

City Council Meeting Agenda



MARCH 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 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.

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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 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:

1. Proclamation: Vietnam Veteran's Day
2. Presentation: Project Sentinel Fair Housing Information

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 2/25/22 in the amount of \$4,917,183.52; Weekly Demands of 3/4/22 in the amount of \$432,438.19
- B. Motion: Accepting Minutes of the Regular Meeting of March 8, 2022
- C. Resolution: Approving the Engineer's Report for the Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area for 3200 Fulkerth Road, Stanislaus County APN 089-001-017
Resolution: Declaring the City Council's intention to order the formation of and to levy and collect assessments for the Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area for 3200 Fulkerth Road, Stanislaus County APN 089-001-017
- D. Resolution: Approving the Engineer's Report for the Starbucks (Development Project No. 21-028) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
Resolution: Declaring the City Council's intention to order the formation of and to levy and collect assessments for Starbucks (Development Project No. 21-028) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
- E. Resolution: Approving the Engineer's Report for the PM 21-01 Dutch Bros (Development Project No. 21-005) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
Resolution: Declaring the City Council's intention to order the formation of and to levy and collect assessments for the PM 21-01 Dutch Bros (Development Project No. 21-005) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area

- F. Motion: Rejecting all bids submitted for City Project No. 20-013 “Water and Sewer Extensions – N Golden State Blvd” and authorizing staff to re-advertise the project for construction bids
- G. Motion: Approving a master agreement with Ecolane USA, Inc., of Wayne, Pennsylvania, adopting standard terms and conditions related to the use of Ecolane products, support, and professional services, in a form approved by the City Attorney, and authorizing the City Manager to execute the agreement
Resolution: Approving the purchase and delivery of a demand-response transportation management software system, including hardware, software, training, and support services from Ecolane USA, Inc., of Wayne, Pennsylvania, to be used for scheduling and management of demand-response transit services, as a competitive award through the National Cooperative Purchasing Alliance (NCPA) Contract No. 05-33, in an amount not to exceed \$423,429 for a five (5) year term, without compliance to formal bid procedures pursuant to Turlock Municipal Code Section 2-7-08(b)(5) in support of City Project No. 21037 “Demand-Response ITS Enhancements”
Resolution: Appropriating \$30,242 to Account Number 426-40-415-240-002.51240 “Transit Capital” (ADA Paratransit) and \$118,242 to Account Number 426-40-415-243-002.51240 “Transit Capital” (Demand-Response), for a combined total of \$148,484, from Account Number 426-40-415-241-002.51240 “Transit Capital” (Fixed Route) to provide the necessary funding for City Project No. 21037 “Demand-Response ITS Enhancements”
- H. Motion: Approving a five (5) year agreement with Axon Enterprises, Inc., for the purchase of Axon Interview cloud-based video and audio recording equipment with associated software for interview rooms at the Public Safety Facility
- I. Resolution: Approving new job descriptions for Economic Development Director – Communications Officer and Risk Manager, and an amendment to the salary schedule of the existing Management Schedule of Benefits and Policies adopted by Resolution number 2021-229 dated November 9, 2021, to include all approved management salaries
- J. Resolution: Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19
- K. Resolution: Reaffirming the Proclamation of a Local Emergency by Interim City Manager Sarah Tamey Eddy (Director of Emergency Services) in Response to a continuing Unsheltered Homeless Crisis (UHC) within the City of Turlock and Confirming Rules and Regulations No. 1 Made and Issued by Interim City Manager Sarah Tamey Eddy (Director of Emergency Services)

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:** None

9. **ACTION ITEMS:**

- A. Request to either approve 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 approve 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. (*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

- B. Request to authorize the Mayor to send a letter expressing the City Council's preference for the ACE train station to be located in Turlock, bounded by Marshall Street, South Golden State Boulevard between Marshall Street, F Street, and 1st Street. (*Wilson*)

Recommended Action:

Motion: Authorizing the Mayor to send a letter expressing the City Council's preference for the ACE train station to be located in Turlock, bounded by Marshall Street, South Golden State Boulevard between Marshall Street, F Street, and 1st Street

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. City Manager's Office (*Wilson*)
- B. Fire Department

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. 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. 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 Management Association-Public Safety

Unrepresented Employees: Fire Marshal, Fire Division Chief, Police Lieutenant, and Police Captain.

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT