

# City Council Agenda



**JULY 23, 2019**

**6:00 p.m.**

**City of Turlock Yosemite Room**

**156 S. Broadway, Turlock, California**

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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**

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**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](http://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.

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**3. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS:**

- A. Proclamation: National Night Out, August 6, 2019, accepted by Chief of Police Ninus C. Amirfar
- B. Presentation: Donation to the City of Turlock Police Department Explorer Program, presented by the Dennis Wallace Foundation
- C. Proclamation: In recognition of community members Jim and Val Heckendorf, accepted by Jim and Val Heckendorf
- D. Briefings: Homelessness Workgroups Progress Reports and Recommendations (Councilmembers)

**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 6/20/19 in the amount of \$2,229,694.15; Weekly Demands of 6/27/19 in the amount of \$5,544,901.17
- B. Motion: Accepting Minutes of the Regular Meeting of June 25, 2019
- C.
  - 1. Motion: Accepting notification of Contract Change Order No. 1 (Final), in the amount of \$1,664.40, for City Project No. 18-28 "2018 SB-1 Road Maintenance and Rehabilitation Slurry Seal" bringing the contract total to \$208,664.40
  - 2. Motion: Accepting improvements for City Project No. 18-28 "2018 SB-1 Road Maintenance and Rehabilitation Slurry Seal" and authorizing the City Engineer to file a Notice of Completion
- D.
  - 1. Motion: Approving a Retainer Agreement with DF Engineering, of Modesto, CA for on-call land surveying services, under City Project No. 19-40 "On-Call Land Surveying Services," in an amount not to exceed \$30,000 per Fiscal Year, for a total of four (4) years
  - 2. Motion: Approving a Retainer Agreement with GDR Engineering, of Ceres, CA for on-call land surveying services, under City Project No. 19-40 "On-Call Land Surveying Services," in an amount not to exceed \$30,000 per Fiscal Year, for a total of four (4) years

- E. 1. Motion: Approving an Agreement between the Stanislaus County Office of Education, the City of Turlock, and the Turlock Unified School District, authorizing the acceptance of an allocation of funds, and execution of a grant agreement to implement the After School Education and Safety (ASES) Program  
 2. Resolution: Approving budget adjustments to the appropriate account numbers for the After School Education and Safety (ASES) program in Fund 270 “Recreation Grants and Donations” as delineated on Attachment A to the Resolution
- F. Resolution: Approving a resolution of the City Council of the City of Turlock approving the application for Statewide Park Development and Community Revitalization Program Grant Funds
- G. Motion: Awarding RFB No. 19-019 and approving an Agreement with Hach Company for a Water Quality Data Management System for the Municipal Services Department, Water Quality Control Division, 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 \$60,188 for the first year and a total not-to-exceed amount of \$75,000 over the 4-year term of the Agreement, if all renewal periods are exercised
- H. Motion: Approving an Agreement between the City of Turlock and the Turlock Unified School District for Police Officer services at Turlock High School and Pitman High School
- I. Resolution: Accepting an allocation of funds and appropriating funds for the 2019 Pet Lovers License Plate grant program from the California Department of Food and Agriculture (CDFA) in the amount of \$15,000 to be appropriated into revenue account number 266-20-255-348.35071 “Pet Lovers License Plate Grant” and expenditure account 266-20-255-348.47160 “Pet Lovers License Plate Grant” in Fund 266 “Police Grants” Program 348 “Animal Services”
- J. Motion: Approving the Final Map and Subdivision Improvement Agreement with Fairbanks Ranch 1, LLC, conditioned upon construction of improvements for the Fairbanks Ranch subdivision (Development Project No. 14-24), developed by Fairbanks Ranch 1, LLC

**7. FINAL READINGS:**

- A. **Recommended Action:**  
Ordinance: Amending the Zoning Map of the City of Turlock, attached to Title 9 of the Turlock Municipal Code [Rezone 2019-01 (Turlock Dental Care)] as introduced at the July 9, 2019 City Council meeting (*Quintero*)  
  
Resolution: Establishing Conditions of Approval for Planned Development 277 (Turlock Dental Care)
- B. **Recommended Action:**  
Ordinance: Amending the Zoning Map of the City of Turlock, attached to Title 9 of the Turlock Municipal Code [Rezone 2019-02 (Warrior Crossing)] as introduced at the July 9, 2019 City Council meeting (*Werner*)  
  
Resolution: Establishing Conditions of Approval for Planned Development 276 (Warrior Crossing)

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**8. PUBLIC HEARINGS:**

- A. Request to Confirm Diagrams, Assessments, the Engineer's Report, and the Levying and Collection of Assessments as originally proposed for Fiscal Year 2019-20 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock pursuant to Resolution No. 97-128 (*Bray*)

***Recommended Action:***

***Resolution:*** Confirming Diagrams, Assessments, the Engineer's Report, and the Levying and Collection of Assessments as originally proposed for Fiscal Year 2019-20 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock pursuant to Resolution No. 97-128

- B. Request to introduce an Ordinance for first reading amending the Turlock Municipal Code Title 5, Chapter 5-21, Section 5-21-103 and Section 5-21-104, to clarify the distance requirements for cannabis businesses from sensitive uses (*White*)

***Recommended Action:***

***Ordinance:*** Introducing an Ordinance for first reading amending the Turlock Municipal Code Title 5, Chapter 5-21, Section 5-21-103 and Section 5-21-104, to clarify the distance requirements for cannabis businesses from sensitive uses

- C. Request to introduce an Ordinance for first reading amending the Turlock Municipal Code Title 5, Chapter 5-21, adding Section 5-21-113, to establish a cannabis business social equity program (*White*)

***Recommended Action:***

***Ordinance:*** Introducing an Ordinance for first reading amending the Turlock Municipal Code Title 5, Chapter 5-21, adding Section 5-21-113, to establish a cannabis business social equity program

**9. ACTION ITEMS:** None

**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:** None

**15. ADJOURNMENT**