434

13. REPORTS FROM CLOSED SESSION

14. ADJOURNMENT

DECLARATION OF POSTING

I, Julie Christel, City Clerk for the City of Turlock, certify that I caused to be posted a copy of the City of Turlock City Council Agenda for the Regular Meeting of Tuesday, February 28, 2023 at City Hall, 156 S. Broadway, Turlock, California, 95380 on Thursday, February 23, 2023.

Dated: February 23, 2023

/s/Julie Christel
Julie Christel
City Clerk