

City Council Agenda



JANUARY 28, 2020

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

Mayor
Amy Bublak

Council Members
Nicole Larson
Andrew Nosrati
Vice Mayor

Gil Esquer
Becky Arellano

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:** 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. Appointment: Planning Commission

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 12/19/19 in the amount of \$3,310,739.23; Weekly Demands of 12/26/19 in the amount of \$660,226.23; Weekly Demands of 1/2/20 in the amount of \$396,756.78
- B. Motion: Accepting Minutes of the Regular Meeting of November 12, 2019
- C. Motion: Approving a Professional Services Agreement with Provost & Pritchard Consulting Group for the Downtown Turlock PCE Project Proposition 1 Groundwater Cleanup Grant for a period of (3) years, with an option to extend the Agreement for (3) additional one-year terms, in a total amount not to exceed \$1,490,505 (non-general fund) over the 6-year term of the Agreement, if all renewal periods are exercised
- D. Motion: Approving a Professional Services Agreement with Provost & Pritchard Consulting Group for Perchloroethylene (PCE) Groundwater Monitoring and Reporting for a period of one (1) year, with an option to extend the Agreement for three (3) additional one-year terms, in an amount not to exceed \$39,402 (non-general fund) over the four-year term of the Agreement, if all renewal periods are exercised
- E. 1. Motion: Awarding RFQ No. 19-046 and approving an Agreement with Pace Supply for pipe and pipe fittings for the Municipal Services Department, 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 \$120,000 (non-general fund) and a total amount not to exceed \$480,000 (non-general fund) over the 4-year term of the Agreement, if all renewal periods are exercised
2. Resolution: Appropriating \$34,079 to account number 410-51-531.44001_005 "Supplies Piping Supplies" from Fund 410 "Collection System" unallocated reserves (non-general fund) and \$31,132 to account number 420-52-550.44001_005 "Supplies Piping Supplies" from Fund 420 "Water" unallocated reserves (non-general fund) to fund an Agreement with Pace Supply for the purchase of water and sewer parts to maintain and repair the City's infrastructure

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:**

- A. Request to introduce an Ordinance for first reading amending the Turlock Municipal Code Title 9, Chapter 2, Article 7, Section 03 regarding cannabis uses; amending Title 9, Chapter 2, Article 7, Section 05, regarding permitted uses in the Westside Industrial Specific Plan; and amending Title 9, Chapter 3, Article 3, regarding commercial use classifications (*Quintero*)

Recommended Action:

Ordinance: Introducing an Ordinance for first reading amending the Turlock Municipal Code Title 9, Chapter 2, Article 7, Section 03 regarding cannabis uses; amending Title 9, Chapter 2, Article 7, Section 05, regarding permitted uses in the Westside Industrial Specific Plan; and amending Title 9, Chapter 3, Article 3, regarding commercial use classifications

- B. Request to accept the updates to the Facility Rental Agreement for the Parks, Recreation & Public Facilities Department pursuant to Turlock Municipal Code (TMC) Section 10-1-04 Private/Public Event Permits and Conditions AND supersede and replace Resolution No. 2019-101 and adopt updated cost recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq. (*Van Guilder*)

Recommended Action:

Resolution: Accepting the updates to the Facility Rental Agreement for the Parks, Recreation & Public Facilities Department pursuant to Turlock Municipal Code (TMC) Section 10-1-04 Private/Public Event Permits and Conditions

Resolution: Superseding and replacing Resolution No. 2019-101 and adopting updated cost recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq.

- C. Appeal regarding the Planning Commission Decision Granting Conditional Use Permit 2019-03 (Epic Wireless Group/Verizon) for the installation of a 68-foot tall monopine wireless communication facility (cell tower) behind the In-Shape gym at 2710 Geer Road (Stanislaus County APN 072-014-060) (*Quintero*)

(A Notice of Cancellation has been received for this project; therefore, the Appeal process is no longer applicable and no City Council action is being requested.)

9. **ACTION ITEMS:**

- A. Request to accept the report regarding the status of the Parks, Arts and Recreation Commission, and effective January 28, 2020, disband the Commission and rescind Resolution No. 2014-069 regarding the powers, duties, and procedures for the Commission, and designate the Planning Commission as the advisory body to the City Council for parks, arts, and recreation related items as needed OR accept the report regarding the status of the Parks, Arts and Recreation Commission, and effective January 28, 2020, adjust the meeting schedule to a quarterly basis and reevaluate the Commission activity after one year (*Van Guilder*)

Recommended Action:

Resolution: Accepting the report regarding the status of the Parks, Arts and Recreation Commission, and effective January 28, 2020, disbanding the Commission and rescinding Resolution No. 2014-069 regarding the powers, duties, and procedures for the Commission, and designating the Planning Commission as the advisory body to the City Council for parks, arts, and recreation related items as needed

OR

Resolution: Accepting the report regarding the status of the Parks, Arts and Recreation Commission, and effective January 28, 2020, adjusting the meeting schedule to a quarterly basis and reevaluating the Commission activity after one year

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

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

C. City Attorney

1. City of Turlock Elected and Appointed City Officials Handbook
2. City of Turlock Civility Code
3. The Ralph M. Brown Act (Brown Act)

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