

City Council Agenda



NOVEMBER 12, 2019

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

Mayor
Amy Bublak

Council Members

Nicole Larson

Andrew Nosrati

Gil Esquer

Becky Arellano

Vice Mayor

Interim City Manager

Michael I. Cooke

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:

- A. Recognition: Employee of the Month, September 2019, Public Safety Administrative Assistant Sara Bickle
- B. Recognition: Employee of the Month, October 2019, Maintenance Worker Senior Frank Anjos
- C. Proclamation: Law Enforcement Records and Support Personnel Day, November 12, 2019, accepted by Police Captain Steve Williams
- D. Presentation: 2018-19 Active Military Banner Retirement, presented by Parks, Arts and Recreation Director Allison Van Guilder

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 10/03/19 in the amount of \$4,232,855.07; Weekly Demands of 10/10/19 in the amount of \$4,447,866.43; Weekly Demands of 10/17/19 in the amount of \$2,128,199.27
- B. Motion: Accepting Minutes of the Special Meeting of October 8, 2019; Minutes of the Regular Meeting of October 8, 2019; Minutes of the Special Meeting of October 14, 2019
- C. Motion: Approving Contract Change Order No. 8, in the amount of \$21,644.02, for City Project No. 17-30 "West Main Corridor Rehabilitation" bringing the contract total to \$7,984,027.93
- D. Motion: Approving Amendment No. 1 to an Agreement with DF Engineering, of Modesto, California in the amount of \$5,310 (Fund 215), bringing the contract total to \$51,790 for professional engineering and surveying services for City Project No. 17-59 "Pedestrian Intersection Improvements at Various Locations"
- E. Motion: Awarding bid and approving an Agreement in the amount of \$41,100.00 (Fund 426) with Heritage General, Fresno, California for City Project No. 18-46 "Wall Addition for CNG Maintenance Building"
- F. Motion: Awarding bid and approving an Agreement in the amount of \$2,757,790 (Fund 410) with George Reed, Inc., of Modesto, California, for City Project No. 19-33 "Dried Solids Storage Area"
- G. 1. Motion: Approving Amendment No. 1 to an Agreement with CrimeTek Security Services of Turlock, California, for unarmed, private security services at Roger K. Fall

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- Transit Center, amending the scope of work and compensation to include private security services at City Hall
2. Resolution: Appropriating \$46,062 to account number 110-10-112-43005_000 "Alarm Monitoring" to be funded by \$35,247 from General Fund unallocated reserves and \$10,815 from Non-General Fund unallocated reserves as delineated in the Resolution, for unarmed, private security services at City Hall
3. Resolution: Approving a budget transfer of \$10,000 from Fund 426, with the transfer of \$10,000 from account number 426-40-415-238.47450 "Contingencies (Operations)" to account number 426-40-415-238.43170 "Security", to pay for the specified services at the Roger K. Fall Transit Center for the remainder of the fiscal year
- H. Resolution: Approving the purchase of one (1) Caterpillar Model 420F2 Backhoe Loader Stock Number M2116 for the Parks, Recreation and Public Facilities Department from Holt of California, through the Sourcewell Contract No. 032515-CAT, in an amount not to exceed \$134,394.77 from account numbers 506-00-000-221.51020 (Parks, Recreation & Public Facilities), 506-00-000-231.48001_215 (Streets), 506-00-000-232.48001_215 (Storm), and 506-00-000-234.48001_215 (Landscape Assessments), and declaring the replaced equipment surplus
- I. Resolution: Approving the purchase of one (1) PB Loader Model BC-3SM PB Slip-In Patcher including Emulsion Spray Unit for the Parks, Recreation and Public Facilities Department from Municipal Maintenance Equipment, Inc., through the Sourcewell Contract No. 052417-PBL, in an amount not to exceed \$77,273.56 from account numbers 219-40-428.51030 (Hot Mix Trailer) and 219-40-428.51105 (Vehicle)
- J. Resolution: Appropriating \$30,319.64 to account number 228-60-606.38001_303 "Transfers In To Close HRP Grant (Montana Park)" to be funded from account number 269-60-614-381.48001_303 "Transfer Out To Close HRP Grant (Montana Park)" to clear the balance in Fund 269
- K. Motion: Approving an Agreement with Express Press of Springfield, Missouri to purchase T-Shirts for Recreation Programs, for a period of twelve months, in an annual amount not to exceed \$40,000 with an option to extend the Agreement for three (3) additional one-year terms, for a total not-to-exceed amount of \$160,000, over the 4-year term of the Agreement, if all renewal periods are exercised
- L. Motion: Approving an Agreement between the City of Turlock and Turlock Unified School District to offer youth basketball programs for the City of Turlock, in an annual amount not to exceed \$9,500 and a total amount not to exceed \$28,500 for a period of thirty-six (36) months
- M. Motion: Approving an Agreement between the City of Turlock and the 38th District Agricultural Association for the purpose of parking and turn around for the participants in the annual Christmas Parade to be held on Friday, December 6, 2019
- N. Resolution: Approving an Amendment No. 1 to the Memorandum of Understanding between the Stanislaus County Office of Education (SCOE), the City of Turlock, and the Turlock Unified School District to offer the After School Education and Safety (ASES) programs and approving a budget adjustment to reflect the increased amount received in Fund 270 "Recreation Grants and Donations" as delineated in Attachment A to the MOU
- O. Resolution: Approving modifications to the Parks, Recreation and Public Facilities Coordinator job description and changing the salary range from 18 to 23, effective November 16, 2019 and appropriating \$5,187 to salary and benefits in 110-61-630 per Exhibit A to the Resolution, to be offset by grant funds in Fund 270
- P. Resolution: Approving the amended Parks, Recreation and Public Facilities Department part-time employee wage scale, effective January 1, 2020 and approving the amended Parks, Recreation and Public Facilities Department part-time employee job descriptions, effective November 12, 2019

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- Q. 1. Motion: Awarding RFP No. 19-039 and approving an Agreement with R3 Consulting Group, Inc. for a Solid Waste Rate and Fee Study, for a period of one (1) year, with an option to extend the Agreement for three (3) additional one-year terms, in a total amount not to exceed \$42,416 over the four-year term of the Agreement, if all renewal periods are exercised
2. Resolution: Appropriating \$42,416 to account number 204-50-505.43320 "Special Services/Projects" from Fund 204 "Solid Waste" unallocated reserves to fund an Agreement with R3 Consulting Group, Inc. for a Solid Waste Rate and Fee Study
- R. Resolution: Approving the purchase of one (1) Power Rodder with Freightliner, a vehicle used to clear obstructions from sewer mains, from Owen Equipment for the Municipal Services Department, in an amount not to exceed \$419,001, including a 5% contingency, as approved by City Council in the Fiscal Year 2019-20 adopted budget
- S. Resolution: Accepting an allocation of funds, authorizing the execution of a grant agreement and commitments necessary to administer the 2019 FY Edward Byrne Memorial Justice Assistance Grant (JAG) funds from the United States Department of Justice, Office of Criminal Justice Programs in the amount of \$28,365, and appropriating said funds to account number 266-20-255-341.35720 "Revenue" and account number 266-20-255-341.51107_008 "JAG Expenses 2019-DJ-BX-0533" in Fund 266 "Police Services Grants"
- T. Resolution: Accepting an allocation of funds, authorizing the execution of a grant agreement and commitments necessary to administer the 2019 Walmart Community Grant Program from Walmart in the amount of \$5,000, and appropriating said funds to account number 266-20-255-356.35720 "Police Explorer Program Revenue" in Fund 266 "Police Services Grants" in support of the City's Police Explorer Program
- U. Resolution: Accepting donations made to the City of Turlock Police Department from various donors during the first quarter of Fiscal Year 2019-20 in the amount of \$8,130.24 (monetary donations) and \$1,598.86 (non-monetary donations) utilized in support of the City's Animal Services, Blue Santa, Explorers, K9, and National Night Out
- V. Motion: Approving modifications to the job description for the position of Crime Prevention Specialist, effective November 12, 2019
- W. Resolution: Re-Appropriating unspent funds from Fiscal Year 2018-2019 in the amount of \$40,000 to account number 301-50-520.51300 "Construction Repairs/Improvements" from Fund 301 "Capital Improvements" unallocated reserves
- X. Resolution: Approving the Memorandums of Understanding ("MOU") between the City of Turlock and Turlock City Employees Association (hereinafter "TCEA"), Turlock Management Association- Public Safety (hereinafter "TMAPS"), and Unrepresented Employees (hereinafter "Management and Confidential") covering the period of July 1, 2019 through June 30, 2020

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:**

- A. Request to amend various sections of the Turlock Municipal Code for general language clean up, updating language related to current functions and services of the Parks, Recreation & Public Facilities Department, and add a new Chapter regarding filming activities within the City (*Van Guilder/Vargas*)

Recommended Action:

Ordinance: Amending the Turlock Municipal Code Chapter 7-7 regarding Street Trees, Chapter 10-2 regarding Trees and Shrubs, and Chapter 10-3 regarding Recreation for general language clean up and updates related to current functions and services of the Parks, Recreation & Public Facilities Department

Ordinance: Amending the Turlock Municipal Code Title 3, Chapter 1, Article 8 regarding Garage Sales related to garage sales permits and for general language clean up and updates related to current functions and services of the Parks, Recreation & Public Facilities Department

Ordinance: Amending the Turlock Municipal Code Title 5, Chapter 2 regarding Regulation of Parades and Special Events related to insurance requirements, indemnification, issuance of permits, general language clean up and updates related to current functions and services of the Parks, Recreation & Public Facilities Department and other general updates to the code

Ordinance: Amending the Turlock Municipal Code Chapter 10-1, Parks, regarding general language clean up and updates related to current functions and services of the Parks, Recreation & Public Facilities Department, prohibited acts and park hours

Ordinance: Amending the Turlock Municipal Code Title 10 Parks and Recreation adding Chapter 10-4 regarding Filming Activities related to film permits and activities in the City

Ordinance: Amending the Turlock Municipal Code Title 5, Chapter 20, Section 4 regarding Property Removal for general language clean up and updates related to current functions and services of the City

- B. Request to introduce an Ordinance for first reading amending the Turlock Municipal Code (the "T.M.C.") Title 2, Chapter 7, Section 08, regarding bidding requirements and Section 10, regarding approval of contract amendments by the City Manager (*White*)

Recommended Action:

Ordinance: Introducing an Ordinance for first reading amending the Turlock Municipal Code (the "T.M.C.") Title 2, Chapter 7, Section 08, regarding bidding requirements and Section 10, regarding approval of contract amendments by the City Manager

9. ACTION ITEMS:

- A. Request to affirm the existing City of Turlock flag policy, adopted March 28, 2017 OR amend the City of Turlock flag policy to permit third party flags on a community flagpole OR amend the City of Turlock flag policy to allow the City Council discretion to permit or deny third party flags as City flags and allow these flags to be flown on City-owned flagpoles as a form of government speech (*White*)

Possible Action:

Resolution: Affirming the existing City of Turlock flag policy, adopted March 28, 2017

Resolution: Amending the City of Turlock flag policy to permit third party flags on a community flagpole

Resolution: Amending the City of Turlock flag policy to allow the City Council discretion to permit or deny third party flags as City flags and allow these flags to be flown on City-owned flagpoles as a form of government speech

- B. Request to direct staff to conduct community engagement and solicit feedback on how to best address the City's long-term financial stability, including, but not limited to a potential local tax measure on the November 2020 ballot (Cooke)

Recommended Action:

Motion: Directing staff to conduct community engagement and solicit feedback on how to best address the City's long-term financial stability, including, but not limited to a potential local tax measure on the November 2020 ballot

- C. Request to have a discussion and direct staff to evaluate cost-savings measures to increase fiscal efficiencies through resource sharing efforts with neighboring jurisdictions (Bublak)

Possible Action:

Motion: Discussion and directing staff to evaluate cost-savings measures to increase fiscal efficiencies through resource sharing efforts with neighboring jurisdictions

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. Administrative Services
1. Community Workshops, November 2019 (Cooke)
 2. Home for the Holidays (Pitt)
 3. Board, Commission, and Committee Vacancies - Community Development Block Grant Selection Committee (Land)
(a written staff update is included in the agenda packet)
- B. Development Services Department Update (Bray)
(a written staff update is included in the agenda packet)
- C. Fire Department
1. Staffing Levels Update (Carlson)
- D. Parks, Recreation and Public Facilities Department Update (Van Guilder)
- E. Police Department
1. Staffing Levels Update (Williams)
 2. Holiday Safety Shopping Tips (Williams)

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