

City Council Meeting Agenda

AMENDMENT NO. 1

Dated April 8, 2022



APRIL 12, 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
City Clerk
Julie Christel
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. **CALL TO ORDER**
SALUTE TO THE FLAG
ROLL CALL
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:**
 - A. Proclamation: Arbor Day

B. Proclamation: Allison Van Guilder

C. Proclamation: ~~Sergeant~~ Lieutenant James Silveira

D. Presentation: Roads Project Update presented by Jim Porter, PE, Vahid Ganji, Ph.D., P.E., and Nabaz Saieed of Michael Baker, International

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 March 11, 2022 in the amount of \$1,024,043.02; Weekly Demands of March 18, 2022 in the amount of \$3,823,537.78; and Weekly Demands of March 25, 2022 in the amount of \$1,009,279.50
- B. Motion: Accepting Minutes of the Regular and Special Meetings of March 22, 2022
- C. Motion: Approving of Contract Change Order No. 4 in the amount of \$79,489.01 (Fund 420) with Clark Bros., Inc., of Fresno, California, for City Project No. 20-027 "City Wide Chlorination" bringing the contract total to \$4,497,221.16
- D. Resolution: Authorizing the City Manager to seek Measure L Rail Services grant funding from the Stanislaus Council of Governments (StanCOG) for an Amtrak Shuttle pilot project to provide enhanced demand-response transit connectivity to the Turlock-Denair Amtrak Station for a 27-month grant period commencing on April 1, 2022
- E. Resolution: Accepting the 2021 General Plan Annual Report pursuant to California Government Code Section 65400(a)(2) to be submitted to the Governor's Office of Planning and Research and the California Department of Housing and Community Development
- F. Motion: Approving an agreement between the City of Turlock and Economic & Planning Systems, Inc. (EPS) to provide administrative services in connection with the annual direct assessment process for Turlock Community Facilities District (CFD) No. 1 – Monte Vista Corridor (District)

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- G. Motion: Approving Supply Agreements for the purchase of janitorial paper and cleaning supplies between the City of Turlock, Randik Paper Company and Central Sanitary Supply in an annual compensation amount not to exceed \$30,000 per Agreement
 - H. Resolution: Approving the initiation of the Master Lease-Purchase Agreement with PNC Equipment Finance for the purchase of two (2) Pierce Velocity Pumpers
 - I. Resolution: Reaffirming the Director of Emergency Services Proclamation of the existence of a local emergency in response to COVID-19
 - J. Resolution: Approving revisions to the job description for Battalion Chief

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:** None

9. **ACTION ITEMS:**

- A. Appropriating funding for the remainder of FY 21-22 and approving the reorganization of City departments, including the realignment of City personnel and services, revisions to relevant job descriptions, amendments to salary schedules, and position allocation and budget adjustments, as follows:
 - 1) Accepting and endorsing the City Manager's related appointment of Erik Schultze to the position of Deputy Public Works Director effective April 12, 2022
 - 2) Accepting and endorsing the City Manager's related appointment of Katie Quintero to the position of Development Services Director effective April 12, 2022
 - 3) Accepting and endorsing the City Manager's related appointment of Jessie Dhami to the position of Human Resources Director effective April 12, 2022
 - 4) Accepting and endorsing the City Manager's related appointment of Sarah Tamey Eddy to the position of Deputy City Manager effective April 12, 2022
 - 5) Approving and adopting the reorganization of Departments as reflected in the organizational charts attached hereto as Attachment "A," and eliminates the Administrative Services Department and Parks, Recreation, and Public Facilities Maintenance Department
 - 6) Approving the related cost summary attached hereto as Attachment "B"
 - 7) Approving the related position list attached hereto as Attachment "C"
 - 8) Approving the related amendments to salary schedules attached hereto as Attachment "D"
 - 9) Approving the related job descriptions attached hereto as Attachment "E"

Recommended Action:

Resolution: Appropriating funding for the remainder of FY 21-22 and approving the reorganization of City departments, including the realignment of City personnel and services, revisions to relevant job descriptions, amendments to salary schedules, and position allocation and budget adjustments, as follows:

- 1) Accepting and endorsing the City Manager's related appointment of Erik Schultze to the position of Deputy Public Works Director effective April 12, 2022
- 2) Accepting and endorsing the City Manager's related appointment of Katie Quintero to the position of Development Services Director effective April 12, 2022
- 3) Accepting and endorsing the City Manager's related appointment of Jessie Dhami to the position of Human Resources Director effective April 12, 2022
- 4) Accepting and endorsing the City Manager's related appointment of Sarah Tamey Eddy to the position of Deputy City Manager effective April 12, 2022
- 5) Approving and adopting the reorganization of Departments as reflected in the

organizational charts attached hereto as Attachment “A,” and eliminates the Administrative Services Department and Parks, Recreation, and Public Facilities Maintenance Department

- 6) Approving the related cost summary attached hereto as Attachment “B”
 - 7) Approving the related position list attached hereto as Attachment “C”
 - 8) Approving the related amendments to salary schedules attached hereto as Attachment “D”
 - 9) Approving the related job descriptions attached hereto as Attachment “E”
- B. Provide direction to staff to proceed with the preparation of plans and specifications based on the revised scope for City Project 19-51 “Columbia Pool Improvements”; and direct staff to proceed with the advertisement of plans and specifications to demo the existing facility in preparation for City Project 19-51 “Columbia Pool Improvements”; and approve the advertisement for construction bids for City Project No. 19-51 “Columbia Pool Improvements”; and approve Amendment No. 1 to the Professional Services Agreement with O’Dell Engineering of Modesto, California, in the amount of \$81,545 (Fund 117 “Cannabis Fund”), bringing the contract total to \$230,075 for engineering and surveying services for City Project No. 19-51 “Columbia Pool Improvements”; and appropriate \$481,545 to account number 301-50-520.51300 “Construction Repairs/Improvements” to be funded via a transfer from Fund 117 “Cannabis Fund” unallocated reserves to provide necessary funding for City Project No. 19-51 “Columbia Pool Improvements”; and appropriate \$2,000,000 to account number 301-50-520.51300 “Construction Repairs/Improvements” to be funded via a transfer from Fund 117 “Cannabis Fund” unallocated reserves to provide necessary funding for City Project No. 19-51 “Columbia Pool Improvements”; and appropriate \$3,000,000 to account number 301-50-520.51300 “Construction Repairs/Improvements” to be funded via a transfer from ARPA unallocated reserves to provide necessary funding for City Project No. 19-51 “Columbia Pool Improvements.” (Quintero)

Recommended Action:

Motion: Directing staff to proceed with the preparation of plans and specifications based on the revised scope for City Project 19-51 “Columbia Pool Improvements”

Motion: Directing staff to proceed with the advertisement of plans and specifications to demo the existing facility in preparation for City Project 19-51 “Columbia Pool Improvements”

Motion: Approving the advertisement for construction bids for City Project No. 19-51 “Columbia Pool Improvements”

Motion: Approving Amendment No. 1 to the Professional Services Agreement with O’Dell Engineering of Modesto, California, in the amount of \$81,545 (Fund 117 “Cannabis Fund”), bringing the contract total to \$230,075 for engineering and surveying services for City Project No. 19-51 “Columbia Pool Improvements”

Resolution: Appropriating \$481,545 to account number 301-50-520.51300 “Construction Repairs/Improvements” to be funded via a transfer from Fund 117 “Cannabis Fund” unallocated reserves to provide necessary funding for City Project No. 19-51 “Columbia Pool Improvements”

Resolution: Appropriating \$2,000,000 to account number 301-50-520.51300 “Construction Repairs/Improvements” to be funded via a transfer from Fund 117 “Cannabis Fund” unallocated reserves to provide necessary funding for City Project No. 19-51 “Columbia Pool Improvements”

Resolution: Appropriating \$3,000,000 to account number 301-50-520.51300 “Construction Repairs/Improvements” to be funded via a transfer from ARPA unallocated reserves to provide necessary funding for City Project No. 19-51 “Columbia Pool Improvements”

- C. Request to approve one of three options (Option A, B, or C) as described within the Staff Report specific to the utilization of Franchise Fees to offset the impact of refuse, recycling and green waste rates on residential customers. (*Moreno*)

Recommended Action:

Motion: Approving Option A as described within the staff report specific to the utilization of Franchise Fees to offset the impact of refuse, recycling and green waste rates on residential customers

OR

Motion: Approving Option B as described within the staff report specific to the utilization of Franchise Fees to offset the impact of refuse, recycling and green waste rates on residential customers

OR

Motion: Approving Option C as described within the staff report specific to the utilization of American Rescue Plan Act (ARPA) to offset the impact of refuse, recycling and green waste rates on residential customers; and

Resolution: Authorizing appropriating \$6,888,710 from Fund 119 (ARPA funds) unassigned reserve to Expense Account Number 119-10-188.47599 “Refuse Rate Increase Subsidization”

- D. Discuss and provide direction to Staff regarding the allocation of American Rescue Plan Act funds. (*Moreno*)

Recommended Action:

Provide direction to Staff regarding the allocation of American Rescue Plan Act funds.

- E. Update on the progress of the Stanislaus Regional Water Authority (SRWA) Surface Water Project (SWP) and related improvements for acceptance of treated surface water. (*Madden*)

Recommended Action:

None.

- F. Request to approve an Intelligent Transportation Systems (ITS) strategy for improvements to Turlock Transit services comprised of both short-term and long-term solutions and approve a three (3) year renewal Agreement with Swiftly, Inc., of San Francisco, California, a sole source provider of the Swiftly Platform used for transit planning, analytics, and real-time performance data, in an amount not to exceed \$95,814 (Fund 426), without compliance to formal bid procedure pursuant to Turlock Municipal Code Section 2-7-

08(b)(2), and authorizing the City Manager to execute all documents necessary to implement the Agreement. (York)

Recommended Action:

Motion: Approving an Intelligent Transportation Systems (ITS) strategy for improvements to Turlock Transit services comprised of both short-term and long-term solutions

Motion: Approving a three (3) year renewal Agreement with Swiftly, Inc., of San Francisco, California, a sole source provider of the Swiftly Platform used for transit planning, analytics, and real-time performance data, in an amount not to exceed \$95,814 (Fund 426), without compliance to formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(2), and authorizing the City Manager to execute all documents necessary to implement the Agreement

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. Update on streets projects not related to projects overseen by Michael Baker International – Development Services. (Quintero)

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: Neuza Crishna Brasil
 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: Jose Bernardo
 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: Denkha Khamo
 Agency Claimed Against: City of Turlock
- D. 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: Gloria Sharon Wear

Agency Claimed Against: City of Turlock

E. 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: Joshua Daniel Silva

Agency Claimed Against: City of Turlock

F. 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 Designated Representative: Interim Administrative Services Director Sarah Eddy

Employee Organization: Turlock Firefighters Association-Local 2434

Employee Organization: Turlock Management Association-Public Safety

G. Conference with Legal Counsel – Pending Litigation, Cal. Gov’t Code §54956.9(d)(4)

“For purposes of this section, litigation shall be considered pending when any of the following circumstances exist... Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.”

Potential Case(s): 1 case

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT