

City Council Meeting Agenda

February 27, 2024

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



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. Proclamation: Go Green Week (*Lupe Madrigal*) Turlock Scavenger (*Jessie Marchant*)

B. Presentation: Townsend Public Affairs – Andres Ramirez

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

**CITY OF TURLOCK
CITY COUNCIL MEETING AGENDA
TUESDAY, FEBRUARY 27, 2024**

Next City Council Resolution: 2024-017

Next Ordinance: 1309-CS

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. Motion: Accepting the Weekly demands of 02/02/2024 through 02/08/2024 in the amount of \$781,943.28, 02/09/2024 through 02/15/2024 in the amount of \$2,772,463.65, the Payment Register for the PR – Payroll Account for November 2023 in the amount of \$2,145,184.54, and the Investment and Cash Report for January 31, 2024 in the amount of \$273,477,449.08
- B. Resolution 2024-XXX: Approving to Employ a CalPERS Annuitant (Interim Development Services Director) pursuant to CalPERS Requirements (*Dhami*)

6. FINAL READINGS

- A. Second and final reading of an Ordinance amending Turlock Municipal Code (TMC) Title 1, “General Provisions” by adding Chapter 1-9 entitled “Conflicts of Interest and Legal Compliance Documentation” (*Petrulakis*)

Recommended Action: Ordinance 13XX-CS: Second and final reading of an Ordinance amending Turlock Municipal Code (TMC) Title 1, “General Provisions” by adding Chapter 1-9 entitled “Conflicts of Interest and Legal Compliance Documentation”

7. PUBLIC HEARINGS

- A. Denying the appeal and affirming the Planning Commission decision denying Variance 2023-01 at 2560 and 2562 Mooneyham Court, Stanislaus County APN 073-043-007 (*Werner*)

Recommended Action: Resolution 2024-XXX: Denying the appeal and affirming the Planning Commission decision denying Variance 2023-01 at 2560 and 2562 Mooneyham Court, Stanislaus County APN 073-043-007

- B. Adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Baxter Homes project (General Plan Amendment 2022-01, Rezone 2022-01, VTSM 2022-01), Amending the Land Use Diagram of the Turlock General Plan [GPA 2022-01 (Baxter Homes)], and introduction and first reading of an ordinance amending the Zoning Map of the City of Turlock, attached to Title 9 of the Turlock Municipal Code [Rezone 2022-01 (Baxter Homes)] (*Werner*)

Recommended Action: Resolution 2024-XXX: Adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Baxter Homes project (General Plan Amendment 2022-01, Rezone 2022-01, VTSM 2022-01)

Recommended Action: Resolution 2024-XXX: Amending the Land Use Diagram of the Turlock General Plan [GPA 2022-01 (Baxter Homes)]

Recommended Action: Ordinance XXXX: Introduction and first reading of an Ordinance amending the Zoning Map of the City of Turlock, attached to Title 9 of the Turlock Municipal Code [Rezone 2022-01 (Baxter Homes)]

**CITY OF TURLOCK
CITY COUNCIL MEETING AGENDA
TUESDAY, FEBRUARY 27, 2024**

Next City Council Resolution: 2024-017

Next Ordinance: 1309-CS

8. ACTION ITEMS

- A. Approving a Master Agreement with CCME, Inc. (Merced, California office) for Construction Management and Inspection Services), in a form approved by the City Attorney, for Roads Program Capital Improvement Program (CIP) Projects (City Contract No. 2024-112); and 2) Approving a Master Agreement with Mark Thomas & Company, Inc. (Fresno, California office) for Construction Management and Inspection Services, in a form approved by the City Attorney, for Program Capital Improvement Program (CIP) Projects (City Contract No. 2024-110); and 3) Approving a Master Agreement with NV5, Inc. (Fresno, California office) for Construction Management and Inspection Services, in a form approved by the City Attorney, for Roads Program Capital Improvement Program (CIP) Projects (City Contract No. 2024-111) (*Pezeshk*)

Recommended Action:

- 1) Resolution 2024-XXX: Approving a Master Agreement with CCME, Inc. (Merced, California office) for Construction Management and Inspection Services, in a form approved by the City Attorney, for Roads Program Capital Improvement Program (CIP) Projects (City Contract No. 2024-112)
 - 2) Resolution 2024-XXX: Approving a Master Agreement with Mark Thomas & Company, Inc. (Fresno, California office) for Construction Management and Inspection Services, in a form approved by the City Attorney, for Program Capital Improvement Program (CIP) Projects (City Contract No. 2024-110)
 - 3) Resolution 2024-XXX: Approving a Master Agreement with NV5, Inc. (Fresno, California office) for Construction Management and Inspection Services, in a form approved by the City Attorney, for Roads Program Capital Improvement Program (CIP) Projects (City Contract No. 2024-111)
- B. Approving Amendments under the terms of the Master Agreements for Construction Management and Inspection Services for the City of Turlock's Roads Initiative Program, in a form approved by the City Attorney, to be funded by Fund 115 "Measure A – Roads" account number 115-10-115.43327 "Construction Management" for Mark Thomas & Company, Inc. (City Contract No. 2024-110), CCME, Inc (City Contract No. 2024-112), and NV5, Inc. (City Contract No. 2024-111):
- 1) Amendment No. 1 for Task Order No. 1, City Contract No. 2024-110, Mark Thomas & Company, Inc. (Fresno, California office) in the amount of \$51,677.81 for City Project No. 23-032
 - 2) Amendment No. 1 for Task Order No. 1, City Contract No. 2024-112, CCME, Inc. (Merced, California office), in the amount of \$26,663.22 for City Project No. 23-031, Bid Package 1
 - 3) Amendment No. 1 for Task Order No. 1, City Contract No. 2024-111, NV5, Inc. (Fresno, California office), in the amount of \$53,528.35 for City Project No. 23-031, Bid Package 2
 - 4) Amendment No. 2 for Task Order No. 2, City Contract No. 2024-111, NV5, Inc. (Fresno, California office), in the amount of \$53,528.35 for City Project No. 23-033

Recommended Action: Resolution 2024-XXX: Approving Amendments under the terms of the Master Agreements for Construction Management and Inspection Services for the City of Turlock's Roads Initiative Program, in a form approved by the City Attorney, to be funded by Fund 115 "Measure A – Roads" account number 115-10-115.43327 "Construction Management" for Mark Thomas & Company, Inc. (City Contract No. 2024-110), CCME, Inc (City Contract No. 2024-112), and NV5, Inc. (City Contract No. 2024-111):

**CITY OF TURLOCK
CITY COUNCIL MEETING AGENDA
TUESDAY, FEBRUARY 27, 2024**

Next City Council Resolution: 2024-017

Next Ordinance: 1309-CS

- 1) Amendment No. 1 for Task Order No. 1, City Contract No. 2024-110, Mark Thomas & Company, Inc. (Fresno, California office) in the amount of \$51,677.81 for City Project No. 23-032
 - 2) Amendment No. 1 for Task Order No. 1, City Contract No. 2024-112, CCME, Inc. (Merced, California office), in the amount of \$26,663.22 for City Project No. 23-031, Bid Package 1
 - 3) Amendment No. 1 for Task Order No. 1, City Contract No. 2024-111, NV5, Inc. (Fresno, California office), in the amount of \$53,528.35 for City Project No. 23-031, Bid Package 2
 - 4) Amendment No. 2 for Task Order No. 2, City Contract No. 2024-111, NV5, Inc. (Fresno, California office), in the amount of \$53,528.35 for City Project No. 23-033
- C. Approving Amendments under the terms of the Master Agreements for Engineering Design Services for the City of Turlock's Roads Initiative Program, in a form approved by the City Attorney, to be funded by Fund 115 "Measure A – Roads" Account Number 115-10-115.43366_001 "Design Roads," For Mark Thomas & Company, Inc. (City Contract No. 2023-109), Provost & Pritchard Engineering Group, Inc. DBA Provost & Pritchard Consulting Group (City Contract No. 2023-110), and Siegfried Engineering, Inc. (City Contract No. 2023-111) and authorizing staff to proceed with advertising for construction of said Roads Program CIP Projects upon completion of bid documents:
- 1) Amendment No. 3 for Task Order No. 3, City Contract No. 2023-109 with Mark Thomas & Company, Inc. (Sacramento, California office), in the amount of \$1,462,736.97 under City Project No. 23-067 " Mark Thomas Task Order No. 3 for Roads Program CIP Projects"
 - 2) Amendment No. 2 for Task Order No. 2, City Contract No. 2023-110 with Provost & Pritchard Engineering Group, Inc. dba Provost & Pritchard Consulting Group (Clovis, California office), in the amount of \$991,409.78 under City Project No. 23-068 "Provost & Pritchard Task Order No. 2 for Roads Program CIP Projects"
 - 3) Amendment No. 2 for Task Order No. 2, City Contract No. 2023-111 with Siegfried Engineering, Inc. (Stockton, California office), in the amount of \$671,064.59 under City Project No. 23-069 "Siegfried Task Order No. 2 for Roads Program CIP Projects"

Recommended Action: *Resolution 2024-XXX*: Approving Amendments under the terms of the Master Agreements for Engineering Design Services for the City of Turlock's Roads Initiative Program, in a form approved by the City Attorney, to be funded by Fund 115 "Measure A – Roads" Account Number 115-10-115.43366_001 "Design Roads," For Mark Thomas & Company, Inc. (City Contract No. 2023-109), Provost & Pritchard Engineering Group, Inc. DBA Provost & Pritchard Consulting Group (City Contract No. 2023-110), and Siegfried Engineering, Inc. (City Contract No. 2023-111) and authorizing staff to proceed with advertising for construction of said Roads Program CIP Projects upon completion of bid documents:

- 1) Amendment No. 3 for Task Order No. 3, City Contract No. 2023-109 with Mark Thomas & Company, Inc. (Sacramento, California office), in the amount of \$1,462,736.97 under City Project No. 23-067 " Mark Thomas Task Order No. 3 for Roads Program CIP Projects"
 - 2) Amendment No. 2 for Task Order No. 2, City Contract No. 2023-110 with Provost & Pritchard Engineering Group, Inc. dba Provost & Pritchard Consulting Group (Clovis, California office), in the amount of \$991,409.78 under City Project No. 23-068 "Provost & Pritchard Task Order No. 2 for Roads Program CIP Projects"
 - 3) Amendment No. 2 for Task Order No. 2, City Contract No. 2023-111 with Siegfried Engineering, Inc. (Stockton, California office), in the amount of \$671,064.59 under City Project No. 23-069 "Siegfried Task Order No. 2 for Roads Program CIP Projects"
- D. Adopting amendments to the Fiscal Year 2023-2024 Budget as a result of the mid-year budget review (*Moreno*)

**CITY OF TURLOCK
CITY COUNCIL MEETING AGENDA
TUESDAY, FEBRUARY 27, 2024**

Next City Council Resolution: 2024-017

Next Ordinance: 1309-CS

Recommended Action: Resolution 2024-XXX: Adopting amendments to the Fiscal Year 2023-2024 Budget as a result of the mid-year budget review

- E. Approving the establishment of a new job description for an Investigations Unit Analyst and amend the Turlock Associated Police Officers (T.A.P.O.) Non-Sworn, Non-Dispatch Salary Schedule effective February 27, 2024 (*Dhami*)

Recommended Action: Resolution 2024-XXX: Approving the establishment of a new job description for an Investigations Unit Analyst and amend the Turlock Associated Police Officers (T.A.P.O.) Non-Sworn, Non-Dispatch Salary Schedule effective February 27, 2024

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.

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 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 Cases: Two (2)

- B. Conference with Legal Counsel – Initiation of Litigation, Cal. Gov't Code 54956.9(d)(4)

"For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist...Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation."

Potential Cases: One (1)

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 27, 2024 at City Hall, 156 S. Broadway, Turlock, California, 95380 on Thursday, February 22, 2024.

/s/Julie Christel

Julie Christel

City Clerk