

City Council Agenda



FEBRUARY 25, 2020

6:00 p.m.

**City of Turlock Yosemite Room
156 S. Broadway, Turlock, California**

Mayor
Amy Bublak

Council Members

Nicole Larson

Gil Esquer

Andrew Nosrati

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 agenda'd 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: Emergency work performed associated with the Tuolumne Sinkhole, accepted by George Reed Inc., Mazingo Construction, and City of Turlock staff
- B. Appointments: Appointing members of the City Council to the following Boards, Commissions, and Committees:
- City/County Liaison Committee
 - City of Turlock/Turlock Unified School District/California State University Stanislaus Joint Meeting
 - Stanislaus County Economic Development Action Committee
 - Stanislaus Council of Governments
 - Stanislaus Homeless Alliance
 - Stanislaus Regional Water Authority
- C. Appointment: Parks, Arts and Recreation Commission
- D. Presentation: Turlock Community Poll Results

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: None**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 1/23/20 in the amount of \$866,287.64; Weekly Demands of 1/30/20 in the amount of \$1,334,167.93
- B. Motion: Accepting Minutes of the Regular Meeting of January 14, 2020
- C. 1. Motion: Awarding bid and approving an Agreement in the amount of \$398,916.25 (Fund 410 – Non-General Fund) with APB General Engineering, of Concord, California, for City Project No. 14-30 "Sewer Line Replacement on Angelus, Bothun, and Castor"
2. Resolution: Appropriating \$325,000 to account number 410-51-534.51160 "Bothun Rd Replace 400' of 8" Sewer Line" to be funded from Fund 410 Water Quality Control unallocated reserves to provide the necessary funding for City Project No. 14-30 "Sewer Line Replacement on Angelus, Bothun, and Castor"
- D. Resolution: Appropriating \$625,000 (Non-General Fund) to account number 410-51-534.51399 "Tuolumne Sinkhole Repair" to be funded from Fund 410 Water Quality Control unallocated reserves to provide the necessary funding for City Project No. 19-54 "Emergency Repair on Tuolumne Road"

- E. Motion: Approving a Lien Agreement with Kylie C. Pallios for deferral of public improvements at 1981 California Avenue, APN 051-001-015 in a form approved by the City Attorney
- F. Motion: Approving a Memorandum of Understanding (MOU) with MOVE Stanislaus Transportation, Inc., of Modesto, California, for Americans with Disabilities Act (ADA) eligibility services for individuals using public transit in Stanislaus County
- G. 1. Motion: Authorizing the sole source repairs to uplifted sidewalks in various locations throughout the City and approving an Agreement with Precision Concrete Cutting for the Parks, Recreation and Public Facilities Department in an annual amount not to exceed \$60,000 for a total amount not to exceed \$240,000 over the 4-year term of the Agreement, if all renewal periods are exercised, without compliance to the formal bid procedure in accordance to Turlock Municipal Code Section 2-7-08(b)(2)
2. Resolution: Appropriating \$60,000 (Non-General Fund) to account number 301-50-520.47320_003 "Repair Program ADA Sidewalk Improvement" to be funded by \$15,000 from Fund 301 reserves in 301-50-523 "Capital Improvements Fund, ADA Improvements", \$15,000 from Fund 217 reserves in 217-50-510 "Gas Tax", \$15,000 from Fund 217 reserves in 217-50-511 "Gas Tax-Section 2103", and \$15,000 from Fund 410 reserves in 410-51-532 "Storm Basin Maintenance"
- H. Motion: Approving a Memorandum of Understanding between the City of Turlock, Stanislaus County, and the Turlock Senior Citizens for use of the Senior Center for a pop-up library
- I. Motion: Approving Amendment No. 1 to an Agreement between the City of Turlock and Mission Linen Supply, Inc. for uniform rental and laundry services, to increase the annual compensation amount from \$50,000 to \$61,000, for the duration of the contract term ending March 31, 2020
- J. Motion: Approving an Agreement between the City of Turlock and Aramark Uniform and Career Apparel, LLC for uniform rental and laundry services for City staff, for a period of three (3) years, with an option to extend the Agreement for three (3) additional one-year terms, in an annual amount not to exceed \$61,000 and a total amount not to exceed \$366,000 over the 6-year term of the Agreement, if all renewal periods are exercised
- K. Motion: Approving an Agreement between the City of Turlock and Hinderliter, deLlamas and Associates for Cannabis Management Services and Auditing, for a period of two (2) years, with an option to extend the Agreement for three (3) additional one-year terms, in an annual not to exceed \$36,000

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:**

- A. Request to adopt a Short-Range Transit Plan to serve as a strategic planning tool for the provision of public transit to the community as part of City Project No. 18-34 "Short-Range Transit Plan 2020-24" AND rescind Resolution No. 2017-179 and adopt a new resolution establishing a revised passenger fare structure effective July 1, 2020 and delegating authority to the City Manager, or his/her designee, to temporarily reduce or eliminate fares for promotional or emergency purposes and change pass types offered to the general public as needed AND authorize the City Manager, or his/her designee, to implement the required changes to transit schedules, routes, stops, and services as needed to achieve the operational and financial goals outlined in the Short-Range Transit Plan FY 2020-2024 and as recommended by City staff (*York*)

Recommended Action:

Resolution: Adopting a Short-Range Transit Plan to serve as a strategic planning tool for the provision of public transit to the community as part of City Project No. 18-34 "Short-Range Transit Plan 2020-24"

Resolution: Rescinding Resolution No. 2017-179 and adopting a new resolution establishing a revised passenger fare structure effective July 1, 2020 and delegating authority to the City Manager, or his/her designee, to temporarily reduce or eliminate fares for promotional or emergency purposes and change pass types offered to the general public as needed

Motion: Authorizing the City Manager, or his/her designee, to implement the required changes to transit schedules, routes, stops, and services as needed to achieve the operational and financial goals outlined in the Short-Range Transit Plan FY 2020-2024 and as recommended by City staff

9. ACTION ITEMS:

- A. Request to amend the City of Turlock Fiscal Year 2019-2020 General and Non-General Fund Budgets (*Silva*)

Recommended Action:

Resolution: Amending the City of Turlock Fiscal Year 2019-2020 General and Non-General Fund Budgets

- B. Request to approve the purchase of one (1) used or new Power Rodder from an authorized dealer for the Municipal Services Department, in an amount not to exceed \$450,000 (Fund 410) as approved by City Council in the Fiscal Year 2019-20 adopted budget, pursuant to Turlock Municipal Code Section 2-7-08(b)(6) or Section 2-7-09(c) AND approve the purchase of one (1) used or new Backhoe Loader from an authorized dealer for the Parks, Recreation and Public Facilities Department, in an amount not to exceed \$150,000 (Fund 506) as approved by City Council in the Fiscal Year 2019-20 adopted budget, pursuant to Turlock Municipal Code Section 2-7-08(b)(6) or Section 2-7-09(c) (*Quiroga/Huff/Van Guilder*)

Recommended Action:

Resolution: Approving the purchase of one (1) used or new Power Rodder from an authorized dealer for the Municipal Services Department, in an amount not to exceed \$450,000 (Fund 410) as approved by City Council in the Fiscal Year 2019-20 adopted budget, pursuant to Turlock Municipal Code Section 2-7-08(b)(6) or Section 2-7-09(c)

Resolution: Approving the purchase of one (1) used or new Backhoe Loader from an authorized dealer for the Parks, Recreation and Public Facilities Department, in an amount not to exceed \$150,000 (Fund 506) as approved by City Council in the Fiscal Year 2019-20 adopted budget, pursuant to Turlock Municipal Code Section 2-7-08(b)(6) or Section 2-7-09(c)

- C. Request to approve the purchase and delivery of two (2) 35-foot long Compressed Natural Gas (CNG) powered low floor transit buses from Gillig LLC of Hayward, California, in an amount not to exceed \$1,220,108 (Non-General Fund – Fund 426), as authorized under City Contract No. 16-177 for City Project No. 19-52 "Purchase of Two Gillig 35-Foot CNG Buses" AND amend the FY 2019-20 Municipal Budget (Fund 426) as

outlined in the resolution to reflect increased Federal Transit Administration (FTA) Section 5307 and Affordable Housing and Sustainable Communities (AHSC) grant revenues and increased expenses associated with the purchase of two (2) buses as authorized under City Contract No. 16-177 for City Project No. 19-52 "Purchase of Two Gillig 35-Foot CNG Buses" (*York*)

Recommended Action:

Resolution: Approving the purchase and delivery of two (2) 35-foot long Compressed Natural Gas (CNG) powered low floor transit buses from Gillig LLC of Hayward, California, in an amount not to exceed \$1,220,108 (Non-General Fund – Fund 426), as authorized under City Contract No. 16-177 for City Project No. 19-52 "Purchase of Two Gillig 35-Foot CNG Buses"

Resolution: Amending the FY 2019-20 Municipal Budget (Fund 426) as outlined in the resolution to reflect increased Federal Transit Administration (FTA) Section 5307 and Affordable Housing and Sustainable Communities (AHSC) grant revenues and increased expenses associated with the purchase of two (2) buses as authorized under City Contract No. 16-177 for City Project No. 19-52 "Purchase of Two Gillig 35-Foot CNG Buses"

- D. Request to accept Stanislaus Council of Governments (StanCOG) Ordinance No. 20-01 amending Ordinance No. 16-01 "Measure L: Local Roads First Transportation Funding Measure (Measure L Ordinance)" OR appeal Stanislaus Council of Governments (StanCOG) Ordinance No. 20-01 amending the expenditure plan of Measure L amending Ordinance No. 16-01 "Measure L: Local Roads First Transportation Funding Measure (Measure L Ordinance)" (*Bray*)

Recommended Action:

Motion: Accepting Stanislaus Council of Governments (StanCOG) Ordinance No. 20-01 amending Ordinance No. 16-01 "Measure L: Local Roads First Transportation Funding Measure (Measure L Ordinance)"

OR

Resolution: Appealing Stanislaus Council of Governments (StanCOG) Ordinance No. 20-01 amending the expenditure plan of Measure L amending Ordinance No. 16-01 "Measure L: Local Roads First Transportation Funding Measure (Measure L Ordinance)"

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. Development Services Department Update (*Bray*)
- B. Fire Department (*Carlson*)
 - 1. Public Safety Briefing (*a written staff update is included in the agenda packet*)
- C. Police Department (*Amirfar*)
 - 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:

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: Daniel J. Bocage-Soto

Agency Claimed Against: City of Turlock

B. Public Employee Appointment, Cal. Gov't Code §54957(b)(1)

"Subject to paragraph (2), this chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session."

Title: City Manager

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT