

# City Council Meeting Agenda

Amendment No. 1  
05/10/2024



May 14, 2024

6:00 PM

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](http://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.

1. **CALL TO ORDER**
2. **SALUTE TO THE FLAG**
3. **ROLL CALL AND DECLARATION OF CONFLICTS**
4. **APPROVAL OF AGENDA AS POSTED OR AMENDED**

**CITY OF TURLOCK  
CITY COUNCIL  
REGULAR MEETING AGENDA  
Tuesday, May 14, 2024**

**Next City Council Resolution: 2024-057**

**Next Ordinance: 1312-CS**

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.

**5. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS**

- A. Proclamation: National Public Works Week, May 19 - 25, 2024 (Schulze)
- B. Briefing: Sidewalk Repair Program Update (Loehr/Schulze)

**6. 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.

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

**8. 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 the Weekly demands of 04/12/2024 through 04/18/2024 in the amount of \$668,345.65, 04/19/2024 through 04/25/2024 in the amount of \$2,025,544.76, 04/26/2024 through 05/02/2024 in the amount of \$1,506,972.59, Payroll EFT January 2024 in the amount of \$2,175,500.54, and the Investment and Cash Report for March 31, 2024 in the amount of \$279,474,714.56
- B. Motion: Accepting the Minutes of the April 23, 2024 Regular City Council meeting
- C. Resolution 2024-XXX: Amending Resolution No. 2024-041 (Approving Amendment No. 3 to an Agreement with West Yost Associates of Davis, California, in the amount of \$118,304, for construction management services), correcting the contract total to a not-to-exceed amount of \$2,901,109, for City Project No. 18-69 "Surface Water Distribution System Improvements" to be funded in Fund 420 "Water" account number 420-52-551.51356 "Surface Water Dist. Imp. - Terminal Facilities" (Fisher)
- D. Motion: Approving the Subdivision Improvement Agreement with FQC, Inc., conditioned upon construction of improvements for the SM 19-01 FQC, Inc. subdivision (Development Project

Amended

**CITY OF TURLOCK  
CITY COUNCIL  
REGULAR MEETING AGENDA  
Tuesday, May 14, 2024**

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No. 20-029) on Palm Avenue (Morris)

- E. Resolution 2024-XXX: Accepting the 2023 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 (Hampton)
- F. Resolution 2024-XXX: Determining the award of bid is exempt from the provisions of CEQA in accordance with Section 15301 of the CEQA Guidelines and awarding the bid and approving an Agreement with Pacific Valley Roofing of Ceres, California, in the amount of \$25,243.00 and authorizing a construction contingency amount of \$2,524.30 (10.0%) for construction of City Project No. 23-038 "Well Site 15, 20, and 22 Roofs Repair" to be funded by Fund 420 "Water" account number 420-52-551.43553 "Misc Well House Roof Repair" (Fisher)
- G. Resolution 2024-XXX: Determining the award of bid is exempt from the provisions of CEQA in accordance with Section 15301 of the CEQA Guidelines and awarding the bid and approving an Agreement with SoCal Pacific Construction Corporation dba National Coating & Lining Company, of Murrieta, California, in the amount of \$217,637 and authorizing a contingency amount of \$21,764 (10.0%) for construction of City Project No. 23-027 "Secondary Clarifier No. 4 Recoating" to be funded in Fiscal Year 2024-25 by Fund 410 "Water Quality Control" account number 410-51-534.43363 "Coating Contract" (Fisher)
- H. Resolution 2024-XXX: Determining the award of bid is exempt from the provisions of CEQA in accordance with Section 15301 of the CEQA Guidelines and awarding the bid and approving an Agreement with United Pavement Maintenance, Inc., of Hughson, California, in the amount of \$2,688,246 and authorizing a contingency amount of \$268,825 (10.0%) for construction of City Project No. 23-040 "Water Line Replacement for 2024 Roads Program Construction" with all storm system improvements to be funded by Fund 414 "Sewer Line/Trunk Construction" account number 414-51-536.51270 "Construction Project" and all water system improvements to be funded by Fund 420 "Water" account number 420-52-551.51300 "Construction Repairs/Improvements" (Fisher)
- I. Resolution 2024-XXX: Authorizing the City's Insurance Broker, Winton-Ireland Strom & Green Insurance Agency, Inc., to procure insurance coverages and execute insurance agreements on behalf of the City with Glatfelter Insurance Group for Property Insurance in the amount of \$11,620 from Fund 410 "Water Quality Control" account number 410-51-530.43100\_001 "Property Insurance", and with Underwriters at Lloyds for Sexual Abuse/Molestation Liability Insurance in the amount of \$3,392.56 from Fund 270 "Recreation Grants" account numbers 270-61-635-393.43100\_007, 270-61-635-394.43100\_007, 270-61-635-395.43100\_007, 270-61-635-396.43100\_007, 270-61-635-397.43100\_007, 270-61-635-409.43100\_007, and Fund 110 "General" account 110-61-630-121.43100\_007, 110-61-630-125.43100\_007, and 110-61-620.43100\_007 "Insurance Abuse & Molestation" (Loehr)
- J. Resolution 2024-XXX: Terminating the Local Emergency in response to the Unsheltered Homeless Crisis (UHC) ratified by City Council on July 13, 2021 by rescinding Resolution 2021-129 (Wilson/Petrulakis)
- K. Resolution 2024-XXX: Authorizing the placement of insurance carrier policies and third-party administrative agreements between the City of Turlock and related benefit partners for

**CITY OF TURLOCK  
CITY COUNCIL  
REGULAR MEETING AGENDA  
Tuesday, May 14, 2024**

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employee healthcare, covering the period of July 1, 2024 to June 30, 2025 (Dhami)

**9. FINAL READINGS**

**10. PUBLIC HEARINGS**

- A. *Continued from the 2/27/2024 and 4/23/2024 Regular City Council Meetings - Denying the appeal and affirming the Planning Commission decision denying Variance 2023-01 at 2560 and 2562 Mooneyham Court, Stanislaus County APN 073-043-007 (Werner/Hampton)*

**Recommended Action:** Motion: Denying the appeal and affirming the Planning Commission decision denying Variance 2023-01 at 2560 and 2562 Mooneyham Court, Stanislaus County APN 073-043-007

- B. Amending Turlock Municipal Code Title 9, Chapter 1, Article 2, regarding definitions; amending Title 9, Chapter 2, Article 1 regarding Regulations Applying to All Districts; repealing and replacing Title 9, Chapter 2, Article 1, Section 119 regarding Second Dwelling Units; amending Title 9, Chapter 3, Article 1 Section 102 regarding A District Use Classifications; amending Title 9, Chapter 3, Article 2 regarding R District Use Classifications; amending Title 9, Chapter 4, Article 1 Section 103 regarding Downtown Use Classifications (Hampton)

**Recommended Action:** Ordinance 13XX: Amending Turlock Municipal Code Title 9, Chapter 1, Article 2, regarding definitions; amending Title 9, Chapter 2, Article 1 regarding Regulations Applying to All Districts; repealing and replacing Title 9, Chapter 2, Article 1, Section 119 regarding Second Dwelling Units; amending Title 9, Chapter 3, Article 1 Section 102 regarding A District Use Classifications; amending Title 9, Chapter 3, Article 2 regarding R District Use Classifications; amending Title 9, Chapter 4, Article 1 Section 103 regarding Downtown Use Classifications

**11. ACTION ITEMS**

- A. Engage in discussion and providing direction to staff regarding the proposed Fiscal Year 2024-2025 General Fund Budget (Moreno)

**Recommended Action:** Motion: Engage in discussion and providing direction to staff regarding the proposed Fiscal Year 2024-2025 General Fund Budget

- B. Accepting the City of Turlock's audited Financial Statements and related reports for the Fiscal Year ended June 30, 2022 (Moreno)

**Recommended Action:** Resolution 2024-XXX: Accepting the City of Turlock's audited Financial Statements and related reports for the Fiscal Year ended June 30, 2022

- C. Determining the following items are exempt from provisions of CEQA in accordance with Section 15301 of the CEQA guidelines and awarding bid and approving:

1. Agreement between the City of Turlock and United Pavement Maintenance, Inc., of Hughson, CA, in the amount of \$1,314,374.00 and a contingency amount of \$130,000.00

**CITY OF TURLOCK  
CITY COUNCIL  
REGULAR MEETING AGENDA  
Tuesday, May 14, 2024**

**Next City Council Resolution: 2024-057**

**Next Ordinance: 1312-CS**

(9.9%) for construction of City Project No. 23-031 "Mark Thomas Task Order No. 1 for Roads Program CIP Projects" (Bid Package 1) to be funded by Fund 115 "Measure A – Roads," account number 115-10-115.51270 "Construction Project"

2. Agreement between the City of Turlock and George Reed, Inc., of Modesto, CA, in the amount of \$3,532,407.00 and a contingency amount of \$350,000.00 (9.9%) for construction of City Project No. 23-031 "Mark Thomas Task Order No. 1 for Roads Program CIP Projects" (Bid Package 2) to be funded by Fund 115 "Measure A – Roads," account number 115-10-115.51270 "Construction Project"

3. Agreement between the City of Turlock and George Reed, Inc., of Modesto, CA, in the amount of \$2,927,141.00 and a contingency amount of \$290,000.00 (9.9%) for construction of City Project No. 23-033 "Siegfried Task Order No. 1 for Roads Program CIP Projects" to be funded by Fund 115 "Measure A – Roads," account number 115-10-115.51270 "Construction Project"

4. Agreement between the City of Turlock and United Pavement Maintenance, Inc., of Hughson, CA, in the amount of \$4,408,821.45 and a contingency amount of \$440,000.00 (9.9%) for construction of City Project No. 23-032 "Provost & Pritchard Task Order No. 1 for Roads Program CIP Projects" to be funded by Fund 115 "Measure A – Roads," account number 115-10-115.51270 "Construction Project" (Pezeshk)

**Recommended Action:**

1. Resolution 2024-XXX: Determining the award of bid is exempt from the provisions of CEQA in accordance with section 15301 of the CEQA guidelines, awarding bid, and approving an Agreement between the City of Turlock and United Pavement Maintenance, Inc., of Hughson, CA, in the amount of \$1,314,374.00 and a contingency amount of \$130,000.00 (9.9%) for construction of City Project No. 23-031 "Mark Thomas Task Order No. 1 for Roads Program CIP Projects" (Bid Package 1) to be funded by Fund 115 "Measure A – Roads," account number 115-10-115.51270 "Construction Project"

2. Resolution 2024-XXX: Determining the award of bid is exempt from the provisions of CEQA in accordance with section 15301 of the CEQA guidelines, awarding bid, and approving an Agreement between the City of Turlock and George Reed, Inc., of Modesto, CA, in the amount of \$3,532,407.00 and a contingency amount of \$350,000.00 (9.9%) for construction of City Project No. 23-031 "Mark Thomas Task Order No. 1 for Roads Program CIP Projects" (Bid Package 2) to be funded by Fund 115 "Measure A – Roads," account number 115-10-115.51270 "Construction Project"

3. Resolution 2024-XXX: Determining the award of bid is exempt from the provisions of CEQA in accordance with section 15301 of the CEQA guidelines, awarding bid, and approving an Agreement between the City of Turlock and George Reed, Inc., of Modesto, CA, in the amount of \$2,927,141.00 and a contingency amount of \$290,000.00 (9.9%) for construction of City Project No. 23-033 "Siegfried Task Order No. 1 for Roads Program CIP Projects" to be funded by Fund 115 "Measure A – Roads," account number 115-10-115.51270 "Construction Project"

4. Resolution 2024-XXX: Determining the award of bid is exempt from the provisions of CEQA in accordance with section 15301 of the CEQA guidelines, awarding bid, and

**CITY OF TURLOCK  
CITY COUNCIL  
REGULAR MEETING AGENDA  
Tuesday, May 14, 2024**

**Next City Council Resolution: 2024-057**

**Next Ordinance: 1312-CS**

approving an Agreement between the City of Turlock and United Pavement Maintenance, Inc., of Hughson, CA, in the amount of \$4,408,821.45 and a contingency amount of \$440,000.00 (9.9%) for construction of City Project No. 23-032 "Provost & Pritchard Task Order No. 1 for Roads Program CIP Projects" to be funded by Fund 115 "Measure A – Roads," account number 115-10-115.51270 "Construction Project"

D. Determining the following items are exempt from provisions of CEQA in accordance with Section 15378 and approving:

1. Amendment No. 2 for Task Order No. 1A under the terms of the Master Agreement (City Contract No. 2024-112) with CCME, Inc. (Merced, California office) for Construction Management and Inspection Services for the City of Turlock's Roads Initiative Program in the amount of \$323,681.01 to be funded by Fund 115 "Measure A – Roads" account number 115-10-115.43327 "Construction Management," for Bid Package 1 for City Project No. 23-031 as "CCME CM Task Order No. 1A for City Project No. 23-031, Bid Package 1"

2. Amendment No. 2 for Task Order No. 1A under the terms of the Master Agreement (City Contract No. 2024-110) with Mark Thomas & Company, Inc. (Fresno, California office) for Construction Management and Inspection Services for the City of Turlock's Roads Initiative Program in the amount of \$566,263.46 to be funded by Fund 115 "Measure A – Roads" account number 115-10-115.43327 "Construction Management," for City Project No. 23-032 as "Mark Thomas CM Task Order No. 1A for City Project No. 23-032"

3. Amendment No. 3 for Task Order No. 1A under the terms of the Master Agreement (City Contract No. 2024-111) with NV5, Inc. (Fresno, California office) for Construction Management and Inspection Services for the City of Turlock's Roads Initiative Program in the amount of \$568,702.72 to be funded by Fund 115 "Measure A – Roads" account number 115-10-115.43327 "Construction Management," for Bid Package 2 for City Project No. 23-031 as "NV5 CM Task Order No. 1A for City Project No. 23-031, Bid Package 2"

4. Amendment No. 4 for Task Order No. 2A under the terms of the Master Agreement (City Contract No. 2024-111) with NV5, Inc. (Fresno, California office) for Construction Management and Inspection Services for the City of Turlock's Roads Initiative Program in the amount of \$479,743.05 to be funded by Fund 115 "Measure A – Roads" account number 115-10-115.43327 "Construction Management," for City Project No. 23-033 as "NV5 CM Task Order No. 2A for City Project No. 23-033" (Pezeshk)

**Recommended Action:**

1. Resolution 2024-XXX: Determining the Amendment No. 2 for Task Order 1A is exempt from provisions of CEQA in accordance with Section 15378 and approving Amendment No. 2 for Task Order No. 1A under the terms of the Master Agreement (City Contract No. 2024-112) with CCME, Inc. (Merced, California office) for Construction Management and Inspection Services for the City of Turlock's Roads Initiative Program in the amount of \$323,681.01 to be funded by Fund 115 "Measure A – Roads" account number 115-10-115.43327 "Construction Management," for Bid Package 1 for City Project No. 23-031 as "CCME CM Task Order No. 1A for City Project No. 23-031, Bid Package 1"

2. Resolution 2024-XXX: Determining the Amendment No. 2 for Task Order 1A is exempt

**CITY OF TURLOCK  
CITY COUNCIL  
REGULAR MEETING AGENDA  
Tuesday, May 14, 2024**

**Next City Council Resolution: 2024-057**

**Next Ordinance: 1312-CS**

from provisions of CEQA in accordance with Section 15378 and approving Amendment No. 2 for Task Order No. 1A under the terms of the Master Agreement (City Contract No. 2024-110) with Mark Thomas & Company, Inc. (Fresno, California office) for Construction Management and Inspection Services for the City of Turlock's Roads Initiative Program in the amount of \$566,263.46 to be funded by Fund 115 "Measure A – Roads" account number 115-10-115.43327 "Construction Management," for City Project No. 23-032 as "Mark Thomas CM Task Order No. 1A for City Project No. 23-032"

3. Resolution 2024-XXX: Determining the Amendment No. 3 for Task Order 1A is exempt from provisions of CEQA in accordance with Section 15378 and approving Amendment No. 3 for Task Order No. 1A under the terms of the Master Agreement (City Contract No. 2024-111) with NV5, Inc. (Fresno, California office) for Construction Management and Inspection Services for the City of Turlock's Roads Initiative Program in the amount of \$568,702.72 to be funded by Fund 115 "Measure A – Roads" account number 115-10-115.43327 "Construction Management," for Bid Package 2 for City Project No. 23-031 as "NV5 CM Task Order No. 1A for City Project No. 23-031, Bid Package 2"

4. Resolution 2024-XXX: Determining the Amendment No. 4 for Task Order 2A is exempt from provisions of CEQA in accordance with Section 15378 and approving Amendment No. 4 for Task Order No. 2A under the terms of the Master Agreement (City Contract No. 2024-111) with NV5, Inc. (Fresno, California office) for Construction Management and Inspection Services for the City of Turlock's Roads Initiative Program in the amount of \$479,743.05 to be funded by Fund 115 "Measure A – Roads" account number 115-10-115.43327 "Construction Management," for City Project No. 23-033 as "NV5 CM Task Order No. 2A for City Project No. 23-033"

**12. 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. Monthly Department Reports

**13. COUNCILMEMBER 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 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: Deputy City Manager Sarah Eddy  
Employee Organization: Turlock Associated Police Officers

**CITY OF TURLOCK  
CITY COUNCIL  
REGULAR MEETING AGENDA  
Tuesday, May 14, 2024**

**Next City Council Resolution: 2024-057**

**Next Ordinance: 1312-CS**

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Employee Organization: Turlock City Employees Association  
Employee Organization: Turlock Firefighters Association-Local 2434  
Employee Organization: Turlock Management Association-Public Safety  
Unrepresented Groups: Turlock Management and Confidential Employees

- B. Conference with Legal Counsel – Initiation of Litigation, Cal. Gov't Code 54956.9(d)(4) *“For the 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 Cases: One (1)

- Amended C. 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): Three (3)

- D. Conference with Real Property Negotiators, Cal. Gov't Code §54956.8  
*“Notwithstanding any other provisions of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease.”*  
Property: 140 First Street, Turlock, CA (APN No. 061-016-031)  
Agency Negotiator: City Manager Reagan M. Wilson  
Negotiating Parties: City of Turlock  
Under Negotiation: Price and terms of the sale

**15. REPORTS FROM CLOSED SESSION**

**16. ADJOURNMENT**