

City Council Agenda



JANUARY 14, 2020

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.

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

1. **CLOSED SESSION:**

The Closed Session item(s) for this meeting have been agendaized and will be heard toward the latter part of the meeting.

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, December 2019, Parts Inventory Clerk Scott Threet
- B. Proclamation: Healthcare Heroes, presented to Regina Amador, Allie Jeffery, Cortney Hartsfield, and Terrie King
- C. Appointment: Vice Mayor
- D. Appointment: CDBG Grant Selection Committee (Community Members)
- E. Appointment: CDBG Grant Selection Committee (Council Representatives)

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 11/21/19 in the amount of \$3,362,648.34; Weekly Demands of 11/28/19 in the amount of \$6,015,287.46; Weekly Demands of 12/5/19 in the amount of \$560,384.69; Weekly Demands of 12/12/19 in the amount of \$1,226,118.80
- B. Motion: Accepting Minutes of the Special Meeting of November 12, 2019; Minutes of the Special Meeting of December 3, 2019
- C. Motion: Approving Amendment No. 5 with Kleinfelder, Inc. of Stockton, California, extending the term of the agreement and increasing the compensation by \$10,000 (Fund 413) for materials testing and inspection services for City Project No. 15-39E "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification" (upgrade and expansion of the wastewater treatment plant), bringing the contract total to \$188,500
- D.
 1. Motion: Approving Change Order No. 2 (Final) in the increased amount of \$3,945.25, bringing the contract total to \$434,876.50, for City Project No. 16-58 "Christoffersen Parkway Class II Bicycle Improvements"
 2. Motion: Accepting improvements for City Project No. 16-58 "Christoffersen Parkway Class II Bicycle Improvements," and authorizing the City Engineer to file a Notice of Completion
- E. Motion: Accepting improvements for City Project No. 16-59 "Intersection Improvements at West Main Street and West Avenue" and authorizing the City Engineer to file a Notice of Completion

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- F. Motion: Approving Amendment No. 1 to the agreement with GDR Engineering, Inc., of Ceres, CA, for City Project No. 17-57, "Retainer Agreement for Engineering and Surveying Services" to increase the total compensation by \$14,670 bringing the contract total to \$164,670
 - G. Motion: Approving an Agreement with Carollo Engineers, for On-Call Hydraulic Modeling Services Drinking Water System 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 \$50,000 (non-general fund) over the four-year term of the Agreement, if all renewal periods are exercised
 - H. Motion: Awarding RFQ No. 19-047 and approving an Agreement between the City of Turlock and Townsend Public Affairs for government relations and advocacy services, for a period of one (1) year, with an option to extend the Agreement for three (3) additional one-year terms, in an annual amount not to exceed \$60,000 (non-general fund), for a total not-to-exceed amount of \$240,000 over the 4-year term of the Agreement, if all renewal periods are exercised
 - I. Motion: Authorizing the Interim City Manager to pay Delfino Madden O'Malley Coyle & Koewler LLP for specialized legal services related to human resources/personnel matters an additional \$6,400, for a total contract amount of \$31,400, from account number 110-10-108.47325 "City Attorney Investigations/Litigation" where sufficient funds are currently budgeted
 - J.
 1. Motion: Authorizing renewal of an Agreement between the City of Turlock and Microsoft through the reseller SoftwareONE, Inc. for a period of three (3) years in the amount of \$73,453.88 per year for a total amount of \$220,361.64 at the end of three (3) years and an Enrolled Affiliate true up in the amount of \$4,530.57 for additional computers deployed since the last billing period
 2. Resolution: Appropriating \$13,000 to account number 501-10-130.43047 "Microsoft Licensing" to be funded from unallocated reserves in various funds (as outlined in "Attachment A" to the Resolution) for additional Microsoft licensing and Enrolled Affiliate true up costs
 - K. Motion: Ratifying approval of the agreement between the City of Turlock and the Mountain Valley Emergency Medical Services Agency for participation in the Basic Life Support Program and execution of such agreement by the Interim City Manager
 - L. Motion: Accepting the improvements for City Project No. 19-54, "Emergency Repair on Tuolumne Road" and authorizing the City Engineer to file a Notice of Completion

7. **FINAL READINGS:**

- A. **Recommended Action:**
Ordinance: Amending the Turlock Municipal Code Title 8, Chapter 1, Article 1; Chapter 2, Article 1; Chapter 5, Article 1; and Chapter 6, Article 1 to adopt the 2019 California Building Standards Code with specific modifications based on local conditions as introduced at the December 10, 2019 City Council meeting (*Callaway*)
- B. **Recommended Action:**
Ordinance: Amending the Turlock Municipal Code Title 4, Chapter 3, Article 1, Article 2, Article 3, and Article 4 to adopt the 2019 California Fire Code with specific modifications based upon local conditions as introduced at the December 10, 2019 City Council meeting (*Gomez*)

C. **Recommended Action:**

Ordinance: Amending the Turlock Municipal Code Title 6, Chapters 3, 4, and 5, regarding payment of collection charges for garbage, rubbish, and garden refuse, sewer service, and water service to implement a quadrant-based utility service billing cycle as introduced at the December 10, 2019 City Council meeting (*Morgan*)

8. **PUBLIC HEARINGS:** None

9. **ACTION ITEMS:**

- A. Request to approve the Regional Surface Water Supply Phase 3 Project Design and Construction Funding Agreement in substantially the form as presented at this meeting (*Cooke*)

Recommended Action:

Motion: Approving the Regional Surface Water Supply Phase 3 Project Design and Construction Funding Agreement in substantially the form as presented at this meeting

- B. Request to adopt a policy on the use of revenues derived from the various Council approved cannabis-related businesses (*Cooke*)

Recommended Action:

Resolution: Adopting a policy on the use of revenues derived from the various Council approved cannabis-related businesses

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. The City Council will receive information regarding the formation of a Community Priorities Advisory Committee ("CPAC") and associated scope of work (*Cooke/Pitt*)

No City Council action is requested. This item is informational only regarding the formation of a Community Priorities Advisory Committee ("CPAC") to provide the Interim City Manager recommendations to assess and prioritize essential, General-Funded City of Turlock ("City") services and programs with the following objectives:

- a. Continue ongoing public outreach efforts and help develop a common understanding of municipal finances and budget to provide context for recommendations about funding and levels of service;
- b. Review aspects of key General-Funded City operations, prioritizing community expectations for the levels of service provided by five General-Funded City departments: Police, Fire, Parks and Recreation, Development Services and Administration; and
- c. Review fiscal strategies and constraints associated with continued delivery of high-quality services at current or increased levels.

- B. Development Services Department Update (*Bray*)

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:

A. Liability Claims, Cal. Gov't Code §54956.95

"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."

Claimant: Gary Miller

Agency Claimed Against: City of Turlock

B. Liability Claims, Cal. Gov't Code §54956.95

"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."

Claimant: Frank Carson

Agency Claimed Against: City of Turlock

C. Liability Claims, Cal. Gov't Code §54956.95

"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."

Claimant: Cristina Herrera

Agency Claimed Against: City of Turlock

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT