

City Council Meeting Agenda



JANUARY 25, 2022

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

**NOTICE: CITY HALL HAS BEEN CLOSED TO THE PUBLIC DUE TO AN
OUTBREAK OF THE COVID VIRUS.**

**TO AVOID SPREAD OF THE COVID VIRUS, THIS CITY COUNCIL MEETING WILL BE HELD IN
ACCORDANCE WITH GOVERNMENT CODE SECTION 54953(e) AND OTHER PROVISIONS OF
THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AS
WELL AS OTHER RELEVANT LAWS SUCH AS THE FEDERAL AMERICANS WITH
DISABILITIES ACT.**

THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC.

**TO PARTICIPATE IN OR WATCH THIS MEETING, YOU MUST DO SO USING ONE OF THE
FOLLOWING METHODS:**

TO JOIN ON YOUR COMPUTER OR SMART PHONE/TABLET:

CLICK ON THIS MEETING LINK: <https://us02web.zoom.us/j/84924629186>

OR

**GO TO THE ZOOM WEBSITE: <https://zoom.us/join> AND ENTER
WEBINAR ID NUMBER: 849 2462 9186**

**TO JOIN BY TELEPHONE*: DIAL 669-900-6833 AND ENTER
WEBINAR ID NUMBER: 849 2462 9186**

****participant's phone number will be public****

**PLEASE NOTE THAT DUE TO TECHNICAL UPGRADES THAT ARE NOT COMPLETE, THIS
MEETING WILL NOT BE BROADCAST ON SPECTRUM CHANNEL 2.**

Mayor
Amy Bublak

Council Members

Nicole Larson
Andrew Nosrati

Rebecka Monez
Pam Franco
Vice Mayor

Interim City Manager
Sarah Tamey Eddy
Interim City Clerk
Kellie E. Weaver
City Attorney
George A. Petrulakis

SPEAKER CARDS: To accommodate those wishing to address the Council and allow for staff follow-up, speaker cards are available for any agendized topic 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 five (5) 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:

The Closed Session item(s) for this meeting have been agendized 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: None

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 five (5) 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. Motion: Accepting Minutes of the Regular Meeting of January 11, 2022; Minutes of the Special City Council Meeting of January 13, 2022
- B. Resolution: Re-appropriating \$170,000 to account number 413-51-539.51027_001 "Capital Clarifier #5 & MC Upgrade" from Fund 413 unallocated reserves to complete funding for City Project No. 15-39C "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification"
Motion: Approving Contract Change Order No. 7 (Final) in the amount of \$36,977.08 (Non-General Fund - Fund 413) with CW Roen Construction of Danville, California for City Project No. 15-39C "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 \$19,703,163.29
Motion: Accepting Improvements and authorizing the City Engineer to file a Notice of Completion for City Project No. 15-39C "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification"
- C. Motion: Approving Contract Change Order No. 2 in the amount of \$81,126.01 (Fund 420) with Clark Bros., Inc., of Fresno, California, for City Project No. 20-027 "City Wide Chlorination" bringing the contract total to \$4,374,881.51
- D. Motion: Awarding a Retainer Agreement with GHD, Inc. of San Luis Obispo, California, for City Project No. 21-030 "RFQ for Traffic Engineering Services" in an amount not to exceed \$150,000 annually or \$600,000 in total
- E. Resolution: Authorizing the submittal of applications for payment programs and related authorizations and authorizing the City Manager or his/her designee to sign any and all necessary documents
- F. Motion: Authorizing Interim City Manager to execute service agreement with Townsend Public Affairs for government relations and advocacy services
- G. Resolution: Approving the updates to the job descriptions for Executive Assistant to the City Manager/City Clerk and Executive Assistant to the City Manager/City Clerk Trainee; and an amendment to the Salary Schedule of the existing Confidential Schedule of Benefits and Policies adopted by Resolution No. 2021-228 dated November 9, 2021, to include all approved Confidential Salaries
- H. Resolution: Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:** None

9. ACTION ITEMS:

- A. Request to approve Amendment No. 1 to the Agreement between the City of Turlock and Michael Baker International, Inc. (Walnut Creek, California office) for Professional Services (City Contract No. 2022-45) in the amount of \$1,408,105.35 (Fund 118 "Measure A") for City Project No. 22-001 "Design of Projects for 2022 Construction for Roads Program" in a form approved by the City Attorney AND approve a 10% contingency in the amount of \$140,000 for potential unanticipated changes in the scope of services AND authorize staff to proceed with advertising, for construction, City Project No. 22-001 "Design of Projects for 2022 Construction for Roads Program" upon completion of bid documents AND appropriate \$1,548,106 to account number 118-10-115-800.43366_001 Roads Program "Design MBI" to be funded from Fund 118 "Measure A" unassigned reserves to provide the necessary funding for City Project No. 22-001 "Design of Projects for 2022 Construction for Roads Program". (Quintero)

Recommended Action:

Motion: Approving Amendment No. 1 to the Agreement between the City of Turlock and Michael Baker International, Inc. (Walnut Creek, California office) for Professional Services (City Contract No. 2022-45) in the amount of \$1,408,105.35 (Fund 118 "Measure A") for City Project No. 22-001 "Design of Projects for 2022 Construction for Roads Program" in a form approved by the City Attorney AND approving a 10% contingency in the amount of \$140,000 for potential unanticipated changes in the scope of services

Motion: Authorizing staff to proceed with advertising, for construction, City Project No. 22-001 "Design of Projects for 2022 Construction for Roads Program" upon completion of bid documents

Resolution: Appropriating \$1,548,106 to account number 118-10-115-800.43366_001 Roads Program "Design MBI" to be funded from Fund 118 "Measure A" unassigned reserves to provide the necessary funding for City Project No. 22-001 "Design of Projects for 2022 Construction for Roads Program"

- B. Request to approve Amendment No. 2 with Carollo Engineers of Walnut Creek, California, in the amount of \$799,475 (Fund 410), bringing the contract total to \$1,767,849, for design, engineering services during construction, construction management services, and SCADA programming and integration services for City Project No. 20-032 "Chemical System Upgrades Project at RWQCF" AND appropriate \$1,247,000 to account number 410-51-534.51342, "Chemical Equipment Replacement" to be funded from Fund 410 – Water Quality Control (WQC) unallocated reserves for engineering, construction management, and SCADA programming services by Carollo Engineers for City Project No. 20-032 "Chemical System Upgrades Project at RWQCF"

OR

Request to approve Amendment No. 2 with Carollo Engineers of Walnut Creek, California, in the amount of \$145,843 (Fund 410), bringing the contract total to \$1,114,247, for design, engineering services during construction, construction management services, and SCADA programming and integration services for City Project No. 20-032 "Chemical System Upgrades Project at RWQCF" AND appropriate \$593,000 to account number 410-51-534.51342, "Chemical Equipment Replacement" to be funded from Fund 410 – Water Quality Control (WQC) unallocated reserves for engineering, construction management, and SCADA programming services by Carollo Engineers for City Project No. 20-032 "Chemical System Upgrades Project at RWQCF" (*Madden*)

Recommended Action:

Option 1:

Motion: Approving Amendment No. 2 with Carollo Engineers of Walnut Creek, California, in the amount of \$799,475 (Fund 410), bringing the contract total to \$1,767,849, for design, engineering services during construction, construction management services, and SCADA programming and integration services for City Project No. 20-032 "Chemical System Upgrades Project at RWQCF"

Resolution: Appropriating \$1,247,000 to account number 410-51-534.51342, "Chemical Equipment Replacement" to be funded from Fund 410 – Water Quality Control (WQC) unallocated reserves for engineering, construction management, and SCADA programming services by Carollo Engineers for City Project No. 20-032 "Chemical System Upgrades Project at RWQCF"

OR

Option 2:

Motion: Approving Amendment No. 2 with Carollo Engineers of Walnut Creek, California, in the amount of \$145,843 (Fund 410), bringing the contract total to \$1,114,247, for design, engineering services during construction, construction management services, and SCADA programming and integration services for City Project No. 20-032 "Chemical System Upgrades Project at RWQCF"

Resolution: Appropriating \$593,000 to account number 410-51-534.51342, "Chemical Equipment Replacement" to be funded from Fund 410 – Water Quality Control (WQC) unallocated reserves for engineering, construction management, and SCADA programming services by Carollo Engineers for City Project No. 20-032 "Chemical System Upgrades Project at RWQCF"

- C. Request to authorize Interim City Manager to execute an agreement in a form approved by the City Attorney, with the City of Modesto to provide fire administrative support services by a regional fire administration team by providing staff to fill the role and responsibilities of Fire Chief for the City of Turlock AND appropriate \$126,554.28 to account number 110-10-109.43060_000 "Contract Services General" from "Unrestricted General Fund Reserve" to fund fire administrative services with the City of Modesto. (*Botto*)

Recommended Action:

Motion: Authorize Interim City Manager to execute an agreement in a form approved by the City Attorney, with the City of Modesto to provide fire administrative support services by a regional fire administration team by providing staff to fill the role and responsibilities of Fire Chief for the City of Turlock.

Resolution: Appropriating \$126,554.28 to account number 110-10-109.43060_000 "Contract Services General" from "Unrestricted General Fund Reserve" to fund fire administrative services with the City of Modesto

- D. Request to reassign the lead entity of the City of Turlock/Stanslaus County HOME Consortium to Stanislaus County and have Turlock remain as a member City OR disband the City of Turlock/Stanslaus HOME Consortium OR apply as a single Participating Jurisdiction OR Turlock continue as the Lead Entity for the City of Turlock/Stanslaus HOME Consortium. (*Ramos*)

Recommended Action:

Option #1:

Motion: Reassigning the lead entity of the City of Turlock/Stanislaus County HOME Consortium to Stanislaus County and have Turlock remain as a member City

OR

Option #2:

Motion: Disbanding the City of Turlock/Stanislaus HOME Consortium

OR

Option #3:

Motion: Applying as a single Participating Jurisdiction

OR

Option #4:

Motion: Turlock continuing as the Lead Entity for the City of Turlock/Stanislaus HOME Consortium

- E. Request to authorize Interim City Manager to execute an agreement with Opportunity Stanislaus to develop and manage Business Development and Assistance Program AND approve a Service Agreement between the City of Turlock and Opportunity Stanislaus for the Business Development and Assistance Program and appropriating \$481,338 from Fund 119 [American Rescue Plan Act (ARPA)] Unassigned Reserves to Expense Account Number 119-10-118.43060_047 "Contract Services Business Dev. And Assist Program". (*Moreno*)

Recommended Action:

Motion: Authorizing Interim City Manager to execute an agreement with Opportunity Stanislaus to develop and manage Business Development and Assistance Program

Resolution: Approving a Service Agreement between the City of Turlock and Opportunity Stanislaus for the Business Development and Assistance Program and appropriating \$481,338 from Fund 119 [American Rescue Plan Act (ARPA)] Unassigned Reserves to Expense Account Number 119-10-118.43060_047 "Contract Services Business Dev. And Assist Program"

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.

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- A. Municipal Services Department (*Madden*)
 - 1. Monthly Department Update
 - B. Fire Department (*Botto*)
 - 1. Public Safety Briefing
 - C. Police Department (*Hampton*)
 - 1. Public Safety Briefing
 - D. City Manager (*Eddy*)
 - 1. Administration Update

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. AD HOC COMMITTEE REPORTS: None

13. 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.

14. CLOSED SESSION:

- A. Conference with Legal Counsel – Anticipated Litigation, Cal. Gov't Code §54956.9(d)(2)
"For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist... A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency."
Potential Case(s): (1 case)
- B. Public Employee Appointment, Cal. Gov't Code §54957(b)(1)
Title: City Manager
- C. Conference with Labor Negotiators, Cal. Gov't Code §54957.6(a)
"Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation."
Agency Negotiator: Mayor Amy Bublak
Unrepresented Employee(s): City Manager

15. REPORTS FROM CLOSED SESSION

16. ADJOURNMENT