

City Council Meeting Agenda

AMENDMENT NO. 1
Dated February 18, 2022



FEBRUARY 22, 2022

6:00 p.m.

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

Mayor
Amy Bublak

Council Members

Nicole Larson
Andrew Nosrati

Rebecka Monez
Pam Franco
Vice Mayor

City Manager
Reagan M. Wilson
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 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 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.

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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:

1. Employee of the Month: November
2. Employee of the Month: December
3. Proclamation: Captain Steve Williams
4. Proclamation: Fire Marshal Mark Gomez
5. Presentation: Self-Help Enterprises Presentation

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. Resolution: Accepting Weekly Demands of 1/28/22 in the amount of \$520,695.28; Weekly Demands of 2/4/22 in the amount of \$4,090,960.73
- B. Motion: Accepting Minutes of the Regular Meeting of February 8, 2022
- C. Motion: Approval of Contract Change Order No. 3 in the amount of \$42,850.64 (Fund 420) with Clark Bros., Inc., of Fresno, California, for City Project No. 20-027 "City Wide Chlorination" bringing the contract total to \$4,417,732.15
- D. Motion: Approving Contract Change Order No. 2 in the amount of \$3,648 (Non-General Fund - Fund 410) with Arrow Construction, Inc., of Sacramento, California, for City Project No. 20-011 "City Utility Trench Repair 2020" bringing the contract total to \$288,387.65
Resolution: Appropriating \$158,000 to account number 410-51-531.43145 "Pave Trenches" from Fund 410 "Water Quality Control (WQC)" unassigned reserves and \$158,000 to account number 420-52-550.43145 "Pave Trenches" from Fund 420 "Water" unassigned reserves to provide necessary funding for City Project No. 20-011 "City Utility Trench Repair 2020"
- E. Motion: Approving Amendment No. 7 to an Agreement with Carollo Engineers of Walnut Creek, California, in the amount of \$142,508 (Non-General Fund - Fund 420) for SCADA programming of Well No. 8 as part of City Project No. 18-69 "Surface Water Distribution System Improvements"

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- F. Motion: Authorizing staff to proceed with the procurement of professional engineering services and a construction contract for the repair of Washington Road bridge railing in the amount of \$250,000 to be funded from Fund 218 "Measure L" account number 218-40-461.51270 "Construction Project"
- G. Motion: Approving the Final Map and Subdivision Improvement Agreement with Modesto Roselle, LLC, conditioned upon construction of improvements for the McCoon subdivision (VTSM 2006-09, Development Project No. 0673), developed by Modesto Roselle, LLC
- H. Resolution: Declaring the Intention to Order Annexation No. 33 for the property located at 4510 Crowell Road (Stanislaus County Assessor's Parcel 071-002-012) to Existing Community Facilities District No. 2 (Services Mitigation)
- I. Motion: Authorizing issuance of a Request for Proposal (RFP) for a Sewer Rate and Fee Study
- J. Motion: Approving an Agreement with Shape, Inc. for purchasing of Flygt brand submersible pumps and associated parts in an amount not to exceed \$150,000 (non-general fund) for the period February 22, 2022 through June 30, 2022, and an annual amount not to exceed \$250,000, over the remaining five (5) year term of the Agreement, for a total compensation not to exceed of \$1,150,00 if all renewal periods are exercised
- K. Motion: Approving Amendment No. 1 to Agreement No. 2020-0059 between the City of Turlock and Provost & Pritchard Consulting Group for the Downtown Turlock Perchloroethylene (PCE) Project Proposition 1 Groundwater Cleanup Grant to include Environmental Services Related to Indoor Air Sampling and to increase compensation by \$49,750, plus a 10% contingency of \$4,975 for a total amount not to exceed \$1,545,230 (non-general fund) over the 6-year term of the Agreement, if all renewal periods are exercised
Resolution: Appropriating \$54,725 to account number 420-52-550.43504 "PCE Monitoring & Remediation" from Fund 420 "Water" from unassigned reserves for Environmental Services Related to PCE
- L. Resolution: Approving the revision to the Regulations for Alternate Work Schedules Pursuant to Personnel System Rules and Regulations 19.10
- M. Resolution: Approving revisions to the job description for Executive Assistant to the City Manager/City Clerk
- N. Resolution: Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19
- O. Resolution: Authorizing the submittal of a Notification of Intent to Comply to CalRecycle and authorizing the City Manager or his/her designee to sign any and all necessary documents

7. FINAL READINGS:

- A. Request to accept the results of the Proposition 218 process for the consideration of increasing the monthly solid waste fees/charges effective April 1, 2022 AND amend Turlock Municipal Code Title 6, Chapter 3, Article 1, Section 01 titled Garbage, Rubbish, and Organic Refuse to implement updated fees/charges for property related to solid waste services. (*Madden*)

Recommended Action:

Motion: Accepting the results of the Proposition 218 process for the consideration of increasing the monthly solid waste fees/charges effective April 1, 2022

Ordinance: Amending Turlock Municipal Code Title 6, Chapter 3, Article 1, Section 01 titled Garbage, Rubbish, and Organic Refuse to implement updated fees/charges for property related to solid waste services

8. PUBLIC HEARINGS: None

9. ACTION ITEMS:

- A. Request to accept the report of the Ad Hoc Committee on the Homeless and direct City Manager to return to the City Council with proposed expenditures for Council action. (Monez)

Recommended Action:

Motion: Accepting Report of the Ad Hoc Committee on the Homeless and Directing City Manager to Return to the City Council with proposed expenditures for Council action

- B. Request authorize the City Manager to begin the implementation of recommendations from the Geographic Information System (GIS) Strategic Plan performed in 2019 by VESTRA resources Inc., AND approve the creation and funding for one Full Time Employee (FTE) position of GIS Coordinator, funded by effected Departments and Permit fees, AND authorize staff to solicit a Request for Proposal from qualified firms to provide GIS support services (Madden)

Recommended Action:

Motion: Authorizing the City Manager to begin the implementation of recommendations from the Geographic Information System (GIS) Strategic Plan performed in 2019 by VESTRA resources Inc

Resolution: Approve the creation and funding for one Full Time Employee (FTE) position of GIS Coordinator, funded by effected Departments and Permit fees

Motion: Authorize staff to solicit a Request for Proposal from qualified firms to provide GIS support services

- C. Request to authorize the Turlock Downtown Property Owners Association to change the color of the planter pots throughout the Downtown District in accordance with the adopted Downtown Design Guidelines. (Van Guilder)

Recommended Action:

Resolution: Authorizing the Turlock Downtown Property Owners Association to change the color of the planter pots throughout the Downtown District in accordance with the adopted Downtown Design Guidelines

- D. Request to direct staff to proceed with preparation of plans, specifications, and advertising for City Project 21-044 "Pedretti Park Lighting Improvements", AND accept a grant award from Turlock Irrigation District for \$150,482 for lighting upgrades at Pedretti Park, AND appropriate \$25,000 to account 120-10-120.51270 "Pedretti Park Lighting Improvements" from Fund 120 Tourism unassigned reserve for preliminary engineering on City project 21-044. (Van Guilder)

Recommended Action:

Motion: Directing staff to proceed with preparation of plans, specifications, and advertising for City Project 21-044 "Pedretti Park Lighting Improvements"

Motion: Accepting a grant award from Turlock Irrigation District for \$150,482 for lighting upgrades at Pedretti Park

Resolution: Appropriating \$25,000 to account 120-10-120.51270 "Pedretti Park Lighting Improvements" from Fund 120 Tourism unassigned reserve for preliminary engineering on City project 21-044

- E. Request to approve a Master Lease-Purchase Agreement with PNC Equipment Finance for the lease of two (2) Pierce Velocity Pumpers without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(2), for a period of fifteen (15) with an annual compensation amount not to exceed \$152,712.88 and a total amount for all fifteen (15) years not to exceed \$2,290,693.20. (*Botto*)

Recommended Action:

Motion: Approving a Master Lease-Purchase Agreement with PNC Equipment Finance for the lease of two (2) Pierce Velocity Pumpers without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(2), for a period of fifteen (15) with an annual compensation amount not to exceed \$152,712.88 and a total amount for all fifteen (15) years not to exceed \$2,290,693.20

- F. Request to adopt amendments to the Fiscal Year 2021-2022 Budget as a result of the mid-year budget review. (*Moreno*)

Recommended Action

Resolution: Adopting amendments to the Fiscal Year 2021-2022 Budget as a result of the mid-year budget review

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.

None

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION

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: Jeff Sousa

Agency Claimed Against: City of Turlock

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT