

City Council Agenda



JUNE 25, 2019

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

**and via teleconference:
Sheraton Princess Kaiulani
120 Kaiulani Avenue
Honolulu, Hawaii 96815 USA
Telephone No. 808-922-5811

Mayor
Amy Bublak

Council Members

Nicole Larson

Andrew Nosrati

Gil Esquer

Becky Arellano

Vice Mayor

City Manager
Robert C. Lawton
City Clerk
Jennifer Land
City Attorney
Douglas L. White

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.

0. A. **CALL TO ORDER**
- B. **SALUTE TO THE FLAG**
- C. **ROLL CALL**
- D. **DECLARATION OF CONFLICTS**

1. **CLOSED SESSION:** None

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:** None

4. **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.

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 5/16/19 in the amount of \$369,351.69; Weekly Demands of 5/23/19 in the amount of \$3,182,421.10; Monthly Demands of \$2,457,168.36
- B. Motion: Accepting Minutes of the Special Meeting of May 28, 2019; Minutes of the Regular Meeting of May 28, 2019
- C. Motion: Approving Amendment No. 8 to an Agreement between the City of Turlock and Omni-Means, Ltd. for City Project No. 0828 "SR-99/Fulkerth Road Interchange" to reflect the City of Turlock's approval of the assignment and assumption of the Agreement dated June 24, 2008, by and between the City of Turlock and Omni-Means, Ltd. to GHD Inc.
- D. Resolution: Re-appropriating unspent funds of \$7,400 from FY 2017-18 to FY 2018-19 to account number 120-10-120.47321 "Sports Complex Feasibility Study" from Fund 120 "Tourism" unallocated reserves for environmental studies at the Turlock Regional Sports Complex
- E.
 - 1. Resolution: Approving the Engineer's Report for Fiscal Year 2019-20 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock
 - 2. Resolution: Declaring the City Council's Intention to levy and collect assessments for Fiscal Year 2019-20 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock
- F. Motion: Re-affirming Building Division Permit fees and Policy in accordance with Section 8-1-108 fees of the Turlock Municipal Code

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- G. Motion: Approving an Agreement between the City of Turlock and Turlock Community Theatre, Inc. for the purpose of utilizing the Turlock Community Theatre for recreation dance classes on Wednesday and Thursday evenings and the end of session recital, from July 17, 2019 to September 27, 2019, in the amount of \$110 per day not to exceed twenty (20) class uses and one recital use not to exceed \$1,187 additionally for staffing and fees associated with the rental policy at a total of \$3,387
 - H. 1. Motion: Approving Amendment No. 1 to an Agreement between the City of Turlock and Confluence Engineering Group, LLC (Confluence) to modify the scope of work of the drinking water quality study to include Corrosion Control Demonstration Testing and increase the contract amount by \$53,101 for a total compensation of \$410,957
2. Resolution: Appropriating \$53,101 to FY 2019-20 to account number 420-52-550.43320 "Special Services/Projects" from Fund 420 "Water Enterprise" unallocated reserves for Corrosion Control Demonstration Testing
 - I. Resolution: Authorizing the City Manager to initiate renewals of existing user licenses and purchase new/additional user licenses as necessary from Nitro Software, Inc., subject to available budgeted funds
 - J. Motion: Awarding RFB No. 19-024 and approving an Agreement with Champion Industrial Contractors, Inc. for Preventive Maintenance, Filter Change-Out, Repair Service for HVAC Units for City Owned and Leased Buildings for a period of twelve (12) months, with an option to extend the Agreement for three (3) additional one-year terms, for a total not-to-exceed amount of \$300,000, over the 4-year term of the Agreement, if all renewal periods are exercised
 - K. Resolution: Making certain findings and determinations in compliance with Section XIII.B of the California Constitution and Section 7910 of the California Government Code and setting the Fiscal Year 2019-20 Appropriation Limit for the City of Turlock
 - L. Resolution: Appropriating \$60,000 to account number 512-10-152.43191 "Claims Expense" from Fund 512 "Self Insurance-Liability" unallocated reserves for specialized legal services and expenses related to claim administration
 - M. Motion: Awarding RFB No. 19-015 and approving an Agreement with Don Pedro Pump, Inc. for Pump Repairs at the Turlock Regional Water Quality Control Facility (wastewater treatment plant) and City Well Sites for a period of twelve (12) months, with an option to extend the Agreement for three (3) additional one-year terms, in an annual amount not to exceed \$50,000, for a total not-to-exceed amount of \$200,000, over the 4-year term of the Agreement, if all renewal periods are exercised
 - N. Motion: Awarding RFB No. 19-003 and approving an Agreement with Wastewater Solids Management, Inc. for Digester Cleaning for the Turlock Regional Water Quality Control Facility (wastewater treatment plant) for a period of twelve (12) months, with an option to extend the Agreement for three (3) additional one-year terms, in an annual amount not to exceed \$200,000, for a total not-to-exceed amount of \$800,000, over the 4-year term of the Agreement, if all renewal periods are exercised

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:** None

9. ACTION ITEMS:

- A. Request to adopt the Advertising Initiative Guidelines to promote businesses and organizations and increase revenue generated by facilities (*Van Guilder*)

Recommended Action:

Motion: Adopting the Advertising Initiative Guidelines to promote businesses and organizations and increase revenue generated by facilities

- B. Request to accept the Initial Study - Mitigated Negative Declaration report as presented by Rincon Consultants, Inc. to determine the feasibility of lighting the two softball fields at Turlock Regional Sports Complex (*Van Guilder*)

Recommended Action:

Motion: Accepting the Initial Study - Mitigated Negative Declaration report as presented by Rincon Consultants, Inc. to determine the feasibility of lighting the two softball fields at Turlock Regional Sports Complex

- C. Request to approve a Municipal Utility Payment Extension Agreement for the deferred payment of water and / or sewer service connection fees and to allow a Municipal Utility Lien Program to recover outstanding fees in the event property owner defaults on the payment plan (*Cooke*)

Recommended Action:

Resolution: Approving a Municipal Utility Payment Extension Agreement for the deferred payment of water and / or sewer service connection fees and to allow a Municipal Utility Lien Program to recover outstanding fees in the event property owner defaults on the payment plan

- D. Request to authorize an Agreement between the City of Turlock and American Alternative/Glatfelters Insurance Company for Property Insurance, in the amount of \$172,722, covering the period of July 1, 2019 to June 30, 2020 (*Eddy*)

Recommended Action:

Resolution: Authorizing an Agreement between the City of Turlock and American Alternative/Glatfelters Insurance Company for Property Insurance, in the amount of \$172,722, covering the period of July 1, 2019 to June 30, 2020

- E. Request to authorize an Agreement between the City of Turlock and Travelers Casualty & Surety Company of America for Cyber Liability Insurance, in the amount of \$17,925, covering the period of July 1, 2019 to June 30, 2020 (*Eddy*)

Recommended Action:

Resolution: Authorizing an Agreement between the City of Turlock and Travelers Casualty & Surety Company of America for Cyber Liability Insurance, in the amount of \$17,925, covering the period of July 1, 2019 to June 30, 2020

- F. Request to authorize an Agreement between the City of Turlock and Chubb/Ace Insurance Company for Employment Practices Liability Insurance, in the amount of \$50,000, covering the period of July 1, 2019 to June 30, 2020 (*Eddy*)

Recommended Action:

Resolution: Authorizing an Agreement between the City of Turlock and Chubb/Ace Insurance Company for Employment Practices Liability Insurance, in the amount of \$50,000, covering the period of July 1, 2019 to June 30, 2020

- G. Request to authorize an Agreement between the City of Turlock and National Union Fire Insurance for Liability Insurance for the Turlock Municipal Airport, in the amount of \$2,450, covering the period of July 1, 2019 to June 30, 2020 (*Eddy*)

Recommended Action:

Resolution: Authorizing an Agreement between the City of Turlock and National Union Fire Insurance for Liability Insurance for the Turlock Municipal Airport, in the amount of \$2,450, covering the period of July 1, 2019 to June 30, 2020

- H. Request to authorize renewal of a three (3) year Agreement between the City of Turlock and Keenan & Associates to Administer Workers' Compensation Claims and Provide Risk Management Services related to the Workers' Compensation Program, covering the period of Fiscal Years 2019-20, 2020-21, and 2021-22 (*Eddy*)

Recommended Action:

Resolution: Authorizing renewal of a three (3) year Agreement between the City of Turlock and Keenan & Associates to Administer Workers' Compensation Claims and Provide Risk Management Services related to the Workers' Compensation Program, covering the period of Fiscal Years 2019-20, 2020-21, and 2021-22

- I. Request to authorize an Agreement between the City of Turlock and Safety National Casualty Company for Excess Workers' Compensation Insurance, in the estimated amount of \$95,901, covering the period of July 1, 2019 to June 30, 2020 (*Eddy*)

Recommended Action:

Resolution: Authorizing an Agreement between the City of Turlock and Safety National Casualty Company for Excess Workers' Compensation Insurance, in the estimated amount of \$95,901, covering the period of July 1, 2019 to June 30, 2020

- J. Request to authorize renewal of the Alliant Crime Insurance Program, brokered by Alliant Insurance Services, Inc., insurer National Union Fire Insurance Company of Pittsburgh, to maintain insurance coverage for Government Crime for Fiscal Year 2019-20, with an annual premium of \$2,496 (*Eddy*)

Recommended Action:

Motion: Authorizing renewal of the Alliant Crime Insurance Program, brokered by Alliant Insurance Services, Inc., insurer National Union Fire Insurance Company of Pittsburgh, to maintain insurance coverage for Government Crime for Fiscal Year 2019-20, with an annual premium of \$2,496

- K. Request to authorize Agreements between the City of Turlock and related benefit partners in conjunction with the Excess Loss Insurance for City employees for Fiscal Year 2019-20 (*Eddy*)

Recommended Action:

Resolution: Authorizing Agreements between the City of Turlock and related benefit partners in conjunction with the Excess Loss Insurance for City employees for Fiscal Year 2019-20

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. Public Safety Briefing *(a written staff update is included in the agenda packet)*

B. Police Department

2. Public Safety Briefing *(a written staff update is included in the agenda packet)*

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Requests for Council items for future consideration will be scheduled in accordance with the City of Turlock Elected and Appointed Officials' Handbook (Resolution No. 2019-094), unless otherwise specified by the Mayor or a majority of the Council.

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 (*continuation of Closed Session if necessary*): None

14. REPORTS FROM CLOSED SESSION:

15. ADJOURNMENT