

City Council Meeting Agenda



March 14, 2023

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

Mayor
Amy Bublak

Council Members
Kevin Bixel
Cassandra Abram
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 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.

CALL TO ORDER SALUTE TO THE FLAG ROLL CALL AND DECLARATION OF CONFLICTS

1. 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.

2. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS

A. Presentation: Dave White of Opportunity Stanislaus – Annual Update

B. Briefing: City Council to discuss vision and goals for the preparation of the Fiscal Year 2023-2024 Budget (*Moreno*)

3. 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

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Next City Council Resolution: 2023-057

Next Ordinance: 1301-CS

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.

4. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE

5. 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 2023-XXX: Accepting Weekly Demands of 02/23/2023 in the amount of \$2,816,800.58 and 03/02/2023 in the amount of \$644,541.73
- B. Motion: Accepting Minutes of the 01/24/2023 Special and Regular Joint Meeting of the City of Turlock City Council and Planning Commission
- C. Resolution 2023-XXX: Initiating proceedings for the formation of the Yadegar Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 23-004, and directing the City Engineer to act as the Engineer of Work and produce an Engineer's Report which details the annual costs to the development (Schulze)
- D. Resolution 2023-XXX: Initiating proceedings for the formation of the Karampoor Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 23-003, and directing the City Engineer to act as the Engineer of Work and produce an Engineer's Report which details the annual costs to the development (Schulze)
- E. Resolution 2023-XXX: Initiating proceedings for the formation of the Columbus Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 23-016, and directing the City Engineer to act as the Engineer of Work and produce an Engineer's Report which details the annual costs to the development (Schulze)
- F. Resolution: Approving Contract Change Order No. 2 in the amount of \$184,508.68 (Fund 218 – Measure L) with George Reed, Inc. of Modesto, California, for City Project No. 21-018 “Lander Avenue Rehabilitation between D Street and SR-99” bringing the contract total to \$3,423,883.25 (Schulze)
- G. Resolution 2023-XXX: Resolution: Authorizing staff to proceed with a change to the scope of work of City Project No. 20-013 “Water and Sewer Main Extensions – N. Golden State Boulevard” to add an estimated 20,846 square yards of additional pavement rehabilitation to the project on Golden State Boulevard which will result in resurfacing all the northbound lanes from Atherstone Road to Taylor Road, to be funded by Measure L “Local Streets and Roads” (Schulze)
- H. Resolution: Reaffirming the Proclamation of a Local Emergency in Response to a continuing Unsheltered Homeless Crisis (UHC) within the City of Turlock and Confirming Rules and Regulations No. 1 Made and Issued on July 13, 2021 (Eddy)

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- I. Resolution 2023-XXX: Approving a Professional Services Agreement with The Cloudburst Group to assist with the Housing Program Services Policies and Procedures and Program Plans for HUD Community Planning and Development (CPD) programs in an amount not-to-exceed \$49,898 with the cost to be shared between CDBG and HOME funding (*Quintero*)
- J. Resolution 2023-XXX: Authorizing the City Manager to execute a Purchase Agreement between the City of Turlock and Microsoft through the Licensing Solution Provider (LSP) SoftwareONE, Inc. for a period of three (3) years in the amount of \$95,569.08 per year for a total amount not-to-exceed \$315,377.96, which includes a 10% contingency (*Showalter*)

6. FINAL READINGS

None

7. PUBLIC HEARINGS

- A. Determining the approval of Rezone 2022-03, (2710 Geer Rd) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines and introducing and conducting the first reading of an Ordinance amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2022-03 (2710 Geer Road)] to rezone the property from PD 34 to Community Commercial (*Quintero*)

Recommended Action: Resolution 2023-XXX: Determining the approval of Rezone 2022-03, (2710 Geer Rd) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines

Recommended Action: Ordinance 13XX-cs: Introduction and first reading of an Ordinance Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2022-03 (2710 Geer Road)] to rezone the property from PD 34 to Community Commercial

- B. Approving the second substantial amendment to the FY 2021-2022 City of Turlock/Stanislaus Urban County HOME Consortium Annual Action Plan to allocate HOME-ARP funds (*Quintero*)

Recommended Action: Resolution 2023-XXX: Approving the second substantial amendment to the FY 2021-2022 City of Turlock/Stanislaus Urban County HOME Consortium Annual Action Plan to allocate HOME-ARP funds

- C. Ordering the improvements and formation of the "California Freight Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 22-036," and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2023-2024 for the "California Freight Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 22-036," pursuant to Resolution No. 97-128 (*Schulze*)

Recommended Action: Resolution 2023-XXX: Ordering the improvements and formation of the "California Freight Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 22-036," and confirming the

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diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2023-2024 for the "California Freight Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 22-036," pursuant to Resolution No. 97-128

- D. Ordering the improvements and formation of the "PM 21-03 Bright Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 21-019," and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2023-2024 for the "PM 21-03 Bright Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 21-019," pursuant to Resolution No. 97-128 (*Schulze*)

Recommended Action: *Resolution 2023-XXX*: Ordering the improvements and formation of the "PM 21-03 Bright Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 21-019," and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2023-2024 for the "PM 21-03 Bright Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 21-019," pursuant to Resolution No. 97-128

- E. **The following Public Hearing Item has been postponed and will be brought back to City Council at a later date:** Ordering the improvements and formation of the "PM 22-01 Pitau Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 22-004," and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2023-2024 for the "PM 22-01 Pitau Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 22-004," pursuant to Resolution No. 97-128 (*Schulze*).

8. ACTION ITEMS

- A. Accepting the 2022 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 (*Quintero*)

Recommended Action: *Resolution 2023-XXX*: Accepting the 2022 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

- B. Rescinding the existing change order approval policy outlined in Resolution No. 2009-246 and adopting an approval policy to be applied to contract change orders for construction of public projects (*Schulze*)

Recommended Action: *Resolution 2023-XXX*: Rescinding the existing change order approval policy outlined in Resolution No. 2009-246 and adopting an approval policy to be applied to contract change orders for construction of public projects

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9. 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.

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION

11. 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.

12. CLOSED SESSION

A. Conference with Labor Negotiators - California Government 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: Deputy City Manager Sarah Eddy

Employee Organization: Turlock Management Association – Public Safety

Employee Organization: Turlock Firefighters Association – Local 2434

B. Conference with Legal Counsel – Anticipated Litigation - California Government 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)

13. REPORTS FROM CLOSED SESSION

14. ADJOURNMENT

DECLARATION OF POSTING

I, Julie Christel, City Clerk for the City of Turlock, certify that I caused to be posted a copy of the City of Turlock City Council Agenda for the Regular Meeting of Tuesday, March 14, 2023 at City Hall, 156 S. Broadway, Turlock, California, 95380 on Thursday, March 9, 2023.

Dated: March 9, 2023

/s/Julie Christel

Julie Christel, City Clerk