

City Council Agenda



MAY 25, 2021

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-29-20, ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 17, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT.

THIS MEETING WILL BE OPEN TO THE PUBLIC. SEATING CAPACITY WILL BE LIMITED TO THE FIRST 14 PEOPLE, ON A FIRST COME FIRST SERVE BASIS. COMPLIANCE WITH ALL HEALTH & SAFETY GUIDELINES INCLUDING COVID-19 SCREENING, TEMPERATURE CHECKS, FACE COVERINGS, AND PHYSICAL DISTANCING MEASURES WILL BE REQUIRED FOR IN-PERSON ATTENDANCE. PLEASE PLAN TO ARRIVE APPROXIMATELY 15 MINUTES PRIOR TO THE SCHEDULED MEETING START TIME TO ALLOW FOR SCREENING PROCESSES. FOR MORE INFORMATION, PLEASE VISIT THE CITY OF TURLOCK WEBSITE AT WWW.CITYOFTURLOCK.ORG.

THIS MEETING WILL BE STREAMED ON THE CITY OF TURLOCK WEBSITE AT WWW.CITYOFTURLOCK.ORG AND BROADCASTED ON SPECTRUM CHANNEL 2. MEMBERS OF THE PUBLIC MAY ALSO PARTICIPATE IN THE MEETING VIA THE FOLLOWING METHODS:

JOIN BY CLICKING ON THE MEETING LINK: <https://us02web.zoom.us/j/84924629186>

OR

**JOIN BY ACCESSING THE ZOOM WEBSITE: <https://zoom.us/join>
WEBINAR ID: 849 2462 9186**

OR

**JOIN BY TELEPHONE: 669-900-6833
WEBINAR ID: 849 2462 9186**

Mayor
Amy Bublak

Council Members

Nicole Larson
Andrew Nosrati

Rebecka Monez
Pam Franco
Vice Mayor

Acting City Manager
Gary R. Hampton
City Clerk
Jennifer Land
Interim City Attorney
George A. Petrulakis

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.

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:

- A. Recognition: Employee of the Month, March 2021, Accounts Payable Clerk Danette Peterson
- B. Recognition: Employee of the Month, April 2021, Public Works Construction Inspector, Sr. Manuel Quintero
- C. Proclamation: In Honor of the Retirement of Transit Planner Scott Medeiros
- D. Recognition: Special recognitions, presented by Mayor Bublak
- E. Briefing: COVID-19 Update, presented by Interim Fire Chief Gary Carlson

4. PUBLIC PARTICIPATION

MEMBERS OF THE PUBLIC WISHING TO ADDRESS THE CITY COUNCIL WILL BE GIVEN THE SAME TIME ALLOTMENT FOR COMMENTS AS NORMALLY ALLOWED FOR MEETINGS SUBJECT TO THE PROVISIONS OF EXECUTIVE ORDER N-29-20.

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. 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 4/29/21 in the amount of \$1,740,701.05; Weekly Demands of 5/6/21 in the amount of \$4,868,379.87
- B. Motion: Accepting Minutes of the Regular Meeting of March 23, 2021; Minutes of the Special Meeting of April 1, 2021; Minutes of the Regular Meeting of April 13, 2021
- C.
 - 1. Motion: Approving Amendment No. 2 with NV5, Inc. of Manteca, California, in the amount of \$19,250 (Fund 305), bringing the contract total to \$1,461,266.98 for construction management services for City Project No. 0828 "SR-99/Fulkerth Road Interchange" and extending the term of the agreement to July 31, 2021
 - 2. Motion: Approving Contract Change Order Nos. 26, 28, 29, and 30 (Final) with Agee Construction of Clovis, California, in the amount of \$119,641.09 (Fund 305), bringing the contract total to \$12,341,574.93 for construction of City Project No. 0828 "SR-99/Fulkerth Road Interchange"
 - 3. Motion: Accepting improvements and authorizing the City Engineer to file a Notice of Completion for City Project No. 0828 "SR-99/Fulkerth Road Interchange"
 - 4. Resolution: Appropriating \$140,000 to account number 305-40-440.51270 "Construction Project" from Fund 305 (Roadways) Unassigned Reserves to complete funding for City Project No. 0828 "SR-99/Fulkerth Road Interchange"
- D. Motion: Authorizing staff to proceed with the design of road rehabilitation for City Project No. 21-018 "Lander Avenue Rehabilitation" using Fund 218 "Measure L" funds
- E. Resolution: Initiating proceedings for filing of the Annual Report for Fiscal Year 2021-22 for all Landscaping and Lighting Assessment Districts (Exhibit A) and all Street Maintenance Benefit Assessment Areas (Exhibit B) in the City of Turlock and directing the City Engineer to act as the Engineer of Work and produce an Engineer's Report which details the annual costs to each lot of each development
- F. Motion: Approving Amendment No. 2 to an Agreement with Stott Outdoor Advertising of Chino, California, increasing the term of the Agreement by five (5) months through December 31, 2021, and updating contract administrator information
- G.
 - 1. Motion: Authorizing the City Manager to terminate a University Pass Transit Funding Agreement with Associated Students, Inc. (ASI) of California State University, Stanislaus (CSUS) in recognition of major reductions to student ridership demand associated with pandemic-related campus closures and unknown, long-term plans for transition back to on-campus learning and operations
 - 2. Motion: Authorizing the City Manager, or his or her designee, to continue discussions with representatives from California State University, Stanislaus (CSUS), Associated Students, Inc. (ASI) of California State University, Stanislaus, and regional transportation partners to identify a solution for the CSUS campus that encourages increased use of transit and non-motorized transportation
- H. Resolution: Approving Transportation Development Act (TDA) transit claims for Local Transportation Funds (LTF) funding and State Transit Assistance (STA) funding with the Stanislaus Council of Governments (StanCOG) associated with the Roger K. Fall Transit Center, the Turlock-Denair Amtrak Station, and Turlock Transit services for Fiscal Year 2021-22, and authorizing the City Manager to sign and submit the subject claims
- I. Motion: Approving Amendment No.1 to City Contract No. 2021-41 in the amount of \$800,000 with Bureau Veritas North America Inc. bringing the contract total to \$1,000,000 for building inspection services
- J. Motion: Approving Amendment No. 1 to a Professional Services Agreement between the City of Turlock and Cooperative Personnel Services dba CPS HR Consulting for

- temporary professional human resource services, to increase the contract amount by \$30,000 for a total amount not to exceed \$95,000 through June 30, 2021
- K. Resolution: Authorizing the continued engagement of the law firm of Atkinson, Andelson, Loya, Ruud & Romo to provide labor negotiation and labor/employment law services to the City of Turlock pursuant to an updated Attorney Representation Agreement effective July 1, 2021 through June 30, 2022, and appropriating \$135,000 to account number 110-10-109.43010 "Contract Attorney" from Fund 110 "General Fund" unassigned reserves for anticipated fees through June 30, 2021
 - L. Resolution: Approving modifications to the job description for the position of Financial Customer Services Supervisor, effective May 25, 2021
 - M. Resolution: Approving the payment of funds related to monies received from the contractual arrangement between Mountain-Valley EMS Agency ("MVEMSA") and the County of Stanislaus emergency medical services ("EMS") transportation provider to Turlock Firefighters, Local #2434 pursuant to the Settlement Agreement resolving Unfair Practice Charge No. SA-CE-1114-M from Account Number 110-30-300.47557 "EMS Contract Expense"
 - N.
 - 1. Resolution: Authorizing the examination of the Bradley-Burns Local Sales or Transactions and Use Tax records
 - 2. Motion: Approving the Amendment and Novation Agreement to Contract between Municipal Resource Consultants and MuniServices, LLC and City of Turlock for sales tax audit services to include examination of the Local Sales or Transactions and Use Tax records pertaining to the Bradley-Burns Local Sales and Use Tax Law which is part of the Revenue and Taxation Code in California
 - O.
 - 1. Resolution: Authorizing the examination of the Measure A Local Transactions (Sales) and Use Tax records
 - 2. Motion: Approving Amendment No. 1 to an Agreement with MuniServices LLC for sales tax audit services to include examination of the Local Transactions (Sales) and Use Tax records pertaining to Measure A
 - P.
 - 1. Motion: Approving Contract Change Order No. 1 in the amount of \$142,369.80 (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 \$284,739.65
 - 2. Resolution: Appropriating \$71,185 to account number 410-51-531.43145 "Pave Trenches" from Fund 410 "Water Quality Control (WQC)" unassigned reserves and \$71,185 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"
 - Q. Resolution: Reducing the appropriation originally approved on February 23, 2021 by Resolution No. 2021-031 by \$74,169 from 110-20-210.38001_325 "Transfers In from CARES Act Funds" back to unassigned balance of CARES Act Fund 110-10-189 for funding not utilized for the two (2) School Resource Officer salaries due to the reopening of secondary schools and School Resource Officers being reassigned to high schools

7. **FINAL READINGS:**

- A. **Recommended Action:**
 - Ordinance: Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2020-01 Planned Development 279 (Fifth Street Community)] (*Quintero*)
 - Resolution: Establishing Conditions of Approval for Planned Development 279 (Fifth Street Community) (*Quintero*)

8. PUBLIC HEARINGS:

- A. Request to Rescind Resolution No. 2016-129 and adopt a new Resolution updating the 2020 Urban Water Management Plan and Water Shortage Contingency Plan for the City of Turlock (*Brown*)

Recommended Action:

Resolution: Rescinding Resolution No. 2016-129 and adopting a new Resolution updating the 2020 Urban Water Management Plan and Water Shortage Contingency Plan for the City of Turlock

- B. Request to Amend the Turlock Municipal Code Title 6, Chapter 7, regarding water conservation and education in accordance with Department of Water Resources' (DWR) new requirements for urban water suppliers to adopt within the Water Shortage Contingency Plan (WSCP) (*Brown*)

Recommended Action:

Ordinance: Amending the Turlock Municipal Code Title 6, Chapter 7, regarding water conservation and education in accordance with Department of Water Resources' (DWR) new requirements for urban water suppliers to adopt within the Water Shortage Contingency Plan (WSCP)

9. ACTION ITEMS:

- A. Request to Authorize the sole source specification of various equipment and sole source procurement of pumps, pump motors, and variable frequency drives identified in the included tables necessary for construction of City Project No. 18-69 "Surface Water Distribution System Improvements" without compliance to formal bidding procedures pursuant to Turlock Municipal Code Sections 2-7-08(b)(2) and 2-7-08(b)(6) AND Approve the advertisement for construction bids for City Project No. 18-69 "Surface Water Distribution System Improvements" (*Fremming*)

Recommended Action:

Resolution: Authorizing the sole source specification of various equipment and sole source procurement of pumps, pump motors, and variable frequency drives identified in the included tables necessary for construction of City Project No. 18-69 "Surface Water Distribution System Improvements" without compliance to formal bidding procedures pursuant to Turlock Municipal Code Sections 2-7-08(b)(2) and 2-7-08(b)(6)

Motion: Approving the advertisement for construction bids for City Project No. 18-69 "Surface Water Distribution System Improvements"

- B. Request to Approve a new job description for the position of Program Manager, effective July 1, 2021 AND Authorize the hiring of one (1) Program Manager in the Development Services Department – Engineering Division and authorizing the City Manager to offer hiring incentives based on qualifications not to exceed 40 hours of sick leave, 80 hours of vacation, and \$6,000 to be distributed 50% on the date of hire and 50% on completion of probation (*Bray*)

Recommended Action:

Resolution: Approving a new job description for the position of Program Manager, effective July 1, 2021

Resolution: Authorizing the hiring of one (1) Program Manager in the Development Services Department – Engineering Division and authorizing the City Manager to offer hiring incentives based on qualifications not to exceed 40 hours of sick leave, 80 hours of vacation, and \$6,000 to be distributed 50% on the date of hire and 50% on completion of probation

- C. Request to Approve an Agreement with Community Housing and Shelter Services (CHSS), a non-profit organization, to administer a rent, mortgage, and utility assistance program to eligible households as prescribed in Attachment A and authorize the City Manager to execute all necessary documents (*Ramos*)

Recommended Action:

Motion: Approving an Agreement with Community Housing and Shelter Services (CHSS), a non-profit organization, to administer a rent, mortgage, and utility assistance program to eligible households as prescribed in Attachment A and authorizing the City Manager to execute all necessary documents

- D. Request to seek direction from Council relative to funding priorities and possible changes to the proposed activities contained in the approved 2021-2022 Annual Action Plan that could either be included in the existing proposed activities or constitute a substantial amendment Annual Action Plan (*Ramos*)

Recommended Action:

Motion: Seeking direction from Council relative to funding priorities and possible changes to the proposed activities contained in the approved 2021-2022 Annual Action Plan that could either be included in the existing proposed activities or constitute a substantial amendment

- E. Request to Provide direction to staff regarding the review, interview and/or selection processes for the Measure A Citizens Oversight Committee (*Hampton/Land*)

Recommended Action:

OPTION 1:

Motion: Calling a special meeting to review the applications received for the Measure A Citizens Oversight Committee, interview all applicants, and appoint members to serve on the Committee

OPTION 2:

Motion: Appointing a subcommittee comprised of two (2) members of Council to review the applications received for the Measure A Citizens Oversight Committee, provide a list of top-ranking applicants to be considered or interviewed by the City Council for appointment at a special meeting

OPTION 3:

Motion: Appointing a subcommittee comprised of two (2) members of City staff overseen by the Mayor to review the applications received for the Measure A Citizens Oversight Committee to identify and recommend for appointment the two (2) applicants with the greatest financial background and conduct a random draw of the remaining applicants for appointment by Council

OPTION 4:

Motion: Providing direction to staff regarding alternative review, interview and/or selection processes for the Measure A Citizens Oversight Committee

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. Administrative Services
 - 1. Monthly Budget Update (*Hampton/Silva*)
 - 2. Unsheltered Homeless and Encampments Crisis Update (*Hampton/Williams*)
- B. Fire Department
 - 1. Public Safety Briefing (*Carlson*)
- C. Municipal Services
 - 1. Monthly Departmental Update (*Brown*)
- D. Police Department
 - 1. Public Safety Briefing (*Williams*)

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Requests for Council items for future consideration will be scheduled in accordance with Resolution No. 2008-019.

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 – 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 Case: (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: Human Resources Manager Sarah Eddy

Employee Organization: Turlock Associated Police Officers

Employee Organization: Turlock City Employees Association

Employee Organization: Turlock Firefighters Association-Local 2434

Employee Organization: Turlock Management Association-Public Safety

Unrepresented Employees: Accountant, Sr., Administrative Analyst, Administrative Services Director, Assistant to the City Manager for Economic Development/Community Housing, Chief Building Official, City Clerk, Community Housing Program Supervisor, Deputy Director Development Services/Planning, Development Services Director, Development Services Supervisor/City Surveyor, Executive Administrative Assistant/Deputy City Clerk, Executive Administrative Assistant/Municipal Services, Executive Administrative Assistant/Public Safety, Fire Chief, Human Resources Analyst, Sr., Human Resources Manager, Human Resources Technician, Information Technology Manager, Legal Assistant, Municipal Services Deputy Director, Municipal Services Director, Office Assistant I, Parks, Recreation and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Payroll Coordinator, Police Business Unit Supervisor, Police Chief, Principal Civil Engineer, Regulatory Affairs Manager, Transit Manager, Utilities Manager, and Water Quality Control Division Manager.

C. Public Employee Discipline/Dismissal/Release, Cal. Gov't Code §54957(b)(1)

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: Inderjit & Harinder Toor

Agency Claimed Against: City of Turlock

E. 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: (1 case)

14. REPORTS FROM CLOSED SESSION

15. ADJOURNMENT

IN HONOR OF
THE RETIREMENT OF
SCOTT MEDEIROS

DECEMBER 1, 1989 – JUNE 1, 2021

WHEREAS, Scott Medeiros has been employed by the City of Turlock since December 1, 1989, serving both in the Engineering and Transit Divisions during his tenure; and

WHEREAS, he has been instrumental in the design, deployment, and completion of many transportation projects in Turlock that improved the safety and accessibility of public facilities for the community; and

WHEREAS, Scott played an integral role in the initial operation of the City’s first fixed route bus service, as well as its growth and development through the years; and

WHEREAS, following an increase in transit demand Scott became the City’s first official Transit Planner, a role he holds today, working with the public and the City’s transit operator to develop routes, schedules, and services that leverage transit resources to best meet the needs of the community; and

WHEREAS, Scott will retire from his position as Transit Planner effective June 1, 2021, after more than 31 years of faithful service to the City of Turlock, leaving behind a legacy of friendly customer service and unmatched devotion to improving transportation for the community, particularly for transit-dependent members; and

WHEREAS, the City Council, by this recognition, wishes to express its great appreciation to Scott Medeiros for his meritorious service, loyalty, and dedication to the City of Turlock.

NOW, THEREFORE, I, AMY BUBLAK, by virtue of the authority vested in me as Mayor of the City of Turlock and on behalf of the entire City Council and all our citizens, do hereby commend **Transit Planner Scott Medeiros** for his many years of valuable service and express our sincere thanks on behalf of the City of Turlock.

IN WITNESS WHEREOF, I, AMY BUBLAK, Mayor of Turlock, have hereunto set my hand and caused the Seal of the City of Turlock to be affixed this 25th day of May, 2021.

AMY BUBLAK, MAYOR
City of Turlock, County of Stanislaus,
State of California

6A

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF ACCEPTING }
WEEKLY DEMANDS OF 4/29/21 IN THE }
AMOUNT OF \$1,740,701.05; }
WEEKLY DEMANDS OF 5/6/21 IN THE }
AMOUNT OF \$4,868,379.87 }
_____ }

RESOLUTION NO. 2021-

WHEREAS, the City has received demands for ratification and approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Turlock does hereby accept Demands as follows:

Demands of:	In the Amount of:
4/29/21	\$1,740,701.05
5/6/21	\$4,868,379.87

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

Payment Register

From Payment Date: 4/23/2021 - To Payment Date: 4/29/2021

GAI

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
129568	04/27/2021	Open			Utility Management Refund	DEOL, HARMINDER	\$156.65		
			Account Number	Description	Transaction Date	Transaction Type	Amount		
			612766-002	MOVE-OUT CREDIT	04/27/2021	Refund	\$156.65		
				Cash Account					
				420 - WATER					
129569	04/27/2021	Open			Utility Management Refund	MADRUGA, FRANK, F	\$60.83		
			Account Number	Description	Transaction Date	Transaction Type	Amount		
			237205-004	MOVE-OUT CREDIT	04/27/2021	Refund	\$60.83		
				Cash Account					
				420 - WATER					
129570	04/27/2021	Open			Utility Management Refund	MARTINEZ, CHARLES	\$187.37		
			Account Number	Description	Transaction Date	Transaction Type	Amount		
			111627-006	MOVE-OUT CREDIT	04/27/2021	Refund	\$187.37		
				Cash Account					
				420 - WATER					
129571	04/27/2021	Open			Utility Management Refund	SAATLAU, ANTONI	\$25.29		
			Account Number	Description	Transaction Date	Transaction Type	Amount		
			219223-001	MOVE-OUT CREDIT	04/27/2021	Refund	\$25.29		
				Cash Account					
				420 - WATER					
129572	04/27/2021	Open			Utility Management Refund	SUAREZ, ELAINE	\$75.65		
			Account Number	Description	Transaction Date	Transaction Type	Amount		
			503592-003	MOVE-OUT CREDIT	04/27/2021	Refund	\$75.65		
				Cash Account					
				420 - WATER					
129573	04/29/2021	Open			Accounts Payable	38TH DISTRICT AGRICULTURAL ASSOCIATION	\$1,350.00		
			Date	Description			Amount		
			04/22/2021	Facility Rental and Trash Removal DLC			\$1,350.00		
				Cash Account					
				270 - Recreation Grants			\$1,350.00		
129574	04/29/2021	Open			Accounts Payable	AFLAC	\$4,088.24		
			Date	Description			Amount		
			04/22/2021	INDIVIDUAL APRIL 2021			\$4,088.24		
				Cash Account					
				104 - Payroll Clearing Fund			\$4,088.24		
129575	04/29/2021	Open			Accounts Payable	AFLAC GROUP INSURANCE	\$1,136.83		
			Date	Description			Amount		
			04/26/2021	GROUP APRIL 2021			\$1,136.83		
				Cash Account					

Payment Register

From Payment Date: 4/23/2021 - To Payment Date: 4/29/2021

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
129576	04/29/2021	Open		104.11000 (Cash)	Accounts Payable	AT&T / CALNET 3	\$4,818.77		
	Invoice							\$1,136.83	
	000016326453		04/26/2021		BAN #9391034842 / PSF Phones 2096323265			\$554.88	
					(3/13/21 - 4/12/21)				
	000016326599		04/26/2021		BAN #9391034901 (T1 LINE - 4-way split)			\$166.16	
	MUL TI-4/29/21		04/26/2021		Multiple COT Accounts Paid on 04/29/2021 (MAR - APR 2021)			\$3,335.42	
	000016326457		04/29/2021		BAN #9391034847 /City-wide system 2096682612957			\$762.31	
					(3/13- 4/12/21)				
	Paying Fund				Cash Account			Amount	
	110 - General Fund				110.11000 (Cash)			\$3,889.98	
	205 - Sports Facilities				205.11000 (Cash)			\$39.96	
	217 - Streets - Gas Tax				217.11000 (Cash)			\$4.68	
	246 - Landscape Assessment				246.11000 (Cash)			\$4.68	
	255 - CDBG				255.11000 (Cash)			\$23.71	
	405 - Building				405.11000 (Cash)			\$64.08	
	410 - WATER QUALITY CONTROL (WQC)				410.11000 (Cash)			\$189.61	
	420 - WATER				420.11000 (Cash)			\$130.15	
	426 - Transit				426.11000 (Cash)			\$223.09	
	501 - Information Technology				501.11000 (Cash)			\$166.70	
	502 - Engineering				502.11000 (Cash)			\$48.52	
	505 - Fleet				505.11000 (Cash)			\$33.61	
129577	04/29/2021	Open			Accounts Payable	AVI Systems, Inc	\$11,631.69		
	Invoice							Amount	
	88728557		04/26/2021		AVI SCREEN FOR HOUSING			\$11,631.69	
	Paying Fund				Cash Account			Amount	
	255 - CDBG				255.11000 (Cash)			\$11,631.69	
129578	04/29/2021	Open			Accounts Payable	BSK & ASSOCIATES	\$5,488.50		
	Invoice							Amount	
	0094386		04/20/2021		SR01, 20-009 Well 38 Arsenic Mitigation & ICF Treatment 3/31/21			\$5,488.50	
	Paying Fund				Cash Account			Amount	
	420 - WATER				420.11000 (Cash)			\$5,488.50	
129579	04/29/2021	Open			Accounts Payable	CHAMPION INDUSTRIAL	\$1,062.71		
	Invoice							Amount	
	67731		04/26/2021		PSF - REPLACE CLOSED LOOP FILL VALVE ON BOILER			\$698.71	
	67828		04/26/2021		Preventative Maintenance & Filter Change-out - MAR 2021			\$364.00	
	Paying Fund				Cash Account			Amount	
	110 - General Fund				110.11000 (Cash)			\$698.71	
	410 - WATER QUALITY CONTROL (WQC)				410.11000 (Cash)			\$79.00	
	501 - Information Technology				501.11000 (Cash)			\$285.00	
129580	04/29/2021	Open			Accounts Payable	CHARTER COMMUNICATIONS	\$234.98		
	Invoice							Amount	
	0703380041621		04/26/2021		8203 13 001 0703380 / IT Internet			\$70.00	
	0465535042221		04/26/2021		8203 13 001 0465535 / Admin Internet			\$84.98	

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	0071896042321		04/26/2021	8203 13 005 0071896 / IT Internet					
	Paying Fund			Cash Account					
	110 - General Fund			110.11000 (Cash)				\$80.00	
	501 - Information Technology			501.11000 (Cash)				\$84.98	
129581	04/29/2021	Open			Accounts Payable	CITY OF TURLOCK - CASH	\$211.00		
	Invoice			Description					
	4-23-21 REPLIN		04/23/2021	FIN AR-REPLENISH PETTY CASH-4-23-21				\$211.00	
	Paying Fund			Cash Account					
	110 - General Fund			110.11000 (Cash)				\$191.00	
	502 - Engineering			502.11000 (Cash)				\$20.00	
129582	04/29/2021	Open			Accounts Payable	CLARK PEST CONTROL OF STOCKTON, INC	\$3,180.00		
	Invoice			Description					
	MP-2-21		04/26/2021	MONTHLY PEST CONTROL SERVICES FEB 2021				\$1,590.00	
	MP-3-21		04/26/2021	MONTHLY PEST CONTROL SERVICES MAR 2021				\$1,590.00	
	Paying Fund			Cash Account					
	110 - General Fund			110.11000 (Cash)				\$700.00	
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)				\$560.00	
	420 - WATER			420.11000 (Cash)				\$1,510.00	
	426 - Transit			426.11000 (Cash)				\$120.00	
	505 - Fleet			505.11000 (Cash)				\$290.00	
129583	04/29/2021	Open			Accounts Payable	CLARK PEST CONTROL OF STOCKTON, INC	\$3,820.00		
	Invoice			Description					
	28265062		04/21/2021	CLARK - Weekly Cleaning Service of Distance Learning Camp				\$420.00	
	28264323		04/21/2021	CLARK - Weekly Cleaning Service of Distance Learning Camp				\$680.00	
	28264368		04/21/2021	CLARK - Weekly Cleaning Service of Distance Learning Camp				\$680.00	
	28265036		04/21/2021	CLARK - Weekly Cleaning Service of Distance Learning Camp				\$680.00	
	28265052		04/21/2021	CLARK - Weekly Cleaning Service of Distance Learning Camp				\$680.00	
	28264400		04/23/2021	CLARK - Weekly Cleaning Service of Distance Learning Camp				\$680.00	
	Paying Fund			Cash Account					
	270 - Recreation Grants			270.11000 (Cash)				\$3,820.00	
129584	04/29/2021	Open			Accounts Payable	COLE-PARMER INSTRUMENT COMPANY LLC	\$202.21		
	Invoice			Description					
	2571400		04/21/2021	NIST CERTIFICATE TIC SYSTEM				\$202.21	
	Paying Fund			Cash Account					
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)				\$202.21	
129585	04/29/2021	Open			Accounts Payable	CONDOR EARTH TECH INC	\$13,645.50		
	Invoice			Description					
	84533		04/21/2021	Environmental Compliance Assistance (Ongoing) 2/24/21-3/23/21				\$13,645.50	
	Paying Fund			Cash Account					

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129586	04/29/2021	Open	410 - WATER QUALITY CONTROL (WQC)	410.11000 (Cash)	CRIMETEK SECURITY, INC.	\$4,062.96	\$13,645.50	
	Invoice			Description	Amount			
	63286		04/20/2021	CH Security 4/12/2021-4/16/2021 and Meeting	\$797.04			
	63287		04/22/2021	Unarmed Security Services for Transit Center 4/12/21-4/18/21	\$3,265.92			
	Paying Fund			Cash Account	Amount			
	110 - General Fund			110.11000 (Cash)	\$797.04			
	426 - Transit			426.11000 (Cash)	\$3,265.92			
129587	04/29/2021	Open			DELL MARKETING LP	\$9,787.57		
	Invoice			Description	Amount			
	10479619049		04/26/2021	ADDITIONAL POLICE MOBILES - VEHICLE DOCK LAPTOPS	\$8,817.90			
	10479512791		04/26/2021	DELL PRO SLIM BACKPACK 15	\$32.14			
	10479592064		04/26/2021	FINANCE LAPTOP-LATITUDE 3510	\$937.53			
	Paying Fund			Cash Account	Amount			
	110 - General Fund			110.11000 (Cash)	\$969.67			
	242 - Computer Replacement			242.11000 (Cash)	\$8,817.90			
129588	04/29/2021	Open			DEPT RESOURCE RECYCLING & RECOVERY	\$518.31		
	Invoice			Description	Amount			
	0000001357694		04/21/2021	Unspent Funds for CAPP FY 17/18	\$518.31			
	Paying Fund			Cash Account	Amount			
	204 - AB 939 Integrated Waste Mgmt			204.11000 (Cash)	\$518.31			
129589	04/29/2021	Open			DOWNTOWN FORD SALES INC	\$47,235.54		
	Invoice			Description	Amount			
	318144		04/22/2021	Purchase of vehicle -2021 Ford Explorer.	\$47,235.54			
	Paying Fund			Cash Account	Amount			
	255 - CDBG			255.11000 (Cash)	\$47,235.54			
129590	04/29/2021	Open			EDGES ELECTRICAL GROUP LLC	\$960.17		
	Invoice			Description	Amount			
	\$5211856.001		04/21/2021	NEW LIGHTS FOR PEDRETTI PARK IN SIGNS AND PLANTER	\$424.31			
	\$5210934.001		04/21/2021	WQC SUPPLIES MATERIALS FOR INVENTORY AND RESTOCK	\$494.15			
	\$5214926.001		04/21/2021	WQC SUPPLIES MATERIALS FOR INVENTORY AND RESTOCK	\$8.79			
	\$5219499.001		04/21/2021	WQC SUPPLIES SMALL INDICATOR LAMPS FOR THE FILTER DISPLAY PANELS	\$32.92			
	Paying Fund			Cash Account	Amount			
	205 - Sports Facilities			205.11000 (Cash)	\$424.31			
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)	\$535.86			
129591	04/29/2021	Open			FAST TRACK CAR WASH, MADRUGA BROS ENT INC	\$381.50		
	Invoice			Description	Amount			
	27248		04/29/2021	CAR WASH SERVICES - MAR 2021	\$381.50			
	Paying Fund			Cash Account	Amount			

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	110 - General Fund			110.11000 (Cash)				\$346.50	
	405 - Building			405.11000 (Cash)				\$3.50	
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)				\$21.00	
	420 - WATER			420.11000 (Cash)				\$3.50	
	426 - Transit			426.11000 (Cash)				\$3.50	
	502 - Engineering			502.11000 (Cash)				\$3.50	
129592	04/29/2021	Open			Accounts Payable	FASTENAL COMPANY INC	\$878.15		
	Invoice		Date	Description			Amount		
	CATUR171605		04/21/2021	PARTS FOR PARTS ROOM AT WQC SHOP			\$347.70		
	CATUR171096		04/21/2021	SUPPLIES			\$530.45		
	Paying Fund			Cash Account			Amount		
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)			\$878.15		
129593	04/29/2021	Open			Accounts Payable	FEDERAL EXPRESS	\$59.27		
	Invoice		Date	Description			Amount		
	7-349-49526		04/26/2021	SHIPPING CHARGES - 4/23/21			\$59.27		
	Paying Fund			Cash Account			Amount		
	110 - General Fund			110.11000 (Cash)			\$59.27		
129594	04/29/2021	Open			Accounts Payable	FISHER SCIENTIFIC PRO INC	\$123.19		
	Invoice		Date	Description			Amount		
	9848539		04/21/2021	LAB SUPPLIES			\$123.19		
	Paying Fund			Cash Account			Amount		
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)			\$123.19		
129595	04/29/2021	Open			Accounts Payable	GOMES & SONS INC, JOE M	\$20,441.73		
	Invoice		Date	Description			Amount		
	41818		04/26/2021	CUST #24090 - Fuel Expense for 4/1/21 - 4/15/21			\$20,441.73		
	Paying Fund			Cash Account			Amount		
	110 - General Fund			110.11000 (Cash)			\$10,387.85		
	205 - Sports Facilities			205.11000 (Cash)			\$208.16		
	217 - Streets - Gas Tax			217.11000 (Cash)			\$1,765.43		
	246 - Landscape Assessment			246.11000 (Cash)			\$908.89		
	405 - Building			405.11000 (Cash)			\$179.71		
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)			\$1,984.87		
	420 - WATER			420.11000 (Cash)			\$2,571.09		
	425 - Transit - Dial-A-Ride			425.11000 (Cash)			\$588.15		
	426 - Transit			426.11000 (Cash)			\$1,617.22		
	502 - Engineering			502.11000 (Cash)			\$127.82		
	505 - Fleet			505.11000 (Cash)			\$102.54		
129596	04/29/2021	Open			Accounts Payable	HCI SYSTEMS INC	\$3,950.00		
	Invoice		Date	Description			Amount		
	186490		04/26/2021	PSF - SEMI ANNUAL SUPPRESSION INSPECTION			\$350.00		
	184200		04/26/2021	SENIOR CENTER - SEMI ANNUAL HOOD INSPECTION			\$277.00		
	186489		04/26/2021	CITY HALL SEMI-ANNUAL SUPPRESSION INSPECTION			\$350.00		
	186174		04/26/2021	POLICE-FIRE TRAINING BLDG /REQUIRED FIRE SYS. SPRINKLER REPAIRS			\$2,973.00		
	Paying Fund			Cash Account			Amount		
	110 - General Fund			110.11000 (Cash)			\$3,600.00		

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129597	04/29/2021	Open		501.11000 (Cash)	Accounts Payable	Helton Law Group	\$14,000.00		
	Invoice								\$350.00
	30-2020-01151364		04/20/2021	Settlement Agreement					\$14,000.00
	Paying Fund			Cash Account					\$14,000.00
	511 - Health Care			511.11000 (Cash)					\$14,000.00
129598	04/29/2021	Open			Accounts Payable	HORIZON WATER & ENVIR LLC	\$6,720.28		
	Invoice								\$6,720.28
	5161		04/20/2021	18-69 Surface Water Dist. System Improvements -srvs thru 3/31/21					\$6,720.28
	Paying Fund			Cash Account					\$6,720.28
	420 - WATER			420.11000 (Cash)					\$6,720.28
129599	04/29/2021	Open			Accounts Payable	J A MOMANEY SERVICES INC	\$1,613.08		
	Invoice								\$1,613.08
	143425		04/21/2021	LED TOP FOR BLAK HADCO POLES					\$1,613.08
	Paying Fund			Cash Account					\$1,613.08
	246 - Landscape Assessment			246.11000 (Cash)					\$1,613.08
129600	04/29/2021	Open			Accounts Payable	JCS PROPERTIES LLC	\$1,634.76		
	Invoice								\$1,634.76
	MAY 2021 - SUN		04/20/2021	JCS -MOBILE HOME RENT SUBSIDY PROGRAM					\$1,634.76
	Paying Fund			Cash Account					\$1,634.76
	625 - Successor Agency - LMI			625.11000 (Cash)					\$1,634.76
129601	04/29/2021	Open			Accounts Payable	JORGENSEN & CO INC	\$351.61		
	Invoice								\$351.61
	5929729		04/26/2021	FIRE EXTINGUISHER ANNUAL MAINTENANCE (3) - R. BOESCH CENTER					\$63.58
	5935058		04/26/2021	PARKS, REC, & PF - (3) FIRE EXTINGUISHER ANNUAL MAINT					\$18.00
	5935060		04/26/2021	COLUMBIA CENTER-ANNUAL FIRE EXT. MAINT. & (4) NEW EXTINGUISHERS					\$212.18
	5936008		04/26/2021	SENIOR CENTER - ANNUAL FIRE EXT. MAINT. (1) NEW EXT. (2)					\$57.85
	Paying Fund			Cash Account					\$57.85
	110 - General Fund			110.11000 (Cash)					\$351.61
129602	04/29/2021	Open			Accounts Payable	LEHIGH HANSON INC	\$235.04		
	Invoice								\$235.04
	2232632		04/21/2021	LEHIGH - ASPHALT FOR STREETS					\$155.82
	2233569		04/21/2021	LEHIGH - ASPHALT FOR STREETS					\$79.22
	Paying Fund			Cash Account					\$235.04
	219 - SB1 Road Maint & Rehab Account			219.11000 (Cash)					\$235.04
129603	04/29/2021	Open			Accounts Payable	MAZE & ASSOCIATES	\$8,617.50		
	Invoice								\$8,617.50
	40423		04/26/2021	SINGLE AUDIT ACT REPORT - FYE 6-30-20					\$8,617.50
	Paying Fund			Cash Account					\$8,617.50
	216 - Streets - Local Transportation			216.11000 (Cash)					\$2,154.38
	255 - CDBG			255.11000 (Cash)					\$2,154.38
	425 - Transit - Dial-A-Ride			425.11000 (Cash)					\$2,154.37

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129604	4/29/2021	Open		426.11000 (Cash)	Accounts Payable	MCMaster-CARR SUPPLY COMPANY	\$870.01	\$870.01	\$2,154.37
	Invoice								
	56002139		04/21/2021						
	Paying Fund								
	410 - WATER QUALITY CONTROL (WQC)								
	04/29/2021	Open							
	Invoice								
	CA82-947056		04/21/2021						
	Paying Fund								
	410 - WATER QUALITY CONTROL (WQC)								
	04/29/2021	Open							
	Invoice								
	0004204577-001		04/21/2021						
	Paying Fund								
	205 - Sports Facilities								
	04/29/2021	Open							
	Invoice								
	3613010		04/20/2021						
	Paying Fund								
	215 - Streets - Grant Funded Projects								
	04/29/2021	Open							
	Invoice								
	21786		04/20/2021						
	Paying Fund								
	110 - General Fund								
	04/29/2021	Open							
	Invoice								
	1L29227		04/21/2021						
	Paying Fund								
	410 - WATER QUALITY CONTROL (WQC)								
	04/29/2021	Open							
	Invoice								
	1L20976		04/21/2021						
	Paying Fund								
	410 - WATER QUALITY CONTROL (WQC)								
	04/29/2021	Open							
	Invoice								
	Draw3 FY20-2021		04/26/2021						
	Paying Fund								
	255 - CDBG								
	04/29/2021	Open							
	Invoice								
	255.11000 (Cash)								

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129611	04/29/2021	Open			Accounts Payable	RAY MORGAN COMPANY	\$3,141.33	\$3,141.33	
	Invoice								
	3296064		04/26/2021		Printer Usage & Maintenance for 03/12/21 - 04/11/21		\$3,141.33		
	Paying Fund				Cash Account		\$2,657.57		
	110 - General Fund				110.11000 (Cash)		\$11.52		
	255 - CDBG				255.11000 (Cash)		\$39.36		
	405 - Building				405.11000 (Cash)		\$162.35		
	410 - WATER QUALITY CONTROL (WQC)				410.11000 (Cash)		\$78.86		
	420 - WATER				420.11000 (Cash)		\$2.81		
	501 - Information Technology				501.11000 (Cash)		\$188.86		
	502 - Engineering				502.11000 (Cash)				
129612	04/29/2021	Open			Accounts Payable	REED INC, GEORGE	\$872.20	\$872.20	
	Invoice								
	100234822		04/21/2021		GEORGE REED - ASPHALT		\$183.57		
	100234332		04/21/2021		GEORGE REED - ASPHALT		\$88.92		
	100235237		04/21/2021		GEORGE REED - ASPHALT		\$430.88		
	100235085		04/21/2021		GEORGE REED - ASPHALT		\$168.83		
	Paying Fund				Cash Account		\$872.20		
	219 - SB1 Road Maint & Rehab Account				219.11000 (Cash)				
129613	04/29/2021	Open			Accounts Payable	RINCON CONSULTANTS, INC.	\$4,347.50	\$4,347.50	
	Invoice								
	28274		04/21/2021		PROJECT HORNET-1/1-1/31/21		\$3,981.25		
	28797		04/21/2021		PROJECT HORNET-2/1-2/28/21		\$366.25		
	Paying Fund				Cash Account		\$4,347.50		
	110 - General Fund				110.11000 (Cash)				
129614	04/29/2021	Open			Accounts Payable	ROMEO MEDICAL CLINIC	\$2,195.06	\$2,195.06	
	Invoice								
	3133-03312021		04/20/2021		Work Wellness DOT UDS AND MRO Drug confirmation		\$69.00		
	136602-03082021		04/20/2021		Work Wellness DOT, Breath Alcohol		\$73.00		
	6128-03082021		04/20/2021		Work Wellness USD, Breath Alcohol Test, Basic Physical		\$141.00		
	136499-03082021		04/20/2021		Basic Physical, Work Wellness UDS, Breath Alcohol		\$141.00		
	41748-03312021		04/20/2021		Work Wellness Dot, MRO Drug Confirmation		\$69.00		
	6103-03312021		04/20/2021		Work Wellness, MRO		\$69.00		
	39087-03042021		04/20/2021		Hepatitis B and Hep B#2		\$70.53		
	98008-03312021		04/20/2021		Work Wellness Dot, MRO, Breath Alcohol		\$95.00		
	95878-03152021		04/20/2021		DMV Physical Exam		\$99.00		
	4755-03312021		04/20/2021		Work Wellness Dot, MRO		\$69.00		
	136987-03242021		04/20/2021		Work Wellness USD, PPD Skin Test , Audmometry, Basic Physical		\$179.00		
	136356-03042021		04/20/2021		Breath Alcohol Test, Basic Physical, Work Wellness DOT, MRO		\$163.00		
	136819-03172021		04/20/2021		Work Wellness UBS, PPD Skin Test, Basic Physical Exam, Audiometr		\$179.00		
	83480-03042021		04/20/2021		Basic Physical exam, Breath Alcohol Test, Work Wellness Dot, MRO		\$163.00		
	136357-03042021		04/20/2021		Work Wellness DOT , MRO, Breath Alcohol, Basic Physical		\$163.00		

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	116700-03182021		04/20/2021		Work Wellness UDS, Basic Physical Exam			\$115.00	
	116700-03312021		04/20/2021		Breath Alcohol Test			\$26.00	
	111770-03042021		04/20/2021		Hepatitis B Vaccine			\$70.53	
	1165-03092021		04/20/2021		DMV Physical Exam			\$99.00	
	1165-03312021		04/20/2021		Breath Alcohol			\$26.00	
	6126-03312021		04/20/2021		Work Wellness DOT, mRO			\$69.00	
	137076-03262021		04/20/2021		Work Wellness USD			\$47.00	
	Paying Fund				Cash Account			Amount	
	110 - General Fund				110.11000 (Cash)			\$778.00	
	205 - Sports Facilities				205.11000 (Cash)			\$125.00	
	217 - Streets - Gas Tax				217.11000 (Cash)			\$326.00	
	246 - Landscape Assessment				246.11000 (Cash)			\$210.00	
	410 - WATER QUALITY CONTROL (WQC)				410.11000 (Cash)			\$523.06	
	420 - WATER				420.11000 (Cash)			\$138.00	
	505 - Fleet				505.11000 (Cash)			\$95.00	
129615	04/29/2021	Open			Accounts Payable	SAN JOAQUIN VALLEY	\$1,867.00		
	Invoice		Date	Description			Amount		
	N145073		04/22/2021	20/21 ANNUAL AIR TOXIC ASSESSMENT			\$1,867.00		
	Paying Fund			Cash Account			Amount		
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)			\$1,867.00		
129616	04/29/2021	Open			Accounts Payable	SINCLAIR GENERAL ENGINEERING CONSTRUCTION INC	\$184,676.20		
	Invoice		Date	Description			Amount		
	PP2/CP1759		04/20/2021	17-59 Pedestrian Intersection Imp 12/1/20 - 12/31/20 (Final)			\$45,508.80		
	PP4/CP1656		04/20/2021	16-56 Intersection Improvements at Lander and F St 2/1-3/31/21			\$139,167.40		
	Paying Fund			Cash Account			Amount		
	215 - Streets - Grant Funded Projects			215.11000 (Cash)			\$184,676.20		
129617	04/29/2021	Open			Accounts Payable	SPRINT	\$2,074.05		
	Invoice		Date	Description			Amount		
	637094318-232		04/26/2021	SPRINT (3/8/21 - 4/7/21)			\$2,074.05		
	Paying Fund			Cash Account			Amount		
	110 - General Fund			110.11000 (Cash)			\$645.04		
	120 - Tourism			120.11000 (Cash)			\$45.74		
	205 - Sports Facilities			205.11000 (Cash)			\$114.38		
	217 - Streets - Gas Tax			217.11000 (Cash)			\$287.42		
	246 - Landscape Assessment			246.11000 (Cash)			\$47.19		
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)			\$453.34		
	420 - WATER			420.11000 (Cash)			\$400.00		
	505 - Fleet			505.11000 (Cash)			\$80.94		
129618	04/29/2021	Open			Accounts Payable	ST FRANCIS ELECTRIC INC	\$6,927.33		
	Invoice		Date	Description			Amount		
	17746117		04/21/2021	MARCH RESPONSE			\$1,172.97		
	17746116		04/21/2021	MARCH ROUTINE			\$5,754.36		
	Paying Fund			Cash Account			Amount		
	216 - Streets - Local Transportation			216.11000 (Cash)			\$6,927.33		

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Payee Name	Transaction Amount	Reconciled Amount	Difference
129619	04/29/2021	Open			STATE WATER RESOURCES CONTROL BOARD	\$264,980.64		
	Invoice			Description		Amount		
	D1701050-550-0		04/26/2021	PAYMENT ON PROJECT #C-06-8237-110 (Pmnt #1)		\$132,597.89		
	D1701050-5500		04/29/2021	PAYMENT ON PROJECT #C-06-8237-110 (Pmnt #2)		\$132,382.75		
	Paying Fund			Cash Account		Amount		
	416 - Recycled Water Sales			416.11000 (Cash)		\$264,980.64		
129620	04/29/2021	Open			Accounts Payable T I D	\$294,274.40		
	Invoice			Description		Amount		
	083201 - APR 21		04/22/2021	TID STATEMENT - APR 2021 ACC#0832010000		\$9,734.82		
	183201 - APR 21		04/22/2021	TID STATEMENT - APR 2021 ACC#1832010000		\$6,288.81		
	283201 - APR 21		04/22/2021	TID STATEMENT - APR 2021 ACC#2832010000		\$4,289.38		
	383201 - APR 21		04/22/2021	TID STATEMENT - APR 2021 ACC#3832010000		\$4,550.63		
	483201 - APR 21		04/22/2021	TID STATEMENT - APR 2021 ACC#4832010000		\$159,461.49		
	683201 - APR 21		04/22/2021	TID STATEMENT - APR 2021 ACC#6832010000		\$5,183.02		
	773201 - APR 21		04/22/2021	TID STATEMENT - APR 2021 ACC#7732010000		\$11,686.58		
	873201 - APR 21		04/22/2021	TID STATEMENT - APR 2021 ACC#8732010000		\$9,869.90		
	973201 - APR 21		04/22/2021	TID STATEMENT - APR 2021 ACC#9732010000		\$83,209.77		
	Paying Fund			Cash Account		Amount		
	110 - General Fund			110.11000 (Cash)		\$21,427.51		
	205 - Sports Facilities			205.11000 (Cash)		\$1,942.19		
	216 - Streets - Local Transportation			216.11000 (Cash)		\$26,039.16		
	246 - Landscape Assessment			246.11000 (Cash)		\$13,376.84		
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)		\$147,648.91		
	416 - Recycled Water Sales			416.11000 (Cash)		\$57.94		
	420 - WATER			420.11000 (Cash)		\$80,004.59		
	426 - Transit			426.11000 (Cash)		\$657.04		
	505 - Fleet			505.11000 (Cash)		\$3,120.22		
129621	04/29/2021	Open			Accounts Payable THORSEN'S-NORQUIST, INC.	\$9,525.00		
	Invoice			Description		Amount		
	1103807		04/21/2021	THORSENS - WATER HEATER FOR CITY HALL		\$9,525.00		
	Paying Fund			Cash Account		Amount		
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)		\$9,525.00		
129622	04/29/2021	Open			Accounts Payable TURLOCK CITY TOW INC	\$155.00		
	Invoice			Description		Amount		
	118425		04/26/2021	TOWING SERVICES FOR PD POL09-1290 ON 2-26-21		\$60.00		
	118467		04/26/2021	Evidence Tow for PD 3/3/21		\$30.00		
	121589		04/26/2021	TOWING SERVICE FOR PD ON 3/21/21 POL15-1140		\$35.00		
	122137		04/26/2021	TOWING SERVICE FOR PD ON 3/8/21 POL15-1140		\$30.00		
	Paying Fund			Cash Account		Amount		
	110 - General Fund			110.11000 (Cash)		\$155.00		
129623	04/29/2021	Open			Accounts Payable TURLOCK JOURNAL	\$650.64		
	Invoice			Description		Amount		
	285091		04/20/2021	Evidence and property specialist ad		\$200.32		
	285089		04/20/2021	Web Banner Ad: Evidence and property specialist I/II		\$250.00		

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
	285090		04/20/2021		Classified Display Ad Fleet maintenance Mechanic 4/3 -4/7				\$200.32
					Cash Account				Amount
					110.11000 (Cash)				\$450.32
					410.11000 (Cash)				\$200.32
129624	04/29/2021	Open			Accounts Payable	TURLOCK SCAVENGER CO INC	\$700,000.00		
					Invoice				Amount
					APR 2021 PAYMENT				\$700,000.00
					Paying Fund				Amount
					110.11000 (Cash)				\$700,000.00
129625	04/29/2021	Open			Accounts Payable	TURLOCK SCAVENGER/SWEEPING	\$19,931.50		
					Invoice				Amount
					033121				\$19,931.50
					Paying Fund				Amount
					246 - Landscape Assessment				\$7,972.60
					410 - WATER QUALITY CONTROL (WQC)				\$11,958.90
129626	04/29/2021	Open			Accounts Payable	United Safety & Survivability Corporation	\$13,370.02		
					Invoice				Amount
					223913				\$13,370.02
					Paying Fund				Amount
					426 - Transit				\$13,370.02
129627	04/29/2021	Open			Accounts Payable	Viking Shred, LLC	\$130.00		
					Invoice				Amount
					51103938				\$130.00
					Paying Fund				Amount
					110 - General Fund				\$130.00
129628	04/29/2021	Open			Accounts Payable	WE CARE PROGRAM	\$14,311.76		
					Invoice				Amount
					FY2021 -DRAW #4				\$14,311.76
					Paying Fund				Amount
					255 - CDBG				\$14,311.76
129629	04/29/2021	Open			Accounts Payable	WEBSOFT DEVELOPERS, INC.	\$2,385.37		
					Invoice				Amount
					INV-000092				\$2,385.37
					Paying Fund				Amount
					410 - WATER QUALITY CONTROL (WQC)				\$2,385.37
129630	04/29/2021	Open			Accounts Payable	WOOD RODGERS INC	\$6,382.70		
					Invoice				Amount
					144915				\$6,382.70
					Paying Fund				Amount
					420 - WATER				\$6,382.70

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
129631	04/29/2021	Open			Accounts Payable	ZALCO LABORATORIES INC	\$530.00		
	Invoice			Description					
	2103249		04/21/2021	METHANE GAS DIGESTER AND ACID PHASE DIGESTER Cash Account					
				410 - WATER QUALITY CONTROL (WQC)					
	Paying Fund								
	410 - WATER QUALITY CONTROL (WQC)								
129632	04/29/2021	Open			Accounts Payable	ZEE MEDICAL SERVICE CO	\$361.61		
	Invoice			Description					
	66274111		04/26/2021	MEDICAL SUPPLIES FOR TRANSIT CENTER					
	66274122		04/26/2021	MEDICAL SUPPLIES FOR FLEET					
	66274120		04/26/2021	MEDICAL SUPPLIES FOR PARKS & REC					
	66274121		04/26/2021	MEDICAL SUPPLIES FOR WATER					
	66274123		04/26/2021	MEDICAL SUPPLIES FOR OPERATIONS					
	Paying Fund								
	246 - Landscape Assessment								
	410 - WATER QUALITY CONTROL (WQC)								
	426 - Transit								
	505 - Fleet								
129633	04/29/2021	Open			Accounts Payable	BENNER, NATE	\$323.24		
	Invoice			Description					
	1022973		04/27/2021	Wildland Boot Reimbursement					
	Paying Fund								
	110 - General Fund								
129634	04/29/2021	Open			Accounts Payable	BERNARD, BROOKE	\$75.00		
	Invoice			Description					
	9619793		04/21/2021	REFUND FOR ASE					
	Paying Fund								
	110 - General Fund								
129635	04/29/2021	Open			Accounts Payable	COLLINS, JENNIFER	\$75.00		
	Invoice			Description					
	9620086		04/21/2021	REFUND FOR ASE					
	Paying Fund								
	110 - General Fund								
129636	04/29/2021	Open			Accounts Payable	DUARTE, MELISSA	\$75.00		
	Invoice			Description					
	9619117		04/21/2021	REFUND FOR ASE					
	Paying Fund								
	110 - General Fund								
129637	04/29/2021	Open			Accounts Payable	GALVAN, ALEJANDRA	\$75.00		
	Invoice			Description					
	9609604		04/21/2021	REFUND FOR ASE					
	Paying Fund								
	110 - General Fund								
129638	04/29/2021	Open			Accounts Payable	GARZA, YVONNE	\$75.00		
	Invoice			Description					
	9619621		04/21/2021	REFUND FOR ASE					
	Paying Fund								
	110 - General Fund								

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
129639	110 - General Fund	Open		110.11000 (Cash)	Accounts Payable	GONZALEZ, MARIA, A	\$75.00		
	Invoice		Date	Description					
	9619602		04/21/2021	REFUND FOR ASE					
	Paying Fund			Cash Account					
	110 - General Fund			110.11000 (Cash)					
129640	110 - General Fund	Open		110.11000 (Cash)	Accounts Payable	HENDERSON, JENNY	\$150.00		
	Invoice		Date	Description					
	9620073		04/21/2021	REFUND FOR ASE					
	Paying Fund			Cash Account					
	110 - General Fund			110.11000 (Cash)					
129641	110 - General Fund	Open		110.11000 (Cash)	Accounts Payable	HOUSHIAR, SANDRA	\$75.00		
	Invoice		Date	Description					
	9619978		04/21/2021	REFUND FOR ASE					
	Paying Fund			Cash Account					
	110 - General Fund			110.11000 (Cash)					
129642	110 - General Fund	Open		110.11000 (Cash)	Accounts Payable	LAWRENCE, CODY	\$500.00		
	Invoice		Date	Description					
	TR 4559 PER DIEM		04/20/2021	ICI CORE COURSE - FRESNO - 5/24 TO 6/4					
	Paying Fund			Cash Account					
	110 - General Fund			110.11000 (Cash)					
129643	110 - General Fund	Open		110.11000 (Cash)	Accounts Payable	Leanne Coronado and, Joshua Gonsalves	\$35.88		
	Invoice		Date	Description					
	351 Delta Ct		04/23/2021	FTHB - Reimbursement for overage payment					
	Paying Fund			Cash Account					
	257 - State HOME Funds			257.11000 (Cash)					
129644	110 - General Fund	Open		110.11000 (Cash)	Accounts Payable	MARTINEZ, MARIA	\$75.00		
	Invoice		Date	Description					
	9619650		04/21/2021	REFUND FOR ASE					
	Paying Fund			Cash Account					
	110 - General Fund			110.11000 (Cash)					
129645	110 - General Fund	Open		110.11000 (Cash)	Accounts Payable	MONROY, JORGE	\$150.00		
	Invoice		Date	Description					
	9619747		04/21/2021	REFUND FOR ASE					
	Paying Fund			Cash Account					
	110 - General Fund			110.11000 (Cash)					
129646	110 - General Fund	Open		110.11000 (Cash)	Accounts Payable	Nunnoid, Jennifer	\$34.00		
	Invoice		Date	Description					
	Refund		04/22/2016	Park Rental refund					
	Paying Fund			Cash Account					
	110 - General Fund			110.11000 (Cash)					
129647	110 - General Fund	Open		110.11000 (Cash)	Accounts Payable	OPENSHAW, JENNIFER	\$75.00		
	Invoice		Date	Description					
	9619060		04/21/2021	REFUND FOR ASE					
	Paying Fund			Cash Account					

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
129648	04/29/2021	Open		110.11000 (Cash)	Accounts Payable	PEREIRA, MAUREEN	\$75.00		
	Invoice			Description				Amount	
	9619993		04/21/2021	REFUND FOR ASEs				\$75.00	
	Paying Fund			Cash Account				Amount	
	110 - General Fund			110.11000 (Cash)				\$75.00	
129649	04/29/2021	Open		Accounts Payable	PG & E		\$661.94		
	Invoice			Description				Amount	
	FH REF - WAYSIDE		12/08/2015	FH MTR REFUND MINUS USAGE - WAYSIDE RD				\$661.94	
	Paying Fund			Cash Account				Amount	
	110 - General Fund			110.11000 (Cash)				\$700.00	
	420 - WATER			420.11000 (Cash)				(\$38.06)	
129650	04/29/2021	Open		Accounts Payable	POWELL, JENNIFER		\$75.00		
	Invoice			Description				Amount	
	9619018		04/21/2021	REFUND FOR ASEs				\$75.00	
	Paying Fund			Cash Account				Amount	
	110 - General Fund			110.11000 (Cash)				\$75.00	
129651	04/29/2021	Open		Accounts Payable	REEVES, GINETTE		\$75.00		
	Invoice			Description				Amount	
	9619136		04/21/2021	REFUND FOR ASEs				\$75.00	
	Paying Fund			Cash Account				Amount	
	110 - General Fund			110.11000 (Cash)				\$75.00	
129652	04/29/2021	Open		Accounts Payable	SALINAS, LUISA		\$75.00		
	Invoice			Description				Amount	
	9619246		04/21/2021	REFUND FOR ASEs				\$75.00	
	Paying Fund			Cash Account				Amount	
	110 - General Fund			110.11000 (Cash)				\$75.00	
129653	04/29/2021	Open		Accounts Payable	SANDLIN, NORMA		\$70.00		
	Invoice			Description				Amount	
	9606822		04/21/2021	REFUND FOR DLC				\$70.00	
	Paying Fund			Cash Account				Amount	
	110 - General Fund			110.11000 (Cash)				\$70.00	
129654	04/29/2021	Open		Accounts Payable	STALEY, REBECCA		\$75.00		
	Invoice			Description				Amount	
	9620171		04/21/2021	REFUND FOR ASEs				\$75.00	
	Paying Fund			Cash Account				Amount	
	110 - General Fund			110.11000 (Cash)				\$75.00	
129655	04/29/2021	Open		Accounts Payable	STANISLAUS REGIONAL HOUSING AUTHORITY		\$1,225.00		
	Invoice			Description				Amount	
	April 2021		04/21/2021	GREGORIA VILLA - 1145 PARK ST., UNIT #1 - APRIL RENT & DEPOSIT				\$1,225.00	
	Paying Fund			Cash Account				Amount	
	256 - Stanislaus Housing Consortium			256.11000 (Cash)				\$1,225.00	

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Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
129656	04/29/2021	Open			Accounts Payable	TALLENT, CHRISTINE	\$75.00		
	Invoice								
	9619089		04/21/2021						
	Paying Fund								
	110 - General Fund								
129657	04/29/2021	Open			Accounts Payable	VALENCIA, TERESA	\$150.00		
	Invoice								
	9619660		04/21/2021						
	Paying Fund								
	110 - General Fund								
129658	04/29/2021	Open			Accounts Payable	Williams, Steven	\$280.00		
	Invoice								
	TR 4447 PER DIEM		04/26/2021						
	Paying Fund								
	110 - General Fund								
Type Check Totals:									
AP - Accounts Payable Totals							\$1,740,701.05		

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	91	\$1,740,701.05	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	91	\$1,740,701.05	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	91	\$1,740,701.05	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	91	\$1,740,701.05	\$0.00

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	91	\$1,740,701.05	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	91	\$1,740,701.05	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	91	\$1,740,701.05	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	91	\$1,740,701.05	\$0.00

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From Payment Date: 4/30/2021 - To Payment Date: 5/6/2021

GA2

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
129659	05/04/2021	Open			Utility Management Refund	ALVARADO, JAMIE	\$40.20		
Account Type: Single Family Res Metered Paying Fund: 420 - WATER Account Number: 491527-008 Description: MOVE-OUT CREDIT Cash Account: 420.11000 (Cash) Transaction Date: 05/04/2021 Transaction Type: Refund Amount: \$40.20									
129660	05/04/2021	Open			Utility Management Refund	BARRERA, LUIS	\$200.49		
Account Type: Single Family Res Metered Paying Fund: 420 - WATER Account Number: 206490-012 Description: MOVE-OUT CREDIT Cash Account: 420.11000 (Cash) Transaction Date: 05/04/2021 Transaction Type: Refund Amount: \$200.49									
129661	05/04/2021	Open			Utility Management Refund	FUENTAS, MONIQUE	\$143.12		
Account Type: Single Family Res Metered Paying Fund: 420 - WATER Account Number: 883107-006 Description: MOVE-OUT CREDIT Cash Account: 420.11000 (Cash) Transaction Date: 05/04/2021 Transaction Type: Refund Amount: \$143.12									
129662	05/04/2021	Open			Utility Management Refund	GALT, MICHAEL	\$54.04		
Account Type: Single Family Res Metered Paying Fund: 420 - WATER Account Number: 157686-003 Description: MOVE-OUT CREDIT Cash Account: 420.11000 (Cash) Transaction Date: 05/04/2021 Transaction Type: Refund Amount: \$54.04									
129663	05/04/2021	Open			Utility Management Refund	REDWOOD REAL ESTATE GROUP INC	\$41.88		
Account Type: Single Family Res Metered Paying Fund: 420 - WATER Account Number: 241016-013 Description: MOVE-OUT CREDIT Cash Account: 420.11000 (Cash) Transaction Date: 05/04/2021 Transaction Type: Refund Amount: \$41.88									
129664	05/04/2021	Open			Utility Management Refund	RICO, FRANK	\$155.06		
Account Type: Single Family Res Metered Paying Fund: 420 - WATER Account Number: 196452-004 Description: MOVE-OUT CREDIT Cash Account: 420.11000 (Cash) Transaction Date: 05/04/2021 Transaction Type: Refund Amount: \$155.06									
129665	05/04/2021	Open			Utility Management Refund	SIROT, SASSAN	\$226.97		
Account Type: Single Family Res Metered Paying Fund: 420 - WATER Account Number: 880302-006 Description: MOVE-OUT CREDIT Cash Account: 420.11000 (Cash) Transaction Date: 05/04/2021 Transaction Type: Refund Amount: \$226.97									
129666	05/04/2021	Open			Utility Management Refund	FERNANDES, SHARON L	\$963.36		
Account Type: Single Family Res Metered Paying Fund: 420 - WATER Account Number: 218871-001 Description: CUSTOMER REQUEST Transaction Date: 05/04/2021 Transaction Type: Refund Amount: \$963.36									

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From Payment Date: 4/30/2021 - To Payment Date: 5/6/2021

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
	110 - General Fund			110.11000 (Cash)				\$553.63	
	246 - Landscape Assessment			246.11000 (Cash)				\$366.46	
	425 - Transit - Dial-A-Ride			425.11000 (Cash)				\$438.20	
129674	05/06/2021	Open			Accounts Payable	BORGES & MAHONEY CO	\$953.71		
	Invoice			Description				Amount	
	142705		04/20/2021	FLEX CONNECTION				\$953.71	
	Paying Fund			Cash Account				Amount	
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)				\$953.71	
129675	05/06/2021	Open			Accounts Payable	CALIFORNIA DEPT OF TAX AND FEE ADMIN	\$22.85		
	Invoice			Description				Amount	
	04302021VALADEZ		04/30/2021	4-30-21 PAYROLL ATTACHMENT FOR ACCT# 100-036551				\$22.85	
	Paying Fund			Cash Account				Amount	
	104 - Payroll Clearing Fund			104.11000 (Cash)				\$22.85	
129676	05/06/2021	Open			Accounts Payable	CH2M Hill Engineers, Inc	\$4,440,066.38		
	Invoice			Description				Amount	
	008		04/30/2021	SRWA - Design Build Contract 2020-2021 for March 2021				\$4,440,066.38	
	Paying Fund			Cash Account				Amount	
	950 - SRWA			950.11000 (Cash)				\$4,440,066.38	
129677	05/06/2021	Open			Accounts Payable	CHARTER COMMUNICATIONS	\$89.99		
	Invoice			Description				Amount	
	0763228042521		04/30/2021	8203 13 001 07632228 / IT Internet				\$89.99	
	Paying Fund			Cash Account				Amount	
	501 - Information Technology			501.11000 (Cash)				\$89.99	
129678	05/06/2021	Open			Accounts Payable	CITY OF MODESTO	\$81,233.50		
	Invoice			Description				Amount	
	116239		04/20/2021	2020 DMC Permit Fees				\$81,233.50	
	Paying Fund			Cash Account				Amount	
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)				\$81,233.50	
129679	05/06/2021	Open			Accounts Payable	CLARK PEST CONTROL OF STOCKTON, INC	\$420.00		
	Invoice			Description				Amount	
	28265069		04/27/2021	CLARK - Weekly Cleaning Service of Distance Learning Camp				\$420.00	
	Paying Fund			Cash Account				Amount	
	270 - Recreation Grants			270.11000 (Cash)				\$420.00	
129680	05/06/2021	Open			Accounts Payable	CRIVELLI PROMOTIONAL ITEMS INC	\$78.21		
	Invoice			Description				Amount	
	39260		04/26/2021	Water Conservation Polos				\$78.21	
	Paying Fund			Cash Account				Amount	
	420 - WATER			420.11000 (Cash)				\$78.21	
129681	05/06/2021	Open			Accounts Payable	CUMMINS PACIFIC LLC	\$1,127.94		
	Invoice			Description				Amount	
	Y9-3475		04/27/2021	Warranty Credit Memo				(\$1,591.85)	

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From Payment Date: 4/30/2021 - To Payment Date: 5/6/2021

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
	07-14463		04/27/2021		Fleet subscription to Quickserv and insite		\$770.00		
	07-14796		04/27/2021		Fleet subscription to Quickserv and insite		\$732.71		
	Y9-44069		04/27/2021		TRA18-1058P		\$990.59		
	Y9-44092		04/27/2021		TRA18-1058P		\$226.49		
	Paying Fund				Cash Account		Amount		
	426 - Transit				426.11000 (Cash)		\$1,127.94		
129682	05/06/2021	Open			Accounts Payable	DELTA WIRELESS & NETWORK	\$21.04		
	Invoice		Date		Description		Amount		
	104005497-1		04/28/2021		APX1000 EARPIECE		\$21.04		
	Paying Fund				Cash Account		Amount		
	110 - General Fund				110.11000 (Cash)		\$21.04		
129683	05/06/2021	Open			Accounts Payable	ECONOMIC & PLANNING INC	\$60.00		
	Invoice		Date		Description		Amount		
	202035-2		05/06/2021		CFD # 1 Admin for FY 2020-21, Contract # 2017-14		\$60.00		
	Paying Fund				Cash Account		Amount		
	705 - NW Triangle Mello Roos (CFD #1)				705.11000 (Cash)		\$60.00		
129684	05/06/2021	Open			Accounts Payable	EDGES ELECTRICAL GROUP LLC	\$344.95		
	Invoice		Date		Description		Amount		
	S5220943.001		04/20/2021		Battery Backup Ballast for PD		\$241.79		
	S5235066.001		04/20/2021		Balleasts for lighting at PD		\$103.16		
	Paying Fund				Cash Account		Amount		
	110 - General Fund				110.11000 (Cash)		\$344.95		
129685	05/06/2021	Open			Accounts Payable	ENGINEERED FIRE SYST INC	\$1,250.00		
	Invoice		Date		Description		Amount		
	17404		04/21/2021		PLAN REVIEWS - MARCH 2021		\$1,250.00		
	Paying Fund				Cash Account		Amount		
	110 - General Fund				110.11000 (Cash)		\$1,250.00		
129686	05/06/2021	Open			Accounts Payable	FARIA, JAMIE	\$142.00		
	Invoice		Date		Description		Amount		
	04302021FARIA		04/30/2021		4-30-21 PAYROLL WITHHOLDING		\$142.00		
	Paying Fund				Cash Account		Amount		
	104 - Payroll Clearing Fund				104.11000 (Cash)		\$142.00		
129687	05/06/2021	Open			Accounts Payable	FIRST CHOICE INDUSTRIAL SUPPLY INC, DBA NORCAL SUPPLY CO	\$6,429.35		
	Invoice		Date		Description		Amount		
	074697		04/27/2021		COVID SUPPLIES - POLICE		\$1,596.55		
	074868		04/27/2021		DEPARTMENT SUPPLIES		\$2,416.40		
	074563		04/27/2021		DEPARTMENT SUPPLIES		\$2,416.40		
	Paying Fund				Cash Account		Amount		
	110 - General Fund				110.11000 (Cash)		\$1,596.55		
	410 - WATER QUALITY CONTROL (WQC)				410.11000 (Cash)		\$4,832.80		
129688	05/06/2021	Open			Accounts Payable	FISHER SCIENTIFIC PRO INC	\$629.32		
	Invoice		Date		Description		Amount		
	0983509		04/20/2021		LAB SUPPLIES		\$411.56		
	1515654		04/29/2021		LAB SUPPLIES		\$217.76		
	Paying Fund				Cash Account		Amount		

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129689	05/06/2021	Open		410.11000 (Cash)	Accounts Payable	G3 ENGINEERING, INC.	\$2,938.38		
	Invoice		Date	Description					
	2021-7029		04/20/2021	WATERCHAMP PARTS				\$2,938.38	
	Paying Fund			Cash Account					
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)				\$2,938.38	
129690	05/06/2021	Open			Accounts Payable	GARTON TRACTOR INC	\$149.63		
	Invoice		Date	Description					
	CT189105		04/27/2021	SP00-4070				\$149.63	
	Paying Fund			Cash Account					
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)				\$149.63	
129691	05/06/2021	Open			Accounts Payable	GCR TIRES & SERVICE	\$968.07		
	Invoice		Date	Description					
	858-43682		04/27/2021	ITEM NO 002759				\$643.06	
	858-43680		04/27/2021	CL20-865				\$325.01	
	Paying Fund			Cash Account					
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)				\$968.07	
129692	05/06/2021	Open			Accounts Payable	GDR ENGINEERING INC	\$10,050.00		
	Invoice		Date	Description					
	27001		04/28/2021	SR01. 20-027 Drinking Water Chlorination 3/1/21-3/31/21				\$9,750.00	
	27004		04/28/2021	SR01. 19-40 Surveying: 2nd review LLA 20-11/20-12, RW/PUE 21-01.				\$300.00	
	Paying Fund			Cash Account					
	420 - WATER			420.11000 (Cash)				\$9,750.00	
	502 - Engineering			502.11000 (Cash)				\$300.00	
129693	05/06/2021	Open			Accounts Payable	GEOANALYTICAL LAB INC	\$13,979.25		
	Invoice		Date	Description					
	H1C0902		04/20/2021	Accelerated Monitoring-Algae				\$1,782.00	
	H1C1104		04/20/2021	Wastewater Quarterly Samples				\$4,241.00	
	H1C0801		04/20/2021	DMC Quarterly Analysis				\$613.50	
	H1C1105		04/20/2021	Monthly Bioassay				\$1,284.00	
	H1D0604		04/20/2021	Wastewater Monthly				\$654.75	
	H1D0605		04/20/2021	Monthly Wastewater Samples				\$204.75	
	H1D1405		04/20/2021	Drinking Water Well Analysis				\$180.00	
	H1D0711		04/20/2021	Drinking Water Well Analysis				\$294.00	
	H1D1413		04/20/2021	Drinking Water Well Analysis				\$95.00	
	H1D0706		04/20/2021	Drinking Water Well Analysis				\$1,500.50	
	H1D0708		04/20/2021	Drinking Water Well Analysis				\$1,060.50	
	H1D0709		04/20/2021	Drinking Water Well Analysis				\$1,076.25	
	H1D0710		04/20/2021	Drinking Water Well Analysis				\$903.00	
	H1D0707		04/29/2021	Drinking Water Well Analysis				\$90.00	
	Paying Fund			Cash Account					
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)				\$8,780.00	
	420 - WATER			420.11000 (Cash)				\$5,199.25	

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129694	05/06/2021	Open			TEST KITS	Accounts Payable	HACH COMPANY	\$1,026.47		
	Invoice		Date		Cash Account					
	12419472		04/29/2021		410.11000 (Cash)				\$1,026.47	
	Paying Fund									
	410 - WATER QUALITY CONTROL (WQC)								\$1,026.47	
129695	05/06/2021	Open				Accounts Payable	HD SUPPLY FACILITIES MAINTENANCE LTD			\$267.83
	Invoice		Date							
	527043		04/27/2021		REED SOCKETS				\$267.83	
	Paying Fund				Cash Account					
	420 - WATER				420.11000 (Cash)				\$267.83	
129696	05/06/2021	Open				Accounts Payable	HILMAR LUMBER INC			\$970.47
	Invoice		Date							
	464837		04/27/2021		DEPARTMENT SUPPLIES				\$226.21	
	474098		04/29/2021		Supplies				\$7.42	
	475998		04/29/2021		Digester project				\$340.76	
	475998		04/29/2021		Parts for Clarifier # 4				\$39.60	
	475677		04/29/2021		Clarifier # 4 at WQC				\$82.94	
	475549		04/29/2021		Supplies				\$273.54	
	Paying Fund				Cash Account					
	410 - WATER QUALITY CONTROL (WQC)				410.11000 (Cash)				\$970.47	
129697	05/06/2021	Open				Accounts Payable	HILMAR READY MIX			\$302.05
	Invoice		Date							
	10849		04/27/2021		LINWOOD & WALNUT MANHOLE				\$86.30	
	10853		04/27/2021		532 WOLFE				\$80.91	
	10675		04/29/2021		Concrete				\$134.84	
	Paying Fund				Cash Account					
	410 - WATER QUALITY CONTROL (WQC)				410.11000 (Cash)				\$221.14	
	420 - WATER				420.11000 (Cash)				\$80.91	
129698	05/06/2021	Open				Accounts Payable	HOLT OF CALIFORNIA INC			\$440.92
	Invoice		Date							
	K5400801		04/28/2021		HOLT - EQUIPMENT RENTAL				\$440.92	
	Paying Fund				Cash Account					
	410 - WATER QUALITY CONTROL (WQC)				410.11000 (Cash)				\$440.92	
129699	05/06/2021	Open				Accounts Payable	HSQ INC			\$13,581.00
	Invoice		Date							
	200124		04/20/2021		GE MDS MASTER RADIO REPLACEMENT				\$13,581.00	
	Paying Fund				Cash Account					
	410 - WATER QUALITY CONTROL (WQC)				410.11000 (Cash)				\$13,581.00	
129700	05/06/2021	Open				Accounts Payable	Inferrera Construction Mgmt Group, Inc			\$40,635.30
	Invoice		Date							
	21038		04/30/2021		SRWA - Construction Management Contract 2020-				\$40,635.30	
	Paying Fund				2021 for March 2021					
	950 - SRWA				Cash Account					
					950.11000 (Cash)				\$40,635.30	

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129701	05/06/2021	Open				Accounts Payable	INTERSTATE SALES INC	\$17,503.56		
	Invoice									
	7225		04/28/2021		PAINT FOR STREETS					
	Paying Fund				Cash Account					
	217 - Streets - Gas Tax				217.11000 (Cash)					
129702	05/06/2021	Open				Accounts Payable	INTERSTATE TRUCK CTR	\$249.38		
	Invoice									
	02P310954		04/27/2021		PART R802486					
	Paying Fund				Cash Account					
	217 - Streets - Gas Tax				217.11000 (Cash)					
129703	05/06/2021	Open				Accounts Payable	J A MOMANEY SERVICES INC	\$2,186.63		
	Invoice									
	143931		04/20/2021		Supplies					
	143932		04/20/2021		Supplies					
	Paying Fund				Cash Account					
	216 - Streets - Local Transportation				216.11000 (Cash)					
129704	05/06/2021	Open				Accounts Payable	LEHIGH HANSON INC	\$79.22		
	Invoice									
	2235517		04/28/2021		LEHIGH - ASPHALT FOR STREETS					
	Paying Fund				Cash Account					
	219 - SB1 Road Maint & Rehab Account				219.11000 (Cash)					
129705	05/06/2021	Open				Accounts Payable	LINCOLN EQUIPMENT INC	\$474.04		
	Invoice									
	49705869		04/28/2021		LINCOLN - SANITIZER PRO SPRAYER					
	Paying Fund				Cash Account					
	110 - General Fund				110.11000 (Cash)					
129706	05/06/2021	Open				Accounts Payable	NAPA AUTO PARTS	\$15.59		
	Invoice									
	762510		04/27/2021		PART #200039					
	Paying Fund				Cash Account					
	110 - General Fund				110.11000 (Cash)					
129707	05/06/2021	Open				Accounts Payable	NEXT LEVEL PARTS INC	\$3,175.98		
	Invoice									
	8577-351033		04/27/2021		TRA15-1042PP					
	8577-351457		04/27/2021		POL11-1114					
	8577-351416		04/27/2021		POL15-1139					
	8577-351430		04/27/2021		TRA15-1041PP					
	8577-351119		04/27/2021		HPK 47115					
	8577-351127		04/27/2021		TRA15-1039PP					
	8577-349841		04/27/2021		Credit Memo					
	8577-351114		04/27/2021		AD13-4416					
	8577-351082		04/27/2021		OP17-616					
	8577-351028		04/27/2021		TRA18-1058P					
	8577-351011		04/27/2021		TRA15-1050PP					
	8577-351030		04/27/2021		CL20-860					
	8577-351361		04/27/2021		POL11-1114					
	8577-351327		04/27/2021		TRA15-1046P					
	8577-351718		04/27/2021		NOTE 7003					

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	8577-351800		04/27/2021	NOTE 7003			\$6.56		
	8577-351712		04/27/2021	ST99-7003			\$23.62		
	8577-351228		04/27/2021	AD05-0414			\$48.37		
	8577-351209		04/27/2021	TRA15-1046P			\$248.20		
	8577-351123		04/27/2021	TOWING ADAPTER			\$12.29		
	8577-351384		04/27/2021	NOTE 4385			\$4.64		
	8577-351377		04/27/2021	CL03-837			\$6.57		
	8577-351376		04/27/2021	CL03-837			\$20.28		
	8577-351151		04/27/2021	PK14-4419			\$59.57		
	8577-350967		04/27/2021	CL20-860			\$31.05		
	8577-351482		04/27/2021	VEHICLE #1114			\$38.90		
	8577-349436		04/27/2021	U JOINT			\$33.64		
	8577-351564		04/27/2021	ST99-7003			\$77.01		
	8577-351618		04/27/2021	WT03-521			\$199.72		
	8577-351389		04/27/2021	TRA15-1041EE			\$165.23		
	8577-351015		04/27/2021	TRA18-1058P			\$131.20		
	8577-351178		04/27/2021	TRA15-1046P			\$177.69		
	8577-351378		04/27/2021	POL11-1114			\$225.96		
	8577-348265		04/27/2021	Credit Memo			(\$97.57)		
	Paying Fund			Cash Account			Amount		
	110 - General Fund			110.11000 (Cash)			\$1,000.32		
	217 - Streets - Gas Tax			217.11000 (Cash)			\$108.44		
	246 - Landscape Assessment			246.11000 (Cash)			\$61.94		
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)			\$156.64		
	420 - WATER			420.11000 (Cash)			\$170.07		
	425 - Transit - Dial-A-Ride			425.11000 (Cash)			\$420.47		
	426 - Transit			426.11000 (Cash)			\$1,258.10		
129708	05/06/2021	Open			Accounts Payable	NVB EQUIPMENT INC		\$506.87	
	Invoice		Date	Description			Amount		
	HI43607		04/27/2021	TRA15-1046P			\$306.31		
	HI43636		04/27/2021	ST04-1046			\$200.56		
	Paying Fund			Cash Account			Amount		
	217 - Streets - Gas Tax			217.11000 (Cash)			\$200.56		
	426 - Transit			426.11000 (Cash)			\$306.31		
129709	05/06/2021	Open			Accounts Payable	OREILLY AUTO PARTS		\$645.66	
	Invoice		Date	Description			Amount		
	2800-484160		04/27/2021	AD13-4416			\$34.38		
	2800-485435		04/27/2021	POL11-1114			\$36.85		
	2800-483895		04/27/2021	TRA15-1046P			\$8.84		
	2800-483745		04/27/2021	POL16-1302			\$550.74		
	2800-486022		04/27/2021	CABIN FILTER			\$14.85		
	Paying Fund			Cash Account			Amount		
	110 - General Fund			110.11000 (Cash)			\$602.44		
	246 - Landscape Assessment			246.11000 (Cash)			\$34.38		
	426 - Transit			426.11000 (Cash)			\$8.84		
129710	05/06/2021	Open			Accounts Payable	P G & E		\$8.65	
	Invoice		Date	Description			Amount		
	REC 4-27-21		04/30/2021	2749172768-4 / 144 S Broadway			\$8.65		
	Paying Fund			Cash Account			Amount		

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129711	05/06/2021	Open		110.11000 (Cash)	Accounts Payable	PACE SUPPLY CORPORATION	\$4,121.75	\$8.65	
	Invoice		Date	Description	Amount				
	056783227		04/27/2021	Pipe and Pipe Fittings	\$433.44				
	056749475-1		04/27/2021	Pipe and Pipe Fittings	\$1,060.77				
	056810886		04/27/2021	Pipe and Pipe Fittings	\$3,000.84				
	056810886-1		04/27/2021	Pipe and Pipe Fittings	\$1,972.61				
	CM056739119		04/27/2021	CREDIT MEMO	(\$2,345.91)				
	Paying Fund			Cash Account	Amount				
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)	\$1,060.77				
	420 - WATER			420.11000 (Cash)	\$3,060.98				
129712	05/06/2021	Open			Accounts Payable	Platt Electric Supply	\$43.44		
	Invoice		Date	Description	Amount				
	1L18115		04/20/2021	Supplies	\$18.47				
	1L58770		04/20/2021	Replacement Probes for Fluke Elect Tester	\$24.97				
	Paying Fund			Cash Account	Amount				
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)	\$43.44				
129713	05/06/2021	Open			Accounts Payable	PRICE FORD OF TURLOCK INC	\$155.00		
	Invoice		Date	Description	Amount				
	43949		04/27/2021	POL16-1300	\$155.00				
	Paying Fund			Cash Account	Amount				
	110 - General Fund			110.11000 (Cash)	\$155.00				
129714	05/06/2021	Open			Accounts Payable	PROVOST AND PRITCHARD ENGINEERING GROUP	\$86,178.90		
	Invoice		Date	Description	Amount				
	84800		04/29/2021	March 1 - 31, 2021	\$40,130.60				
	84801		04/29/2021	March 1 - 31, 2021	\$46,048.30				
	Paying Fund			Cash Account	Amount				
	420 - WATER			420.11000 (Cash)	\$86,178.90				
129715	05/06/2021	Open			Accounts Payable	REED INC, GEORGE	\$299.51		
	Invoice		Date	Description	Amount				
	100235368		04/28/2021	ASPHALT FOR STREETS	\$124.13				
	100235783		04/28/2021	ASPHALT FOR STREETS	\$93.01				
	100235660		04/28/2021	ASPHALT FOR STREETS	\$82.37				
	Paying Fund			Cash Account	Amount				
	219 - SB1 Road Maint & Rehab Account			219.11000 (Cash)	\$299.51				
129716	05/06/2021	Open			Accounts Payable	REXEL INC	\$192.89		
	Invoice		Date	Description	Amount				
	S130350249.001		04/20/2021	Battery	\$192.89				
	Paying Fund			Cash Account	Amount				
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)	\$192.89				
129717	05/06/2021	Open			Accounts Payable	RUSH TRUCK CENTERS OF CALIFORNIA, INC.	\$1,126.80		
	Invoice		Date	Description	Amount				
	3023242143		04/27/2021	POL17-1319	\$196.39				
	3022916809		04/27/2021	WIRE ASY	\$270.12				
	3022893691		04/27/2021	VALVE ASY	\$51.22				

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	3022893690		04/27/2021		RELAY INDICATOR			\$29.02	
	3023107701		04/27/2021		TRA15-1050EE			\$48.84	
	3023215626		04/27/2021		WINDSHIELD WASHER			\$62.95	
	3023201040		04/27/2021		SOCKET AND WIRE ASY			\$468.26	
	Paying Fund				Cash Account			Amount	
	110 - General Fund				110.11000 (Cash)			\$727.60	
	246 - Landscape Assessment				246.11000 (Cash)			\$51.22	
	410 - WATER QUALITY CONTROL (WQC)				410.11000 (Cash)			\$29.02	
	426 - Transit				426.11000 (Cash)			\$318.96	
129718	05/06/2021	Open			Accounts Payable	SAN JOAQUIN VALLEY	\$98.00		
	Invoice								
	N145470		05/03/2021		21722 ANNUAL PERMITS TO OPERATE			Amount	
	Paying Fund				Cash Account			\$98.00	
	505 - Fleet				505.11000 (Cash)			\$98.00	
129719	05/06/2021	Open			Accounts Payable	SHAPE INC	\$24,920.96		
	Invoice								
	128063		04/20/2021		WQC Secondary Effluent Pump 4 Rebuild			Amount	
	128064		04/20/2021		WQC Secondary Effluent Pump # 4 Rebuild			\$21,199.96	
	Paying Fund				Cash Account			\$3,721.00	
	410 - WATER QUALITY CONTROL (WQC)				410.11000 (Cash)			Amount	
								\$24,920.96	
129720	05/06/2021	Open			Accounts Payable	SHARPENING SHOP	\$92.45		
	Invoice								
	342984		04/27/2021		SERVICE REPAIRS			Amount	
	Paying Fund				Cash Account			\$92.45	
	110 - General Fund				110.11000 (Cash)			\$92.45	
129721	05/06/2021	Open			Accounts Payable	SOFTWAREONE INC	\$71,337.42		
	Invoice								
	US-PSI-1035571		05/03/2021		MICROSOFT LICENSING 2/1/21-1/31/22			Amount	
	Paying Fund				Cash Account			\$71,337.42	
	501 - Information Technology				501.11000 (Cash)			Amount	
								\$71,337.42	
129722	05/06/2021	Open			Accounts Payable	STANISLAUS COUNTY CLERK RECORDER	\$37.00		
	Invoice								
	050-016-016-000		04/30/2021		RECONVEYANCE FILING FEE-1201 BUTTE WAY -			Amount	
	Paying Fund				CARVAJAL, SUSAN			\$37.00	
	256 - Stanislaus Housing Consortium				256.11000 (Cash)			Amount	
								\$37.00	
129723	05/06/2021	Open			Accounts Payable	STANISLAUS COUNTY CLERK RECORDER	\$37.00		
	Invoice								
	072-013-050-000		04/30/2021		RECONVEYANCE FILING FEE-1200 E. MONTE			Amount	
	Paying Fund				VISTA - WRIGHT, REGINALD			\$37.00	
	257 - State HOME Funds				257.11000 (Cash)			Amount	
								\$37.00	

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From Payment Date: 4/30/2021 - To Payment Date: 5/6/2021

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
129724	05/06/2021	Open			Accounts Payable	STANISLAUS COUNTY CLERK RECORDER	\$37.00		
	Invoice		Date	Description		Amount			
	050-019-030-000		04/30/2021	RECONVEYANCE FILING FEE - 1460 APPLE LN.- DOMINQUEZ VILLEGAS, T.		\$37.00			
	Paying Fund			Cash Account		Amount			
	257 - State HOME Funds			257.11000 (Cash)		\$37.00			
129725	05/06/2021	Open			Accounts Payable	STATE WATER RESOURCE CTNLT	\$280.00		
	Invoice		Date	Description		Amount			
	FY 20/21		04/20/2021	Aaron Maldonado Gr T1 Distribution Certification Request		\$70.00			
	28426-FY20/21		04/29/2021	David Lee - Grade 3 Renewal Fees		\$150.00			
	33533		04/27/2021	KEVIN CALLAHAN WATER DISTRIB. D2 RENEWAL		\$60.00			
	Paying Fund			Cash Account		Amount			
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)		\$220.00			
	420 - WATER			420.11000 (Cash)		\$60.00			
129726	05/06/2021	Open			Accounts Payable	SUPPORT PAYMENT CLEARING	\$439.13		
	Invoice		Date	Description		Amount			
	04302021BECCHETT		04/30/2021	4-30-21 PAYROLL WITHHOLDING		\$439.13			
	Paying Fund			Cash Account		Amount			
	104 - Payroll Clearing Fund			104.11000 (Cash)		\$439.13			
129727	05/06/2021	Open			Accounts Payable	T I D	\$52.76		
	Invoice		Date	Description		Amount			
	4-9-21		04/30/2021	Account #5832010000 - Utilities 3/9/21-4/9/21		\$52.76			
	Paying Fund			Cash Account		Amount			
	256 - Stanislaus Housing Consortium			256.11000 (Cash)		\$52.76			
129728	05/06/2021	Open			Accounts Payable	THATCHER COMPANY OF CALIFORNIA INC	\$10,081.56		
	Invoice		Date	Description		Amount			
	283172		04/20/2021	Liquid Chlorine		\$14,721.04			
	283173		04/20/2021	Liquid Chlorine - EMPTIES		(\$8,000.00)			
	283369		04/29/2021	Liquid Chlorine		\$7,360.52			
	283370		04/29/2021	Liquid Chlorine - EMPTIES		(\$4,000.00)			
	Paying Fund			Cash Account		Amount			
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)		\$10,081.56			
129729	05/06/2021	Open			Accounts Payable	THORSEN'S-NORQUIST, INC.	\$138.50		
	Invoice		Date	Description		Amount			
	1106249		04/29/2021	Service for Bad Compressor		\$138.50			
	Paying Fund			Cash Account		Amount			
	410 - WATER QUALITY CONTROL (WQC)			410.11000 (Cash)		\$138.50			
129730	05/06/2021	Open			Accounts Payable	TURF STAR	\$679.60		
	Invoice		Date	Description		Amount			
	7167119-00		04/27/2021	SPINDLE ASM		\$679.60			
	Paying Fund			Cash Account		Amount			
	205 - Sports Facilities			205.11000 (Cash)		\$679.60			
129731	05/06/2021	Open			Accounts Payable	UNITED RENTAL INC	\$449.71		
	Invoice		Date	Description		Amount			
	193071590-001		04/27/2021	DEPARTMENT SUPPLIES		\$449.71			

Payment Register

From Payment Date: 4/30/2021 - To Payment Date: 5/6/2021

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Amount	Transaction Amount	Reconciled Amount	Difference
129732	05/06/2021	Open			410.11000 (Cash)	UNIVAR SOLUTIONS USA INC	\$449.71	\$9,863.64		
	Invoice									
	49099772		04/29/2021		Accounts Payable		Amount			
	49103123		04/29/2021		Sodium Bisulfite		\$4,875.94			
	Paying Fund				Cash Account		\$4,987.70			
	410 - WATER QUALITY CONTROL (WQC)				410.11000 (Cash)		Amount			
							\$9,863.64			
129733	05/06/2021	Open			Accounts Payable	VERIZON WIRELESS		\$435.37		
	Invoice						Amount			
	9876903331		04/21/2021		FIRE - MAR 04 - APR 03, 2021		\$435.37			
	Paying Fund				Cash Account		Amount			
	110 - General Fund				110.11000 (Cash)		\$242.63			
	240 - Small Equipment Replacement				240.11000 (Cash)		\$192.74			
129734	05/06/2021	Open			Accounts Payable	WMB ARCHITECTS INC		\$2,470.00		
	Invoice						Amount			
	23885		04/28/2021		SR01, 20-010 Corp Yard Security & Lighting Imp		\$2,470.00			
	Paying Fund				Cash Account		Amount			
	426 - Transit				3/21/21-4/20/21		\$2,470.00			
129735	05/06/2021	Open			Accounts Payable	ZALCO LABORATORIES INC		\$1,000.00		
	Invoice						Amount			
	2103234		04/20/2021		Methane Gas Digester and Acid Phase Digester		\$1,000.00			
	Paying Fund				Cash Account		Amount			
	410 - WATER QUALITY CONTROL (WQC)				410.11000 (Cash)		\$1,000.00			
129736	05/06/2021	Open			Accounts Payable	BENNER, NATE		\$340.00		
	Invoice						Amount			
	4/29/21		05/03/2021		REIMBURSEMENT BENNER FIRE INV 1B 4/29/2021		\$340.00			
	Paying Fund				Cash Account		Amount			
	110 - General Fund				110.11000 (Cash)		\$340.00			
129737	05/06/2021	Open			Accounts Payable	GARZA, YVONNE		\$75.00		
	Invoice						Amount			
	9626976		04/28/2021		REFUND FOR ASES		\$75.00			
	Paying Fund				Cash Account		Amount			
	110 - General Fund				110.11000 (Cash)		\$75.00			
129738	05/06/2021	Open			Accounts Payable	GONZALES, RAYMOND		\$180.00		
	Invoice						Amount			
	528013		04/27/2021		REIMBURSEMENT FOR COLLECTION GRADE 1 EXAM		\$180.00			
	Paying Fund				Cash Account		Amount			
	410 - WATER QUALITY CONTROL (WQC)				410.11000 (Cash)		\$180.00			
129739	05/06/2021	Open			Accounts Payable	HOLMES, BROCK		\$192.00		
	Invoice						Amount			
	TR 4573 PER DIEM		04/27/2021		PER DIEM FOR TR 4573 - MITCH'S BACKFLOW TRAINING & EXAM		\$192.00			
	Paying Fund				Cash Account		Amount			
	420 - WATER				420.11000 (Cash)		\$192.00			

Payment Register

From Payment Date: 4/30/2021 - To Payment Date: 5/6/2021

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
129740	05/06/2021 Invoice TR4572 PER DIEM	Open		04/27/2021	Accounts Payable	HOUCK, MATTHEW	\$384.00	\$384.00	
	Paying Fund 420 - WATER								
129741	05/06/2021 Invoice 9627241	Open		04/28/2021	Accounts Payable	LEYVA, HEATHER	\$150.00	\$150.00	
	Paying Fund 110 - General Fund								
129742	05/06/2021 Invoice FY20/21	Open		04/27/2021	Accounts Payable	MARTINS, DILLON	\$65.00	\$65.00	
	Paying Fund 420 - WATER								
129743	05/06/2021 Invoice TR 4573 PER DIEM	Open		04/27/2021	Accounts Payable	RUCKER , GREG	\$192.00	\$192.00	
	Paying Fund 420 - WATER								
129744	05/06/2021 Invoice TR 4572 PER DIEM	Open		04/27/2021	Accounts Payable	WAGGONER, MATTHEW	\$384.00	\$384.00	
	Paying Fund 420 - WATER								
Type Check Totals:							\$4,868,379.87		
AP - Accounts Payable Totals							\$4,868,379.87		

Checks	Status	Count	Transaction Amount	Reconciled Amount
	Open	86	\$4,868,379.87	\$0.00
	Reconciled	0	\$0.00	\$0.00

Payment Register

From Payment Date: 4/30/2021 - To Payment Date: 5/6/2021

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
					Voided	0	\$0.00	\$0.00	
					Stopped	0	\$0.00	\$0.00	
					Total	86	\$4,868,379.87	\$0.00	
All									
					Status	Count	Transaction Amount	Reconciled Amount	
					Open	86	\$4,868,379.87	\$0.00	
					Reconciled	0	\$0.00	\$0.00	
					Voided	0	\$0.00	\$0.00	
					Stopped	0	\$0.00	\$0.00	
					Total	86	\$4,868,379.87	\$0.00	
Checks									
					Status	Count	Transaction Amount	Reconciled Amount	
					Open	86	\$4,868,379.87	\$0.00	
					Reconciled	0	\$0.00	\$0.00	
					Voided	0	\$0.00	\$0.00	
					Stopped	0	\$0.00	\$0.00	
					Total	86	\$4,868,379.87	\$0.00	
All									
					Status	Count	Transaction Amount	Reconciled Amount	
					Open	86	\$4,868,379.87	\$0.00	
					Reconciled	0	\$0.00	\$0.00	
					Voided	0	\$0.00	\$0.00	
					Stopped	0	\$0.00	\$0.00	
					Total	86	\$4,868,379.87	\$0.00	

Grand Totals:

6B1

MARCH 23, 2021
6:00 p.m.
City of Turlock Yosemite Room
156 S. Broadway, Turlock, California

DRAFT

MINUTES
Regular Meeting
Turlock City Council

- 0. A. **CALL TO ORDER** – Mayor Bublak called the meeting to order at 6:00 p.m.
- B. **SALUTE TO THE FLAG**

Mayor Bublak announced the City Council meeting is open to the public with limited seating capacity and that compliance with health and safety guidelines including COVID-19 screening, temperature checks, face coverings, and physical distancing measures are required for in-person attendance.

Mayor Bublak also announced the meeting is being conducted via the Zoom system and streamed on the City's website, YouTube, & Spectrum Channel 2.

Lastly, Mayor Bublak announced that members of the public will be given the opportunity to address the Council during public participation as well during the presentation of public hearing/discussion items and noted the City Clerk will provide additional details once we near the public participation section of the meeting.

C. ROLL CALL:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

PRESENT: Councilmembers Nicole Larson, Andrew Nosrati, Pam Franco, Rebecka Monez, and Mayor Amy Bublak.

ABSENT: None

D. DECLARATION OF CONFLICTS: None

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.

Mayor Bublak announced that staff has requested Public Hearing Item 8A be continued to the April 13, 2021 City Council meeting; however, public comments will be heard on this item.

Action: Motion by Councilmember Monez, seconded by Councilmember Franco, Approving the agenda as amended. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

3. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS:

A. Proclamation: Vietnam Veterans Day, March 29, 2021

Parks, Recreation and Public Facilities Director Allison Van Guilder read the Proclamation for Vietnam Veterans Day, March 29, 2021, and announced a social media campaign to honor the Vietnam Veterans.

B. Briefing: COVID-19 Update, presented by Interim Fire Chief Gary Carlson

Interim Fire Chief Gary Carlson provided an update regarding COVID-19, including movement of Stanislaus County into a less restrictive tier, percentage of positive COVID-19 tests, reopening of indoor businesses, vaccine administration, mobile vaccine clinics, mortality statistics, and senior citizen vaccine locations.

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Supervisor Vito Chiesa

Mayor Bublak closed public participation.

*City Clerk Jennifer Land announced that members of the public will be given the opportunity to address Council on items that are within the subject matter jurisdiction of the City Council and on any item on tonight's agenda. For items listed on the agenda, we ask that you please defer your comments until that item is heard by the Council. For members of the public participating in-person and who are interested in addressing the Council, please raise your hand once the Mayor opens public comment and before she closes public comment. For members of the public participating remotely, please press the "raise hand" feature on your screen or press *9 from your telephone keypad once the Mayor opens public comment and before she closes public comment.*

Members of the public participating in-person will be called upon first and then we will move to those participating remotely. For those participating remotely, they will hear an automated prompt indicating their line has been unmuted – and that is when their comment period will begin.

Lastly, we request members who choose to address the Council to please state their first and last name in the event any follow up is needed; however, this is not mandatory.

4. PUBLIC PARTICIPATION:

The following members of the public spoke:

Milt Trieweller
Terri Shaver

5. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE:
None

6. CONSENT CALENDAR:

Action: Motion by Councilmember Franco, seconded by Councilmember Monez, adopting the consent calendar. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- A. **Resolution No. 2021-041:** Accepting Weekly Demands of 2/25/21 in the amount of \$989,717.07; Weekly Demands of 3/4/21 in the amount of \$1,347,115.00; Monthly Demands in the amount of \$2,511,149.40
- B. **Motion:** Accepting Minutes of the Regular Meeting of January 26, 2021; Minutes of the Special Meeting of February 3, 2021; Minutes of the Special Meeting of February 9, 2021
- C. **Motion:** Approving the Final Map and Subdivision Improvement Agreement with FQC, Inc., conditioned upon construction of improvements for the SM 19-01 FQC subdivision (Development Project No. 20-029)
- D. **Motion:** Approving the advertisement for construction bids for City Project No. 20-032 "Chemical System Upgrades Project at RWQCF"
- E.
 1. **Resolution No. 2021-042:** Approving the sole source purchase of air purification and surface treatment technology for City transit vehicles from United Safety and Survivability Corporation (USSC) of Exton, Pennsylvania, to address the COVID-19 public health emergency in an amount not to exceed \$58,668 (Funds 425 and 426), without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(6) and in support of City Project No. 21004 "Transit Air Purification Upgrades"
 2. **Resolution No. 2021-043:** Approving the sole source purchase of air purification technology for the Roger K. Fall Transit Center from United Safety and Survivability Corporation (USSC) of Exton, Pennsylvania, to address the COVID-19 public health emergency in an amount not to exceed \$13,384 (Fund 426), without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(6) and in support of City Project No. 21004 "Transit Air Purification Upgrades"
 3. **Resolution No. 2021-044:** Authorizing the City Manager, or his or her designee, to procure additional air purification or antimicrobial equipment, materials, or services, as needed to maintain or extend enhanced cleaning protocols in the air and on surfaces in City vehicles and facilities from United Safety and Survivability Corporation (USSC) of Exton, Pennsylvania, contingent on the availability of budgeted funds, without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(6)
- F. **Resolution No. 2021-045:** Authorizing the City Manager, or his or her designee, to procure equipment, materials, or maintenance and support services from ANGI Energy Systems, LLC (ANGI), of Janesville, Wisconsin, to repair, support, and maintain ANGI Compressed Natural Gas (CNG) fueling systems, contingent on the availability of budgeted funds, without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(6)
- G. **Motion:** Approving Amendment No. 2 to an Agreement between the City of Turlock and Robertson-Bryan, Inc. to provide National Pollutant Discharge Elimination System (NPDES) permit compliance assistance for the Turlock Regional Water Quality Control Facility

- (RWQCF), increasing the compensation to an annual amount not to exceed \$150,000 (non-general fund) for the remaining term of the Agreement
- H. Motion: Accepting the City of Turlock's audited Financial Statements for the Transportation Development Act for the fiscal year ended June 30, 2020
 - I. Motion: Approving a Professional Services Agreement with MGT of America Consulting, LLC for preparation of a Cost Allocation Plan required under federal regulations for Fiscal Year 2021-22, for a period of one (1) year with an option to extend the agreement for two (2) additional one-year terms, in an annual amount not to exceed \$17,000 and a total amount not to exceed \$51,000 if all renewal periods are exercised
 - J. 1. Motion: Approving Amendment No. 1 to the Memorandum of Understanding between the City of Turlock and the County of Stanislaus to increase the Homeless Emergency Aid Program Grant Funds in the amount of \$15,942.07
2. Resolution No. 2021-046: Appropriating \$15,942.07 to account number 257-41-489.34145 "HEAP Funding (Homeless Emergency Aid Program)"
 - K. Resolution No. 2021-047: Approving the Tentative Agreement revising the Memorandum of Understanding ("MOU") between the City of Turlock ("City") and Turlock Firefighters, Local #2434 ("Turlock Fire") covering the period of July 1, 2020 through June 30, 2021 and appropriating \$100,000 from General Fund unassigned reserves to account number 110-30-300.41059 "Continuous Service Pay" and related roll-up costs

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS**

- A. Item continued to the April 13, 2021 City Council meeting.

Council and staff clarified the need for public hearing (public comment) when the item has been removed from the agenda.

Mayor Bublak opened the public hearing. No one spoke. Mayor Bublak closed the public hearing.

9. **ACTION ITEMS:**

- A. Interim Development Services Director Nathan Bray and Principal Civil Engineer Stephen Fremming presented the staff report on the request to approve Amendment No. 5 with Carollo Engineers of Walnut Creek, California, in the amount of \$1,896,809 (Non-General Fund - Fund 420) bringing the contract total to \$5,142,559, for professional engineering design services for City Project No. 18-69 "Surface Water Distribution System Improvements" AND approve Amendment No. 1 with Horizon Water and Environment, LLC of Oakland, California, in the amount of \$29,440 (Non-General Fund - Fund 420) bringing the contract total to \$100,281, for professional environmental services and biological monitoring during construction of City Project No. 18-69 "Surface Water Distribution System Improvements" AND appropriate \$1,926,000 to account number 420-52-551.51356 "Surface Water Dist. Imp.-Terminal Facilities" from Fund 420 "Water" unassigned reserves for professional design services and environmental services and biological monitoring during construction of City Project No. 18-69 "Surface Water Distribution System Improvements"

Council and staff discussed this item.

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Milt Trieweiler

Mayor Bublak closed public participation.

Staff provided brief comment in response to public comment.

Action: Motion by Councilmember Monez, seconded by Councilmember Larson, Approving Amendment No. 5 with Carollo Engineers of Walnut Creek, California, in the amount of \$1,896,809 (Non-General Fund - Fund 420) bringing the contract total to \$5,142,559, for professional engineering design services for City Project No. 18-69 "Surface Water Distribution System Improvements". Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Motion by Councilmember Monez, seconded by Councilmember Larson, Approving Amendment No. 1 with Horizon Water and Environment, LLC of Oakland, California, in the amount of \$29,440 (Non-General Fund - Fund 420) bringing the contract total to \$100,281, for professional environmental services and biological monitoring during construction of City Project No. 18-69 "Surface Water Distribution System Improvements". Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Resolution No. 2021-048: Appropriating \$1,926,000 to account number 420-52-551.51356 "Surface Water Dist. Imp.-Terminal Facilities" from Fund 420 "Water" unassigned reserves for professional design services and environmental services and biological monitoring during construction of City Project No. 18-69 "Surface Water Distribution System Improvements" as introduced by Councilmember Monez, seconded by Councilmember Larson, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

10. CITY MANAGER REPORTS/UPDATES:

A. Administrative Services

1. Monthly Budget Update

A written staff update was included in the agenda packet.

2. Unsheltered Homeless and Encampments Crisis Update

Interim Chief of Police Steven Williams provided an update regarding the unsheltered homeless and encampments action plan, including cleaning and monitoring of the site at 1400 W. Main Street, partner agencies, notification of clean-up efforts, unfilled capacity at shelter facilities, scheduled clean-up at W. Glenwood between Lander and Linwood, notification to individuals at the location of the pending clean-up, increased shelter capacity at Turlock Gospel Mission, partnership with the Turlock Fairgrounds for overflow shelter capacity, and costs of plan actions.

Council and staff discussed this item.

B. Fire Department

1. Public Safety Briefing

A written staff update was included in the agenda packet.

C. Municipal Services

1. Monthly Departmental Update

Interim Municipal Services Deputy Director Carl Brown presented information regarding the fixed base network, including operational details, state of water meter reading, a possible meter reading solution of a cellular reading network, and pilot program.

Council and staff discussed this item.

D. Parks, Recreation and Public Facilities

1. Recreation Facilities Re-opening

Parks, Recreation and Public Facilities Director Allison Van Guilder provided information regarding the re-opening of recreational facilities, including park amenities, aquatics programs, sports fields, facility use agreements, and the Adopt-A-Park program.

E. Police Department

1. Public Safety Briefing

A written staff update was included in the agenda packet.

2. Radio/CAD/RMS Update

Interim Chief of Police Steven Williams provided an update regarding the Radio/CAD/RMS systems, including radio system update, CAD/RMS system update, project costs, and budget status.

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION: None

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS: None

13. CLOSED SESSION:

City Clerk Jennifer Land introduced the Closed Session Item(s).

A. Threat to Public Services or Facilities, Cal. Gov't Code §54957(a)

"This chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, or a threat to the public's right of access to public services or public facilities."

Consultation with: Interim Fire Chief Gary Carlson and Interim City Attorney George A. Petrulakis

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: Human Resources Manager Sarah Eddy

Employee Organization: Turlock Associated Police Officers

Employee Organization: Turlock City Employees Association

Employee Organization: Turlock Firefighters Association-Local 2434

Employee Organization: Turlock Management Association-Public Safety

Unrepresented Employees: Accountant, Sr., Administrative Analyst, Administrative Services Director, Assistant to the City Manager for Economic Development/Community Housing, Chief Building Official, City Clerk, Community Housing Program Supervisor, Deputy Director Development Services/Planning, Development Services Director, Development Services Supervisor/City Surveyor, Executive Administrative Assistant/Deputy City Clerk, Executive Administrative Assistant/Municipal Services, Executive Administrative Assistant/Public Safety, Fire Chief, Human Resources Analyst, Sr., Human Resources Manager, Human Resources Technician, Information Technology Manager, Legal Assistant, Municipal Services Deputy Director, Municipal Services Director, Office Assistant I, Parks, Recreation and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Payroll Coordinator, Police Business Unit Supervisor, Police Chief, Principal Civil Engineer, Regulatory Affairs Manager, Transit Manager, Utilities Manager, and Water Quality Control Division Manager.

DRAFT

MINUTES
City Council Meeting
March 23, 2021
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C. Public Employee Discipline/Dismissal/Release, Cal. Gov't Code §54957(b)(1)

14. REPORTS FROM CLOSED SESSION:

City Clerk Jennifer Land reported for the Closed Session Item(s) that no reportable action was taken.

15. ADJOURNMENT

Mayor Bublak adjourned the regular meeting at 7:50 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Allison Martin, Deputy City Clerk
Jennifer Land, City Clerk

6B2

APRIL 1, 2021
6:00 p.m.
City of Turlock Yosemite Room
156 S. Broadway, Turlock, California

DRAFT

MINUTES
Special Meeting
Turlock City Council

0. A. CALL TO ORDER – Mayor Bublak called the meeting to order at 6:08 p.m.

B. SALUTE TO THE FLAG

Mayor Bublak announced the City Council meeting is open to the public with limited seating capacity and that compliance with health and safety guidelines including COVID-19 screening, temperature checks, face coverings, and physical distancing measures is required for in-person attendance.

Mayor Bublak also announced the meeting is being conducted via the Zoom system and streamed on the City's website, YouTube, & Spectrum Channel 2.

Lastly, Mayor Bublak announced that members of the public will be given the opportunity to address the Council during public participation. The City Clerk will provide additional details and instructions once we near the public participation section of the meeting.

C. ROLL CALL:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

PRESENT: Councilmembers Nicole Larson, Andrew Nosrati, Pam Franco, Rebecka Monez, and Mayor Amy Bublak.

ABSENT: None

D. DECLARATION OF CONFLICTS: None

City Clerk Jennifer Land announced that members of the public will be given the opportunity to address Council concerning any item that has been described in the notice for this meeting. For members of the public participating in-person and who are interested in addressing the Council, please raise your hand once the Mayor opens public comment and before she closes public comment. For members of the public participating remotely, please press the "raise hand" feature on your screen or press *9 from your telephone keypad once the Mayor opens public comment and before she closes public comment.

Members of the public participating in-person will be called upon first and then we will move to those participating remotely. For those participating remotely, they will hear an automated prompt indicating their line has been unmuted – and that is when their comment period will begin.

Lastly, we request members who choose to address the Council to please state their first and last name in the event any follow up is needed; however, this is not mandatory.

1. PUBLIC PARTICIPATION: None

2. CLOSED SESSION:

City Clerk Jennifer Land introduced the Closed Session Item.

DRAFT

MINUTES
Special City Council Meeting
April 1, 2021
Page 2

A. Public Employee Discipline/Dismissal/Release, Cal. Gov't Code §54957(b)(1)

3. REPORTS FROM CLOSED SESSION:

City Clerk Jennifer Land reported for the Closed Session Item there was no reportable action.

4. ADJOURNMENT:

Mayor Bublak adjourned the special meeting at 7:17 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land, City Clerk

LB3

APRIL 13, 2021
6:00 p.m.
City of Turlock Yosemite Room
156 S. Broadway, Turlock, California

DRAFT

MINUTES
Regular Meeting
Turlock City Council

- 0. A. **CALL TO ORDER** – Mayor Bublak called the meeting to order at 6:05 p.m.
- B. **SALUTE TO THE FLAG**

Mayor Bublak announced the City Council meeting is open to the public with limited seating capacity and that compliance with health and safety guidelines including COVID-19 screening, temperature checks, face coverings, and physical distancing measures are required for in-person attendance.

Mayor Bublak also announced the meeting is being conducted via the Zoom system and streamed on the City’s website, YouTube, & Spectrum Channel 2.

Lastly, Mayor Bublak announced that members of the public will be given the opportunity to address the Council during public participation as well during the presentation of public hearing/discussion items and noted the City Clerk will provide additional details once we near the public participation section of the meeting.

C. **ROLL CALL:**

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

PRESENT: Councilmembers Nicole Larson, Andrew Nosrati, Pam Franco, Rebecka Monez, and Mayor Amy Bublak.
 ABSENT: None

D. **DECLARATION OF CONFLICTS:** None

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.

Action: Motion by Councilmember Franco, seconded by Councilmember Monez, Approving the agenda as posted. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

3. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS:

- A. Proclamation: Animal Care and Control Appreciation Week, April 11-17, 2021

Interim Chief of Police Steven Williams issued a Proclamation in recognition of Animal Care and Control Appreciation Week, April 11-17, 2021 to Animal Control Officer Katie Walthrop.

- B. Proclamation: National Telecommunicators Week, April 11-17, 2021

Interim Chief of Police Steven Williams issued a Proclamation in recognition of National Telecommunicators Week, April 11-17, 2021 to Police Dispatch Supervisor Maribel Rodriguez and Lead Dispatcher Jennifer Perry.

- C. Proclamation: City of Turlock Volunteers

Human Resources Manager Sarah Eddy issued a Proclamation in recognition of City of Turlock Volunteers to Volunteers in Police Service George Plisko and Explorer Corporal Destiny Martinez.

- D. Appointment: League of California Cities Executive Committee Members

Mayor Bublak recommended that Councilmember Franco be appointed as the League of California Cities Executive Committee Member and Councilmember Larson be appointed as the League of California Cities Executive Committee Alternate Member.

Action: Motion by Councilmember Monez, seconded by Councilmember Franco, appointing Councilmember Franco as the League of California Cities Executive Committee Member and Councilmember Larson as the League of California Cities Executive Committee Alternate Member. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- E. Briefing: COVID-19 Update, presented by Interim Fire Chief Gary Carlson

Interim Fire Chief Gary Carlson provided an update regarding COVID-19 including County tier status, positivity rates, State reopening plan, mask mandate, vaccine administration, Johnson & Johnson vaccine guidance, vaccination clinics, appointments for vaccines, testing for COVID, and active case rate.

*City Clerk Jennifer Land announced that members of the public will be given the opportunity to address Council on items that are within the subject matter jurisdiction of the City Council and on any item on tonight's agenda. For items listed on the agenda, we ask that you please defer your comments until that item is heard by the Council. For members of the public participating in-person and who are interested in addressing the Council, please raise your hand once the Mayor opens public comment and before she closes public comment. For members of the public participating remotely, please press the "raise hand" feature on your screen or press *9 from your telephone keypad once the Mayor opens public comment and*

before she closes public comment.

Members of the public participating in-person will be called upon first and then we will move to those participating remotely. For those participating remotely, they will hear an automated prompt indicating their line has been unmuted – and that is when their comment period will begin.

Lastly, we request members who choose to address the Council to please state their first and last name in the event any follow up is needed; however, this is not mandatory.

4. PUBLIC PARTICIPATION:

The following members of the public spoke:

- Milt Triewailer
- Noel Dickey

5. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE:
None

6. CONSENT CALENDAR:

Councilmember Larson requested Consent Calendar Item 6B be removed for separate consideration.

Action: Motion by Councilmember Franco, seconded by Councilmember Larson, adopting the amended consent calendar. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- A. **Resolution No. 2021-049:** Accepting Monthly Demands of 2/28/21 in the amount of \$3,947,951.61; Weekly Demands of 3/11/21 in the amount of \$1,136,423.86; Weekly Demands of 3/18/21 in the amount of \$4,977,216.15; Weekly Demands of 3/25/21 in the amount of \$906,008.18
- B. *Removed for separate consideration.*
- C. **Motion:** Approving Amendment No. 2 to the Agreement between the City of Turlock and Websoft Developers, Inc. for a Mobile Work Order Management Software System to increase the compensation by \$24,185 for a total not-to-exceed amount of \$183,935.81
- D. **Resolution No. 2021-050:** Appropriating \$10,000 from Fund 201 "Federal Asset Forfeiture" unassigned reserves to account number 201-20-241.44030_078 "Minor Equipment Special Investigations Unit" for the purchase of a hydraulic dump trailer to be used for cannabis compliance operations and transporting of items
- E. **Resolution No. 2021-051:** Appropriating \$6,000 from Fund 501 unassigned reserves to account number "501-10-130.43226 - Document Imaging System" for the Agreement between the City of Turlock and Konica Minolta Business Solutions USA, Inc. regarding a software upgrade to the OnBase Electronic Content Management (ECM) Solution

- F. **Resolution No. 2021-052**: Approving modifications to the job description for the position of Executive Administrative Assistant – City Manager’s Office/Deputy City Clerk, effective April 13, 2021
- G. **Resolution No. 2021-053**: Approving a Memorandum of Understanding with the 38th District Agricultural Association and authorizing the City Manager to execute Facility Use Rental Forms for use of the Stanislaus County Fairgrounds
- H. **Resolution No. 2021-054**: Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19
- 6B. **Motion**: Accepting Minutes of the Regular Meeting of February 9, 2021; Minutes of the Special Meeting of February 23, 2021

Councilmember Larson requested a revision to the Minutes of the Regular Meeting of February 9, 2021, concerning Agenda Item 9C, to include her friendly motion (request) for a report detailing the CARES team activity and a plan for budgeting from the full time salaries instead of overtime.

Mayor Bublak opened public participation. No one spoke. Mayor Bublak closed public participation.

Action: Motion by Councilmember Nosrati, seconded by Councilmember Larson, Accepting Minutes of the Regular Meeting of February 9, 2021; Minutes of the Special Meeting of February 23, 2021. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS**

Public Hearing Item 8A was continued from the March 23, 2021 City Council meeting.

- A. Assistant to the City Manager for Economic Development and Housing Maryn Pitt presented the staff report on the request to approve a Substantial Amendment to the Fiscal Year 2020-2021 Annual Action Plan for the Community Development Block Grant (CDBG) Program to program CDBG Coronavirus (CDBG-CV) Round 1 and 3 funds and authorize submittal to the United States Department of Housing and Urban Development (HUD); and authorize the City Manager to execute all necessary related documents AND approve an updated Citizen Participation Plan for use in public outreach of federally-funded grant programs offered by the United States Department of Housing and Urban Development (HUD) as proposed

Council and staff discussed this item.

Mayor Bublak opened the public hearing.

The following members of the public spoke:

Noel Dickey
Ron Bridegroom

Mayor Bublak closed the public hearing.

Staff provided brief comment in response to public comment.

Action: **Resolution No. 2021-055:** Approving a Substantial Amendment to the Fiscal Year 2020-2021 Annual Action Plan for the Community Development Block Grant (CDBG) Program to program CDBG Coronavirus (CDBG-CV) Round 1 and 3 funds and authorizing submittal to the United States Department of Housing and Urban Development (HUD); and authorizing the City Manager to execute all necessary related documents as introduced by Councilmember Larson, seconded by Councilmember Franco, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Resolution No. 2021-056: Approving an updated Citizen Participation Plan for use in public outreach of federally-funded grant programs offered by the United States Department of Housing and Urban Development (HUD) as proposed as introduced by Councilmember Larson, seconded by Councilmember Franco, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

9. ACTION ITEMS:

A. Finance representative Tina Envia presented the staff report on the request to accept the City of Turlock’s audited Financial Statements for the fiscal year ended June 30, 2020 and related reports

Ms. Envia also introduced Maze & Associates Katherine Yuen who presented information regarding the audit process including the background of Maze & Associates, the components of the completed audit and the in-progress single audit, audit standards, audit timing, audit results, auditor’s communication documents for required communications and memorandum on internal control, control deficiency, two types of control deficiencies, and Fiscal Year 2019-20 audit results.

Council, staff, and Katherine Yuen from Maze & Associates discussed this item.

Finance representative Tina Envia presented information regarding the basic financial statements, memorandum on internal control categories of deficiencies, significant deficiencies, other matters, General Fund Revenues Fiscal Year 2019-20, General Fund

Expenditures Fiscal Year 2019-20, summary of General Fund balance, composition of General Fund balance, update audit to 2020-21 budget, General Fund financial trends, composition of General Fund expenditures, Enterprise Funds statement of new position, internal service funds statement of net position, special revenue and Capital projects, and calendar of 2020-21 audit.

Council, staff, and Katherine Yuen from Maze & Associates further discussed this item.

Mayor Bublak opened public participation. No one spoke. Mayor Bublak closed public participation.

Action: Motion by Councilmember Franco, seconded by Councilmember Monez, Accepting the City of Turlock’s audited Financial Statements for the fiscal year ended June 30, 2020 and related reports. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

10. CITY MANAGER REPORTS/UPDATES:

A. Administrative Services

1. Housing Workshop Follow-up

Assistant to the City Manager for Economic Development and Housing Maryn Pitt spoke regarding the Housing Workshop held on March 23, 2021 and provided additional information regarding the series of projects and elements of service for the senior community, housing support at the policy level, development of affordable housing near the Transit Center, and mixed-use opportunities.

Council and staff discussed this item.

A written staff update was also included in the agenda packet.

B. Development Services

1. Monthly Department Update

Interim Development Services Director Nathan Bray provided an update regarding quarterly building statistics, permits issued, and valuation of permits.

C. Municipal Services

1. Monthly Department Update

A written staff update was included in the agenda packet.

Agenda Item 10A.2 was heard out of order.

A. Administrative Services

2. Unsheltered Homeless and Encampments Crisis Update

Interim Chief of Police Steven Williams provided an update regarding the Unsheltered Homeless and Encampments Crisis action plan including operational period timeline, partnership with County, outreach and notice dates, COVID-19 vaccine, dumpster distribution, and executed agreement between Turlock Gospel Mission and the Turlock Fairgrounds for temporary shelters.

Council and staff discussed this item.

11. **COUNCIL ITEMS FOR FUTURE CONSIDERATION:**

Councilmember Nosrati requested a discussion on the 4th of July fireworks show and an updated regarding the estimated timeline for review of the Council handbook revisions.

12. **COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:**

Councilmember Franco spoke regarding her attendance at a townhall meeting held at the Assyrian Hall on cyber-bullying and thanked Acting Police Captain Cervenka for the presentation, and her attendance with Mayor Bublak at the Turlock Fire Department graduation ceremony to welcome the new firefighters.

13. **CLOSED SESSION:**

City Clerk Jennifer Land introduced the Closed Session Items.

A. Threat to Public Services or Facilities, Cal. Gov't Code §54957(a)

"This chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, or a threat to the public's right of access to public services or public facilities."

Consultation with: Interim Fire Chief Gary Carlson and Interim City Attorney George A. Petrulakis

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: Human Resources Manager Sarah Eddy

Employee Organization: Turlock Associated Police Officers

Employee Organization: Turlock City Employees Association
Employee Organization: Turlock Firefighters Association-Local 2434
Employee Organization: Turlock Management Association-Public Safety
Unrepresented Employees: Accountant, Sr., Administrative Analyst, Administrative Services Director, Assistant to the City Manager for Economic Development/Community Housing, Chief Building Official, City Clerk, Community Housing Program Supervisor, Deputy Director Development Services/Planning, Development Services Director, Development Services Supervisor/City Surveyor, Executive Administrative Assistant/Deputy City Clerk, Executive Administrative Assistant/Municipal Services, Executive Administrative Assistant/Public Safety, Fire Chief, Human Resources Analyst, Sr., Human Resources Manager, Human Resources Technician, Information Technology Manager, Legal Assistant, Municipal Services Deputy Director, Municipal Services Director, Office Assistant I, Parks, Recreation and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Payroll Coordinator, Police Business Unit Supervisor, Police Chief, Principal Civil Engineer, Regulatory Affairs Manager, Transit Manager, Utilities Manager, and Water Quality Control Division Manager.

- C. Public Employee Discipline/Dismissal/Release, Cal. Gov't Code §54957(b)(1)
- D. Public Employee Performance Evaluation, Cal. Gov't Code §54957(b)(1)
Title: Interim City Attorney

14. REPORTS FROM CLOSED SESSION:

Interim City Attorney George A. Petrulakis reported for the Closed Session Items that no reportable action was taken.

15. ADJOURNMENT

Mayor Bublak adjourned the regular meeting at 9:24 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Allison Martin, Deputy City Clerk
Jennifer Land, City Clerk

10. CITY MANAGER REPORTS/UPDATES:

A. Administrative Services

1. Monthly Budget Update

A written staff update was included in the agenda packet.

2. Unsheltered Homeless and Encampments Crisis Update

Interim Chief of Police Steven Williams provided an update regarding the Unsheltered Homeless and Encampments Crisis action plan, including cleaning and monitoring of the site at 1400 W. Main Street, partner agencies, notification of clean-up efforts, unfilled capacity at shelter facilities, scheduled clean-up at W. Glenwood between Lander and Linwood, notification to individuals at the location of the pending clean-up, increased shelter capacity at Turlock Gospel Mission, partnership with the Turlock Fairgrounds for overflow shelter capacity, and costs of plan actions.

Council and staff discussed this item.

B. Fire Department

1. Public Safety Briefing

A written staff update was included in the agenda packet.

C. Municipal Services

1. Monthly Departmental Update

Interim Municipal Services Deputy Director Carl Brown presented information regarding the fixed base network, including operational details, state of water meter reading, a possible meter reading solution of a cellular reading network, and pilot program.

Council and staff discussed this item.

D. Parks, Recreation and Public Facilities

1. Recreation Facilities Re-opening

Parks, Recreation and Public Facilities Director Allison Van Guilder provided information regarding the re-opening of recreational facilities, including park amenities, aquatics programs, sports fields, facility use agreements, and the Adopt-A-Park program.

E. Police Department

1. Public Safety Briefing

6C

City Council Staff Report
May 25, 2021



From: Nathan Bray, P.E.,
Interim Development Services Director / City Engineer

Prepared by: Stephen Fremming, P.E., Principal Civil Engineer

Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Motion: Approving Amendment No. 2 with NV5, Inc. of Manteca, California, in the amount of \$19,250 (Fund 305), bringing the contract total to \$1,461,266.98 for construction management services for City Project No. 0828 "SR-99/Fulkerth Road Interchange" and extending the term of the agreement to July 31, 2021

Motion: Approving Contract Change Order Nos. 26, 28, 29, and 30 (Final) with Agee Construction of Clovis, California, in the amount of \$119,641.09 (Fund 305), bringing the contract total to \$12,341,574.93 for construction of City Project No. 0828 "SR-99/Fulkerth Road Interchange"

Motion: Accepting improvements and authorizing the City Engineer to file a Notice of Completion for City Project No. 0828 "SR-99/Fulkerth Road Interchange"

Resolution: Appropriating \$140,000 to account number 305-40-440.51270 "Construction Project" from Fund 305 (Roadways) Unassigned Reserves to complete funding for City Project No. 0828 "SR-99/Fulkerth Road Interchange"

2. SYNOPSIS:

These actions will approve Amendment No. 2 for construction management services, approve Contract Change Order Nos. 26, 28, 29, and 30 (Final), authorize the City Engineer to file a Notice of Completion, and appropriate funds for City Project No. 0828 "SR-99/Fulkerth Road Interchange."

3. DISCUSSION OF ISSUE:

On September 5, 2018, the City Council approved an agreement with NV5, Inc. of Manteca, California, for construction management services for the subject project. NV5's original scope of services assumed a construction duration of 13 months based on information available at that time. The actual construction phase duration was 22 months. While Amendment No. 1 included additional scope to extend the consultant's services through September 2020, more effort was required to close out the project than was anticipated in Amendment No. 1. Amendment No. 2 includes inspection and administrative support, management, and coordination with Caltrans. Additional work was also required to provide quality assurance testing related to replacement of a traffic signal pole at the northeast corner of Fulkerth Road and SR-99 that was damaged by a motorist exiting the freeway at high speed.

NV5 Agreement History:

	Amount	Approval Date
Original Agreement	\$ 1,252,765.28	September 5, 2018
Amendment No. 1	\$ 189,251.70	October 13, 2020
Amendment No. 2	\$ 19,250.00	May 25, 2021
Total	\$ 1,461,266.98	

NV5 and City staff have reviewed and recommends that the following contract change order items be approved:

- Contract Change Order No. 26 – Miscellaneous Extra Work at Force Account – \$20,028.11

Contract Change Order No. 26 includes the following items of miscellaneous work determined using the Force Account method (Time & Materials):

- Add concrete cap over Drainage System 25
- Lower existing 18-inch culvert to match new Drainage System 27F
- Remove temporary water barrels at northbound off-ramp
- Place 250 feet of rebar in sidewalk from Station 24+85 to 25+70.
- Delays due to temporary suspension of ground anchor stressing
- Place Type R pavement markers at the northbound off-ramp intersections
- Place temporary striping on Fulkerth Road in areas where additional dig-outs were needed due to unsuitable subgrade.

- Contract Change Order No. 28 – Balance Contract Quantities – \$216,990.43

The original contract price is based on quantities of work estimated from the project plans. The contract price must be adjusted to reconcile actual quantities as placed and measured in the field at the end of the project with the estimated bid quantities. There were increases in bid item quantities

totaling \$364,538.08 and decreases in bid item quantities totaling \$147,547.65, resulting in a net change order amount of \$216,990.43. The bid items that contributed most to bid item price increases include the contractor's time-related overhead due to the need to extend the contract time for approved change orders as well as additional hot mix asphalt placed.

- Contract Change Order No. 29 – Balance Contract Change Order Quantities – (\$10,317.85) CREDIT

This item represents the difference between the scope of work approved by change order and the actual scope of change order work performed by the contractor. Less effort was required to perform change order work than anticipated when pricing was negotiated and approved, resulting in a credit.

- Contract Change Order No. 30 (Final) – Oil Index Adjustment – (\$107,059.60) CREDIT

The contract documents include provision to adjust the price paid for hot mix asphalt based on the California statewide crude oil price index. NV5 Inc. determined the oil price index was lower during placement of asphalt than at the time of bidding and calculated a credit due to the City in the amount listed.

Change Order Summary:

	AMOUNT	APPROVAL DATE
CCO No. 1	\$ 25,000.00	7/9/2019*
CCO No. 2	\$ 32,856.75	7/9/2019*
CCO No. 3	\$ 10,000.00	7/9/2019*
CCO No. 4	\$ 0.00	7/30/2019*
CCO No. 7	\$ 30,000.00	12/12/2019*
CCO No. 8	\$ 1,853.99	12/12/2019*
CCO No. 1.1	\$ 25,000.00	4/14/2020
CCO No. 5	\$ 6,983.25	4/14/2020
CCO No. 6	\$ 5,000.00	4/14/2020
CCO No. 9	\$ 33,102.27	4/14/2020
CCO No. 11	\$ 13,050.64	4/14/2020
CCO No. 13	\$ 41,999.66	8/28/2020
CCO No. 15	\$ 0.00	8/28/2020
CCO No. 16	\$ 78,460.00	8/28/2020
CCO No. 2, Supp. 1	\$ 87,198.08	11/10/2020
CCO No. 12	\$ 212,523.74	11/10/2020
CCO No. 14	\$ 7,864.55	11/10/2020

CCO No. 16, Supp. 1	\$ 21,178.45	11/10/2020
CCO No. 18	\$ 20,211.40	11/10/2020
CCO No. 21	\$ 20,010.97	11/10/2020
CCO No. 22	\$ 38,300.00	11/10/2020
CCO No. 23	(\$ 3,046.47)	11/10/2020
CCO No. 12, Supp. 1	\$ 6,930.00	12/8/2020
CCO No. 16, Supp. 2	(\$ 4,133.50)	12/8/2020
CCO No. 20	\$ 22,289.59	12/8/2020
CCO No. 24	\$ 10,059.87	12/8/2020
CCO No. 25	\$ 11,538.94	12/8/2020
CCO No. 27	\$ 3,465.80	12/8/2020
CCO No. 10	\$ 106,373.17	1/12/2021
CCO No. 17	\$ 61,995.69	1/12/2021
CCO No. 26	\$ 20,028.11	5/25/2021
CCO No. 28	\$ 216,990.43	5/25/2021
CCO No. 29	(\$ 10,317.85)	5/25/2021
CCO No. 30 (Final)	(\$ 107,059.60)	5/25/2021
Total Change Orders	\$ 1,045,707.93	
Original Contract	\$11,295,867.00	
Adjusted Total Contract	\$12,341,574.93	

*CCO No. 1, 2, 3, 4, 7, and 8 were approved by the City Engineer per Resolution No. 2009-246.

Construction is now complete per the approved plans and specifications. Staff requests Council's approval to file a Notice of Completion. Filing a Notice of Completion establishes the official date of project completion and limits the time that claims may be made on the project.

4. BASIS FOR RECOMMENDATION:

- A. Amendment No. 2 is necessary to provide additional construction management services through the end of construction not contemplated in the original agreement or Amendment No. 1.
- B. Amendments for professional services must be approved by the City Council.
- C. Per Resolution No. 2009-246, the City Engineer is authorized to approve change orders up to 2% of the contract value, the City Manager and City Engineer may jointly approve change orders up to 5% but no more than \$100,000, and all other change orders must be approved by the City Council.
- D. The extra work encompassed in CCO Nos. 26, 28, 29, and 30 (Final) was necessary due to differing site conditions encountered in the field from the contract documents and to reconcile the actual quantities in performance of the

work with quantities estimated at bid time and approved contract change orders.

- E. California Civil Code Section 9204 allows the City Council to authorize the City Engineer to sign the Notice of Completion which limits the time that claims may be made on the project.

5. FISCAL IMPACT / BUDGET AMENDMENT:

***NOTE - No General Fund money will be used for this project.**

Fiscal Impact:

Funding for the construction phase of the project was identified at the time of the award of the construction project on September 5, 2018 as displayed in the table directly below:

Funding Source	Amount
Capital Facilities Fees (CFF) -- Roadways	\$ 5,000,000
Capital Facilities Fees (CFF) – Admin Projects*	\$ 3,513,788
SB 1 grant funds	\$ 5,510,000
TOTAL	\$ 14,023,788

*Funds from CFF (Admin Projects) element will be repaid by the CFF Roadways element

The estimated construction costs and final actual construction costs are displayed in the table directly below:

	Estimated Amount	Actual Amount
Contractor Bid Cost	\$ 11,295,868	\$ 11,295,868
Construction Contingency (Contract Change Orders)	\$ 1,129,586	\$ 1,045,708
Construction Management – NV5, Inc.	\$ 1,252,765	\$ 1,461,267
Engineering Services During Construction – GHD, Inc.	\$ 232,610	\$ 180,000
Engineering staff contract administration	\$ 112,959	\$ 179,000
TOTAL	\$ 14,023,788	\$ 14,161,843

Due to actual construction costs in the amount of \$14,161,843 exceeding the estimated construction cost of \$14,023,788, a funding shortfall exists in the amount

of \$138,055. Staff requests an appropriation in the amount of \$140,000 from Fund 305 (Roadways) Unassigned Reserves for project account number 305-40-440.51270 "Construction Project" to complete funding for the project.

6. CITY MANAGER'S COMMENTS:

Recommend approval.

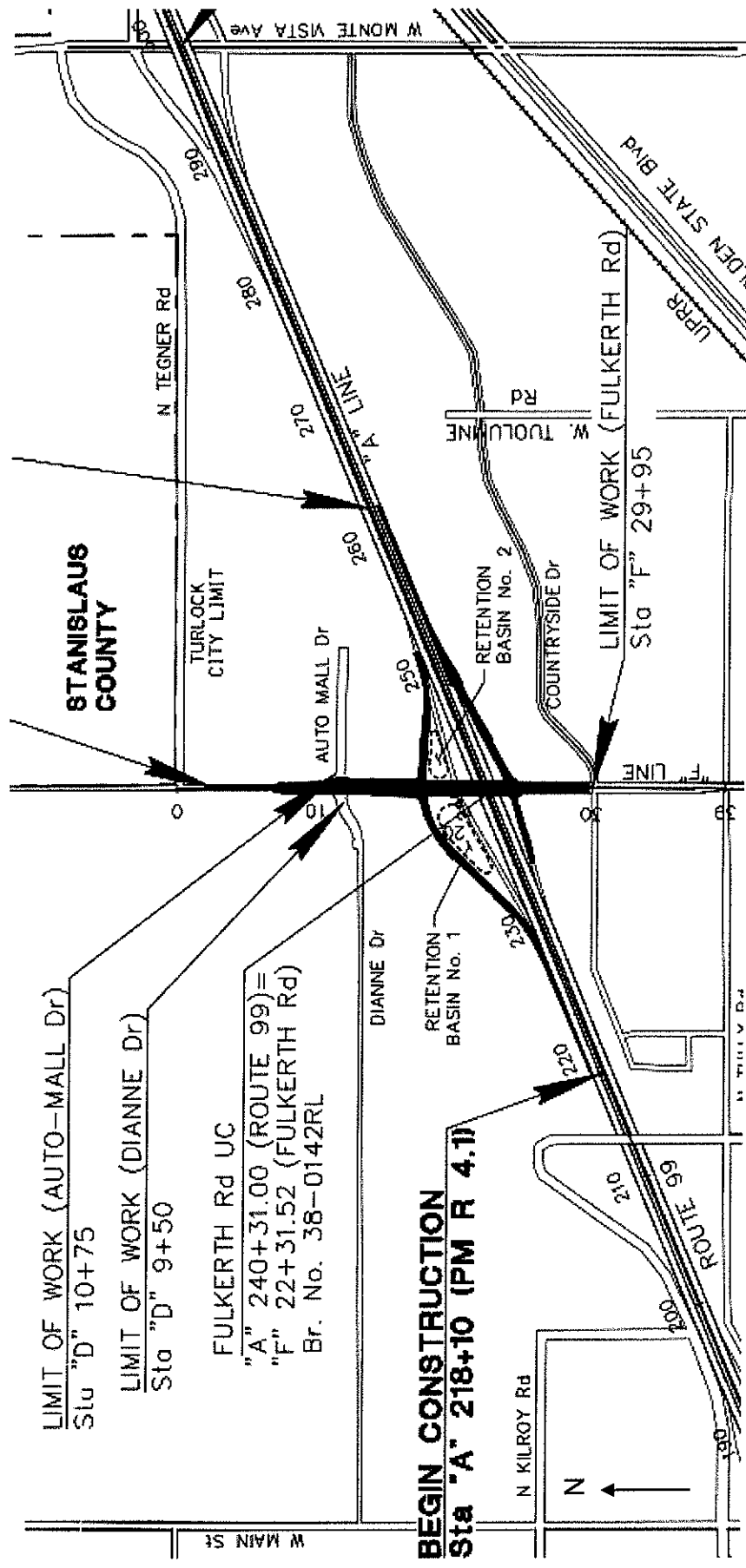
7. ENVIRONMENTAL DETERMINATION:

Caltrans has determined this project to be categorically exempt pursuant to Public Resource Code Section 21084 and/or 14 CCR 15300 et seq. No further determination is needed.

8. ALTERNATIVES:

- A. Council could choose to not approve Amendment No. 2. Staff does not recommend this alternative because an extension of the contract term and associated compensation is needed to provide construction management services to complete the project in Fiscal Year 2020-21.
- B. Council could reject Change Order No. 26, 28, 29, and 30 (Final). Staff does not recommend this action as the extra work is necessary due to differing site conditions encountered in the field from the contract documents and to reconcile the actual quantities in performance of the work with quantities estimated at bid time and approved contract change orders.
- C. Council could deny authorizing the City Engineer to file the Notice of Completion. Staff does not recommend this alternative as all work has been completed in accordance with the project plans and specifications.

Project Location
Freeway 99 and Fulkerth Road Interchange



LIMIT OF WORK (AUTO-MALL DR)
 Sta "D" 10+75

LIMIT OF WORK (DIANNE DR)
 Sta "D" 9+50

FULKERTH Rd UC
 "A" 240+31.00 (ROUTE 99)
 "F" 22+31.52 (FULKERTH Rd)
 Br. No. 38-0142RL

BEGIN CONSTRUCTION
Sta "A" 218+10 (PM R 4.1)

LIMIT OF WORK (FULKERTH Rd)
 Sta "F" 29+95



AMENDMENT NO. 2
to the
Agreement between the
CITY OF TURLOCK
and
NV5, INC.
for
Construction Management Services
CITY PROJECT NO. 0828

THIS AMENDMENT NO. 2, dated May 25, 2021, is entered into by and between the **CITY OF TURLOCK**, a municipal corporation (hereinafter "CITY") and **NV5, INC.**, a private corporation (hereinafter "CONSULTANT"). CITY and CONSULTANT are hereinafter referred to collectively as the "Parties."

WHEREAS, the Parties hereto previously entered into an Agreement dated September 5, 2018, whereby CONSULTANT will perform construction management services (hereinafter the "Agreement"); and

WHEREAS, on October 13, 2020, the Parties entered into Amendment No. 1 to the Agreement dated September 5, 2018, whereby CONSULTANT was to perform additional work in accordance with Exhibit C to Amendment No. 1; and

WHEREAS, the project has experienced delays and additional scope that was not anticipated with the CONSULTANT proposal; and

WHEREAS, the term and compensation of the Agreement are inadequate to perform the required services.

NOW, THEREFORE, the Parties hereto mutually agree to amend said Agreement as follows:

1. Paragraph 1 of the Agreement is amended to read as follows:

"1. **SCOPE OF WORK:** CONSULTANT shall furnish all labor, equipment, materials and process, implements, tools, and machinery, except as otherwise specified, which are necessary and required to provide the Services and shall perform such services in accordance with the specifications attached hereto as Exhibit A and B.

In addition to the Scope of Work attached as Exhibit A and B to the Agreement, CONSULTANT shall furnish all labor, equipment, materials and process, implements, tools, and machinery, except as otherwise specified, to complete the original scope of services, the scope of services set forth in Amendment No. 1 as Exhibit C, and the added scope of services attached to this Amendment No. 2 as Exhibit D, which are necessary and required to provide the Services, and shall perform such services in accordance with the specifications attached to the Agreement, Amendment No. 1, and this Amendment No. 2.”

2. Paragraph 4 of the Agreement is amended to read as follows:

"4. COMPENSATION: CITY agrees to pay CONSULTANT additional compensation in the amount of Nineteen Thousand Two Hundred Fifty and No/100^{ths} Dollars (\$19,250.00) in accordance with Exhibit D attached hereto and made a part hereof. The compensation for completion of all items of work, as set forth in the Agreement, Amendment No. 1 and this Amendment No. 2 shall not exceed One Million Four Hundred Sixty-One Thousand Two Hundred Sixty-Six and 98/100^{ths} Dollars (\$1,461,266.98). Such maximum amount shall be compensation for all of CONSULTANT's expenses incurred in the performance of the Agreement, Amendment No. 1 and this Amendment No. 2.”

3. Paragraph 5 of the Agreement is amended to read as follows:

"5. TERM OF AGREEMENT: This Agreement shall become effective upon execution and shall continue in full force and effect beginning September 5, 2018, and ending July 31, 2021 subject to CITY's availability of funds.”

4. All other terms and conditions of the Agreement shall remain in full force and effect.

(Signatures on Following Page)

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective officers thereunto duly authorized on the date first written hereinabove.

CITY OF TURLOCK, a municipal corporation

NV5, INC., a private corporation

By: _____
Gary R. Hampton, Acting City Manager

By: _____

Date: _____

Title: _____

APPROVED AS TO SUFFICIENCY:

Print name: _____

By: _____
Nathan Bray, P.E., Interim Development
Services Director / City Engineer

Date: _____

APPROVED AS TO FORM:

By: _____
George A. Petrulakis, Interim City Attorney

ATTEST:

By: _____
Jennifer Land, City Clerk



CONTRACT CHANGE ORDER

Date issued: May 25, 2021

Change Order No.: 26

Project Name: SR-99 / Fulkerth Road Interchange

Agee Construction

P.O. Box 629

Clovis, California 93613

559-299-3290

Project No.: 0828

Original Contract Amount: \$11,295,867.00

Contract Award Date: September 5, 2018

You are directed to make the following changes in this contract as requested by The City of Turlock:

ITEM	Unit:	Quantity:	Unit Price:	Total:
Miscellaneous Extra Work at Force Account	LS	1	\$20,028.11	\$20,028.11
Total this CCO=				\$20,028.11
The original contract sum =				\$11,295,867.00
Net change by previous change orders =				\$926,066.84
The contract sum will be (increased) by this Change Order =				\$20,028.11
The new contract sum including this change order will be =				\$12,241,961.95
There will be no adjustment of contract time for this change order.				

Accepted:

Contractor

Date:

4/5/21

Approved:

Nathan Bray, Interim Development Services Director/City Engineer

Date:

Approved:

Gary R. Hampton, Acting City Manager

Date:



CONTRACT CHANGE ORDER

Date issued: May 25, 2021

Change Order No.: 28

Project Name: SR-99 / Fulkerth Road Interchange

Agee Construction

P.O. Box 629

Clovis, California 93613

559-299-3290

Project No.: 0828

Original Contract Amount: \$11,295,867.00

Contract Award Date: September 5, 2018

You are directed to make the following changes in this contract as requested by The City of Turlock:

ITEM	Unit:	Quantity:	Unit Price:	Total:
Balance Contract Quantities (See attached back up sheet)				
1) Increase in Item at Contract Item Price			\$364,538.08	
2) Decrease in Item at Contract Item Price			(\$147,547.65)	
Subtotal of Difference			\$216,990.43	\$216,990.43
Total this CCO=				\$216,990.43
The original contract sum =				\$11,295,867.00
Net change by previous change orders =				\$946,094.95
The contract sum will be (increased) by this Change Order =				\$216,990.43
The new contract sum including this change order will be =				\$12,458,952.38
There will be no adjustment of contract time for this change order.				

Accepted: 
Contractor

Date: 4/5/21

Approved: _____
Nathan Bray, Interim Development Services Director/City Engineer

Date: _____

Approved: _____
Gary R. Hampton, Acting City Manager

Date: _____

CITY OF TURLOCK
CONTRACT CHANGE ORDER

SHEET 1 OF 2

CCO NUMBER 028		SUPPLEMENT NUMBER		DATE 3/31/2021
PROJECT NAME SR99 Fulkerth Road UC Improvement Project		CITY PROJECT NUMBER 08-28		CALTRANS PROJECT ID 1000000306

Change Requested by: engineer contractor

Nathan Bray, PE Interim Director of Development Services/City Engineer

CCO DESCRIPTION

Balancing Change Order

*You are directed to make the following changes from the plans and specifications or do the following described work not included in the plans and specifications for this contract.
NOTE: this change order is not effective until approved by the engineer.*

Balance Contract Quantities

1) Increase in Item at Contract Item Price

Bid Item #5 - Time Related Overhead	54 WDAY (+19.0%) @ \$2,350.00/WDAY = \$126,900.00 (+19.0%)
Bid Item #10 - Channelizer (Surface Mounted)	9 EA (+4.0%) @ \$35.00/EA = \$315.00 (+4.0%)
Bid Item #21 - Temporary Drainage Inlet Protection	5 EA (+14.0%) @ \$290.00/EA = \$1,450.00 (+14.0%)
Bid Item #23 - Temporary Construction Entrance	1 EA (+25.0%) @ \$3,350.00/EA = \$3,350.00 (+25.0%)
Bid Item #39 - Rolled Erosion Control Product (Netting)	1,080 SQFT (+2.0%) @ \$0.35/SQFT = \$378.00 (+2.0%)
Bid Item #45 - Hot Mix Asphalt (Type A)	863.6 TON (+6.0%) @ \$105.00/TON = \$90,678.00 (+6.0%)
Bid Item #49 - Place Hot Mix Asphalt Dike (Type F)	37 LF (+9.0%) @ \$8.50/LF = \$314.50 (+9.0%)
Bid Item #51 - Cold Plane Asphalt Concrete Pavement	2,895 SQYD (+32.0%) @ \$3.20/SQYD = \$9,264.00 (+32.0%)
Bid Item #54 - Minor Concrete (Ret. Wall Gutter)	17 LF (+3.0%) @ \$59.00/LF = \$1,003.00 (+3.0%)
Bid Item #59 - 18" Reinforced Concrete Pipe	8 LF (+4.0%) @ \$162.00/LF = \$1,296.00 (+4.0%)
Bid Item #60 - 24" Reinforced Concrete Pipe	35 LF (+2.0%) @ \$83.00/LF = \$2,905.00 (+2.0%)
Bid Item #65 - 24" Concrete Flared End Section	1 EA (+5.0%) @ \$1,200.00/EA = \$1,200.00 (+5.0%)
Bid Item #71 - Remove Downdrain	2EA (+22.0%) @ \$250.00/EA = \$500.00 (+22.0%)
Bid Item #74 - Adjust Storm Drain Manhole to Grade	5 EA (+63.0%) @ \$1,400.00/EA = \$7,000.00 (+63.0%)
Bid Item #75 - Rock Slope Protection (Facing Method B)	102.5 CY (+15.0%) @ \$165.00/CY = \$16,912.50 (+15.0%)
Bid Item #76 - Slope Paving (Concrete)	20 CY (+40.0%) @ \$744.00/CY = \$14,880.00 (+40.0%)
Bid Item #77 - Minor Concrete (Curb and Gutter)	207 LF (+9.0%) @ \$28.25/LF = \$5,847.75 (+9.0%)
Bid Item #78 - Minor Concrete (Sidewalk)	330.6 SQFT (+2.0%) @ \$4.70/SQFT = \$1,553.82 (+2.0%)
Bid Item #79 - Minor Concrete (Stamped Paving)	4 CY (+3.0%) @ \$638.40/CY = \$2,553.60 (+3.0%)
Bid Item #80 - Minor Concrete (Curb Ramp)	149.75 SQFT (+18.0%) @ \$18.30/SQFT = \$2,740.43 (+18.0%)
Bid Item #106 - Roadside Sign - One Post	3 EA (+5.0%) @ \$190.00/EA = \$570.00 (+5.0%)
Bid Item #110 - Midwest Guardrail System (Wood Post)	30.75 LF (+5.0%) @ \$47.50/LF = \$1,460.63 (+5.0%)
Bid Item #111 - Vegetation Control (Minor Concrete)	408.77 SQYD (+76.0%) @ \$71.90/SQYD = \$29,390.56 (+76.0%)
Bid Item #114 - End Anchor Assembly (Type SFT)	3 EA (100.0%) @ \$1,050.00/EA = \$3,150.00 (+100.0%)
Bid Item #118 - 6" Thermoplastic Traffic Stripe	5,822 LF (+25.0%) @ \$1.59/LF = \$9,256.98 (+25.0%)
Bid Item #119 - 8" Thermoplastic Traffic Stripe	960 LF (+16.0%) @ \$2.12/LF = \$2,035.20 (+16.0%)
Bid Item #120 - Thermoplastic Pavement Marking	2,785 SQFT (+78.0%) @ \$7.40/SQFT = \$20,609.00 (+78.0%)
Bid Item #121 - Thermoplastic Pavement Marking (Green Bike Lane)	94 SQFT (+2.0%) @ \$12.71/SQFT = \$1,194.74 (+2.0%)
Bid Item #122 - Remove Thermoplastic Traffic Stripe	4,186 LF (+419.0%) @ \$0.53/LF = \$2,218.58 (+419.0%)
Bid Item #123 - Remove Thermoplastic Pavement Marking	1,003 SQFT (+101.0%) @ \$3.60/SQFT = \$3,610.80 (+101.0%)

Total Increase in Item at Item Price = \$364,538.08

2) Decrease in Item at Contract Item Price

Bid Item #4 - Progress Schedule (Critical Path Method)	-0.80 LS (-80.0%) @ \$42,000.00/LS = -\$33,600.00 (-80.0%)
Bid Item #8 - Temporary pavement Marking (Paint)	-745.0 SQFT (-20.0%) @ \$3.20/SQFT = -\$2,384.00 (-20.0%)
Bid Item #9 - Temporary Traffic Stripe (Paint)	-1,479 LF (-3.0%) @ \$0.64/LF = -\$946.56 (-3.0%)
Bid Item #11 - Temporary Pavement Marker	-908 EA (-81.0%) @ \$5.30/EA = -\$4,812.40 (-81.0%)

Bid Item #13 - Temporary K-rail	-20 LF (-0.25%) @ \$22.50/LF = -\$450.00 (-0.25%)
Bid Item #14 - Temporary Crash Cushion Module	-3 EA (-3.0%) @ \$500.00/EA = -\$1,500.00 (-3.0%)
Bid Item #17 - Storm Water Annual Report	-1 EA (-50.0%) @ \$2,000.00/EA = -\$2,000.00 (-50.0%)
Bid Item #18 - Move-in/Move-out (Temporary Erosion Control)	-3 EA (-50.0%) @ \$530.00/EA = -\$1,590.00 (-50.0%)
Bid Item #19 - Temporary Hydraulic Mulch (Bonded Fiber Matrix)	-11,384 SQYD (-14.0%) @ \$0.47/SQYD = -\$5,350.48 (-50.0%)
Bid Item #22 - Temporary Fibe Roll	-14,500 LF (-100.0%) @ \$2.33/LF = -\$33,785.00 (-100.0%)
Bid Item #26 - Remove Yellow Thermoplastic Traffic Stripe (Hazardous Waste)	-460 LF (-100.0%) @ \$11.25/LF = -\$5,175.00 (-100.0%)
Bid Item #27 - Treated Wood Waste	-2,640 LB (-100.0%) @ \$1.05/LB = -\$2,772.00 (-100.0%)
Bid Item #30 - Adjust Water Valve Cover to Grade	-1 EA (-7.0%) @ \$680.00/EA = -\$680.00 (-7.0%)
Bid Item #41 - Fiber Rolls	-735 LF (-5.0%) @ \$2.47/LF = -\$1,815.45 (-5.0%)
Bid Item #44 - Replace Asphalt Concrete Surfacing	-26 CY (-3.0%) @ \$255.00/CY = -\$6,630.00 (-3.0%)
Bid Item #46 - Place Hot Mix Asphalt (Type A)	-240 LF (-100.0%) @ \$7.90/LF = -\$1,896.00 (-100.0%)
Bid Item #47 - Place Hot Mix Asphalt (Type C)	-26 LF (-14.0%) @ \$16.00/LF = -\$416.00 (-14.0%)
Bid Item #48 - Place Asphalt Dike (Type E)	-76 LF (-3.0%) @ \$3.90/LF = -\$296.40 (-3.0%)
Bid Item #50 - Tack Coat	-29.53 TON (-57.0%) @ \$300.00/TON = -\$8,859.00 (-57.0%)
Bid Item #58 - 12" Reinforced Concrete Pipe	-8 LF (-100.0%) @ \$196.00/LF = -\$1,568.00 (-100.0%)
Bid Item #61 - 18" Corrugated Steel Pipe (0.064" Thick)	-2 LF (9.0%) @ \$51.00/LF = -\$102.00 (-9.0%)
Bid Item #62 - 12" Corrugated Steel Pipe Downdrain (0.64" thick)	-22 LF (-8.0%) @ \$117.00/LF = -\$2,574.00 (-8.0%)
Bid Item #64 - 18" Concrete Flared End Section	-1 EA (-33.0%) @ \$1,140.00/EA = -\$1,140.00 (-33.0%)
Bid Item #66 - 36" Precast Concrete Pipe Inlet	-6.5 LF (-19.0%) @ \$350.00/LF = -\$2,275.00 (-19.0%)
Bid Item #67 - Storm Drain Manhole Type 1	-1 EA (-33.0%) @ \$5,000.00/EA = -\$5,000.00 (-33.0%)
Bid Item #70 - Remove Culvert	-39 LF (-12.0%) @ \$70.00/LF = -\$2,730.00 (-12.0%)
Bid Item #73 - Remove Flared End Section	-3.0 EA (-43.0%) @ \$550.00/EA = -\$1,650.00 (-43.0%)
Bid Item #91 - Chain Link Fence (Type CL-4)	-9 LF (-3.0%) @ \$23.50/LF = -\$211.50 (-3.0%)
Bid Item #92 - Chain Link Fence (Type CL-6)	-95 LF (-2.0%) @ \$18.30/LF = -\$1,738.50 (-2.0%)
Bid Item #93 - Remove Fence	-941 LF (-13.0%) @ \$3.20/LF = -\$3,011.20 (-13.0%)
Bid Item #94 - Remove Pavement Marker	-918 EA (-33.0%) @ \$2.12/EA = -\$1,946.16 (-33.0%)
Bid Item #95 - Delineator (Class 1)	-66 EA (-89.0%) @ \$30.50/EA = -\$2,013.00 (-89.0%)
Bid Item #96 - Pavement Marker (Retroreflective)	-480 EA (-37.0%) @ \$6.35/EA = -\$3,048.00 (-37.0%)
Bid Item #97 - Remove Roadside Sign	-18 EA (-39.0%) @ \$105.00/EA = -\$1,890.00 (-39.0%)
Bid Item #99 - Relocate Roadside Sign	-2 EA (-13.0%) @ \$196.00/EA = -\$392.00 (-13.0%)
Bid Item #107 - Roadside Sign - 2 Post	-1 EA (-20.0%) @ \$1,300/EA = -\$1,300.00 (-20.0%)

Total Decrease in Item at Item Price = (\$147,547.65)

Total Change Order 28 = \$216,990.43

There will be no adjustment for the above listed items in accordance with Section 9-1.0, "Changed Quantity Payment Adjustments" of the Standard Specifications by reason of this contract change order

An Increase of 54 days will be added for changes to items on the critical path.

Estimated Cost: Increase Decrease \$216,990.43

By reason of this order the time of completion will be adjusted as follows: 54 days

SUBMITTED BY		
SIGNATURE	(PRINT NAME & TITLE)	DATE
	JOY DENNY, RESIDENT ENGINEER	03/31/21

ENGINEER APPROVAL BY		
SIGNATURE	(PRINT NAME & TITLE)	DATE
	NATHAN BRAY, INTERIM DIRECTOR OF DEVELOPMENT SERVICES/CITY ENGINEER	

CITY COUNCIL APPROVAL BY (IF NEEDED)		
SIGNATURE	(PRINT NAME & TITLE)	DATE

We, the undersigned contractor, have given careful consideration to the change proposed and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefore the prices shown above. NOTE: If you, the contractor, do not sign acceptance of this order, your attention is directed to the requirements of the specification as to proceeding with the ordered work and filing a written protest within the time therein specified.

CONTRACTOR ACCEPTANCE BY		
SIGNATURE	(PRINT NAME & TITLE)	DATE
	Alan Dorian	3/31/21



CONTRACT CHANGE ORDER

Date issued: May 25, 2021 **Change Order No.:** 29 (Final)
Project Name: SR-99 / Fulkerth Road Interchange

Agee Construction
 P.O. Box 629
 Clovis, California 93613
 559-299-3290

Project No.: 0828
Original Contract Amount: \$11,295,867.00
Contract Award Date: September 5, 2018

You are directed to make the following changes in this contract as requested by The City of Turlock:

ITEM	Unit:	Quantity:	Unit Price:	Total:
Balance Contract Change Order Quantities				
CCO1.1 Traffic Control Supplement 1, -.027 LS = -\$667.30	LS	1	(\$10,317.85)	(\$10,317.85)
CCO 3 Manmade buried objects, -.289 LS = -\$2,889.81				
CCO 6 Maintain Caltrans Pullboxes, -.26 LS = -\$1,280.80				
CCO 7 Relocate Ex Irrigation System, -.183 LS = -\$5,479.94				
Total this CCO=				(\$10,317.85)
The original contract sum =				\$11,295,867.00
Net change by previous change orders =				\$1,163,085.38
The contract sum will be (decreased) by this Change Order =				(\$10,317.85)
The new contract sum including this change order will be =				\$12,448,634.53
There will be no adjustment of contract time for this change order.				

Accepted: 
 Contractor

Date: 4/5/21

Approved: _____
 Nathan Bray, Interim Development Services Director/City Engineer

Date: _____

Approved: _____
 Gary R. Hampton, Acting City Manager

Date: _____



CONTRACT CHANGE ORDER

Date issued: May 25, 2021

Change Order No.: 30 (Final)

Project Name: SR-99 / Fulkerth Road Interchange

Agee Construction
P.O. Box 629
Clovis, California 93613
559-299-3290

Project No.: 0828
Original Contract Amount: \$11,295,867.00
Contract Award Date: September 5, 2018

You are directed to make the following changes in this contract as requested by The City of Turlock:

ITEM	Unit:	Quantity:	Unit Price:	Total:
Oil Index Adjustment	LS	1	(\$107,059.60)	(\$107,059.60)
Total this CCO=				(\$107,059.60)
The original contract sum =				\$11,295,867.00
Net change by previous change orders =				\$1,152,767.53
The contract sum will be (decreased) by this Change Order =				(\$107,059.60)
The new contract sum including this change order will be =				\$12,341,574.93
There will be no adjustment of contract time for this change order.				

Accepted: Alan Dirlam
Contractor Alan Dirlam, Chief Estimator - Agee Construction

Date: 5/5/21

Approved: _____
Nathan Bray, Interim Development Services Director/City Engineer

Date: _____

Approved: _____
Gary R. Hampton, Acting City Manager

Date: _____

**RECORDED AT THE REQUEST OF:
CITY OF TURLOCK**

WHEN RECORDED MAIL TO:
CITY OF TURLOCK
Office of the City Clerk
156 S. Broadway, Suite 230
TURLOCK, CA 95380-5454

**NOTICE OF COMPLETION
CITY PROJECT NO. 028
SR-99/FULKERTH ROAD INTERCHANGE**

Notice is hereby given that work on the above-referenced project located at State Route 99 and Fulkerth Road interchange, Turlock, California, was completed by the undersigned agency on May 25, 2021. The contractor of work is Agee Construction, P.O. Box 629, Clovis, California 93613 and the owner is the City of Turlock, 156 South Broadway, Suite 150, Turlock, California, 95380. Kindly refer to said Project Number on all communications relating to this work.

Date: _____

(Signature- Nathan Bray, P.E., Interim Development Services Director/
City Engineer, Owner's Agent), City of Turlock

VERIFICATION

I, the undersigned, Development Services Director/City Engineer of the owner of the aforesaid interest, have read this notice; I know and understand the contents thereof; and the facts stated therein are true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

CITY OF TURLOCK

NATHAN BRAY, P.E.
INTERIM DEVELOPMENT SERVICES DIRECTOR/CITY ENGINEER
OWNER'S AGENT

Executed on May 26, 2021 at Turlock, California, Stanislaus County

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

**IN THE MATTER OF APPROPRIATING
\$140,000 TO ACCOUNT NUMBER 305-40-
440.51270 "CONSTRUCTION PROJECT"
FROM FUND 305 (ROADWAYS) UNASSIGNED
RESERVES TO COMPLETE FUNDING
FOR CITY PROJECT NO. 0828
"SR-99/FULKERTH ROAD INTERCHANGE"**

RESOLUTION NO. 2021-

WHEREAS, by separate action, the City Council is requested to approve the Notice of Completion of construction for City Project No. 0828 "SR-99/Fulkerth Road Interchange"; and

WHEREAS, estimated construction costs totaling \$14,023,788 were funded as identified in the table below at the time of the award of bid on September 5, 2018; and

Funding Source	Amount
Capital Facilities Fees (CFF) -- Transportation	\$ 5,000,000
Capital Facilities Fees (CFF) -- Administration*	\$ 3,513,788
SB 1 grant funds	\$ 5,510,000
TOTAL	\$ 14,023,788

WHEREAS, the actual construction costs in the amount of \$14,161,843 exceeded the estimated construction cost of \$14,023,788, resulting in a funding shortfall in the amount of \$138,055; and

WHEREAS, the remaining funding for this project is available in Fund 305 (Roadways) Unassigned Reserves Fund.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Turlock does hereby appropriate \$140,000 to account number 305-40-440.51270 "Construction Project" from Fund 305 (Roadways) Unassigned Reserves to complete funding for City Project No. 0828 "SR-99/Fulkerth Road Interchange."

PASSED AND ADOPTED at a special meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

City Council Staff Report

May 25, 2021



60

From: Nathan Bray, P.E.
Interim Development Services Director / City Engineer

Prepared by: Nathan Bray, P.E.
Interim Development Services Director / City Engineer

Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Motion: Authorizing staff to proceed with the design of road rehabilitation for City Project No. 21-018 "Lander Avenue Rehabilitation" using Fund 218 "Measure L" funds

2. SYNOPSIS:

This action authorizes staff to complete the design for City Project No. 21-018 "Lander Avenue Rehabilitation" from D Street to State Route 99 (SR-99) and identifies Fund 218 "Measure L" as the funding source for design purposes.

3. DISCUSSION OF ISSUE:

In 2010 the City was awarded a federal grant to prepare "shovel-ready" road rehabilitation projects to be constructed over the course of ten (10) years. These design projects were a creative opportunity to utilize federal funds that would have otherwise been lost due to the timeframes to obligate such funds. Staff has used these funds to design various road projects that were later constructed with additional federal funding. Such road projects include:

- W. Main Street (Tegner Road – Kilroy Road)
- Fulkerth Road (SR-99 – Golden State Boulevard)
- E. Main Street (Canal Drive – Berkeley Avenue)
- Fulkerth Road (Fransil Lane – SR-99)
- Monte Vista Avenue (Crowell Road – Geer Road)
- Hawkeye Avenue (Dels Lane – Olive Avenue)
- Geer Road (Monte Vista Avenue – Taylor Road)
- Monte Vista Avenue (Geer Road – Amethyst Way)
- Hawkeye Avenue (Olive Avenue – Daubenberger Road)

The last remaining project that started the design phase is City Project No. 21-018 "Lander Avenue Rehabilitation" from D Street to SR-99. The original scope of work included road surface improvements and replacement of curb ramps in accordance with federal guidelines. Design was completed by the City when there was available staff to perform project design of this magnitude. The design is 85% complete; however, no federal funds remain of the awarded federal grant.

Staff is proposing to utilize Measure L funds to finish the design on this segment of roadway that will include the original scope of work plus additional street lights and median modifications, as necessary. Measure L funds were intended to provide funding for local transportation improvements and leveraging future funds and, therefore, are an appropriate use for completing this road rehabilitation design. Excluding any delays, construction is expected to start in summer of 2022 and will be funded by Measure A funds.

4. BASIS FOR RECOMMENDATION:

- A. Measure L funds can only be used to improve local streets and roads, improve connectivity, and reduce congestion. Funds can be used for all phases of project implementation including design.
- B. Measure L funds are available for this project.
- C. City Project No. 21-018 "Lander Avenue Rehabilitation" is the closest "shovel-ready" project to completion. This action would position the City to rehabilitate Lander Avenue from D Street to SR99 in the summer of 2022.

5. FISCAL IMPACT / BUDGET AMENDMENT:

***NOTE:** No General Funds will be used for this action.

There are sufficient funds available in account number 218-40-461.51270 "Construction Project" for this action. Future construction costs will be identified and brought before Council with the Award of Bid once the project is bid.

6. CITY MANAGER'S COMMENTS:

Recommend approval.

7. ENVIRONMENTAL DETERMINATION:

This action is not subject to the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15378 (Project) of the CEQA guidelines. This action consists of "organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment" and therefore is not considered a project.

8. ALTERNATIVES:

- A. Council could choose to reject proceeding with design on City Project No. 21-018 "Lander Avenue Rehabilitation." Staff does not recommend this alternative as the additional work is necessary to complete the plans for construction.

City Council Staff Report

May 25, 2021



From: Nathan Bray, P.E.,
Interim Development Services Director / City Engineer

Prepared by: Dawn Gillenwater, Staff Services Assistant

Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Resolution: Initiating proceedings for filing of the Annual Report for Fiscal Year 2021-22 for all Landscaping and Lighting Assessment Districts (Exhibit A) and all Street Maintenance Benefit Assessment Areas (Exhibit B) in the City of Turlock and directing the City Engineer to act as the Engineer of Work and produce an Engineer's Report which details the annual costs to each lot of each development

2. SYNOPSIS:

This action begins the procedures for filing of the Annual Report for Fiscal Year 2021-22 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock.

3. DISCUSSION OF ISSUE:

The Landscaping and Lighting Act of 1972 and the Benefit Assessment Act of 1982 allow for the formation of Assessment Districts and Benefit Assessment Areas. The purpose of assessment districts and benefit assessment areas is to ensure that development pays for its own maintenance and operation of streetlights, landscape maintenance, street sweeping, and future slurry seals. The formation of assessment districts and benefit assessment areas allow the associated developments to be built and not impact existing City funds that maintain existing streets, landscaping and lighting. Since the enactment of these two Acts the City of Turlock has completed formation of two hundred ten (210) assessment districts and benefit assessment areas with approximately \$3.2 Million in revenue.

Both the Landscaping & Lighting Act and the Benefit Assessment Act require the filing of an annual report for each fiscal year assessments to be levied and collected. The Engineer of Work is to produce an Engineer's Report detailing the annual costs to each lot of each development, which is collected on property taxes.

This report provides the costs to maintain and operate the streetlights, landscape maintenance, street sweeping, and future slurry seals on the streets within each assessment district and benefit assessment area.

The proceedings for the filing of the annual reports will be conducted at three (3) Council meetings. The Council's action tonight is the first meeting and will initiate proceedings for filing the annual reports and directing the City Engineer to produce and file an Engineer's Report with the City Clerk for submission to Council. In the second meeting, currently scheduled for June 22, 2021, Council may approve the report, as filed, or the Council may modify the report and approve it as modified. After approval of the report, as filed or as modified, the Council will declare its intention to levy and collect assessments, and schedule a public hearing to allow any interested person to file a written protest or address the Council on this matter. In the third and final meeting, currently scheduled for July 27, 2021, Council will conduct the public hearing and upon its conclusion, by resolution confirm the diagram and assessment for Fiscal Year 2021-22 for filing with the Stanislaus County Auditor.

4. BASIS FOR RECOMMENDATION:

- A. The annual report is required to be submitted to the County Auditor for collection of assessment district funds.

5. FISCAL IMPACT / BUDGET AMENDMENT:

Fiscal Impact The assessment districts generate approximately \$3,200,000 in revenue to Fund number 246. This revenue is used to perform the maintenance work identified in the assessment districts.

6. CITY MANAGER'S COMMENTS:

Recommend Approval.

7. ENVIRONMENTAL DETERMINATION:

This action is not subject to the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15378 (Project) of the CEQA guidelines. This action consists of "organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment" and therefore is not considered a project.

8. ALTERNATIVES:

- A. Council could choose to decline to initiate proceedings for the filing of the Annual Report for Fiscal Year 2021-22. Staff does not recommend this alternative as this is the funding mechanism for the work performed in the

assessment districts. The City utilizes these funds for the maintenance of streetlights, landscaping, street sweeping, and the maintenance of streets within the assessment districts and benefit assessment areas. If assessment district funding is not collected, either the work would not be able to be performed resulting in a maintenance backlog or the City would need to fund the activities from the General Fund.

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

**IN THE MATTER OF INITIATING }
PROCEEDINGS FOR FILING OF THE }
ANNUAL REPORT FOR FISCAL YEAR }
2021-22 FOR ALL LANDSCAPING AND }
LIGHTING ASSESSMENT DISTRICTS }
(EXHIBIT A) AND ALL STREET }
MAINTENANCE BENEFIT ASSESSMENT }
AREAS (EXHIBIT B) IN THE CITY }
OF TURLOCK AND DIRECTING THE CITY }
ENGINEER TO ACT AS THE ENGINEER OF }
WORK AND PRODUCE AN ENGINEER'S }
REPORT WHICH DETAILS THE ANNUAL }
COSTS TO EACH LOT OF EACH }
DEVELOPMENT }
_____ }**

RESOLUTION NO. 2021-

WHEREAS, the City of Turlock has established Landscape and Lighting Assessment Districts as identified in Exhibit A and Street Maintenance Benefit Assessment Areas as identified in Exhibit B; and

WHEREAS, the Landscaping and Lighting Act of 1972 requires the filing of an annual report pursuant to §22565 and §22620 of the Streets and Highways Code; and

WHEREAS, the Benefit Assessment Act of 1982 requires the filing of an annual report pursuant to §54716 of the California Government Code; and

WHEREAS, these reports provide the costs to maintain and operate the street lights, landscape maintenance, street sweeping and future slurry seals on the streets within each assessment district and benefit assessment area; and

WHEREAS, no new improvements or substantial changes in existing improvements are proposed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Turlock as follows:

1. The City Council of the City of Turlock designates the City Engineer of the City of Turlock as the Engineer of Work for the purpose of preparing the annual report for Fiscal Year 2021-22 for all Landscape and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock.

2. The City Engineer is hereby ordered to prepare and file a report in accordance with Article 4 (commencing with section 22565) of Chapter 1 of the

Landscaping and Lighting Act of 1972 and in accordance with Article 4 (commencing with section 54716) of Chapter 6.4 of the Benefit Assessment Act of 1982.

3. Upon completion of the report, the City Engineer shall file the report with the City Clerk for submission to the City Council of the City of Turlock.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

EXHIBIT "A"

Landscape and Lighting Act of 1972 Assessment Districts	
Amberwood	Dewar Estates No. 3
Apple Lane Estates	Dianne Business Park
Arlinda Estates	Dust Bowl Brewery
Ashley Estates	Enterprise Park
Asoofi Subdivision	Ferreira Ranch Estates
Autumn Brook No. 1	Ferreira Ranch Estates No. 2
Autumn Brook No. 2	Ferreira Ranch Estates No. 3
Balboa Park (Fitzpatrick Apartments)	Ferreira Ranch Estates No. 4
Bandera	Ferreira Ranch Estates No. 5
Bandera No. 2	Festival
Baptista Estates	Florsheim NEMP (DeLaMotte) for Palermo
Baptista Estates No. 2	Forest Oak No. 2
Blue Diamond	Gabrielle Estates
Calista Estates	Gemstone Estates
Campus Park No. 1,2 ,3	Gerald Court Estates
Campus Vista	Glenwood Park
Cedarcrest	Health & Wellness Center
Cedarcrest No. 2	Heartland Estates
Centennial Place No. 2	Heirlooms No. 1
Chevron Fulkerth	Heirlooms No. 2
Cimmaron No. 1	Heirlooms No. 3
Cimmaron No. 2	Hervey Estates
Claremont Meadows	Hilmar Cheese
Colorado Springs	Huntington Estates
Cottage Park	Huntington Estates No. 2
Countryside No. 2	J&R Investments
Countryside No. 3 & PM 01-08	Johnson
Countryside No. 4	Kandola
Countryside Estates	L&M Industrial
Countryside Plaza	Lauren Estates
Danielle Estates	Lauren Estates No. 2
Danielle Estates No. 2	Lauren Estates No. 3,4
Del's Lane Townhomes	Legends No. 1,2
Delta National Bank	Legends No. 3
Dewar Estates	Legends No. 4
Dewar Estates No. 2	Legends No. 6

EXHIBIT "A"

Landscape and Lighting Act of 1972 Assessment Districts	
Legends No. 7	PM 05-01 Emanuel
Legends North No. 1	PM 05-03 Byung
Legends North No. 2	PM 05-07 Hawkeye Shopping Center
Legends North No. 4	PM 05-09 Lewis
Lewis Terrace Estates & PM 04-03	PM 05-12 Heritage Homes
Liberty Industrial Park	PM 07-06 Kevin Berger
Makoor Estates	PM 11-04 Avena Bella
Milestone	PM 12-01 Moline
Montana Ave Industrial Park (Freitas)	PM 13-01 Sutter Gould
Montana Estates	PM 14-02 Quong & Jennie Doo
Monte Vista Crossings	Promenade
Monte Vista Crossings North	Rhodes Estates
Monte Vista Estates	Rolling Hills
Monte Vista Manor	Rose Cottage
Monte Vista Village	Rose Cottage No. 2
Mooneyham Estates	Rose Cottage No. 3
Northern Sunrise Estates	Rose Walk No. 1
Northern Sunrise Estates No. 2	Rose Walk No. 2,3,4
Northern Sunrise Estates No. 2A	Rose Walk No. 5
Northern Sunrise Estates No. 3	Sierra Oaks Apartments
Northern Sunrise Estates No. 4	Sondeno, Denny's, Jack-n-Box
Northlock Industrial Park	Sterling Oaks No. 1
Northview Meadows No. 2	Sterling Oaks No. 2
Northview Meadows No. 3	Sterling Oaks No. 4
Old Vineyard	Sterling Oaks No. 5
Olive Grove Manor	Sterling Oaks No. 6
Ormi	Summerfield
Pereira No. 1,2	Sun Ridge South
Pereira No. 3	Swanpark Estates
Pinecrest Estates	Taco Bell
Pinecrest Estates No. 2	Tamimi
Pinecrest Estates No. 3	The Classics
PM 97-07 Kennedy/King	Tiffany Park
PM 00-03 Sondeno/Starkweather	Traditions
PM 04-02 College Plaza	Traditions No. 2
PM 04-09 Gwin	Traditions No. 3

EXHIBIT "A"

Landscape and Lighting Act of 1972 Assessment Districts	
Traditions No. 4,5	Valley Milk
Turlock 99 Business Park	Valley Ventures PM 04-05
Turlock Auto Plaza	Ventana
Turlock Multi-Family	Vermont Villas
Turlock Park Villas (Commercial)	Villagio (Baptista)
Turlock Park Villas (Residential)	Voumard No. 1 (Rose Classics)
Turlock Village (Commercial)	Voumard No. 2
Turlock Village (Residential)	Winter Haven
Turlock Walnut Company	Winter Haven No. 2
US Cold Storage	Wyndfair Estates
Monte Verde	PM 17-04 Kuo
Potter's Landing	PM 17-05 680 D Street LLC
PM 17-02 Turlock Corners LLC	PM 18-01 Nazmi
PM 17-03 Scott	PM 19-01 Warrior Crossing

EXHIBIT "B"

Benefit Assessment Act of 1982 Benefit Assessment Areas	
Added Space Comm. Center	Countryside Estates
Alpine Estates	Countryside Plaza
Amberwood	Danielle Estates
Anderson Estates	Danielle Estates No. 2
Apple Lane Estates	Del's Lane Townhomes
Arbor Estates No. 10	Delta National Bank
Arlinda Estates	Dewar Estates
Ashley Estates	Dewar Estates No. 2
Asoofi Subdivision	Dewar Estates No. 3
Autumn Brook No. 1	Dianne Business Park
Autumn Brook No. 2	Dust Bowl Brewery
Balboa Park (Fitzpatrick Apartments)	Eastbrook Estates
Bandera	Elizabeth Court
Bandera No. 2	Enterprise Park
Baptista Estates	Ferreira Ranch Estates
Baptista Estates No. 2	Ferreira Ranch Estates No. 2
Berkeley Woods	Ferreira Ranch Estates No. 3
Blue Diamond	Ferreira Ranch Estates No. 4
Bristol Park	Ferreira Ranch Estates No. 5
Calista Estates	Festival
Cambridge Place No. 6	Florsheim NEMP (DeLaMotte) for Palermo
Campus Park No. 1,2,3	Forest Oak Estates
Cedarcrest	Forest Oak Estates No. 2
Cedarcrest No. 2	Gabrielle Estates
Centennial Place No. 2	Gemstone Estates
Chakkar Estates No. 2	Gerald Court Estates
Champagne Estates	Glenwood Park
Chevron Fulkerth	Health & Wellness Center
Christel Estates	Heartland Estates
Cimmaron No. 1	Heirlooms No. 1
Cimmaron No. 2	Heirlooms No. 2
Claremont Meadows	Heirlooms No. 3
Colorado Springs	Hervey Estates
Cottage Park	Hilmar Cheese
Countryside No. 2	Hollis Manor
Countryside No. 3 & PM 01-08	Huntington Estates
Countryside No. 4	Huntington Estates No. 2

EXHIBIT "B"

Benefit Assessment Act of 1982 Benefit Assessment Areas	
J&R Investments	Northern Sunrise Estates No. 2A
Johnson	Northern Sunrise Estates No. 3
Kandola	Northern Sunrise Estates No. 4
Kensington Estates	Northlock Industrial Park
Kirkwood No. 3	Northview Meadows
L&M Industrial	Northview Meadows No. 2
Lauren Estates	Northview Meadows No. 3
Lauren Estates No. 2	Oak Park
Lauren Estates No. 3,4	Old Vineyard
Legends No. 1,2	Oleander Gardens
Legends No. 3	Ormi
Legends No. 4	Pereira No. 1,2
Legends No. 6	Pereira No. 3
Legends No. 7	Pinecrest Estates
Legends North No. 1	Pinecrest Estates No. 2
Legends North No. 2	Pinecrest Estates No. 3
Legends North No. 4	Pineridge Place
Lewis Street Manor	Pleasant Valley Estates
Lewis Terrace Estates & PM 04-03	PM 97-07 Kennedy/King
Liberty Industrial Park	PM 00-03 Sondeno/Starkweather
Linwood Estates No. 1,2	PM 04-02 College Plaza
Linwood Estates No. 3	PM 04-09 Gwin
Makoor Estates	PM 05-01 Emanuel
McDonald Manor	PM 05-03 Byung
Milestone	PM 05-07 Hawkeye Shopping Center
Montana Ave Industrial Park (Freitas)	PM 05-09 Lewis
Montana Estates	PM 05-12 Heritage Homes
Monte Vista Crossings	PM 07-06 Kevin Berger
Monte Vista Crossings North	PM 11-04 Avena Bella
Monte Vista Estates	PM 12-01 Moline
Monte Vista Village	PM 13-01 Sutter Gould
Mooneyham Estates	PM 14-02 Quong & Jennie Doo
North Berkeley Estates	Promenade
North Olive Estates No. 3,4	Rhodes Estates
Northern Sunrise Estates	Rolling Hills
Northern Sunrise Estates No. 2	Rose Cottage

EXHIBIT "B"

Benefit Assessment Act of 1982 Benefit Assessment Areas	
Rose Cottage No. 2	Traditions No. 3
Rose Cottage No. 3	Traditions No. 4,5
Rose Walk No. 1	Tuolumne East Estates
Rose Walk No. 2,3,4	Turlock 99 Business Park
Rose Walk No. 5	Turlock Multi-Family
Royal Oaks	Turlock Park Villas (Commercial)
Sierra Oaks Apartments	Turlock Park Villas (Residential)
Silverado Heights	Turlock Village (Commercial)
Sondeno, Denny's, Jack-n-Box	Turlock Village (Residential)
Southern Belle Estates / PM 03-08	Turlock Walnut Company
Sterling Oaks No. 1	US Cold Storage
Sterling Oaks No. 2	Valley Milk
Sterling Oaks No. 4	Valley Ventures PM 04-05
Sterling Oaks No. 5	Vasconcellos Estates
Sterling Oaks No. 6	Ventana
Stonridge (Silver Oak)	Venture Park
Summer Faire	Vermont Villas
Summerfield	Villa Woods
Sun Ridge South	Villagio (Baptista)
Swan Park Estates	Voumard No. 1 (Rose Classics)
Taco Bell	Voumard No. 2
Tamimi	W Main / Walnut
The Classics	Walnut Acres No. 2
Thorsen Estates No. 2	Winter Haven No. 2
Tiffany Park	Wyndfair Estates
Traditions	Monte Verde
Traditions No. 2	Potter's Landing
PM 17-02 Turlock Corners LLC	PM 17-05 680 D Street LLC
PM 17-03 Scott	PM 18-01 Nazmi
PM 17-04 Kuo	PM 19-01 Warrior Crossing

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City Council Staff Report
May 25, 2021



From: Nathan Bray, P.E.,
Interim Development Services Director / City Engineer

Prepared by: Wayne York, Transit Manager

Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Motion: Approving Amendment No. 2 to an Agreement with Stott Outdoor Advertising of Chino, California, increasing the term of the Agreement by five (5) months through December 31, 2021, and updating contract administrator information

2. SYNOPSIS:

This action approves an amendment with Stott Outdoor Advertising to extend their current agreement for transit-related advertising services by five (5) months and updates contract administrator information.

3. DISCUSSION OF ISSUE:

On February 24, 2015, following a competitive solicitation, the City Council awarded a three (3) year agreement to Stott Outdoor Advertising (Stott) of Chino, California, for the administration of a transit-related advertising program for the exterior of City transit buses. As a revenue contract, it outlined expected revenue amounts based on actual performance of sales, with the City receiving the higher of either: (1) a minimum, monthly guarantee amount or (2) 30% of net revenue. The contract provided for a three (3) year base term and a single three (3) year extension option.

On June 12, 2018, the City Council approved Amendment No. 1 to the Agreement with Stott which implemented the single three (3) year extension option, resulting in a new Agreement expiration date of July 31, 2021. All other material terms and conditions were maintained.

On March 12, 2019, the City Council authorized the issuance of a Request for Proposals (RFP) for transit-related advertising services. Following the release of the RFP, City staff received only two (2) proposals in response, which was not enough to establish a competitive range and no further action was taken at that time.

Further analysis indicated that providing more specific information on past advertising efforts, as well as completing the installation of bus shelters in advance of issuance of the RFP, are both factors that would likely improve responses from potential firms.

City staff is recommending the extension of the current Agreement with Stott for five (5) months, which will provide sufficient time to conduct a new solicitation for an expanded transit-related advertising program. This future effort is expected to result in additional revenue made available to the City in future years.

4. BASIS FOR RECOMMENDATION:

- A. Maintains revenue that can be used to fund transit operations and improve the fare recovery ratio calculations.
- B. Provides sufficient time for the solicitation and review of proposals, the award of a contract, and the transition between contractors (if required).
- C. Ensures the completion of the installation of 20 new bus shelters with ad panels prior to implementing an agreement with a program for managing bus shelter advertisements.

5. FISCAL IMPACT / BUDGET AMENDMENT:

All revenue generated under this Agreement will be used to fund transit operations split between fixed route and ADA paratransit modes. The amount of revenue is expected to range from \$3,200 to \$4,500 per month and can vary based on several factors including:

- Changes to the number and type of fleet vehicles in active operation; and
- Rate of return of advertisers (Stott clients) following a decline in advertising campaigns due to the COVID-19 pandemic.

Revenue generated under the Agreement would be considered "local revenue" under the State's Transportation Development Act (TDA) and would positively affect the calculation of applicable fare recovery ratios for transit operations.

There is no impact to the General Fund. There is no budget amendment required.

6. CITY MANAGER'S COMMENTS

Recommend Approval.

7. ENVIRONMENTAL DETERMINATION:

This action is not subject to the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15378 (Project) of the CEQA guidelines.

This action consists of “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment,” and therefore, is not considered a project.

8. ALTERNATIVES:

- A. Reject approval of the proposed amendment. City staff does not recommend this approach because the extension of the Agreement with Stott will:
 - a. Generate revenue to support transit operations,
 - b. Provide “local revenue” for the purpose of the TDA fare recovery ratio calculations, and
 - c. Will provide sufficient time to the City and potential proposers to participate in a new, competitive solicitation process that would expand the scope of services to include advertising on bus exteriors and bus shelters.



AMENDMENT NO. 2
to the
Agreement for Special Services between the
CITY OF TURLOCK
and
STOTT OUTDOOR ADVERTISING
for
Exterior Advertisements on City Transit Buses

THIS AMENDMENT NO. 2, dated May 25, 2021, is entered into by and between the **CITY OF TURLOCK**, a municipal corporation (hereinafter "CITY") and **STOTT OUTDOOR ADVERTISING**, (hereinafter "CONTRACTOR"). CITY and CONTRACTOR are hereinafter referred to collectively as the "Parties."

WHEREAS, on February 24, 2015, the Parties hereto previously entered into an Agreement, whereby CONTRACTOR would perform transit-related advertising services, (hereinafter the "Agreement"); and

WHEREAS, on June 12, 2018, the Parties entered into Amendment No. 1 to the Agreement, whereby CITY executed a three-year extension term option, extending the term of the Agreement to July 2021.

NOW, THEREFORE, the Parties hereto mutually agree to further amend said Agreement as follows:

1. Paragraph 6 of the Agreement is amended to read as follows:

"6. TERM OF AGREEMENT: This Agreement shall become effective upon execution and shall continue in full force and effect beginning August 1, 2015, and ending December 31, 2021, subject to CITY's availability of funds."

2. Paragraph 36 of the Agreement is amended to read as follows:

CITY CONTRACT ADMINISTRATOR: The CITY's contract administrator and contact person for this Agreement is:

Wayne York, Transit Manager
Development Services Department
Transit Division
1418 N. Golden State Blvd., Suite 1
Turlock, California 95380

Telephone: (209) 669-2800
E-mail: wyork@turlock.ca.us

3. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by and through their respective officers thereunto duly authorized on the date first written hereinabove.

CITY OF TURLOCK, a municipal corporation

STOTT OUTDOOR ADVERTISING

By: _____
Gary R. Hampton, Acting City Manager

By: _____

Date: _____

Title: _____

APPROVED AS TO SUFFICIENCY:

Print name: _____

By: _____
Nathan Bray, P.E., Interim Development
Services Director / City Engineer

Date: _____

APPROVED AS TO FORM:

By: _____
George A. Petrulakis, Interim City Attorney

ATTEST:

By: _____
Jennifer Land, City Clerk

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City Council Staff Report

May 25, 2021



From: Nathan Bray, P.E.,
Interim Development Services Director / City Engineer

Prepared by: Wayne York, Transit Manager

Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Motion: Authorizing the City Manager to terminate a University Pass Transit Funding Agreement with Associated Students, Inc. (ASI) of California State University, Stanislaus (CSUS) in recognition of major reductions to student ridership demand associated with pandemic-related campus closures and unknown, long-term plans for transition back to on-campus learning and operations

Motion: Authorizing the City Manager, or his or her designee, to continue discussions with representatives from California State University, Stanislaus (CSUS), Associated Students, Inc. (ASI) of California State University, Stanislaus, and regional transportation partners to identify a solution for the CSUS campus that encourages increased use of transit and non-motorized transportation

2. SYNOPSIS:

This action authorizes the City Manager to terminate a transit funding agreement with the Associated Students, Inc. (ASI) of California State University, Stanislaus (CSUS) and commits City staff to continue discussions with CSUS and regional partners on developing a new, long-term strategy for improving utilization of public transit at CSUS.

3. DISCUSSION OF ISSUE:

Throughout much of 2016, City transit staff worked with members of ASI in discussing ways to simplify, improve, and expand public transit usage with students enrolled at CSUS. These efforts coincided with plans to redesign and rebrand the City's transit services as part of a Short-Range Transit Plan (SRTP) implementation. Ultimately, this collaboration resulted in a University Pass Transit Funding Agreement (City Contract No. 16-050), executed on January 10, 2017, which

provided ASI members with unlimited access to Turlock Transit fixed route services in exchange for tiered, fixed, quarterly payments from ASI to the City.

On June 23, 2020, the City Council approved Amendment No. 1 to the Agreement, which suspended the Agreement from April 1, 2020 through June 30, 2021 (15 months) and extended it one (1) additional year. The purpose for this change was due to a major reduction in student ridership demand. This reduction was related to the closure of the CSUS campus due to the COVID-19 pandemic. Given the unknown nature of the campus closure at the time, City staff and ASI representatives agreed that a suspension and extension was the most appropriate approach.

Nearly one (1) year later, and with no firm plans from CSUS regarding restoration of on-site teaching, City staff and ASI staff have discussed making additional changes to the Agreement to ensure ASI is not assessed the standard, annual fee of \$90,000 for a service that cannot be used as originally envisioned by their members.

City staff's recommendation is to:

- **Terminate the Agreement effective immediately.** Since the Agreement has been suspended since April 1, 2020, the only practical change is that it negates the one (1) year extension set to begin on July 1, 2021.
- **Notify ASI in writing of the termination.** City staff would notify ASI the next day so that they can make appropriate plans for the following fiscal year.
- **Maintain existing practices for students.** Currently, ASI representatives will utilize Token Transit to purchase and electronically deliver digital passes for their members upon request.
- **Continue discussions for next steps.** City staff would continue to work with leaders within ASI and CSUS, as well as regional transportation providers, to develop a transportation solution that maintains the original goal of simplifying and encouraging the use of transit, while at the same time ensuring it is more reflective of post-pandemic realities.

4. BASIS FOR RECOMMENDATION:

- A. The City values the partnership with ASI and recognizes the significant changes to campus life due to an unforeseeable global pandemic.
- B. Enables all parties to discuss a new framework for encouraging and improving transit use on campus.
- C. Provides an opportunity for a more regionally significant solution to improve mobility, such as an arrangement that allows students and teachers to use local and regional transit providers, thereby improving mobility.
- D. ASI concurs with the proposed actions.

5. FISCAL IMPACT / BUDGET AMENDMENT:

If approved, this would result in a reduction of budgeted revenue in the amount of \$90,000 in Fund 426, Program 241 (Fixed Route) in FY 2021-22. This reduction may be offset by revenue negotiated in subsequent discussions with CSUS and ASI, though that value is unknown at this time. The necessary budget adjustments would be made in the proposed FY 2021-22 budget prior to budget consideration and adoption by the City Council in June 2021.

The proposed change would be a reduction to the "local revenue" used to calculate the fare recovery ratio for fixed route services. However, this concern is mitigated by the following considerations:

- The Governor has proposed the extension of statutory provisions waiving penalties for failing to meet the fare recovery standards for FY 2021-22 and beyond; and
- A task force commissioned by the State has recommended major changes (overhaul) to the Transportation Development Act (TDA), again, likely resulting in the focus on a variety of performance metrics; and
- Even without the statutory relief mentioned above, there would be no penalties for FY 2021-22 due to existing provisions in the TDA; and
- The City is poised to increase fares for the first time in ten (10) years, generating additional revenue to offset operating costs.

There is no impact to the General Fund.

6. CITY MANAGER'S COMMENTS

Recommend Approval.

7. ENVIRONMENTAL DETERMINATION:

This action is not subject to the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15378 (Project) of the CEQA guidelines. This action consists of "organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment" and therefore is not considered a project.

8. ALTERNATIVES:

- A. Reject the first motion to terminate the Agreement and elect to suspend it for an additional one (1) year instead, while maintaining the second motion to authorize the City Manager, or his or her designee, to continue discussions

with stakeholders to develop a new solution for improving transit usage on the CSUS campus. If electing this option, the alternate first motion would be:

Authorizing the City Manager to prepare Amendment No. 2 to a University Pass Transit Funding Agreement with the Associated Students Incorporated (ASI) of California State University, Stanislaus (CSUS), of Turlock, California, to suspend the Agreement from April 1, 2020 through June 30, 2022 and extend the term of the Agreement to June 30, 2023, and return said amendment to the City Council for consideration within one (1) month.

City staff does not recommend this approach, as it represents an extension of an Agreement that no longer reflects the current needs of ASI nor their members. It could also limit ASI's willingness to negotiate an alternate, more equitable arrangement that better meets the transportation needs of their members and meets the transportation mode shift goals of the City.

- B. Reject the first motion to terminate the Agreement while maintaining the second motion to authorize the City Manager, or his or her designee, to continue discussions with stakeholders to develop a new solution for improving transit usage on the CSUS campus. This would restore free rides for ASI students, as well as revenue payments, on July 1, 2021. City staff does not recommend this approach because the Agreement, as it currently stands, would require ASI to resume quarterly payments to the City of \$22,500 (\$90,000 per year) when students are not projected to be on campus. The City values the partnership and relationship developed with ASI and looks forward to developing future funding agreements to meet the needs of both parties. Continuation of the existing agreement would hinder the City's ability to develop a future long-term funding agreement.

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City Council Staff Report
May 25, 2021



From: Nathan Bray, P.E.,
Interim Development Services Director / City Engineer

Prepared by: Wayne York, Transit Manager

Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Resolution: Approving Transportation Development Act (TDA) transit claims for Local Transportation Funds (LTF) funding and State Transit Assistance (STA) funding with the Stanislaus Council of Governments (StanCOG) associated with the Roger K. Fall Transit Center, the Turlock-Denair Amtrak Station, and Turlock Transit services for Fiscal Year 2021-22, and authorizing the City Manager to sign and submit the subject claims

2. SYNOPSIS:

This item approves the submission of Transportation Development Act (TDA) transit claims with the Stanislaus Council of Governments (StanCOG) for Fiscal Year 2021-22 and authorizes the City Manager to sign the claims.

3. DISCUSSION OF ISSUE:

Each year, the City submits claims to the Stanislaus Council of Governments (StanCOG) for transit and non-transit funds as authorized by the Transportation Development Act (TDA) and StanCOG's Transit Cost Sharing Procedures (TCSP). The TDA funding comes from two sources: Local Transportation Funds (LTF), which are derived from the ¼ cent statewide retail sales tax, and State Transit Assistance (STA) funds, which contribute a small portion of the overall funding.

Funding is distributed in a two-step method in accordance with the TCSP. First, non-motorized improvements, administrative costs, regional projects, and multi-modal transit center expenses are taken "off the top" of the available funds. Second, transit operators are permitted to submit claims for expenses associated with running their respective transit services, with individual, pre-determined caps. Any remaining funds not claimed by a transit operator will be held in reserve by StanCOG for future transit purposes.

The TDA Transit Claim Packet for FY 2021-22 is attached as Exhibit A.

Transit Center Claims

The first step of the funding disbursement process includes multi-modal transit centers, of which Turlock is responsible for two: the Roger K. Fall Transit Center in Turlock and the Turlock-Denair Amtrak Station in Denair.

In regards to the Roger K. Fall Transit Center, City staff submitted a claim for LTF funds for anticipated operational costs and capital projects for the site for the following fiscal year. Some highlighted expenses include:

- Two (2) full-time facilities maintenance personnel for maintenance of the site and building;
- Contracted private security services, 24/7/365;
- Contracted law enforcement services (pending officer availability);
- Capital improvements on the south side of the property to address outstanding maintenance and operational issues.

In regards to the Turlock-Denair Amtrak Station, the City submitted a claim for LTF funds to pay the electrical utility costs for the site and provide for minor repairs/maintenance, if needed. This site is located outside of the Turlock city limits, but does fall within the Turlock Urbanized Area (UZA), so the City assumed responsibility for filing the claim.

Expenses associated with transit center claims or capital improvement projects are not considered when calculating the Fare Recovery Ratio (FRR) as described later in this staff report.

Funding for Transit Services

After TDA funds are distributed for projects or activities under Step 1, as stated above, the remaining funds are made available to transit operators under Step 2 of the distribution process with ceiling caps established for each transit operator based on a predetermined, agreed-upon methodology. The funding available to Turlock for FY 2021-22 was set at \$1,934,804 in LTF funds and \$14,940 in STA funds. These funds pay for both planning projects and capital projects, as well as operating expenses.

In addition to transit funds derived from the State, the City is a direct recipient of federal operating assistance and has budgeted \$3,841,897 in FTA Section 5307 transit funds for operations, planning, and capital purchases.

City staff proposes to continue fixed route and ADA paratransit (Dial-a-Ride) services, with modifications as recommended in the most recent Short-Range

Transit Plan (SRTP). Prior to the COVID-19 pandemic, ridership was continuing to grow around 20% each year on fixed route, with smaller gains on Dial-a-Ride. This is reflective of a service that is meeting the needs of the community. In addition, City staff is recommending several pilot projects:

- A new limited-service, fixed route community shuttle, likely operating one day per week, and providing connectivity to key points of interest not directly served by the current fixed route system; and
- A new fixed route service to serve the commercial and industrial areas of west Turlock; and
- A demand-response service to provide connectivity to locations (1) where fixed route does not go, or (2) when fixed route does not operate.

In addition to ridership growth, the City is exploring revenue enhancing opportunities:

- Expanding the transit advertising program to include advertising on bus shelters;
- Continued discussions with the Associated Students Incorporated (ASI) of the California State University, Stanislaus (CSUS) to explore a mutually beneficial framework to encourage transit use on campus and provide a regular revenue stream for transit operations;
- The City will be exploring a lease agreement amendment to the contract with Storer at the Roger K. Fall Transit Center. The details of such an agreement have yet to be determined;
- Exploring opportunities for a regional pass with the newly formed Stanislaus Regional Transit Authority (StanRTA) with a revenue sharing agreement;
- Through securing additional Low Carbon Transit Operations Program (LCTOP) funding, the City can not only keep costs low for passengers, but the grant revenue can be counted as "local revenue" for the purposes of fare recovery calculations.

Some of the highlights expected during FY 2021-22 include:

- Preliminary design of a new Transit Operations Facility north of the City's existing Corporation Yard, which will provide state of the art fueling infrastructure for alternative fuel vehicles, expanded parking, canopies, fueling generation and storage, an operations building for training and fare collection, and future space for expansion;
- Purchase and delivery of multiple midsize buses for both fixed route and ADA paratransit services, replacing vehicles that have increasing maintenance issues and that have met the end of their useful life;
- Installation of bus shelters, benches, and solar-powered lighting at various locations throughout the City as part of multiple bus stop improvement projects;
- Development of an Intelligent Transportation System (ITS) strategy for transit enhancements and initial work on plans and specifications for a future ITS upgrade project in FY 2022-23.

All claim forms were submitted to the StanCOG Transit Cost Sharing Committee, and will be routed to other StanCOG committees prior to anticipated StanCOG Policy Board adoption in mid-June 2021. All of Turlock's claims are tentative until formally approved by both the Turlock City Council and the StanCOG Policy Board.

Fare Recovery Ratio (FRR)

Typically, a key factor in making decisions that affect transit operations is the Fare Recovery Ratio (FRR). This is a State (TDA) requirement that stipulates the City, as a recipient of transit grant funds, must capture a fixed percentage of all operating expenses in local revenue, such as passenger fares and advertising revenue. Currently, the City has two FRR standards it must meet: (1) a 20% FRR standard for fixed route service, and (2) a 10% FRR standard for ADA paratransit (Dial-A-Ride) service, which has remained constant. New services, such as the proposed demand-response pilot project, as well as service extensions, such as the proposed limited-service fixed route, are exempt from meeting a FRR for three fiscal years.

Traditionally the City, along with other regional fixed route transit providers, has difficulty in reaching and maintaining the required FRR, related largely to a lack of urban density and the lack of any disincentives (i.e. parking fees, lack of parking spaces, or congestion) that would otherwise encourage the general public to ride public transit. These efforts were significantly impacted from the loss of fare revenue due to COVID-19.

Governor Newsom has included language in his proposed FY 2021-22 budget that would waive penalties for failure to meet such standards given the heavy financial impacts and ridership loss associated with the COVID-19 pandemic and related transportation response efforts. In addition, there are legislative efforts underway to extend that waiver for multiple years, as well as make permanent, structural changes to such requirements in the future.

Despite these challenges, the City remains committed to seeking all available options to maintain and improve the financial stability of Turlock Transit services. The City will continue to pursue other opportunities to increase revenue, such as value-added partnerships (funding agreements) with large employers, bus shelter advertising opportunities, a lease agreement for the Roger K. Fall Transit Center, and the general increase in ridership through an ever-improving transit system.

Defining a Successful Transit System

Transit systems of any size are multi-faceted; therefore, defining a successful transit system involves considering various performance measures. Unfortunately, TDA's singular focus on financial performance and the applicable FRR comes at

the exclusion of other performance measures that are equally valuable and important in evaluating the success of a system. For example:

- How do you quantify the “convenience value” of a service that runs later into the evening, even if there are fewer riders (and fares) during that time? Cutting service during non-performing hours may make sense on the surface, but how will it affect ridership when transit is no longer viewed as a viable option due to its restrictive operating times?
- How do you quantify the “geographic coverage” value of a service that does not just stay on a few main arterial streets but also travels down collector streets to provide closer access to transit?
- How do you quantify the “civic duty” value of providing service to key community locations (i.e. library, City Hall), even if ridership trends don’t show them as top performers?

4. BASIS FOR RECOMMENDATION:

- A. All transit claims submitted to StanCOG require the approval of the local governing body prior to approval by the StanCOG Policy Board.
- B. Failure to approve the associated transit claims would jeopardize LTF and STA funding provided to Turlock that funds close to half of transit operating costs and all non-federal capital improvement projects.
- C. The projects and activities listed in the claim and budget amendment reflect an aggressive investment in transit to improve our service, respond to passenger feedback, and remain true to the vision principles listed in the adopted Short-Range Transit Plan.
- D. Funding for the personnel and associated equipment is derived from a reliable funding source that is expected to provide sufficient funding for years to come.

Short-Range Transit Plan Vision

The associated transit claims are in line with the vision for Turlock Transit in the City’s adopted Short-Range Transit Plan and as specified below:

- **Sustainability.** The continuation of transit service at convenient intervals and extended service hours encourages more ridership and promotes environmental sustainability. The additional revenue streams identified in the budget, as well as dedicated maintenance and law enforcement personnel at the Transit Center results in a safe, clean, inviting facility that improves confidence in Turlock Transit, likely resulting in sustained and improved ridership, promoting financial sustainability for the future. The provision of PPE and cleaning supplies to keep our staff and passengers safe further enhances our operational sustainability.

- **Excellence.** The continuation of services at high-performance levels, as requested by the public, the provision of service by a high-quality contractor (Storer Transit Systems), consideration of special services to meet expressed community needs, and significant investments into the City's transit fleet, continues to promote excellence in service delivery.
- **Innovation.** In recognition of challenges associated with increasing transit expenses and TDA fare recovery requirements, City staff continues to look for innovative ways to work more efficiently and at the same time identify new sources of revenue. This can include new partnerships with stakeholders and inter-agency cooperation to improve transit connections for passengers. Innovation is also present in technology improvements in transit facilities and onboard new transit buses.

5. FISCAL IMPACT / BUDGET AMENDMENT:

Fiscal Impact: The TDA transit claims outline sufficient revenues to offset the estimated expenses for the following fiscal year, resulting in a balanced budget. This breakdown between modes is as follows:

	Operating		Capital/Planning	
	FY 20-21	FY 21-22	FY 20-21	FY 21-22
Fixed Route	\$2,676,921	\$2,831,796	\$2,110,343	\$5,748,916
ADA Paratransit	\$666,025	\$651,639	\$31,500	\$1,108,000
Demand-Response	\$0	\$0	\$0	\$130,000
RKF Transit Center	\$731,316	\$845,362	\$130,000	\$115,000
Amtrak Station	\$5,000	\$6,600	\$0	\$0

Approval of the claims, with subsequent approval by the StanCOG Policy Board, provides Turlock Transit with a steady, reliable, and sustainable funding stream needed to maintain operations.

With all of the uncertainty associated with both the pending fare increase and the gradual recovery from COVID-19, these TDA transit claims reflect very conservative ridership and revenue values, as well as liberal expense values, better ensuring sufficient funding to address future, unexpected changes.

No General Fund contributions are required. No budget amendment is required.

6. CITY MANAGER'S COMMENTS:

Recommend Approval.

7. ENVIRONMENTAL DETERMINATION:

This action is not subject to the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15378 (Project) of the CEQA guidelines. This action consists of “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment” and therefore is not considered a project.

8. ALTERNATIVES:

- A. Reject approval of the Fiscal Year 2021-22 TDA transit claims as prepared by City staff. This action is not recommended because the proposed claims represent the projected costs of providing transit services to the community and secures the necessary funding to meet those service demands, as well as funding necessary to complete transit-related capital improvement projects.

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF APPROVING } RESOLUTION NO. 2021-
TRANSPORTATION DEVELOPMENT ACT }
(TDA) TRANSIT CLAIMS FOR LOCAL }
TRANSPORTATION FUNDS (LTF) FUNDING }
AND STATE TRANSIT ASSISTANCE (STA) }
FUNDING WITH THE STANISLAUS COUNCIL }
OF GOVERNMENTS (STANCOG) ASSOCIATED }
WITH THE ROGER K. FALL TRANSIT CENTER, }
THE TURLOCK-DENAIR AMTRAK STATION, }
AND TURLOCK TRANSIT SERVICES FOR }
FISCAL YEAR 2021-22, AND AUTHORIZING }
THE CITY MANAGER TO SIGN }
AND SUBMIT THE SUBJECT CLAIMS }
_____ }

WHEREAS, each year the City of Turlock submits transit claim forms to the Stanislaus Council of Governments (StanCOG) for Transportation Development Act (TDA) funds, with funding divided into two parts: Local Transportation Funds (LTF) and State Transit Assistance (STA) funds (Exhibit A). These funds are a major source of revenue for transit operations and transit-related capital improvement projects and may only be used for eligible transit-related expenses; and

WHEREAS, this City is requesting: \$2,312,839 in LTF funds and \$14,940 in STA funds for a total TDA claim amount of \$2,327,779.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Turlock does hereby approve Transportation Development Act (TDA) transit claims for Local Transportation Funds (LTF) funding and State Transit Assistance (STA) funding with the Stanislaus Council of Governments (StanCOG) associated with the Roger K. Fall Transit Center, the Turlock-Denair Amtrak Station, and Turlock Transit services for Fiscal Year 2021-22 and authorizing the City Manager to sign and submit the subject claims.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California



StanCOG
Stanislaus Council of Governments

***Transportation Development Act
Transit Claim FY 2021/22***

Submit Transit Claim by

SEND CLAIMS TO THE ATTENTION OF:

KAREN KINCY, MANAGER OF FINANCIAL SERVICES

KKINCY@STANCOG.ORG

[CC: SMORA@STANCOG.ORG](mailto:SMORA@STANCOG.ORG)

Phone: 209-525-4600



April 1, 2021

Stanislaus Council of Governments
Attn: Karen Kincy
1111 I Street, Suite 308
Modesto, CA 95354

Re: Transportation Development Act (TDA) Claim Forms Cover Letter

Ms. Kincy:

The City of Turlock (Turlock Transit) is providing the Stanislaus Council of Governments (StanCOG) with the City's transit claim for the next fiscal year for the Roger K. Fall Transit Center, Turlock-Denair Amtrak Station, fixed route transit, ADA paratransit (Dial-a-Ride) services, and new demand-response services. This claim and supporting documentation are attached.

Next fiscal year we plan to implement some recommendations from the most recent Short-Range Transit Plan (Feb 2020) which include fare increases, route adjustments, and various changes to improve ridership and operational efficiencies. We plan to expand fixed route service through a community shuttle pilot project, providing direct service to key destinations not currently served by fixed route, as well as a new route to serve commercial and industrial areas of west Turlock. We plan to make significant investments in capital improvements ranging from the replacement and upgrading of revenue service vehicles to construction of facilities, including a new Transit Operations Facility to support a future zero emission fleet.

We will continue to collaborate with regional transportation partners, including the newly formed StanRTA, to identify ways to reduce barriers to transit for passengers, improve effectiveness, and reduce inefficiencies in service delivery. We will continue to respond to the ongoing COVID-19 pandemic through investments in technology and diligence in enforcing and promoting proven practices to keep our staff and passengers safe. We will continue to seek ways to restore passenger confidence in public transit and grow ridership, reducing traffic congestion and improving air quality in the process.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne York", written in a cursive style.

Wayne York
Transit Manager

Operator: City of Turlock

TRANSPORTATION DEVELOPMENT ACT CLAIM FORM
(All claimants must complete this document)

Project Year (FY) FY 2021/22
Claimant City of Turlock
Address 1418 N. Golden State Blvd., Suite 1, Turlock, CA 95380

Contact Person Wayne York Title Transit Manager
Telephone Number (209) 669-2800 Email: wyork@turlock.ca.us

Contact Person _____ Title _____
Telephone Number _____ Email: _____

The above named claimant hereby applies for allocations of Transportation Development Act funds for
FY 2021/22 for the purposes and in the amount(s) specified below:

Purpose	Claimed
Local Transportation Fund	
Article 4 Transit (PUC 99262) Fixed Route	\$ -
Article 4 Transit (PUC 99262) ADA Paratransit	\$ -
Article 4 Transit (PUC 99262) Demand Response	\$ -
Article 4 Capital (PUC 99262)	\$ 1,934,804.00
Article 4 Regional Multi-Modal Station (PUC 99234.9)	\$ 378,035.00
Article 4 Rail (PUC 99234.9)	
Article 4 Alternate Transportation (PUC 99234.9)	
Article 4.5 CTSA (PUC 99262) - Operator	
Article 8 (PUC 99400 (b,c,d,e))	
TOTAL LTF	\$ 2,312,839.00
Purpose	Claimed
State Transit Assistance	
PUC 99313	\$ -
PUC 99314	\$ 14,940.00
TOTAL STA	\$ 14,940.00
TOTAL TRANSPORTATION DEVELOPMENT ACT CLAIM	\$ 2,327,779.00

Signed: _____

Title: City Manager

Date: _____

StanCOG Approval

Signed: _____
StanCOG Approving Authority

Date Approved: _____

Resolution#: _____

When approved, please transmit this claim to the County Auditor for payment. Approval of the claim and payment by the County Auditor to this applicant is subject to such monies being on hand and available for distribution, and to the provisions that such monies will be used only in accordance with the terms contained in the approving resolution to the Stanislaus Council of Governments.

The claimant certifies that this Transportation Development Act Fund claim and the financial information contained herein is reasonable and accurate to the best of my knowledge and conforms with the requirements of the Transportation Development Act and applicable rules and regulations.

Operator: City of Turlock

PRODUCTIVITY IMPROVEMENT PROGRESS REPORT

Recommendation	Implementation Status
The City should work with its auditors to determine what steps can be taken to realize on-time completion of its TDA fiscal audit, then implement those steps.	Those steps have been implemented.
Consider Including a farebox compliance evaluation in the City's TDA fiscal audits calculated by mode. The audit should clearly indicate any operating expenses that are exempted or excluded from the calculation (such as depreciation or vehicle lease costs) as well as any revenues that should be included in the calculation (such as local supplementation or interest income).	The City is considering the inclusion of a farebox compliance evaluation in TDA fiscal audits in subsequent fiscal years.

Describe any other efforts made, or planned, to improve cost effectiveness and/or increase ridership. Summarize such efforts for both fixed route and demand response service, if applicable.

In February 2020, following a yearlong effort and extensive public input, the City adopted a Short-Range Transit Plan (SRTP) that made various recommendations to improve transit services. The recommendations included fare increases for both modes (fixed route and ADA paratransit); changes to service spans, routes, and schedules; and various operational enhancements to improve service delivery and effectiveness. The City's intent was to implement many of these in July 2020, but many of these changes were put on hold due to the COVID pandemic taking precedence. The City plans to implement these changes in FY 2021/22.

Ridership on both modes dropped significantly during the pandemic. While some ridership has returned, the growth rate is slow. A contributing factor is a general concern from riders over whether public transit is safe to use. In an effort to address these concerns the City: (1) provided regular updates to passengers through print and digital media advising them of the steps we're taking to keep them safe; (2) implemented and maintained enhanced cleaning protocols; (3) mandated mask on-board buses even prior to the federal mandate; (4) became the first agency in the region to offer free masks and hand sanitizer to all passengers; (5) became the first agency in the state to install AirBubbl air filtration devices on all buses, reducing the risk of airborne transmission of SARS-CoV-2; and (6) reduced the cost of fixed route and Dial-a-Ride passes through 6/30/21. We will continue efforts to encourage confidence in transit, including the installation of active air purification systems on each transit bus by the end of FY 2020/21.

Following the completion of a regional study the City of Turlock participated with regional partners in exploring the possibility of transit consolidation throughout most of 2020. Ultimately, and for a variety of reasons, the City opted to maintain local control of transit services in Turlock, while at the same time reaffirming its commitment to collaboration and cooperation with regional peers to improve regional mobility. With the formation of the StanRTA, City of Turlock staff stands ready to partner on regional items of interest, including the establishment of a regional pass, as well as participating a regional transit planning process.

The City plans to support regional free fare efforts, funded by LCTOP, as way to attract new riders to public transit. In addition, the City plans to roll out both a community shuttle pilot project and a new fixed route to address specific community concerns and anticipated ridership growth.

The City is investing significantly in facilities, technology, and other capital improvements to attract new ridership, improve the quality of service delivery, and position to the City to provide more transit service in the future. These investments include the replacement of revenue service vehicles, bus stop improvements, ITS upgrades on board buses, and facility improvements that improve operational capacity and position the City to support a migration to zero emission vehicles.

While mindful of TDA fare recovery standards, the City continues to strongly advocate for reforms to the TDA, supported by most transit agencies and related industry groups, to outline more equitable performance metrics that take into account the differing role that transit plays throughout the State.

Operator: City of Turlock

Transit Claim
FY 2021/22
Operating Budget
Fixed Route

Budget Year	<u>Actual</u> FY 2019/20	<u>Estimated</u> FY 2020/21	<u>Proposed</u> FY 2021/22
Operating Revenues			
401 Passenger Fares	\$ 97,177.00	\$ 40,000.00	\$ 90,000.00
402 Special Transit Fares	\$ 72,500.00		\$ 90,000.00
409 Local cash grants and reimbursements			
405 Charter Service			
406 Auxiliary (inc. Advertising)	\$ 45,351.00	\$ 32,000.00	\$ 50,000.00
407 Nontransportation (inc. Interest)	\$ 4,728.00		
408 Local taxes levied by transit system			
409 New LTF Claim	\$ 959,081.00	\$ 1,012,329.00	
LTF - Carryover from previous fiscal year		\$ 516,996.00	\$ 923,590.00
LTF - Carryover to next fiscal year	\$ (516,996.00)	\$ (923,590.00)	
LTF - Transfer to FR Capital		\$ (590,891.00)	\$ (3,204.00)
412 State Special Fare Assistance			
413 Federal Operating Grants	\$ 1,348,413.00	\$ 2,414,199.00	\$ 1,592,803.00
409 Measure L- Local	\$ 55,438.00	\$ 50,000.00	\$ 50,000.00
409 Measure L - Regional			
411 LCTOP Low Carbon Transit Ops Program (99313)	\$ 55,080.00	\$ 121,266.00	\$ 36,497.00
411 LCTOP Low Carbon Transit Ops Program (99314)	\$ 696.00	\$ 4,612.00	\$ 2,110.00
411 LCTOP Low Carbon Transit Ops Program Carryover (99313)			
411 LCTOP Low Carbon Transit Ops Program Carryover (99314)			
Other (specify):			
Total Operating Revenues	\$ 2,121,468.00	\$ 2,676,921.00	\$ 2,831,796.00
Less Operating Expenditures	\$ 2,121,468.00	\$ 2,676,921.00	\$ 2,831,796.00
Net Surplus/(Deficit)	\$ -	\$ -	\$ -
Operating Expenditures			
501 Labor	\$ 160,020.00	\$ 290,304.00	\$ 271,405.00
Full-time*			\$ 234,336.00
Part-time			\$ 15,000.00
Bilingual Pay			\$ 1,151.00
Educational Incentive			\$ 2,547.00
Sick Leave Conversion			\$ 4,000.00
Vacation Conversion			\$ 4,000.00
Management Leave Conversion			\$ 2,500.00
Continuous Service Pay			\$ 6,171.00
Overtime			\$ 1,200.00
Professional development			\$ 500.00
Salary reimbursements - allocated			
*Administration (Director) salary portion: \$8,128			
502 Fringe Benefits**	\$ 121,170.00	\$ 178,036.00	\$ 184,217.00
Medical Insurance			\$ 57,961.00
Vision Insurance			\$ 734.00
Long Term Disability Insurance			\$ 2,442.00
Life Insurance			\$ 766.00
SUI			\$ 774.00
Workers Comp Insurance			\$ 2,725.00
City Liability Insurance			\$ 8,143.00
PERS			\$ 118,234.00
Employee contribution to PERS			\$ (21,979.00)
GASB 68 adjustment for pensions			
Medicare Tax			\$ 3,928.00
Social Security Tax			\$ 930.00
Retire Health Insurance			\$ 5,787.00
Deferred Compensation			\$ 3,772.00
Compensated Absences			
OPEB expense			
Salary reimbursements - allocated			
**Administration (Director) benefits portion: \$5,362			
503 Services	\$ 264,179.00	\$ 398,514.00	\$ 445,286.00
Car Wash			\$ 175.00

	Consultant Audit			\$	7,886.00
	Actuarial Report GASB 68			\$	25.00
	Transit Contract Services			\$	137,500.00
	Printing Services			\$	12,000.00
	CNG Bus Building Maintenance			\$	13,000.00
	Special Legal Counsel			\$	6,000.00
	Radio System Maintenance - Motorola			\$	4,500.00
	Radio System Maintenance - Delta Wireless			\$	6,700.00
	CNG Slow Fill Maintenance			\$	5,000.00
	Labor - Supervisory Bus Maint			\$	30,000.00
	Labor - Preventative Bus Maint			\$	200,000.00
	Maintenance Outside Contractor Repair			\$	19,200.00
	Mobile Ticketing Expenses			\$	800.00
	Physicals, Shots & Psychological			\$	500.00
	Maintenance Services Subscription			\$	2,000.00
504 Materials & Supplies		\$ 222,497.00	\$ 240,000.00	\$ 227,000.00	
	Supplies General				\$ 6,000.00
	Supplies COVID-19				\$ 10,000.00
	Postage				\$ 1,000.00
	CNG Fuel				\$ 60,000.00
	Gas & Oil				\$ 60,000.00
	CNG Fuel Rebate				
	Vehicle & Small Equip Maintenance Parts				\$ 5,000.00
	Tires and Tubes				\$ 20,000.00
	Parts -Bus Preventive Maint. (Fed 80% Local 20%)				\$ 65,000.00
505 Utilities		\$ 10,708.00	\$ 13,500.00	\$ 13,000.00	
	Telephone				\$ 2,000.00
	TID				\$ 11,000.00
	PG&E				
	Pest Control				
	Alarm Services				
506 Casualty & Liability		\$ 43,070.00	\$ 55,593.00	\$ 61,277.00	
	Insurance - Vehicles				\$ 61,277.00
507 Taxes		\$ -		\$ -	
	Taxes				
508 Purchase Transportation Services		\$ 1,231,619.00	\$ 1,336,280.00	\$ 1,449,059.00	
	Fixed Monthly Cost				\$ 531,997.40
	Base Revenue Hours				\$ 762,933.60
	Additional Revenue Hours				\$ 154,128.00
509 Misc. Expenses		\$ 20,276.00	\$ 39,850.00	\$ 39,850.00	
	Tickets & Promotion				\$ 10,000.00
	Advertising				\$ 9,000.00
	Recruitment				\$ 1,000.00
	Dues - Misc.				\$ 3,000.00
	Meetings				\$ 2,000.00
	Training				\$ 14,600.00
	Parking Fees				\$ 150.00
	Bank Charges and Over/Short				\$ 100.00
510 Expense Transfers		\$ 47,929.00	\$ 80,000.00	\$ 90,702.00	
	Transfer Out to Fund 110 for Audit Reimb				\$ 8,700.00
	Transfer Out to Fund 501 for IT Services				\$ 11,000.00
	Transfer Out to Fund 242 Network				\$ 500.00
	Transfer Out to GASB 68 Actuarial Report				\$ 10.00
	Transfer Out GF Administration from Transit				\$ 70,492.00
511 Interest Expense		\$ -		\$ -	
	Interest Expense				
512 Leases & Rentals		\$ -		\$ -	
	Leases & Rentals				
Contingencies		\$ -	\$ 44,844.00	\$ 50,000.00	
	Contingencies				\$ 50,000.00
Total Operating Expenditures		\$ 2,121,468.00	\$ 2,676,921.00	\$ 2,831,796.00	\$ 2,831,796.00

Account numbers above refer to account numbers in the State Controller's Uniform System of Accounts for Public Transit Operators

Approved by Operator's Chief Financial
Officer or CPA _____

Operator: City of Turlock

Transit Claim
FY 2021/22
Capital Budget
Fixed Route

Budget Year	<u>Actual</u> FY 2019/20	<u>Estimated</u> FY 2020/21	<u>Proposed</u> FY 2021/22
<u>Capital Revenues</u>			
Other Local			
FTA (Section 5307, 5339, 5311)	\$ 1,864,259.00	\$ 686,118.00	\$ 3,300,000.00
CMAQ			
Other Federal			
Proposition 1B - Regional share			
Proposition 1B - Direct share			
Carryover from prior year	\$ 259,362.00	\$ -	
Carryover to future year			
STA - New claim			
STA - Carryover from last completed fiscal year			
LTF - New Claim	\$ 816,383.00	\$ 112,170.00	\$ 1,851,477.00
LTF - Carryover from previous fiscal year	\$ 498,112.00	\$ 108,939.00	\$ -
LTF - Carryover to next fiscal year	\$ (108,939.00)		
LTF - Transfer from FR Operations		\$ 590,891.00	\$ 3,204.00
LTF - Transfer from DR Operations			\$ 176,000.00
Federal Capital Assistance			
Measure L			
SGR State of Good Repair (99313)	\$ 409,075.00		\$ -
SGR State of Good Repair (99314)		\$ 6,127.00	\$ 3,033.00
SGR Carryover from prior year (99313)		\$ 409,075.00	\$ 409,075.00
SGR Carryover from prior year (99314)			\$ 6,127.00
SGR Carryover to future year (99313)	\$ (409,075.00)	\$ (409,075.00)	
SGR Carryover to future year (99314)		\$ (6,127.00)	
Other (specify): AHSC		\$ 612,225.00	
Other (specify):			
Other (specify):			
Other (specify):			
Total Capital Revenues	\$ 3,329,177.00	\$ 2,110,343.00	\$ 5,748,916.00
Net Surplus/(Deficit)	\$ -	\$ -	\$ -

Note: The City of Turlock received \$5,536,129 in CARES Act funding, all which was applied to operating assistance (no capital) for FY 19/20 (partial), FY 20/21 (full), and FY 21/22 (partial). The increase in FTA funding from FY 20/21 to 21/22 shown on this page is the result of previously apportioned (but unobligated) FTA Section 5307 formula funds that have been allocated for the Transit Operations Facility Project and bus purchases (as reflected in this TDA claim) and are pending inclusion in a new federal grant.

Operator: City of Turlock

Transit Claim
FY 2021/22
Capital Budget
Fixed Route

Budget Year	<u>Actual</u> FY 2019/20	<u>Estimated</u> FY 2020/21	<u>Proposed</u> FY 2021/22
Planning/Capital Expenditures (Itemize by Project)			
15-76 Bus Stop Improvements, Phase 1	\$ 31,234.00	\$ 250,000.00	\$ -
16-33 Bus Parking Expansion	\$ 1,312.00		\$ -
17-51 Roger K. Fall Transit Center, Phase 3	\$ 278,343.00		\$ -
18-31 Bus Stop Improvements, Phase 2	\$ 1,099.00	\$ 250,000.00	\$ 250,000.00
18-34 Short-Range Transit Plan	\$ 87,433.00		\$ -
18-35 Corp Yard Transit Parking Extension	\$ 384,875.00		\$ -
18-46 CNG Bus Maint Facility Wall Addition	\$ 84,742.00		\$ -
18-55 Purchase of (4) 35' CNG Gillig Buses	\$ 2,406,785.00		\$ -
18-56 SRTT APS Upgrades Near Bus Stops		\$ 2,000.00	\$ 380,000.00
19-34 Swiftly System Upgrade	\$ 4,752.00	\$ 55,000.00	\$ -
19-52 Purchase of (2) 35' CNG Gillig Buses	\$ -	\$ 1,298,343.00	\$ -
19-53 Rebuild CNG Slow-Fill Station	\$ 29,754.00		\$ -
19-55 Upgrades to Transit Ford Explorers	\$ 1,337.00		\$ -
20000 Transit Computer Systems Upgrade	\$ 907.00		\$ -
20010 Corp Yard Perimeter Security Improv.		\$ 20,000.00	\$ 100,000.00
20015 Transit Fare System Upgrade		\$ 30,000.00	\$ -
20019 Transit Driver Protection Barriers	\$ 573.00	\$ 60,000.00	\$ -
20040 AirBubbi Transit Upgrades		\$ 15,000.00	\$ -
20044 NaviLens Transit Accessibility Improv		\$ 1,000.00	\$ 18,814.00
21001 Transit Operations Facility		\$ 20,000.00	\$ 2,657,102.00
21004 Transit Air Purification Upgrades		\$ 60,000.00	\$ -
21009 ITS/Fleet Improvements		\$ 2,000.00	\$ 700,000.00
21011 Bus Stop Improvements, Phase 3		\$ 2,000.00	\$ 220,000.00
Purchase of (4) midsize fixed route buses			\$ 1,280,000.00
Marketing and Promotions Plan			\$ 50,000.00
Emergency Management Plan			\$ 40,000.00
Associated Capital Maintenance	\$ 3,137.00	\$ 5,000.00	\$ 10,000.00
Associated Transit Improvements	\$ 12,894.00	\$ 15,000.00	\$ 18,000.00
Contingencies		\$ 25,000.00	\$ 25,000.00
Total Capital Expenditures	\$ 3,329,177.00	\$ 2,110,343.00	\$ 5,748,916.00

Approved by Operator's Chief Financial Officer or CPA _____

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Fixed Route

	Past Actual FY 2019/20	Estimate FY 2020/21	Proposed Budget FY 2021/22
Fare revenue excluding fares from service extensions	\$ 97,177	\$ 40,000	\$ 75,000
Fare revenue from qualified service extensions			\$ 15,000
Total Fare Revenue:	\$ 97,177	\$ 40,000	\$ 90,000
Charter Service Revenues	\$ -	\$ -	\$ -
Auxiliary (Inc. Advertising) transportation revenue (PUC Section 99243/CCR § 6611.3)	\$ 45,351	\$ 32,000	\$ 50,000
Non-Transportation Revenues (Inc. Interest)	\$ 4,728	\$ -	\$ -
Local cash grants and reimbursements (PUC Section 99243/ CCR § 6611.3)	\$ -	\$ -	\$ -
Special transit fares (PUC Section 99243/CCR § 6611.2)	\$ 72,500	\$ -	\$ 90,000
Measure L (Local)	\$ 55,438	\$ 50,000	\$ 50,000
LCTOP	\$ 55,776	\$ 125,878	\$ 38,607
School bus revenues (PUC Section 99243/CCR § 6611.2)			
Taxes levied directly by transit systems (PUC Section 99243/ CCR § 6611.3)			
Freight Tariffs			
Subsidy from other sectors of operation			
Other			
Total Local Fund Revenue:	\$ 233,793	\$ 207,878	\$ 228,607
Total Fares-Plus-Local-Fund Revenue:	\$ 330,970	\$ 247,878	\$ 303,607
State cash grants and special fare assistance	\$ 442,085	\$ 14,844	\$ 920,386
Federal cash grants and reimbursements	\$ 1,348,413	\$ 2,414,199	\$ 1,592,803
Total State and Federal Grants:	\$ 1,790,498	\$ 2,429,043	\$ 2,513,189
Other operating revenue			
Other non-operating revenue			
Total All Other Operating Revenue:	\$ -	\$ -	\$ -
Total Revenue:	\$ 2,121,468	\$ 2,676,921	\$ 2,831,796
Operating costs excluding service extensions.	\$ 2,121,468	\$ 2,676,921	\$ 2,598,825
Operating costs of service extensions.			\$ 232,971
Total Operating Cost:	\$ 2,121,468	\$ 2,676,921	\$ 2,831,796
Operating Deficit:	\$ -	\$ -	\$ -
Exclusions And Exemptions (optional if needed to meet farebox recovery standard):			
Qualified depreciation and amortization expense (99247(a))			
Qualified direct charter service expense (99247(a))			
Qualified vehicle lease expenses (99247(a))			
Qualified principal and interest payments on capital projects (99247(a))			
Qualified commuter rail service expense (99247(a))			
Qualified service extension expense (99268.8) **			\$ 232,971
Qualified ridesharing expenses (99268.16)			
Fuel cost increase in excess of CPI (99268.17)			
Alternative fuel program cost increase in excess of CPI (99268.17)			
Power, including electricity cost increase in excess of CPI (99268.17)			
Liability insurance cost increase in excess of CPI (99268.17)			
State and Federal Mandate costs in excess of CPI (explain on Doc. X) (99268.18)			
Total Exclusions And Exemptions	\$ -	\$ -	\$ 232,971
TDA-Adjusted Operating Cost:			\$ 2,365,854

TDA Adjusted Farebox Recovery Ratio	#VALUE!	#VALUE!	12.83%
Farebox Recovery Ratio If No Exclusions Are Taken	15.60%	9.26%	11.68%
Financial Audit Fare Recovery Ratio (enter manually)	N/A	N/A	N/A
Farebox Recovery Ratio Reported to SCO (enter manually)	12.32%	N/A	N/A

Explain any variances in fare recovery ratio beyond exclusion and exemptions listed above.

*Must Complete the New Service Exemption Tab

A claimant may receive exemptions from the various ratio requirements that apply to it for services provided to new areas or along new routes. The exemptions apply until the end of the second full fiscal year of operation. The claimant must submit a report on the new or expanded service to StanCOG within 90 days after the end of each fiscal year requesting an exemption (For full details on the report see CCR6633.8 and CCR 6619.1).

The report must include:

- 1 a description of the area(s) served, and the route(s) included,
- 2 the amount of fare revenues generated by the new or expanded service and the method used to derive the amount, and
- 3 the amount of the operating cost for the new or expanded service and the method used to allocate costs between the extension of services and the claimant's other services.

For the purpose of this section, new or expanded service is defined by PUC 99268.8 as described below:

The required ratios of fare revenues to operating cost prescribed by this article shall not apply to an extension of public transportation services until two years after the end of the fiscal year in which the extension of services was put into operation.

As used in this section, "extension of public transportation services" includes additions of geographical areas or route miles, or improvements in service frequency or hours of service greater than 25 percent of the route total, or the addition of new days of service, and for transit service claimants also includes the addition of a new type of service, such as van, taxi, or bus.

Within 90 days after the end of the first year of implementation, the operator shall submit to the StanCOG, a report on the extension of public transportation services, including, but not limited to, the area served, the revenues generated, and the cost to provide the extended services.

If you intend on exempting a new route or the expansion of a route you must complete the following.

Is this a new or expanded service?	New
Please describe the service. Include route, service area, geographic location, hours of service, and miles added.	
The new service would be an additional, limited-service, community shuttle pilot project. The route would operate one day per week and would provide direct service between the Roger K. Fall Transit Center and specified destinations requested by community members that are not currently directly served by Routes 1-6. The destinations includes the Turlock Sales Yard, Downtown Turlock, Hobby Lobby, Ten Pin Fun Center, and Regal Cinemas. All destinations would be within the Turlock city limits. The service span would match the service span in effect for all other routes. Estimated miles added would be 162 per week (8,424 per year). As a fixed route, passengers could use a local transfer or period pass (day pass, 31-day pass) to access the route.	

Cost	\$36,800
Provide an estimate for the new service or the expansion of service. Include the method used to derive the amount.	
Prorated portion (3%) of fixed monthly cost (\$13,680) + additional revenue service hours (\$23,120) = \$36,800.	

Only Continue to the second page if this is for a service expansion on an existing route

For Expansion of Service

What is the portion of the route /service that is expanded? (Must be a percent) _____

What is the **total** cost of the route/service? _____

What is the cost that is being requested for exemption? _____

Explain the method used to derive the requested exemption cost, in the space provided below.

A claimant may receive exemptions from the various ratio requirements that apply to it for services provided to new areas or along new routes. The exemptions apply until the end of the second full fiscal year of operation. The claimant must submit a report on the new or expanded service to StanCOG within 90 days after the end of each fiscal year requesting an exemption (For full details on the report see CCR6633.8 and CCR 6619.1).

The report must include:

- 1 a description of the area(s) served, and the route(s) included,
- 2 the amount of fare revenues generated by the new or expanded service and the method used to derive the amount, and
- 3 the amount of the operating cost for the new or expanded service and the method used to allocate costs between the extension of services and the claimant's other services.

For the purpose of this section, new or expanded service is defined by PUC 99268.8 as described below:

The required ratios of fare revenues to operating cost prescribed by this article shall not apply to an extension of public transportation services until two years after the end of the fiscal year in which the extension of services was put into operation.

As used in this section, "extension of public transportation services" includes additions of geographical areas or route miles, or improvements in service frequency or hours of service greater than 25 percent of the route total, or the addition of new days of service, and for transit service claimants also includes the addition of a new type of service, such as van, taxi, or bus.

Within 90 days after the end of the first year of implementation, the operator shall submit to the StanCOG, a report on the extension of public transportation services, including, but not limited to, the area served, the revenues generated, and the cost to provide the extended services.

If you intend on exempting a new route or the expansion of a route you must complete the following.

Is this a new or expanded service?	New
Please describe the service. Include route, service area, geographic location, hours of service, and miles added.	
The new service would be an additional fixed route pilot project. The route would operate six days per week and would provide direct service between the Roger K. Fall Transit Center and commercial and industrial areas west of SR-99 in Turlock (within the Turlock city limits). The service span would match the service span in effect for all other routes. Estimated miles added would be 912 per week (47,424 per year). As a fixed route, passengers could use a local transfer or period pass (day pass, 31-day pass) to access the route. The new route is being added to address requests for service from customers to the commercial area near the intersection of W. Main St. and S. Walnut Rd., as well as anticipated ridership increases from both new and existing industrial organizations in the Turlock Regional Industrial Park (TRIP).	

Cost	\$196,171
Provide an estimate for the new service or the expansion of service. Include the method used to derive the amount.	
Prorated portion (14.29%) of fixed monthly cost (\$65,162) + additional revenue service hours (\$131,009) = \$196,171.	

Only Continue to the second page if this is for a service expansion on an existing route

For Expansion of Service

What is the portion of the route /service that is expanded? (Must be a percent) _____

What is the **total** cost of the route/service? _____

What is the cost that is being requested for exemption? _____

Explain the method used to derive the requested exemption cost, in the space provided below.

Operator: City of Turlock

Transit Claim
FY 2021/22
Justification of Expenditures 15% Increase
Fixed Route

<u>Operating Expenditures</u>	<u>FY 2020/21 Expenditures</u>	<u>FY 2021/22 Expenditures</u>	<u>Expenses Increase/Decrease</u>
Labor	\$ 290,304	\$ 271,405	-6.51%
Fringe Benefits**	\$ 178,036	\$ 184,217	3.47%
Services	\$ 398,514	\$ 445,286	11.74%
Materials & Supplies	\$ 240,000	\$ 227,000	-5.42%
Utilities	\$ 13,500	\$ 13,000	-3.70%
Casualty & Liability	\$ 55,593	\$ 61,277	10.22%
Taxes	\$ -	\$ -	#DIV/0!
Purchase Transportation Services	\$ 1,336,280	\$ 1,449,059	8.44%
Misc. Expenses	\$ 39,850	\$ 39,850	0.00%
Expense Transfers	\$ 80,000	\$ 90,702	13.38%
Interest Expense	\$ -	\$ -	#DIV/0!
Leases & Rentals	\$ -	\$ -	#DIV/0!
Contingencies	\$ 44,844	\$ 50,000	11.50%
Total Operating Expenditures	\$ 2,676,921	\$ 2,831,796	5.79%

Any operating cost item for the future FY which exceeds the previous FY by more than 15% must be justified in a statement below.

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Performance Indicators
 Fixed Route

	FY 2019/20 Actual	FY 2020/21 Estimate	FY 2021/22 Proposed
PERFORMANCE MEASURES			
Operating Cost	2,121,468	2,676,921	2,365,854
Passengers	185,408	120,000	160,000
Vehicle Service Hours	23,630	26,480	31,570
Vehicle Service Miles	259,947	285,750	341,600
Employees	29	29	33
Local Revenue	330,970	247,878	303,607

PERFORMANCE INDICATORS			
Operating Cost Per Passenger	11.44	22.31	14.79
Operating Cost Per Vehicle Service Hour	89.78	101.09	74.94
Passengers per Vehicle Service Hour	7.85	4.53	5.07
Passengers Per Vehicle Service Mile	0.71	0.42	0.47
Vehicle Service Hours Per Employee	814.83	913.10	956.67
Fares as a Percent of Operating Cost	15.60%	9.26%	12.83%

All of the above terms are defined in PUC 99247

NOTE: Complete a Statement of Performance Measures and Indicators for each mode (i.e. senior/disabled and general public), and for each, complete a separate statement for established services and new, extended services

Transit Claim
FY 2021/22
Itemized Capital Costs

Describe Items	FY 2021/22		FY 2022/23		FY 2023/24		FY 2024/25		FY 2025/26	
	QTY	COST	QTY	COST	QTY	COST	QTY	COST	QTY	COST
1. Bus Stop Improvements, Phase 1	0	0	0	0	0	0	0	0	0	0
2. Bus Parking Expansion	0	0	0	0	0	0	0	0	0	0
3. Roger K. Fall Transit Center, Phase 3	0	0	0	0	0	0	0	0	0	0
4. Bus Stop Improvements, Phase 2	1	250,000	0	0	0	0	0	0	0	0
5. Short-Range Transit Plan	0	0	0	0	1	200,000	0	0	0	0
6. Corp Yard Transit Parking Extension	0	0	0	0	0	0	0	0	0	0
7. CNG Bus Maint Facility Wall Addition	0	0	0	0	0	0	0	0	0	0
8. Purchase of (4) 35' CNG Gilling Buses	0	0	0	0	0	0	0	0	0	0
9. SRTT APS Upgrades Near Bus Stops	1	380,000	0	0	0	0	0	0	0	0
10. Swifity System Upgrade	0	0	0	0	0	0	0	0	0	0
11. Purchase of (2) 35' CNG Gilling Buses	0	0	0	0	0	0	0	0	0	0
12. Rebuild CNG Slow-Fill Station	0	0	0	0	0	0	0	0	0	0
13. Upgrades to Transit Ford Explorers	0	0	0	0	0	0	0	0	0	0
14. Transit Computer Systems Upgrade	0	0	0	0	0	0	0	0	0	0
15. Corp Yard Perimeter Security Improv.	1	100,000	0	0	0	0	0	0	0	0
16. Transit Fare System Upgrade	0	0	0	0	0	0	0	0	0	0
17. Transit Driver Protection Barriers	0	0	0	0	0	0	0	0	0	0
18. AirBubbl Transit Upgrades	0	0	0	0	0	0	0	0	0	0
19. Navilens Transit Accessibility Improv	1	18,814	0	0	0	0	0	0	0	0
20. Transit Operations Facility	1	2,657,102	1	956,000	1	1,776,000	1	1,610,898	0	0
21. Transit Air Purification Upgrades	0	0	0	0	0	0	0	0	0	0
22. ITS/Fleet Improvements	1	700,000	0	0	0	0	0	0	0	0
23. Bus Stop Improvements, Phase 3	1	220,000	0	0	0	0	0	0	0	0
24. Purchase of (4) midsize fixed route buses	4	1,280,000	0	0	0	0	0	0	0	0
25. Marketing and Promotions Plan	1	50,000	0	0	0	0	0	0	0	0
26. Emergency Management Plan	1	40,000	0	0	0	0	0	0	0	0
27. Associated Capital Maintenance	1	10,000	1	10,000	1	10,000	1	10,000	1	10,000
28. Associated Transit Improvements	1	18,000	1	15,000	1	15,000	1	15,000	1	15,000
29. Contingencies	1	25,000	1	25,000	1	25,000	1	25,000	1	25,000
30. SRTT Ped Access Improv., Various	0	0	1	40,000	1	760,000	0	0	0	0
TOTAL COST		5,748,916		1,046,000		2,786,000		1,660,898		50,000

Operator: City of Turlock

Transit Claim
FY 2021/22
Financial Plan Operations

REVENUE FOR OPERATIONS		FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26
A.	Farebox	90,000	115,000	120,750	126,788	133,127
B.	FTA (Section 5307, 5339, 5311)	1,592,803	1,200,000	1,224,000	1,248,480	1,273,450
C.	STA - Carryover from last completed fiscal year					
D.	STA - Carryover from fiscal year 2017/18 (if applicable)					
E.	STA - New claim					
F.	LTF - Carryover from the last completed fiscal year					
G.	LTF - New claim	0	1,000,000	1,030,000	1,060,900	1,092,727
H.	LCTOP Low Carbon Transit Ops Program (99313)	36,497	65,000	65,000	65,000	65,000
I.	LCTOP Low Carbon Transit Ops Program (99314)	2,110	2,173	2,238	2,306	2,375
J.	LCTOP Low Carbon Transit Ops Program Carryover (99313)					
K.	LCTOP Low Carbon Transit Ops Program Carryover (99314)					
L.	SGR State of Good Repair (99313)					
M.	SGR State of Good Repair (99314)					
N.	CALOES (99313)					
O.	CALOES (99314)					
P.	Measure L Local	50,000	50,000	50,000	50,000	50,000
Q.	Measure L Regional					
R.	Contracted Services					
S.	Auxiliary (inc. Advertising)	36,000	55,000	57,750	60,638	63,669
T.	Passenger Fares					
U.	Special Transit Fares					
V.	Local cash grants and reimbursements					
W.	Freight Tariffs					
X.	Charter Service					
Y.	Non-transportation (inc. Interest)					
Z.	Local taxes					
AA.	Local Special Fare Assistance					
AB.	State Special Fare Assistance					
AC.	Federal Operating Grants					
AD.	Other claimant:					
AE.	Other local: Transit Funding Agreements	90,000				
AF.	Other local					
AG.	Other local					
AH.	Other local					
AI.	TOTAL OPERATIONS	1,897,410	2,487,173	2,549,738	2,614,111	2,680,348

Operator: City of Turlock

Transit Claim
FY 2021/22
Financial Plan Capital

II.	REVENUE FOR CAPITAL	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26
A.	FTA (Section 5307, 5339, 5311)	3,300,000	400,000	408,000	416,160	424,483
B.	CMAQ					
C.	Proposition 1B - Regional share					
D.	Proposition - Direct apportionment					
E.	STA - Carryover from last completed fiscal year					
F.	STA - New claim					
G.	LTF - Carryover from the last completed fiscal year	0				
H.	LTF - Carryover from fiscal year 2017/18 (if applicable)					
I.	LTF - New claim	1,851,477	800,000	800,000	800,000	800,000
J.	LCTOP Low Carbon Transit Ops Program (99313)					
K.	LCTOP Low Carbon Transit Ops Program (99314)					
L.	LCTOP Low Carbon Transit Ops Program Carryover (99313)					
M.	LCTOP Low Carbon Transit Ops Program Carryover (99314)					
N.	SGR State of Good Repair (99313)	\$ -				
O.	SGR State of Good Repair (99314)					
P.	SGR State of Good Repair Carryover (99313)	\$ 409,075.00				
Q.	SGR State of Good Repair Carryover (99314)					
R.	Measure L Local					
S.	Measure L Regional					
T.	Federal Capital Assistance					
U.	Other Federal:					
V.	Other State: Affordable Housing and Sustainable Comm.	0				
W.	Other claimant:					
X.	Other local:					
Y.	Other local					
Z.	Other local					
AA.	Other local					
AB.	TOTAL CAPITAL	5,560,552	1,200,000	1,208,000	1,216,160	1,224,483
AC.	Total Operations and Capital Revenue	7,457,962	3,687,173	3,757,738	3,830,271	3,904,831

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Operating Budget
 ADA Paratransit

Budget Year	<u>Actual</u> FY 2019/20	<u>Estimated</u> FY 2020/21	<u>Proposed</u> FY 2021/22
<u>Operating Revenues</u>			
401 Passenger Fares	\$ 13,039.00	\$ 10,000.00	\$ 15,000.00
402 Special Transit Fares			
409 Local cash grants and reimbursements			
404 Freight Tariffs			
405 Charter Service			
406 Auxiliary (inc. Advertising)		\$ 5,000.00	\$ 5,000.00
407 Nontransportation (Interest)	\$ 5,135.00		
408 Local taxes levied by transit system			
409 New LTF Claim	\$ 262,628.00	\$ 307,401.00	
LTF - Carryover from previous fiscal year		\$ 137,673.00	\$ 461,186.00
LTF - Carryover to next fiscal year	\$ (137,673.00)	\$ (461,186.00)	
LTF - Transfer to ADA Capital			\$ (386,384.00)
410 Local Special Fare Assistance			
411 STA - New claim	\$ 6,502.00	\$ 21,858.00	\$ 14,940.00
411 STA - Carryover from last completed fiscal year			
412 State Special Fare Assistance			
413 Federal Operating Grants	\$ 374,034.00	\$ 645,279.00	\$ 541,897.00
409 Measure L - Local			
409 Measure L - Regional			
411 LCTOP Low Carbon Transit Ops Program (99313)			
411 LCTOP Low Carbon Transit Ops Program (99314)			
411 LCTOP Low Carbon Transit Ops Program Carryover (99313)			
411 LCTOP Low Carbon Transit Ops Program Carryover (99314)			
Other (specify): Sale of property	\$ 56.00		
Total Operating Revenues	\$ 523,721.00	\$ 666,025.00	\$ 651,639.00
Less Operating Expenditures	\$ 523,721.00	\$ 666,025.00	\$ 651,639.00
Net Surplus/(Deficit)	\$ -	\$ -	\$ -
<u>Operating Expenditures</u>			
501 Labor	\$ 34,740.00	\$ 90,511.00	\$ 77,981.00
Full-time*			\$ 64,680.00
Part-time			\$ 5,000.00
Bilingual Pay			\$ 288.00
Educational Incentive			\$ 637.00
Sick Leave Conversion			\$ 2,000.00
Vacation Conversion			\$ 2,000.00
Management Leave Conversion			\$ 1,000.00
Continuous Service Pay			\$ 1,726.00
Overtime			\$ 500.00
Professional development			\$ 150.00
Salary credit from other department			
Salary reimbursements - allocated			
*Administration (Director) salary portion: \$8,128			
502 Fringe Benefits**	\$ 15,580.00	\$ 50,879.00	\$ 50,392.00
Medical Insurance			\$ 15,310.00
Vision Insurance			\$ 194.00
Long Term Disability Insurance			\$ 674.00
Life Insurance			\$ 212.00
SUI			\$ 179.00
Workers Comp Insurance			\$ 830.00
City Liability Insurance			\$ 2,347.00
PERS			\$ 32,459.00
Employee contribution to PERS			\$ (6,034.00)
GASB 68 adjustment for pensions			

	Medicare Tax			\$	1,124.00
	Social Security Tax			\$	310.00
	Retire Health Insurance			\$	1,630.00
	Deferred Compensation			\$	1,157.00
	Compensated Absences				
	OPEB expense				
	Salary reimbursements - allocated				
	<i>**Administration (Director) benefits portion: \$5,362</i>				
503 Services		\$ 83,665.00	\$ 94,500.00	\$ 107,202.00	
	Transit Contract Services			\$	35,000.00
	Car Wash			\$	100.00
	Consultant Audit			\$	3,297.00
	Actuarial Report GASB 68			\$	5.00
	Printing Services			\$	1,000.00
	CNG Bus Building Maintenance				
	Special Legal Counsel			\$	500.00
	Radio System Maintenance - Motorola			\$	1,500.00
	Radio System Maintenance - Delta Wireless			\$	2,300.00
	CNG Slow Fill Maintenance				
	Labor - Supervisory Bus Maint (Fed 80% Local 20%)			\$	12,000.00
	Labor - Preventative Bus Maint (Fed 80% Local 20%)			\$	36,000.00
	Maintenance Outside Contractor Repair			\$	15,000.00
	Mobile Ticketing Services			\$	300.00
	Maintenance Services Subscription			\$	200.00
504 Materials & Supplies		\$ 54,030.00	\$ 64,500.00	\$ 73,600.00	
	Supplies General			\$	3,000.00
	Supplies COVID-19			\$	10,000.00
	Postage			\$	600.00
	CNG Fuel				
	Gas & Oil			\$	46,000.00
	CNG fuel rebate				
	Vehicle & Small Equip Maintenance Parts			\$	2,000.00
	Parts -Bus Preventive Maint. (Fed 80% Local 20%)			\$	10,000.00
	Tires and Tubes			\$	2,000.00
	CNG Bus Maintenance Building				
505 Utilities		\$ 180.00	\$ 420.00	\$ 400.00	
	Telephone			\$	-
	TID			\$	400.00
	PG&E			\$	-
	Pest Control				
	Alarm Services			\$	-
506 Casualty & Liability		\$ 5,174.00	\$ 6,291.00	\$ 6,771.00	
	Insurance			\$	6,771.00
507 Taxes		\$ -		\$ -	
	Taxes				
508 Purchase Transportation Services		\$ 308,809.00	\$ 320,000.00	\$ 298,987.00	
	Fixed Monthly Cost			\$	227,999.20
	Revenue Hours			\$	70,987.80
509 Misc. Expenses		\$ 266.00	\$ 5,700.00	\$ 5,700.00	
	Tickets & Promotion			\$	2,800.00
	Recruitment			\$	200.00
	Dues - Misc.				
	Advertising			\$	1,000.00
	Auto Allowance				
	Shoe Allowance			\$	100.00
	Training			\$	1,500.00
	Parking Fees				
	Bank Charges and Over/Short			\$	100.00
510 Expense Transfers		\$ 21,277.00	\$ 17,224.00	\$ 12,863.00	
	Transfer Out to Fund 110 for Audit Reimb			\$	2,400.00
	Transfer Out to Fund 501 for IT Services			\$	150.00
	Transfer Out to Fund 242 Network				
	Transfer Out to GASB 68 Actuarial Report				

	Transfer Out GF Administration from Transit				\$	10,313.00	
511 Interest Expense		\$	-		\$	-	
	Interest Expense						
512 Leases & Rentals		\$	-		\$	-	
	Leases & Rentals						
Contingencies		\$	-	\$	16,000.00	\$	17,743.00
	Contingencies					\$	17,743.00
Total Operating Expenditures		\$	523,721.00	\$	666,025.00	\$	651,639.00

Account numbers above refer to account numbers in the State Controller's Uniform System of Accounts for Public Transit Operators

<p>Approved by Operator's Chief Financial Officer or CPA _____</p>

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Capital Budget
 ADA Paratransit

Budget Year	<u>Actual</u> FY 2019/20	<u>Estimated</u> FY 2020/21	<u>Proposed</u> FY 2021/22
Capital Revenues			
Other Local			
FTA (Section 5307, 5339, 5311)			
CMAQ			
Other Federal			
Proposition 1B - Regional share			
Proposition 1B - Direct share			
STA - New claim			
STA - Carryover from last completed fiscal year			
LTF - New Claim		\$ 319,446.00	\$ 83,327.00
LTF - Carryover from previous fiscal year	\$ 361,475.00	\$ 350,343.00	\$ 638,289.00
LTF - Carryover to next fiscal year	\$ (350,343.00)	\$ (638,289.00)	
LTF - Transfer from ADA Operations			\$ 386,384.00
Federal Capital Assistance			
Measure L			
SGR State of Good Repair (99313)			
SGR State of Good Repair (99314)			
SGR State of Good Repair Carryover (99313)			
SGR State of Good Repair Carryover (99314)			
Other (specify): _____			
Other (specify): _____			
Other (specify): _____			
Other (specify): _____			
Total Capital Revenues	\$ 11,132.00	\$ 31,500.00	\$ 1,108,000.00
Net Surplus/(Deficit)	\$ -	\$ -	\$ -
Capital Expenditures (Itemize by Project)			
20007 Motorola Radios Upgrade	\$ 5,135.00		\$ -
20012 Bus Procurement/Inspections	\$ 2,449.00	\$ 5,000.00	\$ 1,020,000.00
20040 AirBubbl Transit Upgrades		\$ 2,500.00	\$ -
21004 Transit Air Purification Upgrades		\$ 16,000.00	\$ -
21009 ITS System Enhancements			\$ 80,000.00
Associated Transit Improvements		\$ 4,000.00	\$ 4,000.00
Associated Capital Maintenance	\$ 3,548.00	\$ 2,000.00	\$ 2,000.00
Contingencies		\$ 2,000.00	\$ 2,000.00
			\$ -
			\$ -
			\$ -
Total Capital Expenditures	\$ 11,132.00	\$ 31,500.00	\$ 1,108,000.00

Approved by Operator's Chief Financial Officer or CPA _____

Operator: City of Turlock

Transit Claim
FY 2021/22
ADA Paratransit

	Past Actual FY 2019/20	Estimate FY 2020/21	Proposed Budget FY 2021/22
Fare revenue excluding fares from service extensions	\$ 13,039	\$ 10,000	\$ 15,000
Fare revenue from qualified service extensions			
Total Fare Revenue:	\$ 13,039	\$ 10,000	\$ 15,000
Charter Service Revenues	\$ -	\$ -	\$ -
Auxiliary (Inc. Advertising) transportation revenue (PUC Section 99243/CCR § 6611.3)	\$ -	\$ 5,000	\$ 5,000
Non-Transportation Revenues (Interest)	\$ 5,135	\$ -	\$ -
Local cash grants and reimbursements (PUC Section 99243/ CCR § 6611.3)	\$ -	\$ -	\$ -
Special transit fares (PUC Section 99243/CCR § 6611.2)	\$ -	\$ -	\$ -
Measure L (Local)	\$ -	\$ -	\$ -
LCTOP	\$ -	\$ -	\$ -
School bus revenues (PUC Section 99243/CCR § 6611.2)			
Taxes levied directly by transit systems (PUC Section 99243/ CCR § 6611.3)	\$ -	\$ -	\$ -
Freight Tariffs	\$ -	\$ -	\$ -
Subsidy from other sectors of operation			
Other			
Total Local Fund Revenue:	\$ 5,135	\$ 5,000	\$ 5,000
Total Fares-Plus-Local-Fund Revenue:	\$ 18,174	\$ 15,000	\$ 20,000
State cash grants and special fare assistance	\$ 131,457	\$ 5,746	\$ 89,742
Federal cash grants and reimbursements	\$ 374,034	\$ 645,279	\$ 541,897
Total State and Federal Grants:	\$ 505,491	\$ 651,025	\$ 631,639
Other operating revenue			
Other non-operating revenue	\$ 56		
Total All Other Operating Revenue:	\$ 56	\$ -	\$ -
Total Revenue:	\$ 523,721	\$ 666,025	\$ 651,639
Operating costs excluding service extensions.	\$ 523,721	\$ 666,025	\$ 651,639
Operating costs of service extensions.			
Total Operating Cost:	\$ 523,721	\$ 666,025	\$ 651,639
Operating Deficit:	\$ -	\$ -	\$ -
Exclusions And Exemptions (optional if needed to meet farebox recovery standard):			
Qualified depreciation and amortization expense (99247(a))			
Qualified direct charter service expense (99247(a))			
Qualified vehicle lease expenses (99247(a))			
Qualified principal and interest payments on capital projects (99247(a))			
Qualified commuter rail service expense (99247(a))			
Qualified service extension expense (99268.8) **			
Qualified ridesharing expenses (99268.16)			
Fuel cost increase in excess of CPI (99268.17)			
Alternative fuel program cost increase in excess of CPI (99268.17)			
Power, including electricity cost increase in excess of CPI (99268.17)			
Liability insurance cost increase in excess of CPI (99268.17)			
State and Federal Mandate costs in excess of CPI (explain on Doc. X) (99268.18)			
Total Exclusions And Exemptions	\$ -	\$ -	\$ -
TDA-Adjusted Operating Cost:			

TDA Adjusted Farebox Recovery Ratio	#VALUE!	#VALUE!	#VALUE!
Farebox Recovery Ratio If No Exclusions Are Taken	3.47%	2.25%	3.07%
Financial Audit Fare Recovery Ratio (enter manually)	N/A	N/A	N/A
Farebox Recovery Ratio Reported to SCO (enter manually)		N/A	N/A

Explain any variances in fare recovery ratio beyond exclusion and exemptions listed above.

*Must Complete the New Service Exemption Tab

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Justification of Expenditures 15% Increase
 ADA Paratransit

<u>Operating Expenditures</u>	<u>FY 2020/21 Expenditures</u>	<u>FY 2021/22 Expenditures</u>	<u>Expenses Increase/Decrease</u>
Labor	\$ 90,511	\$ 77,981	-13.84%
Fringe Benefits**	\$ 50,879	\$ 50,392	-0.96%
Services	\$ 94,500	\$ 107,202	13.44%
Materials & Supplies	\$ 64,500	\$ 73,600	14.11%
Utilities	\$ 420	\$ 400	-4.76%
Casualty & Liability	\$ 6,291	\$ 6,771	7.63%
Taxes	\$ -	\$ -	#DIV/0!
Purchase Transportation Services	\$ 320,000	\$ 298,987	-6.57%
Misc. Expenses	\$ 5,700	\$ 5,700	0.00%
Expense Transfers	\$ 17,224	\$ 12,863	-25.32%
Interest Expense	\$ -	\$ -	#DIV/0!
Leases & Rentals	\$ -	\$ -	#DIV/0!
Contingencies	\$ 16,000	\$ 17,743	10.89%
Total Operating Expenditures	\$ 666,025	\$ 651,639	-2.16%

Any operating cost item for the future FY which exceeds the previous FY by more than 15% must be justified in a statement below.

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Performance Indicators
 ADA Paratransit

PERFORMANCE MEASURES	FY 2019/20 Actual	FY 2020/21 Estimate	FY 2021/22 Proposed Budget
Operating Cost	523,721	666,025	651,639
Passengers	9,313	4,290	4,460
Vehicle Service Hours	3,804	2,430	2,530
Vehicle Service Miles	36,688	19,240	20,010
Employees	5	5	5
Local Revenue	18,174	15,000	20,000

PERFORMANCE INDICATORS	FY 2019/20 Actual	FY 2020/21 Estimate	FY 2021/22 Proposed Budget
Operating Cost Per Passenger	56.24	155.25	146.11
Operating Cost Per Vehicle Service Hour	137.68	274.08	257.56
Passengers per Vehicle Service Hour	2.45	1.77	1.76
Passengers Per Vehicle Service Mile	0.25	0.22	0.22
Vehicle Service Hours Per Employee	760.80	486.00	506.00
Fares as a Percent of Operating Cost	3.47%	2.25%	3.07%

All of the above terms are defined in PUC 99247

NOTE: Complete a Statement of Performance Measures and Indicators for each mode (i.e. senior/disabled and general public), and for each, complete a separate statement for established services and new, extended services

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Itemized Capital Costs
 ADA Paratransit

Describe Items	FY 2021/22		FY 2022/23		FY 2023/24		FY 2024/25		FY 2025/26	
	QTY	COST	QTY	COST	QTY	COST	QTY	COST	QTY	COST
1. Motorola Radios Upgrade	0	0	0	0	0	0	0	0	0	0
2. Bus Procurement/Inspections	5	1,020,000	0	0	0	0	0	0	0	0
3. AirBubbl Transit Upgrades	0	0	0	0	0	0	0	0	0	0
4. Transit Air Purification Upgrades	0	0	0	0	0	0	0	0	0	0
5. ITS System Enhancements	1	80,000	0	0	0	0	0	0	0	0
6. Associated Transit Improvements	1	4,000	1	4,000	1	4,000	1	4,000	1	4,000
7. Associated Capital Maintenance	1	2,000	1	2,000	1	2,000	1	2,000	1	2,000
8. Contingencies	1	2,000	1	2,000	1	2,000	1	2,000	1	2,000
9.										
10.										
11.										
12.										
13.										
14.										
15.										
16.										
17.										
18.										
19.										
20.										
TOTAL COST		1,108,000		8,000		8,000		8,000		8,000

Operator: City of Turlock

Transit Claim
FY 2021/22
Financial Plan Operations

REVENUE FOR OPERATIONS		FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26
A.	Farebox	15,000	19,000	19,570	20,157	20,762
B.	FTA (Section 5307, 5339, 5311)	541,897	320,000	329,600	339,488	349,673
C.	STA - Carryover from last completed fiscal year					
D.	STA - Carryover from fiscal year (if applicable)					
E.	STA - New claim	14,940	15,388	15,850	16,325	16,815
F.	LTF - Carryover from the last completed fiscal year					
G.	LTF - New claim	0	345,000	355,350	366,011	376,991
H.	LCTOP Low Carbon Transit Ops Program (99313)					
I.	LCTOP Low Carbon Transit Ops Program (99314)					
J.	LCTOP Low Carbon Transit Ops Program Carryover (99313)					
K.	LCTOP Low Carbon Transit Ops Program Carryover (99314)					
L.	SGR State of Good Repair (99313)					
M.	SGR State of Good Repair (99314)					
N.	CALOES (99313)					
O.	CALOES (99314)					
P.	Measure L Local					
Q.	Measure L Regional					
R.	Contracted Services					
S.	Auxiliary (inc. Advertising)	5,000	5,150	5,305	5,464	5,628
T.	Passenger Fares					
U.	Special Transit Fares					
V.	Local cash grants and reimbursements					
W.	Freight Tariffs					
X.	Charter Service					
Y.	Non-transportation (inc. Interest)					
Z.	Local taxes					
AA.	Local Special Fare Assistance					
AB.	State Special Fare Assistance					
AC.	Federal Operating Grants					
AD.	Other claimant:					
AE.	Other local:					
AF.	Other local					
AG.	Other local					
AH.	Other local					
AI.	TOTAL OPERATIONS	576,837	704,538	725,674	747,445	769,868

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Financial Plan Capital

II.	REVENUE FOR CAPITAL	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26
A.	FTA (Section 5307, 5339, 5311)					
B.	CMAQ					
C.	Proposition 1B - Regional share					
D.	Proposition - Direct apportionment					
E.	STA - Carryover from last completed fiscal year					
F.	STA - New claim					
G.	LTF - Carryover from the last completed fiscal year	1,024,673				
H.	LTF - Carryover from fiscal year _____ (if applicable)					
I.	LTF - New claim	83,327	8,000	8,000	8,000	8,000
J.	LCTOP Low Carbon Transit Ops Program (99313)					
K.	LCTOP Low Carbon Transit Ops Program (99314)					
L.	LCTOP Low Carbon Transit Ops Program Carryover (99313)					
M.	LCTOP Low Carbon Transit Ops Program Carryover (99314)					
N.	SGR State of Good Repair (99313)					
O.	SGR State of Good Repair (99314)					
P.	SGR State of Good Repair Carryover (99313)					
Q.	SGR State of Good Repair Carryover (99314)					
R.	Measure L Local					
S.	Measure L Regional					
T.	Federal Capital Assistance					
U.	Other Federal:					
V.	Other State:					
W.	Other claimant:					
X.	Other local:					
Y.	Other local					
Z.	Other local					
AA.	Other local					
AB.	TOTAL CAPITAL	1,108,000	8,000	8,000	8,000	8,000
AC.	Total Operations and Capital Revenue	1,694,937	712,538	733,674	755,445	777,868

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Operating Budget
 Demand Response

Budget Year	<u>Actual</u> FY 2019/20	<u>Estimated</u> FY 2020/21	<u>Proposed</u> FY 2021/22
<u>Operating Revenues</u>			
401 Passenger Fares			
402 Special Transit Fares			
409 Local cash grants and reimbursements			
404 Freight Tariffs			
405 Charter Service			
406 Auxiliary (inc. Advertising)			
407 Nontransportation (inc. Interest)			
408 Local taxes levied by transit system			
409 New LTF Claim		\$ 306,000.00	
LTF - Carryover from previous fiscal year			\$ 306,000.00
LTF - Carryover to next fiscal year		\$ (306,000.00)	
LTF - Transfer to DR Capital			\$ (130,000.00)
LTF - Transfer to FR Capital			\$ (176,000.00)
410 Local Special Fare Assistance			
411 STA - New claim			
411 STA - Carryover from last completed fiscal year			
412 State Special Fare Assistance			
413 Federal Operating Grants			
Other (specify): _____			
Total Operating Revenues	\$ -	\$ -	\$ -
Less Operating Expenditures	\$ -	\$ -	\$ -
Net Surplus/(Deficit)	\$ -	\$ -	\$ -
<u>Operating Expenditures</u>			
501 Labor	\$ -		\$ -
502 Fringe Benefits	\$ -		\$ -
503 Services	\$ -		\$ -
504 Materials & Supplies	\$ -		\$ -
505 Utilities	\$ -		\$ -
506 Casualty & Liability	\$ -		\$ -
507 Taxes	\$ -		\$ -
508 Purchase Transportation Services	\$ -		\$ -
509 Misc. Expenses	\$ -		\$ -
510 Expense Transfers	\$ -		\$ -
511 Interest Expense	\$ -		\$ -
512 Leases & Rentals	\$ -		\$ -
Contingencies	\$ -		\$ -
Total Operating Expenditures	\$ -	\$ -	\$ -

Account numbers above refer to account numbers in the State Controller's Uniform System of Accounts for Public Transit Operators

Approved by Operator's Chief Financial
 Officer or CPA _____

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Capital Budget
 Demand Response

Budget Year	<u>Actual</u> FY 2019/20	<u>Estimated</u> FY 2020/21	<u>Proposed</u> FY 2021/22
<u>Capital Revenues</u>			
Other Local			
FTA (Section 5307, 5339, 5311)			
CMAQ			
Other Federal			
Proposition 1B - Regional share			
Proposition 1B - Direct share			
STA - New claim			
STA - Carryover from last completed fiscal year			
LTF - New Claim			
LTF - Carryover from previous fiscal year		\$ -	\$ -
LTF - Carryover to next fiscal year			
LTF - Transfer from DR Operations			\$ 130,000.00
Federal Capital Assistance			
Measure L			
SGR State of Good Repair (99313)			
SGR State of Good Repair (99314)			
SGR State of Good Repair Carryover (99313)			
SGR State of Good Repair Carryover (99314)			
Other (specify): _____			
Other (specify): _____			
Other (specify): _____			
Other (specify): _____			
Total Capital Revenues	\$ -	\$ -	\$ 130,000.00
Net Surplus/(Deficit)	\$ -	\$ -	\$ -

Capital Expenditures (Itemize by Project)

Procure platform			\$ 40,000.00
Procure vehicles			\$ 90,000.00
_____			\$ -
_____			\$ -
_____			\$ -
_____			\$ -
_____			\$ -
_____			\$ -
_____			\$ -
_____			\$ -
Total Capital Expenditures	\$ -	\$ -	\$ 130,000.00

Approved by Operator's Chief Financial
 Officer or CPA _____

Operator: City of Turlock

Transit Claim
FY 2021/22
Demand Response

	Past Actual FY 2019/20	Estimate FY 2020/21	Proposed Budget FY 2021/22
Fare revenue excluding fares from service extensions	\$ -	\$ -	\$ -
Fare revenue from qualified service extensions			
Total Fare Revenue:	\$ -	\$ -	\$ -
Charter Service Revenues	\$ -	\$ -	\$ -
Auxiliary (Inc. Advertising) transportation revenue (PUC Section 99243/CCR § 6611.3)	\$ -	\$ -	\$ -
Non-Transportation Revenues (Inc. Interest)	\$ -	\$ -	\$ -
Local cash grants and reimbursements (PUC Section 99243/ CCR § 6611.3)	\$ -	\$ -	\$ -
Special transit fares (PUC Section 99243/CCR § 6611.2)	\$ -	\$ -	\$ -
Measure L (Local)	\$ -	\$ -	\$ -
LCTOP	\$ -	\$ -	\$ -
School bus revenues (PUC Section 99243/CCR § 6611.2)			
Taxes levied directly by transit systems (PUC Section 99243/ CCR § 6611.3)	\$ -	\$ -	\$ -
Freight Tariffs	\$ -	\$ -	\$ -
Subsidy from other sectors of operation			
Other _____			
Total Local Fund Revenue:	\$ -	\$ -	\$ -
Total Fares-Plus-Local-Fund Revenue:	\$ -	\$ -	\$ -
State cash grants and special fare assistance			
Federal cash grants and reimbursements			
Total State and Federal Grants:	\$ -	\$ -	\$ -
Other operating revenue			
Other non-operating revenue			
Total All Other Operating Revenue:	\$ -	\$ -	\$ -
Total Revenue:	\$ -	\$ -	\$ -
Operating costs excluding service extensions.	\$ -	\$ -	
Operating costs of service extensions.			
Total Operating Cost:	\$ -	\$ -	\$ -
Operating Deficit:	\$ -	\$ -	\$ -
Exclusions And Exemptions (optional if needed to meet farebox recovery standard):			
Qualified depreciation and amortization expense (99247(a))			
Qualified direct charter service expense (99247(a))			
Qualified vehicle lease expenses (99247(a))			
Qualified principal and interest payments on capital projects (99247(a))			
Qualified commuter rail service expense (99247(a))			
Qualified service extension expense (99268.8) **			
Qualified ridesharing expenses (99268.16)			
Fuel cost increase in excess of CPI (99268.17)			
Alternative fuel program cost increase in excess of CPI (99268.17)			
Power, including electricity cost increase in excess of CPI (99268.17)			
Liability insurance cost increase in excess of CPI (99268.17)			
State and Federal Mandate costs in excess of CPI (explain on Doc. X) (99268.18)			
Total Exclusions And Exemptions	\$ -	\$ -	\$ -
TDA-Adjusted Operating Cost:			

TDA Adjusted Farebox Recovery Ratio	#VALUE!	#VALUE!	#VALUE!
Farebox Recovery Ratio If No Exclusions Are Taken	#DIV/0!	#DIV/0!	#DIV/0!
Financial Audit Fare Recovery Ratio (enter manually)			
Farebox Recovery Ratio Reported to SCO (enter manually)			

Explain any variances in fare recovery ratio beyond exclusion and exemptions listed above.

Entire service would be exempt as a new service.

*Must Complete the New Service Exemption Tab

A claimant may receive exemptions from the various ratio requirements that apply to it for services provided to new areas or along new routes. The exemptions apply until the end of the second full fiscal year of operation. The claimant must submit a report on the new or expanded service to StanCOG within 90 days after the end of each fiscal year requesting an exemption (For full details on the report see CCR6633.8 and CCR 6619.1).

The report must include:

- 1 a description of the area(s) served, and the route(s) included,
- 2 the amount of fare revenues generated by the new or expanded service and the method used to derive the amount, and
- 3 the amount of the operating cost for the new or expanded service and the method used to allocate costs between the extension of services and the claimant's other services.

For the purpose of this section, new or expanded service is defined by PUC 99268.8 as described below:

The required ratios of fare revenues to operating cost prescribed by this article shall not apply to an extension of public transportation services until two years after the end of the fiscal year in which the extension of services was put into operation.

As used in this section, "extension of public transportation services" includes additions of geographical areas or route miles, or improvements in service frequency or hours of service greater than 25 percent of the route total, or the addition of new days of service, and for transit service claimants also includes the addition of a new type of service, such as van, taxi, or bus.

Within 90 days after the end of the first year of implementation, the operator shall submit to the StanCOG, a report on the extension of public transportation services, including, but not limited to, the area served, the revenues generated, and the cost to provide the extended services.

If you intend on exempting a new route or the expansion of a route you must complete the following.

Is this a new or expanded service?	New
Please describe the service. Include route, service area, geographic location, hours of service, and miles added.	

Cost
Provide an estimate for the new service or the expansion of service. Include the method used to derive the amount.

Only Continue to the second page if this is for a service expansion on an existing route

For Expansion of Service

What is the portion of the route /service that is expanded? (Must be a percent) _____

What is the **total** cost of the route/service? _____

What is the cost that is being requested for exemption? _____

Explain the method used to derive the requested exemption cost, in the space provided below.

Operator: City of Turlock

Transit Claim
FY 2021/22
Justification of Expenditures 15% Increase
Demand Response

<u>Operating Expenditures</u>	<u>FY 2020/21</u> <u>Expenditures</u>	<u>FY 2021/22</u> <u>Expenditures</u>	<u>Expenses</u> <u>Increase/Decrease</u>
Labor	\$ -	\$ -	#DIV/0!
Fringe Benefits**	\$ -	\$ -	#DIV/0!
Services	\$ -	\$ -	#DIV/0!
Materials & Supplies	\$ -	\$ -	#DIV/0!
Utilities	\$ -	\$ -	#DIV/0!
Casualty & Liability	\$ -	\$ -	#DIV/0!
Taxes	\$ -	\$ -	#DIV/0!
Purchase Transportation Services	\$ -	\$ -	#DIV/0!
Misc. Expenses	\$ -	\$ -	#DIV/0!
Expense Transfers	\$ -	\$ -	#DIV/0!
Interest Expense	\$ -	\$ -	#DIV/0!
Leases & Rentals	\$ -	\$ -	#DIV/0!
Contingencies	\$ -	\$ -	#DIV/0!
Total Operating Expenditures	\$ -	\$ -	#DIV/0!

Any operating cost item for the future FY which exceeds the previous FY by more than 15% must be justified in a statement below.

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Performance Indicators
 Demand Response

	FY 2019/20 Actual	FY 2020/21 Estimate	FY 2021/22 Proposed
PERFORMANCE MEASURES			
Operating Cost			
Passengers			
Vehicle Service Hours			
Vehicle Service Miles			
Employees			
Local Revenue	0	0	0

PERFORMANCE INDICATORS			
Operating Cost Per Passenger	#VALUE!	#VALUE!	#DIV/0!
Operating Cost Per Vehicle Service Hour	#VALUE!	#VALUE!	#DIV/0!
Passengers per Vehicle Service Hour	#DIV/0!	#DIV/0!	#DIV/0!
Passengers Per Vehicle Service Mile	#DIV/0!	#DIV/0!	#DIV/0!
Vehicle Service Hours Per Employee	#DIV/0!	#DIV/0!	#DIV/0!
Fares as a Percent of Operating Cost	#VALUE!	#VALUE!	#DIV/0!

All of the above terms are defined in PUC 99247

NOTE: Complete a Statement of Performance Measures and Indicators for each mode (i.e. senior/disabled and general public), and for each, complete a separate statement for established services and new, extended services

Transit Claim
 FY 2021/22
 Itemized Capital Costs
 Demand Response

Describe Items	FY 2021/22		FY 2022/23		FY 2023/24		FY 2024/25		FY 2025/26	
	QTY	COST	QTY	COST	QTY	COST	QTY	COST	QTY	COST
1. Procure platform	1	40,000	0	0	0	0	0	0	0	0
2. Procure vehicles	1	90,000	0	0	0	0	0	0	0	0
3.										
4.										
5.										
6.										
7.										
8.										
9.										
10.										
11.										
12.										
13.										
14.										
15.										
16.										
17.										
18.										
19.										
20.										
TOTAL COST		130,000	0	0	0	0	0	0	0	0

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Financial Plan Operations

REVENUE FOR OPERATIONS		FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26
A.	Farebox		21,000	22,050	23,153	24,310
B.	FTA (Section 5307, 5339, 5311)		150,000	154,500	159,135	163,909
C.	STA - Carryover from last completed fiscal year					
D.	STA - Carryover from fiscal year 2017/18 (if applicable)					
E.	STA - New claim					
F.	LTF - Carryover from the last completed fiscal year		130,000	133,900	137,917	142,055
G.	LTF - New claim					
H.	LCTOP Low Carbon Transit Ops Program (99313)					
I.	LCTOP Low Carbon Transit Ops Program (99314)					
J.	LCTOP Low Carbon Transit Ops Program Carryover (99313)					
K.	LCTOP Low Carbon Transit Ops Program Carryover (99314)					
L.	SGR State of Good Repair (99313)					
M.	SGR State of Good Repair (99314)					
N.	CALOES (99313)					
O.	CALOES (99314)					
P.	Measure L Local					
Q.	Measure L Regional					
R.	Contracted Services					
S.	Auxiliary (inc. Advertising)					
T.	Passenger Fares					
U.	Special Transit Fares					
V.	Local cash grants and reimbursements					
W.	Freight Tariffs					
X.	Charter Service					
Y.	Non-transportation (inc. Interest)					
Z.	Local taxes					
AA.	Local Special Fare Assistance					
AB.	State Special Fare Assistance					
AC.	Federal Operating Grants					
AD.	Other claimant:					
AE.	Other local:					
AF.	Other local					
AG.	Other local					
AH.	Other local					
AI.	TOTAL OPERATIONS	0	301,000	310,450	320,205	330,274

Operator: City of Turlock

Transit Claim
FY 2021/22
Financial Plan Capital

II. REVENUE FOR CAPITAL		FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26
A.	FTA (Section 5307, 5339, 5311)					
B.	CMAQ					
C.	Proposition 1B - Regional share					
D.	Proposition - Direct apportionment					
E.	STA - Carryover from last completed fiscal year					
F.	STA - New claim					
G.	LTF - Carryover from the last completed fiscal year	130,000				
H.	LTF - Carryover from fiscal year 2017/18 (if applicable)					
I.	LTF - New claim					
J.	LCTOP Low Carbon Transit Ops Program (99313)					
K.	LCTOP Low Carbon Transit Ops Program (99314)					
L.	LCTOP Low Carbon Transit Ops Program Carryover (99313)					
M.	LCTOP Low Carbon Transit Ops Program Carryover (99314)					
N.	SGR State of Good Repair (99313)					
O.	SGR State of Good Repair (99314)					
P.	SGR State of Good Repair Carryover (99313)					
Q.	SGR State of Good Repair Carryover (99314)					
R.	Measure L Local					
S.	Measure L Regional					
T.	Federal Capital Assistance					
U.	Other Federal:					
V.	Other State:					
W.	Other claimant:					
X.	Other local:					
Y.	Other local					
Z.	Other local					
AA.	Other local					
AB.	TOTAL CAPITAL	130,000	0	0	0	0
AC.	Total Operations and Capital Revenue	130,000	301,000	310,450	320,205	330,274

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Operating Budget
 Roger K. Fall Transit Center

Budget Year	<u>Actual</u> FY 2019/20	<u>Estimated</u> FY 2020/21	<u>Proposed</u> FY 2021/22
<u>Operating Revenues</u>			
401 Passenger Fares			
402 Special Transit Fares			
Local cash grants and reimbursements			
404 Freight Tariffs			
405 Charter Service			
406 Auxiliary (inc. Advertising)			
407 Nontransportation (inc. Interest)			
408 Local taxes			
409 New LTF Claim	\$ 570,638.00	\$ 820,128.00	\$ 373,760.00
LTF - Carryover from previous fiscal year	\$ 123,820.00	\$ 250,825.00	\$ 339,637.00
LTF - Carryover to next fiscal year (- #)	\$ (250,825.00)	\$ (339,637.00)	
LTF - Carryover from RKF TC Capital			\$ 131,965.00
410 Local Special Fare Assistance			
411 STA - New claim			
STA - Carryover from last completed fiscal year			
412 State Special Fare Assistance			
413 Federal Operating Grants			
Measure L - Local			
Measure L - Regional			
LCTOP Low Carbon Transit Ops Program (99313)			
LCTOP Low Carbon Transit Ops Program (99314)			
LCTOP Low Carbon Transit Ops Program Carryover (99313)			
LCTOP Low Carbon Transit Ops Program Carryover (99314)			
SGR State of Good Repair (99313)			
SGR State of Good Repair (99314)			
SGR State of Good Repair Carryover (99313)			
SGR State of Good Repair Carryover (99314)			
Other (specify): Electric Vehicle Charging Station	\$ 928.00		
Total Operating Revenues	\$ 444,561.00	\$ 731,316.00	\$ 845,362.00
Less Operating Expenditures	\$ 444,351.00	\$ 731,316.00	\$ 845,362.00
Net Surplus/(Deficit)	\$ 210.00	\$ -	\$ -
<u>Operating Expenditures</u>			
501 Labor	\$ 77,939.00	\$ 142,177.00	\$ 147,526.00
Full-time Salaries			\$ 106,122.00
Standby Wages			\$ 3,000.00
Overtime, Various			\$ 5,000.00
Bilingual Pay			\$ 1,337.00
Continuous Service Pay			\$ 67.00
Educational Incentives			
Management Leave Conversion Pay			
Sick Leave Conversion Pay			\$ 10,000.00
Vacation Leave Conversion Pay			\$ 10,000.00
Salary Charges/Credits			\$ 12,000.00
Transit Center Management - Admin Staff			
502 Fringe Benefits	\$ 95,710.00	\$ 111,619.00	\$ 106,185.00
Medical/Dental Plan			\$ 43,744.00
Vision Insurance			\$ 554.00
Long-Term Disability Insurance			\$ 1,106.00
Life Insurance			\$ 347.00
State Unemployment Insurance (SUI)			\$ 476.00
Workers Comp Insurance			\$ 6,587.00
City Liability Insurance			\$ 6,512.00
PERS			\$ 51,930.00
Medicare Tax			\$ 1,965.00
Social Security			
Retiree Health Insurance			\$ 2,122.00
Deferred Comp			\$ 531.00
Deferred Comp In-Lieu			
Employee Contrib to PERS			\$ (9,689.00)

	Compensated Absences			
	Transit Center Management - Admin Staff			
503 Services		\$ 171,928.00	\$ 296,520.00	\$ 461,520.00
	Parking Lot Maintenance			
	Contracted Private Security Services			\$ 185,000.00
	Contracted Law Enforcement Services			\$ 260,000.00
	Laundry and Linen Service			\$ 700.00
	Alarm Services			\$ 2,500.00
	Fire Extinguishers			\$ 1,000.00
	Fire Sprinkler and Supression Systems			\$ 3,000.00
	Pest Control			\$ 1,500.00
	Physicals, Shots, and Psychological			\$ 300.00
	Actuarial Report GASB 68			\$ 20.00
	Outside Contractor Labor			\$ 4,000.00
	Maint. - Heat & Air			\$ 2,000.00
	Fleet Maintenance Labor			\$ 1,500.00
504 Materials & Supplies		\$ 45,520.00	\$ 90,000.00	\$ 38,000.00
	Supplies - General			\$ 10,000.00
	Supplies - Buildings & Grounds			\$ 15,000.00
	Office Equipment & Furniture			\$ 10,000.00
	Gas & Oil			\$ 3,000.00
505 Utilities		\$ 29,421.00	\$ 37,000.00	\$ 34,000.00
	Telephone			7,500
	Cell Data Plan			1,000
	TID			11,000
	PG&E			3,000
	Internet Access			1,500
	City Utilities			8,000
	Refuse Service			
	Electric Vehicle Charging Expenses			2,000
506 Casualty & Liability		\$ 5,246.00	\$ 6,000.00	\$ 6,101.00
	Insurance - Vehicle			\$ 778.00
	Insurance - Property			\$ 5,323.00
507 Taxes				
508 Purchase Transportation Services				
509 Misc. Expenses		\$ 915.00	\$ 3,000.00	\$ 3,500.00
	Uniform Allowance			
	Shoe Allowance			\$ 500.00
	Training			\$ 3,000.00
510 Expense Transfers		\$ 17,672.00	\$ 18,000.00	\$ 18,000.00
	Transfer Out to Fund 501 for I.T. Services			\$ 17,000.00
	Transfer Out to Fund 242 Network			\$ 1,000.00
511 Interest Expense				
512 Leases & Rentals			\$ 2,000.00	\$ 2,000.00
	Leases & Rentals			\$ 2,000.00
Contingencies		\$ -	\$ 25,000.00	\$ 28,530.00
	Contingencies			\$ 28,530.00
Total Operating Expenditures		\$ 444,351.00	\$ 731,316.00	\$ 845,362.00

Account numbers above refer to account numbers in the State Controller's Uniform System of Accounts for Public Transit Operators

Approved by Operator's Chief Financial
Officer or CPA _____

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Justification of Expenditures 15% Increase
 Roger K. Fall Transit Center

<u>Operating Expenditures</u>	<u>FY 2020/21 Expenditures</u>	<u>FY 2021/22 Expenditures</u>	<u>Expenses Increase/Decrease</u>
Labor	\$ 142,177	\$ 147,526	3.76%
Fringe Benefits	\$ 111,619	\$ 106,185	-4.87%
Services	\$ 296,520	\$ 461,520	55.65%
Materials & Supplies	\$ 90,000	\$ 38,000	-57.78%
Utilities	\$ 37,000	\$ 34,000	-8.11%
Casualty & Liability	\$ 6,000	\$ 6,101	1.68%
Taxes	\$ -	\$ -	#DIV/0!
Purchase Transportation Services	\$ -	\$ -	#DIV/0!
Misc. Expenses	\$ 3,000	\$ 3,500	16.67%
Expense Transfers	\$ 18,000	\$ 18,000	0.00%
Interest Expense	\$ -	\$ -	#DIV/0!
Leases & Rentals	\$ 2,000	\$ 2,000	0.00%
Contingencies	\$ 25,000	\$ 28,530	14.12%
Total Operating Expenditures	\$ 731,316	\$ 845,362	15.59%

Any operating cost item for the future FY which exceeds the previous FY by more than 15% must be justified in a statement below.

SERVICES: The City had planned to have contracted law enforcement services provided at the Transit Center in FY 20/21 and included that in the initial FY 20/21 TDA claim. These services would augment private security services already provided. Due to staffing shortages and enforcement priorities with TPD we have been unable to fill the Transit Resource Officer (TRO) positions, so the FY 20/21 was decreased and the costs carried over to FY 21/22. This makes it appear like a large increase when in fact it's similar to the prior claim. MISC EXPENSES - Show allowance was moved to this section from another section. This amount didn't change, but it made it appear as though there was a spending increase, when there was not.

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Capital Budget
 Roger K. Fall Transit Center

Budget Year	<u>Actual</u> FY 2019/20	<u>Estimated</u> FY 2020/21	<u>Proposed</u> FY 2021/22
<u>Capital Revenues</u>			
Other Local			
FTA (Section 5307, 5339, 5311)			
CMAQ			
Other Federal			
STA - New claim			
STA - Carryover from last completed fiscal year			
New LTF Claim	\$ 485,000.00	\$ 174,939.00	
LTF - Carryover from previous fiscal year	\$ -	\$ 202,026.00	\$ 246,965.00
LTF - Carryover to next fiscal year	\$ (202,026.00)	\$ (246,965.00)	
LTF - Carryover to RKF TC Operating			\$ (131,965.00)
Federal Capital Assistance			
Measure L			
Other (specify): _____			
Other (specify): _____			
Total Capital Revenues	\$ 282,974.00	\$ 130,000.00	\$ 115,000.00
Net Surplus/(Deficit)	\$ -	\$ -	\$ -
<u>Capital Expenditures</u> (Itemize by Project)			
12-60 Transit Center, Phase 2 Improvements	\$ 34,670.00		
17-51 Transit Center, Phase 3 Improvements	\$ 213,921.00	\$ 30,000.00	
21002 Transit Center, Phase 4 Improvements		\$ 20,000.00	\$ 100,000.00
19-37 Transit Microwave Data Improvement	\$ 33,898.00		
Maintenance Equipment - Capital	\$ 485.00	\$ 15,000.00	
Audio/Video/ITS Upgrades		\$ 20,000.00	
Security Guard Shack		\$ 30,000.00	
Contingencies		\$ 15,000.00	\$ 15,000.00
Total Capital Expenditures	\$ 282,974.00	\$ 130,000.00	\$ 115,000.00

Approved by Operator's Chief Financial
 Officer or CPA _____

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Operating Budget
 Turlock-Denair Amtrak Station

Budget Year	<u>Actual</u> FY 2019/20	<u>Estimated</u> FY 2020/21	<u>Proposed</u> FY 2021/22
<u>Operating Revenues</u>			
401 Passenger Fares			
402 Special Transit Fares			
Local cash grants and reimbursements			
404 Freight Tariffs			
405 Charter Service			
406 Auxiliary (inc. Advertising)			
407 Nontransportation (inc. Interest)			
408 Local taxes			
409 New LTF Claim	\$ 4,280.00	\$ 3,838.00	\$ 4,275.00
LTF - Carryover from previous fiscal year	\$ 2,662.00	\$ 3,487.00	\$ 2,325.00
LTF - Carryover to next fiscal year	\$ (3,487.00)	\$ (2,325.00)	
410 Local Special Fare Assistance			
411 STA - New claim			
STA - Carryover from last completed fiscal year			
412 State Special Fare Assistance			
413 Federal Operating Grants			
Measure L - Local			
Measure L - Regional			
LCTOP Low Carbon Transit Ops Program (99313)			
LCTOP Low Carbon Transit Ops Program (99314)			
LCTOP Low Carbon Transit Ops Program Carryover (99313)			
LCTOP Low Carbon Transit Ops Program Carryover (99314)			
SGR State of Good Repair (99313)			
SGR State of Good Repair (99314)			
SGR State of Good Repair Carryover (99313)			
SGR State of Good Repair Carryover (99314)			
Other (specify): _____			
Total Operating Revenues	\$ 3,455.00	\$ 5,000.00	\$ 6,600.00
Less Operating Expenditures	\$ 3,455.00	\$ 5,000.00	\$ 6,600.00
Net Surplus/(Deficit)	\$ -	\$ -	\$ -
<u>Operating Expenditures</u>			
501 Labor			
502 Fringe Benefits			
503 Services		\$ 500.00	\$ 600.00
504 Materials & Supplies			
505 Utilities	\$ 3,455.00	\$ 4,500.00	\$ 5,000.00
506 Casualty & Liability			
507 Taxes			
508 Purchase Transportation Services			
509 Misc. Expenses			
510 Expense Transfers			
511 Interest Expense			
512 Leases & Rentals			
Contingencies			\$ 1,000.00
Total Operating Expenditures	\$ 3,455.00	\$ 5,000.00	\$ 6,600.00

Account numbers above refer to account numbers in the State Controller's Uniform System of Accounts for Public Transit Operators

Approved by Operator's Chief Financial Officer or CPA _____

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Justification of Expenditures 15% Increase
 Turlock-Denair Amtrak Station

<u>Operating Expenditures</u>	<u>FY 2020/21 Expenditures</u>	<u>FY 2021/22 Expenditures</u>	<u>Expenses Increase/Decrease</u>
Labor	\$ -	\$ -	#DIV/0!
Fringe Benefits	\$ -	\$ -	#DIV/0!
Services	\$ 500	\$ 600	20.00%
Materials & Supplies	\$ -	\$ -	#DIV/0!
Utilities	\$ 4,500	\$ 5,000	11.11%
Casualty & Liability	\$ -	\$ -	#DIV/0!
Taxes	\$ -	\$ -	#DIV/0!
Purchase Transportation Services	\$ -	\$ -	#DIV/0!
Misc. Expenses	\$ -	\$ -	#DIV/0!
Expense Transfers	\$ -	\$ -	#DIV/0!
Interest Expense	\$ -	\$ -	#DIV/0!
Leases & Rentals	\$ -	\$ -	#DIV/0!
Contingencies	\$ -	\$ 1,000	#DIV/0!
Total Operating Expenditures	\$ 5,000	\$ 6,600	32.00%

Any operating cost item for the future FY which exceeds the previous FY by more than 15% must be justified in a statement below.

SERVICES and UTILITIES: With the recent capital improvements (expansion) at the station, to now provide a dedicated transit and pick-up/drop-off area, it's reasonable to expect that both utility costs and potential maintenance costs will increase. The FY 21/22 budget reflects those changes.

Operator: City of Turlock

Transit Claim
 FY 2021/22
 Capital Budget
 Turlock-Denair Amtrak Station

Budget Year	<u>Actual</u> FY 2019/20	<u>Estimated</u> FY 2020/21	<u>Proposed</u> FY 2021/22
<u>Capital Revenues</u>			
Other Local	_____	_____	_____
FTA (Section 5307, 5339, 5311)	_____	_____	_____
CMAQ	_____	_____	_____
Other Federal	_____	_____	_____
Proposition 1B - Regional share	_____	_____	_____
Proposition 1B - Direct share	_____	_____	_____
STA - New claim	_____	_____	_____
STA - Carryover from last completed fiscal year	_____	_____	_____
New LTF Claim	_____	_____	_____
LTF - Carryover from previous fiscal year	_____	_____	_____
LTF - Carryover to next fiscal year	_____	_____	_____
Federal Capital Assistance	_____	_____	_____
Measure L	_____	_____	_____
Other (specify): _____	_____	_____	_____
Other (specify): _____	_____	_____	_____
Total Capital Revenues	\$ -	\$ -	\$ -
Net Surplus/(Deficit)	\$ -	\$ -	\$ -
<u>Capital Expenditures</u> (Itemize by Project)			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Total Capital Expenditures	\$ -	\$ -	\$ -

Approved by Operator's
 Chief Financial Officer
 or CPA _____

must provide a statement that substantiates the need for this change. If the claimant has neither a SRTP nor a TDP, the claimant must provide a statement that describes the need for the proposed capital expenditure.

ATTACHMENTS MAY BE REQUIRED

Applies to Articles 4 (transit) and 4.5 (CTSA's)

- WY 7) Claimant certifies that ***attached is certification from the Department of California Highway Patrol*** (CHP), completed within the last 13 months, that indicates the operator is in compliance with Section 1808.1 of the Vehicle Code. Section 1808.1 of the Vehicle Code requires, among other things, that operators participate in a pull notice system for obtaining current driver records from the Department of Motor Vehicles.
ATTACHMENTS REQUIRED
Applies to Articles 4 (transit) and 4.5 (CTSA's)
- WY 8) Claimant certifies it is in compliance with PUC 99155: if it offers reduced fares to seniors, it offers the same reduced rate to disabled persons, and disabled veterans, and it honors the federal Medicare card for identification to receive reduced fares.
Applies to Articles 4 (transit) and 4.5 (CTSA's)
- WY 9) Claimant certifies it is in compliance with PUC 99155.5: dial-a-ride and paratransit services are accessible to disabled persons and the service is provided to persons without regard to vehicle ownership and place of residence.
Applies to Articles 4 (transit), 4.5 (CTSA's), and 8 (transit)
- N/A 10) Claimants that contract with another entity or entities for transit service certify that a copy of ***the contract negotiated with that entity is attached***, pursuant to CCR 6630.
ATTACHMENTS REQUIRED
Applies to Articles 4 (transit) and 8 (transit)
- N/A 11) Claimant certifies that, per StanCOG Resolution 90-1, attached to this claim is an operations plan and budget that describes existing and proposed service, and report on progress of coordination and consolidation objectives.
ATTACHMENTS REQUIRED
Applies to Article 4.5 (CTSA's)
- N/A 12) Claimant certifies that it has attached an agreement to indemnify and hold harmless StanCOG from any claims, judgments or liabilities against the claimant. Claimant certifies it has also attached proof of insurance coverage, with limits of general liability to be specified.
ATTACHMENTS REQUIRED
Applies to Article 4.5 (CTSA's)
- N/A 13) If StanCOG has found that there are unmet transit needs that are reasonable to meet within its jurisdiction, the claimant certifies it has attached a summary of the actions it plans to take to meet the needs.
ATTACHMENTS MAY BE REQUIRED
- WY 14) Farebox Recovery Ratio Requirements (required for all transit claims) Claimant filing a claim for LTF or STA funds certifies that it will maintain for the project that ratio of fare revenues and local support to operating cost required under PUC Sections 99268.3, 99268.4, 99268.5(a), 99268.5(b), 99268.12, 99270.1, and 99270.2, as appropriate. (Refer to PUC Section 99268, PUC Section 99270.8, CCR Section 6633.2)
- WY 15) Implementation of Productivity Improvements (required for all transit claims) Claimant certifies that the operator has made a reasonable effort to implement the productivity improvements

recommended pursuant to PUC Section 99244.

- WY 16) Triennial Performance Audit- Claimant assures that it has complied with the requirements of a triennial performance audit.(Refer to PUC Section 99248, CCR Section 6664.5)
- WY 17) Fiscal Audit - Claimant certifies that it has submitted a satisfactory, independent fiscal audit, with Required certification statement, to the RTPA and the State Controller, pursuant to PUC 99245 and 21 Cal. Code of Regulations 6664 for the prior fiscal year. Claimant assures that this audit requirement will be completed for the current fiscal year.
- WY 18) Extension of Service - Claimant who receives an allocation of LTF funds for extension of service pursuant to PUC Section 99268.8 certifies that it will file a report of these services pursuant to CCR section 6633.8(b) within 90 days after close of the fiscal year in which the allocation was granted. Claimant has completed applicable forms.
Applies to Articles 4 (transit) and 8 (transit)
- WY 19) Conformance with the Regional Transportation Plan - Claimant certifies that all of the purposes for claim expenditures are in conformance with the Regional Transportation Plan. (Refer to CCR 6754(a))
Applies to STA claims, transit ped/bike, and streets and roads claims
- WY 20) Full Use of Federal Funds - Claimant certifies that it is making full use of Federal Funds available under the Federal Transit Act. (Refer to CCR 6754(a))
Applies to STA claims
- N/A 21) Consistency with Bicycle Plan - Claimant certifies that all of the purposes for claim expenditures are in conformance with the City/Town or County bicycle plan.
Applies to bicycle claims only
- WY 22) Part-Time Employees - Claimant certifies that it is not precluded by any contract entered into on or after June 28, 1979, from employing part-time drivers or contracting with common carriers of persons Operating under a franchise or license. Claimant further certifies that no person who was a Full-time employee on June 28, 1979, shall have his/her employment terminated or his/her Regular hours of employment, excluding overtime, reduced as a result of it employing part-time drivers or contracting with such common carriers.
Applies only to claims for STA
- WY 23) Claimant certifies that StanCOG has received the most recent submission of the following documents: TAM Plan (including fleet replacement plan), and PTASP (including safety performance targets)

The undersigned (must be the individual named in the authorizing resolution) hereby certifies that the above statements are true and correct.

Date: _____
StanCOG Signature _____

City Council Staff Report

May 25, 2021



6I

From: Nathan Bray P.E.
Interim Development Services Director / City Engineer

Prepared by: Mike Callaway, Chief Building Official

Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Motion: Approving Amendment No.1 to City Contract No. 2021-41 in the amount of \$800,000 with Bureau Veritas North America Inc. bringing the contract total to \$1,000,000 for building inspection services

2. SYNOPSIS:

This action will approve an amendment to the contract with Bureau Veritas North America Inc. for building inspection services by \$800,000 to increase the maximum compensation to \$1,000,000.

3. DISCUSSION OF ISSUE:

The California Building Code (Title24) requires local agencies to issue permits and perform inspections for work identified in the building code. The Building and Safety Division for the City of Turlock employs two (2) full-time building inspectors with one (1) additional vacant inspector position. In addition to City staff, the Building Division utilizes outside professional consultants for building inspection services on building projects on an as-needed basis.

In 2020, the City entered into an agreement with Bureau Veritas North America Inc. to perform contract inspection services. Due to the number and complexity of the approved building permits this year, additional inspection work is required to perform the necessary building inspections. Hiring additional staff was explored but not recommended at this time due to the time it takes to hire competent staff members and ensuring that the City is not staffing for a peak in work. Utilizing outside consultants for inspection services would meet the needs of the Building Division. Additional funds are needed to utilize the contract with Bureau Veritas North America, Inc.

4. BASIS FOR RECOMMENDATION:

- A. The agreement needs to be amended to increase the compensation limits for the additional work requested by staff.
- B. The City Council has the authority to approve amendments to professional service agreements.

5. FISCAL IMPACT / BUDGET AMENDMENT:

No General fund money will be used for this project.

Appropriate funds are identified in Fiscal Year 2021-22 budget documents.

6. CITY MANAGER'S COMMENTS:

Recommend Approval.

7. ENVIRONMENTAL DETERMINATION:

This action is not subject to the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15378 (Project) of the CEQA guidelines. This action consists of "organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment" and therefore is not considered a project.

8. ALTERNATIVES:

- A. Council could choose not to approve Amendment No. 1. Staff does not recommend this alternative as professional building inspection services are needed to continue to inspect large and complex buildings in a timely manner.



AMENDMENT NO. 1
to the
Agreement between the
CITY OF TURLOCK
and
BUREAU VERITAS NORTH AMERICA INC.
for
Building Inspection Services

THIS AMENDMENT NO. 1, dated May 25, 2021, is entered into by and between the **CITY OF TURLOCK**, a municipal corporation (hereinafter "CITY") and **BUREAU VERITAS NORTH AMERICA INC.** (hereinafter "CONSULTANT"). CITY and CONSULTANT are hereinafter referred to collectively as the "Parties."

WHEREAS, the Parties hereto previously entered into an Agreement dated November 10, 2020, whereby CONSULTANT will perform Building Inspection Services (hereinafter the "Agreement"); and

WHEREAS, the City has experienced an unanticipated large number of projects that require outside building inspection services.

NOW, THEREFORE, the Parties hereto mutually agree to amend said Agreement as follows:

1. Paragraph 6 of the Agreement is amended to read as follows:

"6.1. Amount, Time and Manner of Payment for Professional Services. City shall pay Professional according to the rates and timing set forth in the Compensation Schedule. On each anniversary date of the Effective Date, Professional will be allowed to increase prices with thirty (30) days' written notice to City. Increases may not exceed increases in the San Francisco-Oakland Consumer Price Index for all urban consumers or percentage increases in Professional's published prices, whichever is lower. In all cases, City may cancel this Agreement if a requested price increase is not acceptable. City's total compensation to Professional shall not exceed One Million Dollars (\$1,000,000) ("Maximum Payment") annually, calculated July 1st to June 30th."

2. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by and through their respective officers thereunto duly authorized on the date first written hereinabove.

CITY OF TURLOCK, a municipal corporation **BUREAU VERITAS NORTH AMERICA INC.**

By: _____
Gary R. Hampton, Acting City Manager

Date: _____

APPROVED AS TO SUFFICIENCY:

By: _____
Nathan Bray, P.E., Interim Development
Services Director / City Engineer

APPROVED AS TO FORM:

By: _____
George A. Petrulakis, Interim City Attorney

ATTEST:

By: _____
Jennifer Land, City Clerk

By: _____

Title: _____

Print name: _____

Date: _____

City Council Staff Report

May 25, 2021



From: Sarah Eddy, Human Resources Manager
Prepared by: Jessie Dhama, Human Resources Analyst, Senior
Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Motion: Approving Amendment No. 1 to a Professional Services Agreement between the City of Turlock and Cooperative Personnel Services dba CPS HR Consulting for temporary professional human resource services, to increase the contract amount by \$30,000 for a total amount not to exceed \$95,000 through June 30, 2021

2. SYNOPSIS:

Approving Amendment No. 1 to a Professional Services Agreement with CPS HR Consulting, increasing the contract amount for temporary professional human resources services, primarily in recruitment, selection, and onboarding.

3. DISCUSSION OF ISSUE:

On February 23, 2021, the City Council approved an Agreement with CPS HR Consulting Services for temporary professional human resources services for the Human Resources Division in the amount of \$65,000 through June 30, 2021. Human Resources requested contracting with a professional human resources consultant as the growing demands of the City and departments heavily outweighed the current staffing levels of the Human Resources Division.

Due to the significant staffing shortages within the Human Resources Division, CPS HR Consulting has been a tremendous help in assisting Human Resources with expediting recruitment requests and job description modifications. In addition, they have streamlined some of the Human Resources Divisions practices based on industry standards. This has provided a time and cost savings to the City, as CPS HR Consulting is able to provide an efficient team of staff members to meet the demands of the City.

Over the past four (4) months of assistance from CPS HR Consulting, Human Resources has been able to manage nineteen (19) recruitments at different stages

within the recruitment process. This information was compiled by staff through a report from the recruitment database (NeoGov) which the Human Resources Division currently utilizes. Also, with the additional assistance from CPS HR Consulting, the City currently has ten (10) open recruitments scheduled to close before the end of the fiscal year.

Staff initially estimated to use CPS HR Consulting for 30 hours per week. However, due to increased demands with recruitments and onboarding, their services have resulted in 40 hours per week. Therefore, by mid-May, Human Resources has exhausted the allocated amount of \$65,000.

Based on continued demands and staffing needs, staff recommends increasing the contract amount by \$30,000 for the remainder of Fiscal Year 2020-21. This will result in a total expenditure of \$95,000 for FY 2020-21. The additional costs will be offset (paid for) with salary savings from the currently vacant Human Resources Technician (general fund) position.

Staff anticipates continuing the engagement with CPS HR Consulting in Fiscal Year 2021-22 and therefore plans to return to Council on June 8, 2021, to discuss HR services and options for this period.

4. BASIS FOR RECOMMENDATION:

- A. Amending the Agreement with CPS HR Consulting will continue to limit acute personnel issues, limit financial resources through legal fees, expedite the support assistance required for the office, and keep Human Resources staff and processes operating efficiently.

5. FISCAL IMPACT / BUDGET AMENDMENT:

For FY 2020-21, Human Resources has salary savings from the unfilled full time Human Resources Technician position to pay the anticipated difference of \$30,000 for the remainder of this period. (General Fund 110-10-109.41001 "Full Time Salaries").

6. CITY MANAGER'S COMMENTS

Recommend Approval.

7. ENVIRONMENTAL DETERMINATION:

N/A

8. ALTERNATIVES:

- A. Council may reject the Amended Agreement with CPS HR Consulting; however, this alternative is not recommended. This would present a critical gap in services as the City works through labor negotiations and a host of other time sensitive Human Resources issues.



**AMENDMENT NO. 1
to the
Agreement between the
CITY OF TURLOCK
and
Cooperative Personnel Services dba CPS HR Consulting of Sacramento, CA**

THIS AMENDMENT NO. 1, dated May 25, 2021, is entered into by and between the **CITY OF TURLOCK**, a municipal corporation (hereinafter "CITY") and **Cooperative Personnel Services dba CPS HR Consulting of Sacramento, CA**, (hereinafter "CONTRACTOR").

WHEREAS, the parties hereto previously entered into an Agreement dated February 12, 2021, whereby CONTRACTOR will perform temporary professional human resources support services per the agreement (hereinafter the "Agreement").

NOW, THEREFORE, the parties hereto mutually agree to amend said Agreement as follows:

1. Paragraph 5 of the Agreement is amended to read as follows:

5. Compensation.

5.1. Amount, Time and Manner of Payment for Professional Services. City shall pay Professional according to the rates and timing set forth in the Compensation Schedule. On each anniversary date of the Effective Date, Professional will be allowed to increase prices with thirty (30) days' written notice to City. Increases may not exceed increases in the San Francisco-Oakland Consumer Price Index for all urban consumers or percentage increases in Professional's published prices, whichever is lower. In all cases, City may cancel this Agreement if a requested price increase is not acceptable. City's total compensation to Professional shall not exceed Ninety-five Thousand Dollars (\$95,000) ("Maximum Payment"), unless the Parties mutually agree in writing otherwise.

2. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective officers thereunto duly authorized on the date first written hereinabove.

CITY OF TURLOCK, a municipal corporation

CPS HR Consulting of Sacramento, CA

By: _____
Gary R. Hampton, Acting City Manager

By: _____

Date: _____

Title: _____

Print name: _____

APPROVED AS TO FORM:

Date: _____

By: _____
George A. Petrulakis, Interim City Attorney

ATTEST:

By: _____
Jennifer Land, City Clerk

City Council Staff Report

May 25, 2021



6K

From: Sarah Eddy, Human Resources Manager
Prepared by: Sarah Eddy, Human Resources Manager
Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Resolution: Authorizing the continued engagement of the law firm of Atkinson, Andelson, Loya, Ruud & Romo to provide labor negotiation and labor/employment law services to the City of Turlock pursuant to an updated Attorney Representation Agreement effective July 1, 2021 through June 30, 2022, and appropriating \$135,000 to account number 110-10-109.43010 "Contract Attorney" from Fund 110 "General Fund" unassigned reserves for anticipated fees through June 30, 2021

2. SYNOPSIS:

The Turlock City Council engaged the law firm of Atkinson, Andelson, Loya, Ruud & Romo ("AALRR") to act as lead negotiator on behalf of the City of Turlock for collective bargaining during the past four (4) years. AALRR began handling personnel matters following the recent resignation of the former City Attorney law firm.

AALRR completed 2020-2021 labor negotiations for the Turlock Associated Police Officers ("TAPO"), Turlock Firefighters, Local #2434 ("Turlock Firefighters"), Turlock Management Association – Public Safety ("TMAPS"), Management Employees ("Management"), and Confidential Employees ("Confidential"). The City and the Turlock City Employees Association ("TCEA") reached impasse and TCEA requested to participate in the fact-finding hearing process set forth by the Meyers-Milias-Brown Act, which is currently scheduled to occur on June 2, 2021.

Staff is requesting to allocate additional funding related to services being performed by AALRR through June 30, 2021 as follows:

- \$135,000 to pay for the ongoing fact-finding proceeding with TCEA related to the 2020-2021 fiscal year, the commencement of labor negotiations with other employee groups related to the 2021-2022 fiscal year, and the various labor and employment law matters being handled by AALRR.

- Staff is also seeking to continue the services of AALRR into the 2021-2022 fiscal year pursuant to an updated Attorney Representation Agreement, "Exhibit A", in the amount of \$160,000 to pay for labor negotiation services and anticipated labor and employment law matters, as reflected in the proposed 2021-2022 budget.

3. DISCUSSION OF ISSUE:

On June 30, 2020, the Memorandums of Understandings ("MOU's") for the Turlock Associated Police Officers ("TAPO"), Turlock Firefighters, Local #2434 ("Turlock Firefighters"), Turlock Management Association – Public Safety ("TMAPS"), and Turlock City Employees Association ("TCEA") all expired. The Schedules of Benefits ("SOB's") related to the Management Employees ("Management"), and Confidential Employees ("Confidential") also expired on June 30, 2020.

AALRR commenced labor negotiations for successor MOU's and SOB's related to each of the employee groups, and was successful in reaching 2020-2021 agreements with each of the groups except for TCEA. TCEA has requested to proceed with a fact-finding hearing, which is the statutory labor impasse resolution process set forth by the Meyers-Milias-Brown Act (Government Code section 3500 et seq.) The fact-finding hearing is currently scheduled to occur on June 2, 2021.

Effective on February 28, 2021, the Churchwell White law firm resigned from performing City Attorney services. Following the resignation, the City began working with AALRR related to all of its labor and employment law needs.

Staff is seeking to continue the engagement with the AALRR law firm for the remainder of FY 2020-2021 and requests an allocation of \$135,000 related to various labor and employment law matters, the pending TCEA fact-finding hearing, and the commencement of 2021-2022 labor negotiations.

Staff is also requesting the continued services of AALRR into FY 2021-2022 in the amount of \$160,000 related to anticipated labor and employment law matters and completion of the 2021-2022 labor negotiation process with each of the employee groups, which is reflected in the proposed General Fund Budget for Fiscal Year 2021-2022. Staff further requests approval of a legal services agreement that continues the engagement of AALRR effective on July 1, 2021 through June 30, 2022.

4. BASIS FOR RECOMMENDATION:

- A. To compensate Atkinson, Andelson, Loya, Ruud & Romo for the various labor and employment law matters handled since the resignation of the Churchwell White law firm, the fact-finding proceeding involving the TCEA bargaining unit, and the commencement of FY 2021-2022 labor negotiations.

B. The continued engagement of AALRR related to FY 2021-2022 and the anticipated labor and employment law matters as well as completion of the 2021-2022 labor negotiations with each of the employee groups.

5. FISCAL IMPACT / BUDGET AMENDMENT:

Approval of the Budget Amendment proposed in this Resolution will decrease the FY 2020-2021 Fund 110 General Fund unassigned reserves by \$135,000 and increase account number 110-10-109.43010 "Contract Attorney" by \$135,000.

Approval of this item will also result in \$160,000 being placed into account 110-10-109.43010 "Contract Attorney" effective for FY 2021-2022 (as reflected in the proposed FY 2021-2022 budget).

Non-General Funds will be charged for labor negotiations based upon actual employee count in each bargaining unit, equating to approximately 40% of actual expenses related to the TCEA employee group. The General Fund will be reimbursed accordingly, thereby reducing the net expense to the General Fund.

6. CITY MANAGER'S COMMENTS:

Recommend Approval.

7. ENVIRONMENTAL DETERMINATION:

N/A

8. ALTERNATIVES:

A. Council could decline to approve this action and direct staff to explore other options in regards to continuing the labor and employment law services and labor negotiation services for the City. Due to the expertise of AALRR and its current involvement in important employment law matters, the TCEA fact-finding proceeding, and the FY 2021-2022 labor negotiations, this alternative is not recommended.

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

AUTHORIZING THE CONTINUED } RESOLUTION NO. 2021-
ENGAGEMENT OF THE LAW FIRM OF }
ATKINSON, ANDELSON, LOYA, RUUD & }
ROMO TO PROVIDE LABOR NEGOTIATION }
AND LABOR/EMPLOYMENT LAW SERVICES }
TO THE CITY OF TURLOCK PURSUANT TO }
AN UPDATED ATTORNEY REPRESENTATION }
AGREEMENT EFFECTIVE JULY 1, 2021 }
THROUGH JUNE 30, 2022, AND }
APPROPRIATING \$135,000 TO ACCOUNT }
NUMBER 110-10-109.43010 "CONTRACT }
ATTORNEY" FROM FUND 110 "GENERAL }
FUND" UNASSIGNED RESERVES FOR }
ANTICIPATED FEES THROUGH JUNE 30, }
2021 }

WHEREAS, the City Council engaged the law firm of Atkinson, Andelson, Loya, Ruud & Romo ("AALRR") to act as lead negotiator on behalf of the City of Turlock for the collective bargaining process during the past four (4) years; and

WHEREAS, on June 30, 2020, the MOUs and/or SOBs for all six employee groups expired and the City negotiated with all six groups and reached one-year term agreements with five of the six bargaining groups that were ratified by Council; and

WHEREAS, the TCEA bargaining group has requested to proceed with a fact-finding hearing, which is the statutory labor impasse resolution process set forth by the Meyers-Milias-Brown Act (Government Code section 3500 et seq.); and

WHEREAS, effective on February 28, 2021, the Churchwell White law firm resigned from performing City Attorney services, and the City began working with AALRR related to all of its labor and employment law needs; and

WHEREAS, the City desires to continue the engagement of AALRR related to the ongoing FY 2020-2021 labor and employment law needs and TCEA fact-finding proceeding, and to engage AALRR for labor and employment law services related to FY 2021-2022.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Turlock does hereby appropriate \$135,000 to account number 110-10-109.43010 "Contract Attorney" from Fund 110 "General Fund" unassigned reserves for legal services related to FY 2020-2021.

BE IT FURTHER RESOLVED that the City Council hereby approves the AALRR Attorney Representation Agreement, "Exhibit A", effective July 1, 2021 through June 30, 2022 in the amount of \$160,000 to account number 110-10-109.43010 "Contract Attorney" reflected in the proposed FY 2021-2022 General Fund budget.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Jennifer Land, City Clerk
City of Turlock, County of Stanislaus,
State of California

ATTORNEY REPRESENTATION AGREEMENT

I. PARTIES

This Attorney Representation Agreement ("Agreement") is entered into by and between the law firm of ATKINSON, ANDELSON, LOYA, RUUD & ROMO, a professional corporation, hereinafter referred to as "Attorney" or the "Law Firm" and the CITY OF TURLOCK, hereinafter referred to as "Client."

II. PURPOSE

Client desires to retain and engage Law Firm to provide services and consultation relating to labor negotiations, labor relations, and general employment law needs and other services on an as-needed basis. Law Firm accepts this engagement on the terms and conditions contained in this Agreement.

III. TERMS AND CONDITIONS

A. Fees for Services

1. Hourly Rate Services

Client agrees to pay the Law Firm at the following standard hourly rates:

Partners/Senior Counsel: \$300.00

Associates (depending on years of professional experience): \$260.00 - \$280.00

Paralegals: \$210.00

2. Costs and Expenses

In addition to the fees described above, Client agrees to pay a five percent (5%) "administrative fee" calculated and based on the total monthly billed fees to cover certain operating expenses of the Law Firm incurred in providing services to Client. This administrative fee is in lieu of charging Client for Westlaw, photocopies, automobile mileage, parking, facsimiles, telephone, document preparation, and postage.

Costs relating to fees charged by third parties retained to perform services ancillary to the Law Firm's representation of Client are not included and are charged separately. These include, but are not limited to, deposition and court reporter fees, transcript costs, witness fees (including expert witnesses), process server fees, and other similar third party fees. The Law Firm shall not be obligated to advance costs on behalf of Client; however, for purposes of convenience and in order to expedite matters, the Law Firm reserves the right to advance costs on behalf of Client with Client's prior approval in the event a particular cost item exceeds \$2,000.00 in amount, and without the prior approval of Client in the event a particular cost item totals \$2,000.00 or less.

B. Billing Practices

1. A detailed description of the work performed and the costs and expenses advanced by the Law Firm will be prepared on a monthly basis as of the last day of the month and will be mailed to Client on or about the 15th of the following month, unless other arrangements are made. Payment of the full amount due, as reflected on the monthly statement, will be due to the Law Firm from Client by the 10th of the month following delivery of the statement, unless other arrangements are made. In the event that there are funds of Client in the Law Firm's Trust Account at the time a monthly billing statement is prepared, funds will be transferred from the Law Firm's Trust Account to the Law Firm's General Account to the extent of the balance due on the monthly statement and a credit will be reflected on the monthly statement. Any balance of fees or costs advanced remaining unpaid for a period of 60 days will be subject to a 1% per month service charge.

2. Hourly rate services shall be charged to Client at a minimum increment of one-tenth hour, including reasonable travel time billed portal-to-portal. When time spent by Attorney on a particular service exceeds one-tenth hour, the charge will be rounded up to the next one-tenth hour increment.

3. Client agrees to review the Law Firm's monthly statements promptly upon receipt and to notify the Law Firm, in writing, with respect to any disagreement with the monthly statement.

4. After the conclusion of a particular engagement (e.g. an investigation) should a need arise for the Firm to respond to any subpoena or discovery, to provide testimony at deposition, trial or arbitration, or to otherwise perform services with respect to any matter relating to or arising out of that engagement, the District shall compensate the Firm at its then applicable rates for time expended, including all required preparation time.

C. Termination of Representation

Client has the right, at any time, and either with or without good cause, to discharge the Law Firm as its attorneys. In the event of such a discharge of the Law Firm by Client, however, any and all unpaid attorneys' fees and costs owing to the Firm by Client shall be immediately due and payable.

The Law Firm reserves the right to discontinue the performance of legal services on behalf of Client on a particular matter upon the occurrence of anyone or more of the following events:

1. Upon order of a court of law requiring the Law Firm to discontinue the performance of legal services;

2. Upon a determination by the Law Firm in the exercise of its reasonable and sole discretion, that state or federal legal ethical principles require it to discontinue the performance of legal services;

3. Upon a failure of Client to perform any of Client's obligations with respect to the payment of the Law Firm's fees, costs or expenses as reflected on the monthly bill; or,

4. Upon failure to cooperate with Law Firm as described in paragraph E.

In the event that the Law Firm ceases to perform legal services for Client, Client agrees that it will promptly pay to the Law Firm any and all unpaid fees and costs advanced. Further, the Client agrees that, with respect to any litigation where the Law Firm has made an appearance in a court of law on its behalf, Client will promptly execute an appropriate Substitution of Attorney form. Any termination of Law Firm's representation on such a matter may be subject to approval by the applicable court of law.

D. Possible Third Party Conflicts

The Firm has a number of attorneys. The Firm may currently or in the future represent one or more other clients in matters involving Client. The Firm undertakes this engagement on the condition that the Firm may represent another client in a matter in which the Firm does not represent Client, even if the interests of the other client are adverse to those of Client (including appearance on behalf of another client adverse to Client in litigation or arbitration), provided the other matter is not substantially related to the Firm's representation of Client and in the course of representing Client attorneys of the Firm have not obtained confidential information of Client material to the representation of the other client ("Permitted Adverse Representation"). Client's consent to this arrangement is required because of its possible adverse effects on performance of the Firm's duties as attorneys to remain loyal and available to those other clients and to render legal services with vigor and competence. Also, if an attorney does not continue an engagement or must withdraw therefrom, the client may incur delay, prejudice or additional cost such as acquainting new counsel for the matter. Client agrees not to seek to disqualify the Firm from representing such other client in any Permitted Adverse Representation.

E. Client Cooperation

Client understands and agrees that, in order for the Law Firm to represent Client effectively, it is necessary for Client to assist and cooperate with the Law Firm during this engagement. Client agrees to: (1) make its employees and officials available to discuss issues as they arise; (2) attend and participate in meetings, preparation sessions and court proceedings, review drafts of documents, and perform other activities in connection with the representation; and (3) provide complete and accurate information and documents to us on a timely basis. Noncooperation will be grounds for the Law Firm's withdrawal from representing Client on a particular matter. It is essential that Client and the Law Firm maintain open communications.

F. Identification of Insurance Coverage

With respect to insurance coverage for any matters covered by the scope of services under this Agreement, Client agrees that it has the responsibility, rather than the Law Firm, to identify potential insurance coverage and to tender legal matters to any appropriate insurance companies that may insure Client. If Client desires that the Law Firm become involved in identifying potential insurers and/or the tender of legal disputes, then a separate written agreement between Client and the Law Firm to that effect will be required.

G. Arbitration: Waiver of Jury Trial

If any dispute arises out of, or related to, a claimed breach of this agreement, the professional services rendered by attorneys, or any other disagreement of any nature, type, or description, regardless of the facts or the legal theories which may be involved, including attorney malpractice, breach of fiduciary duty, misrepresentation, or conflict of interest, such dispute shall be resolved by confidential and binding arbitration upon the written request of one party after service of that request on the other party.

There are significant advantages and disadvantages of binding arbitration. The parties shall agree on an arbitrator with special skills and experience to hear and determine the dispute unlike in a court proceeding where a judge is assigned. If the parties cannot agree, then the Superior Court of Stanislaus County shall choose an impartial arbitrator whose decision shall be final and conclusive on all matters.

The parties shall each have the right of discovery in accordance with Code of Civil Procedure Section 1283. Arbitrations conducted pursuant to this agreement permit the same discovery rights as in a court proceeding. Each party shall bear their own costs and attorney fees, including payments to the arbitrator which can be significantly more costly than the filing fee in Court proceedings where costs may be awarded to the prevailing party. Each party to this agreement waives and therefore gives up important constitutional rights in arbitration as the arbitrator's decision is final. There is no right to appeal to challenge any errors made in the arbitration proceeding. Unlike court proceedings, arbitration proceedings are conducted privately and the outcome will remain confidential. There is no right to a trial by a judge or jury of one's peers. There is no limitation on the type of monetary damage that can be awarded by the arbitrator. The client is advised that the client has the right to have an independent lawyer of client's choice review this arbitration provision.

H. Protection of Client Confidences - High Tech Communication Devices

The Law Firm is aware of its important obligation to preserve the secrets and confidences of its clients which it holds in precious trust for them. To that end it is important that Client and the Law Firm agree from the outset what kinds of communications technology the Law Firm should employ in the course of representing Client. For example, the exchange of documents and other information using email or other types of electronic communications involves some risk that information will be retrieved by third parties with no right to see it. Even the use of facsimile machines can cause problems if documents are sent to numbers where the documents sit in open view.

Therefore, Client should only provide the Law Firm with cellular numbers, facsimile numbers and email addresses which are acceptable to Client for receiving confidential communications from the Law Firm. Client agrees that the Law Firm may use any of the cellular numbers, facsimile numbers and email addresses other than those which you specify in writing that the Law Firm should not use.

I. Document Retention and Destruction

After a file on a matter is closed, Client has a right to request the Law Firm to return the file to Client. Absent such a request, the Law Firm shall retain the file on Client's behalf for a period of five (5) years. Following this period of time, the Law Firm will destroy such files.

J. Miscellaneous

1. Law Firm and Client agree that the Law Firm, while engaged in carrying out and complying with any of the terms and conditions of this Agreement, is an independent contractor and is not an employee of Client.
2. The Law Firm maintains errors and omissions insurance coverage applicable to the services to be rendered.

K. Entire Agreement

This Agreement represents the entire agreement between Client and the Law Firm unless a particular matter is covered by a separate written agreement. By execution of this Agreement, Client certifies that it has carefully reviewed and understands the contents of this Agreement and agrees to be bound by all of its terms and conditions. Furthermore, Client acknowledges that the Law Firm has made no representations or guarantees regarding the outcome, or the time necessary to complete or resolve a particular matter. No change or waiver of any of the provisions of this Agreement will be binding on either Client or the Law Firm unless the change is in writing and signed by both Client and the Law Firm.

IV. DURATION

This Agreement shall commence on July 1, 2021. The attorney-client relationship between the Firm and Client will cease at the conclusion of the matter(s) specified above. If the Firm is not asked by Client to provide advice for a period of one (1) year from the last date the Firm provided such advice, both Client and the Firm agree that the attorney-client relationship

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terminated on the last date the Firm provided advice without further action or notice by either party.

“Law Firm”

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

Dated: _____

By: _____
Kevin R. Dale

“Client”

CITY OF TURLOCK

Dated: _____

By: _____
Gary Hampton
Acting General Manager

6L

City Council Staff Report
May 25, 2021



From: Sarah Eddy, Human Resources Manager
Prepared by: Jessie Dhami, Human Resources Analyst, Senior
Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Resolution: Approving modifications to the job description for the position of Financial Customer Services Supervisor, effective May 25, 2021

2. SYNOPSIS:

Approving modifications to the Financial Customer Services Supervisor job description.

3. DISCUSSION OF ISSUE:

Staff has determined the need to update the job description for the position of Financial Customer Services Supervisor. The proposed revisions to the job descriptions bring consistency to formatting and grammar, update reporting relationships, clarify the duties, remove duplicate duty and knowledge statements, and modify the minimum experience requirements. Changes are identified in Attachment A to the Resolution.

The Financial Customer Services Supervisor position is part of Turlock City Employees Association (TCEA). TCEA has reviewed and agrees to the proposed modifications to this job description.

4. BASIS FOR RECOMMENDATION:

A. City Council approval is required for any new and/or modified job description.

5. FISCAL IMPACT / BUDGET AMENDMENT:

Fiscal Impact None

6. CITY MANAGER'S COMMENTS:

Recommend Approval.

7. ENVIRONMENTAL DETERMINATION:

N/A

8. ALTERNATIVES:

A. Council may choose not to approve modifications to the job description.

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF APPROVING }
MODIFICATIONS TO THE JOB DESCRIPTION }
FOR THE POSITION OF FINANCIAL CUSTOMER }
SERVICES SUPERVISOR, EFFECTIVE }
MAY 25, 2021 }
_____ }

RESOLUTION NO. 2021-

WHEREAS, the job description for the position of Financial Customer Services Supervisor needs to be updated; and

WHEREAS, proposed revisions to the job description bring consistency to the formatting and grammar, update reporting relationships, clarify the duties, remove duplicate duty and knowledge statements, and modify the minimum experience requirements, as identified in Attachment A; and

WHEREAS, Turlock City Employees Association (TCEA) has reviewed and agrees to the job description modifications to the position covered by that bargaining unit; and

WHEREAS, the City Council is required to approve all new job descriptions and/or modifications to existing job descriptions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Turlock does hereby approve modifications to the job description for the position of Financial Customer Services Supervisor, effective May 25, 2021.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California



FINANCIAL CUSTOMER SERVICES SUPERVISOR

DEFINITION:

Under general supervision, supervises and participates in the operations of the business licensing, utility billing, and accounts receivable functions of the City; implements and monitors utility billing systems and procedures; ~~and~~ supervises accounting office support staff ~~Departments~~; and performs other job related work as required.

This position is designated as un-represented for Labor Relations purposes and is considered exempt under the Fair Labor Standards Act (FLSA).

SUPERVISION RECEIVED AND EXERCISED

General supervision is provided by the ~~Administrative~~ Municipal Services Department Director, Deputy Director, or designee. The Financial Customer Services Supervisor supervises accounting technician and office support staff.

DISTINGUISHING CHARACTERISTICS

This is a first level supervisory position responsible for a discrete sub-divisional organizational component involving the accounts receivable and business licensing functions of the City. The job incumbent has responsibility for assigning, supervising, and directing the work of staff assigned to the accounts receivable and business licensing functions of the City. Duties and responsibilities are performed in accordance with law, ordinance, and City policy.

EXAMPLES OF DUTIES: Duties may include, but are not limited to:

- Plans, develops, and implements or directs the implementation of goals, objectives, policies and priorities relating to accounts receivables functions.
- Administers and directs the work of ~~accounting~~ accounts receivable/clerical office support staff with responsibilities for business licensing, utility billing, and other accounts receivable functions.
- Analyzes accounts receivable records and reports problem areas to professional accountant staff for resolution and corrective action.
- Prepare a variety of accounting reports.
- Process and record county abatement liens on parcels and provide yearly data for the State of California's Tax Roll.
- Schedules and oversees regular and delinquent utility billings.
- Calculate building permit and business license charges.
- Process changes in addresses, annexations, subdivisions that impact account receivables records.
- Review all receipts to ensure accuracy of account and fund numbers.

- ~~Prepare and calculate billing for law enforcement staff hired for auxiliary purposes.~~
- ~~Maintain a variety of ledgers and accounts for miscellaneous accounts.~~
- ~~Prepare bank reconciliation statements and reconcile periodic bank statements.~~
- Oversee daily deposits and make necessary adjustments to reimburse petty cash account.
- ~~Conduct~~ Assist with and implement ~~periodic studies to adjust utility rates, reconcile accounts, and ensure that all entities conducting business have a required business license.~~
- Responds to sensitive citizen information requests and complaints.
- Assist Department Director in scheduling and conducting a variety of staff meetings and conferences.
- Supervises the activities of subordinates, assign staff schedules and task assignments, including employee selection, training, instruction, task assignment, work review, performance evaluation and administration of progressive discipline as needed.
- Ensures close coordination with other City departments and affected outside groups.
- Assists with preparation of specialized budgets related to assigned activities; assists in budget implementation; participates in budget forecasts; administers the approved budget.
- Maintain current processes and equipment, recommend new business standards and comply with standard accounting principles.
- Occasionally may assist with presentations before various groups, including City Council, Commissions, and professional and public meetings, as needed.
- Maintain current vendor contracts for outside services.
- Define scope of work for vendor contracts, write staff reports for City council, prepare contract agreements; accounts receivable 3rd party service agreements.
- ~~Participates in recruitment and selection activities; makes recommendations for appointment of new staff; assists with staff orientation and training. (Duplicate)~~
- Supervises staff including provision of timely performance evaluations; recommends and implements approved discipline; provides staff development; and maintains high standards necessary for efficient, professional operations.
- Answers questions; provides information to the public; recommends corrective actions; investigates, reports, documents and resolves complaints.
- Builds and maintains respectful, positive working relationships with staff, supervisors, outside agencies and the public using principles of good customer service; provides effective conflict resolution, as needed.
- Models appropriate professional management conduct; maintains appropriate confidentiality of sensitive information; ~~complies~~ comply with and supports City policies and procedures, labor laws, and MOU provisions.
- Attends assigned meetings and training; interacts with outside agencies and commissions; provides leadership for teams, or committees, as needed.
- Assures staff works in a safe manner; follows safety requirements; monitors and assures compliance with regulations and other legal requirements.

- Perform related duties as assigned.

QUALIFICATIONS:

Knowledge of:

- Principles and practices of governmental accounting and maintenance of financial records.
- Federal, State and local codes and ordinances relating to taxes, fees, licenses, permits and contracts.
- Modern office practices, procedures, methods and equipment.
- Principles of employee supervision, career development and training.
- The concepts of word processing, micro-computer and mainframe computer applications.
- Modern methods of records and archival management.
- Budgeting procedures and techniques.
- Principles and practices of supervision, staff selection, training and personnel management.
- Safe work practices and related regulations.
- Principles of public speaking, conflict resolution and excellent customer service.
- Budgeting procedures and techniques.
- ~~Principles and practices of supervision, staff selection, training and personnel management.~~ Duplicate
- ~~Safe work practices and related regulations.~~ Duplicate
- ~~Principles of public speaking, conflict resolution and excellent customer service.~~ Duplicate

Ability to:

- Plan, organize, direct and supervise the work of an small administrative and office support staff.
- Develop, implement and evaluate accounts receivable accounting systems.
- Examine and verify financial documents and reports.
- Operate a variety of office machines and automated equipment.
- Interpret and apply accounting rules, regulations and contract agreements.
- Delegate authority and responsibility effectively.
- Establish and maintain cooperative working relationships with elective officials, administration, other employees, and the general public.
- Present ideas effectively orally and in writing.
- Read and comprehend complex laws and regulations and initiate policies and procedures for their implementation.
- -Lead, supervise, evaluate and train personnel effectively and maintain discipline.
- Organize, implement and supervise departmental goals and City objectives.
- Use computer and needed programs effectively.
- Organize, analyze, manage and implement a variety of programs.
- Forecast and administer a budget.

EXPERIENCE:

~~Four~~ Five years of increasingly responsible accounting support work in public utility billings, the processing of taxes, licenses, fees and permits, collections and maintenance of financial records including ~~some~~ at least one year of ~~lead-~~ ~~workers~~ supervisory experience or equivalent that would have provided the opportunity to develop the required skills, knowledge and abilities.

EDUCATION & TRAINING:

Equivalent to possession of an Associates Degree in Business or a related field.

LICENSE AND/OR CERTIFICATE

Possession of a valid California Driver's License in the category necessary to perform essential duties of the position may be required at the time of appointment. Individuals who do not meet this requirement due to a physical disability will be considered for accommodation on a case-by-case basis. Maintenance of a valid California Driver's license and proof of automobile liability insurance thereafter is a condition of continued employment.

PHYSICAL REQUIREMENTS:

Maintain the following physical abilities: See well enough to read instructions, read fine print, view computer screen, operate vehicle and related equipment; hear well enough to converse on the telephone and in person, assist the public and other staff; use hands and fingers for use of computer keyboard, copy machine, filing, writing, drive vehicles and answer telephone.

Revised 2/024/21

Reviewed and Approved:

Personnel Officer

Date

City Council Staff Report

May 25, 2021



From: Sarah Eddy, Human Resources Manager

Prepared by: Sarah Eddy, Human Resources Manager
Jessie Dhami, Human Resources Analyst, Sr.

Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Resolution: Approving the payment of funds related to monies received from the contractual arrangement between Mountain-Valley EMS Agency ("MVEMSA") and the County of Stanislaus emergency medical services ("EMS") transportation provider to Turlock Firefighters, Local #2434 pursuant to the Settlement Agreement resolving Unfair Practice Charge No. SA-CE-1114-M from Account Number 110-30-300.47557 "EMS Contract Expense"

2. SYNOPSIS:

The City of Turlock ("City") has received monetary payments related to the contractual arrangement between Mountain-Valley EMS Agency ("MVEMSA") and the County of Stanislaus emergency medical services ("EMS") transportation provider, and related to each qualified EMT level call responded to by the Turlock Fire Department.

The City has agreed to provide the funds for the period January 1, 2020 to June 30, 2021 to the Turlock Firefighters, Local #2434 ("Union") pursuant to the terms of a Settlement Agreement dated March 10, 2021 ("Settlement Agreement"), resolving Unfair Practice Charge No. SA-CE-1114-M ("Unfair Practice Charge"), which was filed by the union. The Settlement Agreement was approved by the City Council in closed session on March 9, 2021, and executed by the Union on March 10, 2021.

3. DISCUSSION OF ISSUE:

Commencing on January 1, 2020, the Turlock Fire Department began performing medical procedures related to Emergency Medical Technician duties and in accordance with Mountain-Valley EMS Agency protocols. The City has received payments related to each qualified EMT level call responded to by the Turlock Fire

Department. The City has placed the payments received into City account number 110-30-300.35104 (EMS Contract Revenue).

In July 2019, and in response to budgetary constraints, the City reduced minimum daily staffing levels within the Fire Department. The City intended to not fill certain day-to-day vacancies on fire apparatus and instead staff a two-person EMS response unit, in accordance with a 2019-2020 Fiscal Year Staffing Plan dated July 2, 2019. This Staffing Plan was carried over into the 2020-2021 Fiscal Year.

The Union filed an unfair practice charge with the Public Employment Relations Board ("PERB") on or about August 2, 2019. The unfair practice charge alleged that the City unilaterally altered existing staffing levels and did not meet and confer over alleged adverse impacts of the Staffing Plan. The City denied the allegations and the parties engaged in discussions related to resolution of the dispute.

On March 9, 2021, the City Council approved a Settlement Agreement in closed session, and it was executed by the Union on March 10, 2021. The Agreement includes the City providing the Union with the monetary payments actually received during the period January 1, 2020 to June 30, 2021, and related to EMT response payments set forth in the contractual arrangement between the Mountain-Valley EMS Agency and the County's emergency medical services transportation provider. The Agreement further includes the City providing the Union with the monetary payments related to the period July 1, 2020 to June 30, 2021 within 30 days following the City's receipt and accounting of the amounts related to the 2020-2021 fiscal year.

The City is requesting that the City Council approve a Resolution formally distributing the funds referenced herein to the Union related to the period January 1, 2020 to June 30, 2021, and in accordance with the terms of the Settlement Agreement. It is noted that the Union is required to provide the City with an IRS W-9 Form, and that the Union has agreed to assume any and all liability related to the use and/or tax implications of the funds.

4. BASIS FOR RECOMMENDATION:

A. The City and Union have entered into a Settlement Agreement resolving PERB Unfair Practice Charge No. SA-CE-1114-M. Staff recommends that the City Council approve a Resolution formally distributing the funds referenced herein to the Union related to the period January 1, 2020 to June 30, 2021, and in accordance with the terms of the Settlement Agreement.

5. FISCAL IMPACT / BUDGET AMENDMENT:

The terms of the Settlement Agreement are cost-neutral to the City as the amounts distributed to the Union are monetary payments actually received during the period

January 1, 2020 to June 30, 2021, and related to EMT response payments set forth in the contractual arrangement between the Mountain-Valley EMS Agency and the County's emergency medical services transportation provider. As of the date of this Staff Report and Resolution, the amounts received by the City and to be distributed to the Union are as follows:

- \$100,011.00 to be paid from Account Number 110-30-300.47557 "EMS Contract Expense"

The Resolution authorizes the distribution of all monies currently received, and to be received, related to the period January 1, 2020 to June 30, 2021. As such, staff would be authorized to issue further payment(s) to the union related to the period July 1, 2020 to June 30, 2021 within 30 days following the City's receipt and accounting of the amounts related to the 2020-2021 fiscal year.

6. CITY MANAGER'S COMMENTS:

Recommend Approval.

7. ENVIRONMENTAL DETERMINATION:

N/A

8. ALTERNATIVES:

- A. The City Council may choose to forego distribution of the funds set forth herein. However, this would be contrary to the Settlement Agreement approved by the City Council in closed session on March 9, 2021, and is not recommended.

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF APPROVING THE }
PAYMENT OF FUNDS RELATED TO MONIES }
RECEIVED FROM THE CONTRACTUAL }
ARRANGEMENT BETWEEN MOUNTAIN- }
VALLEY EMS AGENCY (“MVEMSA”) }
AND THE COUNTY OF STANISLAUS }
EMERGENCY MEDICAL SERVICES (“EMS”) }
TRANSPORTATION PROVIDER TO TURLOCK }
FIREFIGHTERS, LOCAL #2434 PURSUANT }
TO THE SETTLEMENT AGREEMENT }
RESOLVING UNFAIR PRACTICE CHARGE }
NO. SA-CE-1114-M FROM ACCOUNT }
NUMBER 110-30-300.47557 “EMS CONTRACT }
EXPENSE” }

RESOLUTION NO. 2021-

WHEREAS, commencing on January 1, 2020, the Turlock Fire Department began performing medical procedures related to Emergency Medical Technician duties and in accordance with Mountain-Valley EMS Agency protocols; and

WHEREAS, the City has received funds related to each qualified EMT level call responded to by the Turlock Fire Department, and has placed the funds received into City Revenue Account Number 110-30-300.35104 “EMS Contract Revenue”; and

WHEREAS, the Turlock Firefighters, Local #2434 (“Union”) filed an unfair practice charge with the Public Employment Relations Board (“PERB”) related to a 2019-2020 Fiscal Year Staffing Plan dated July 2, 2019, and which was carried over into the 2020-2021 Fiscal Year; and

WHEREAS, the unfair practice charge alleged that the City unilaterally altered existing staffing levels and did not meet and confer over alleged adverse impacts of the Staffing Plan; and

WHEREAS, the City denied the allegations and the parties engaged in discussions related to resolution of the dispute; and

WHEREAS, on March 9, 2021, the City Council approved a Settlement Agreement in closed session, and which was executed by the Union on March 10, 2021 (a copy of which is attached to this Resolution as Exhibit A); and

WHEREAS, the Agreement includes the City to provide the Union with the monetary payments actually received during the period January 1, 2020 to June 30, 2021, and related to EMT response payments set forth in the contractual arrangement between the Mountain-Valley EMS Agency and the County’s emergency medical services transportation provider; and

WHEREAS, the Union is required to provide the City with an IRS W-9 Form, and has agreed to assume any and all liability related to the use and/or tax implications of the funds.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Turlock does hereby resolve as follows:

1. The monetary payments actually received during the period January 1, 2020 to June 30, 2021, and related to EMT response payments set forth in the contractual arrangement between the Mountain-Valley EMS Agency and the County's emergency medical services transportation provider, shall be remitted to the Union pursuant to the Settlement Agreement dated March 10, 2021 (a copy of which is attached to this Resolution).

2. The total amount received and accounted for from January 1, 2020 to the date of this Resolution shall immediately be distributed to the Union is as follows:

\$100,011.00 from expense account number 110-30-300.47557 "EMS Contract Expense".

3. The City Council authorizes staff to distribute further amounts received within 30 days following the City's receipt and accounting of the amounts related to the 2020-2021 fiscal year from expense account number 110-30-300.47557 (EMS Contract Expense), and in accordance with the Settlement Agreement.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

Attachment

Settlement Agreement dated March 10, 2021

SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is entered into by and between the City of Turlock (“City”) and the Turlock Firefighters Local 2434 (“Union”) (collectively, the “Parties”) and is effective March 10, 2021 (“Effective Date”).

RECITALS

A. The Union is the recognized exclusive bargaining representative for the bargaining unit comprised of Firefighters, Fire Engineers, Fire Captains and Battalion Chiefs employed by the City.

B. Commencing January 1, 2020, Union-represented employees were required to perform additional medical procedures as Emergency Medical Technicians in accordance with Mountain-Valley EMS Agency protocols. Union-represented employees are also required to complete patient care reports for each patient contact.

C. Pursuant to a contractual arrangement between Mountain-Valley EMS Agency (“MVEMSA”) and the County’s emergency medical services (“EMS”) transportation provider, the City will receive additional monetary payments from the transportation provider for each qualified EMT level response by the Turlock Fire Department (“Department”). A qualified response is a request for a fire response in accordance with Turlock Fire Dispatch Policy or a request for a fire response by Valley Regional Emergency Communications Center (“VRECC”). Among other things, these payments recognize the expanded scope of services provided by the Department in support of the transportation provider and the additional workload placed on Union-represented employees. The reimbursements to be received will be per incident, regardless of the number of fire assets dispatched to the call.

D. Any revision to Turlock Fire Department EMS Dispatch Protocol that changes the triage protocol shall not be considered a qualified response unless authorized by the MVEMSA Medical Director.

E. The contractual agreement between MVEMSA requires, among other things, maintaining a minimum response time compliance of 90%, and subjects the City to liquidated damages under the agreement. Failure to comply with any time, performance, or other requirements of the agreement with MVEMSA will result in damages being assessed against the City.

F. In July 2019, the City reduced minimum daily staffing levels within the Department. The City declared that it would not fill certain day-to-day vacancies on fire apparatus and instead would staff a two-person EMS response unit, in accordance with a 2019-2020 Staffing Plan dated July 2, 2019, and which was applicable through June 30, 2020.

G. On July 15, 2019, the Union filed a grievance alleging that the City’s changes in minimum daily staffing and implementation of a two-person EMS response unit violated various provisions of the Parties’ memorandum of understanding (“Grievance”).

H. On August 2, 2019, the Union filed an unfair practice charge against the City with the Public Employment Relations Board (“PERB”). The Union’s charge alleged that the City

unilaterally altered existing staffing levels and failed to meet and confer over alleged adverse impacts on firefighter work assignments, overtime, workload and safety in violation of the Meyers-Milias-Brown Act ("MMBA") (Unfair Practice Charge No. SA-CE-1114-M).

I. The Union agreed to hold the Grievance in abeyance on August 9, 2019.

J. On September 23, 2019, PERB issued a complaint against the City based on Unfair Practice Charge No. SA-CE-1114-M ("Complaint").

K. The City answered the Complaint and denied violating the MMBA.

L. On November 18, 2019, the Parties attended an informal settlement conference at PERB and agreed to hold the Complaint in abeyance pending further settlement discussions.

M. Effective for the 2020-2021 fiscal year, the City provided notice to the Union that it would need to continue with reduced minimum daily staffing levels.

N. The Parties have reached an agreement that resolves the Complaint and the Grievance as set forth below.

AGREEMENT

The terms of the Agreement are:

1. The City will comply with the MMBA when seeking to implement changes to mandatory subjects of bargaining, including the obligation to provide the Union with reasonable advance notice and the opportunity to meet and confer prior to implementation of the changes.

2. The Union will respond to any notice by the City related to proposed changes to mandatory subjects of bargaining in a meaningful manner and by engaging in a good faith meet and confer process.

2019-2020 FISCAL YEAR

3. The Department will provide the Union with a report of all qualified EMT level calls responded to by the Department for which the County EMS transportation provider is obligated to make a monetary payment to the City, for the period commencing on January 1, 2020 to June 30, 2020. The monthly report will include the following information:

- a. The date and time of each qualified EMT level call the Department responded to during the month;
- b. The total amount of monetary payments the City received for all qualified EMT level calls responded to during the month;
- c. The total amount billed to the County's EMS transportation provider for the EMT level calls responded to by the Department during the month;
- d. A running total of the amounts billed to and collected from the County's EMS transportation provider.

4. The City will calculate the total additional revenues actually received from the transportation provider for each qualified EMT level call responded to during the period January 1, 2020 to June 30, 2020 (which could be less than the amounts billed due to any damages assessed against the funds by MVEMSA).

5. The City will pay to Union the total monetary payments actually received by the City during this period. The payment under this agreement is intended to be fully cost neutral to the City. The Union will provide the City with an IRS W-9 Form so that the City can appropriately process the payment set forth in this Agreement. The Union agrees that it assumes any and all liability related to the use and/or tax implications of this payment. The City will provide the payment related to the period January 1, 2020 to June 30, 2020, to the Union within 30 days of execution of this agreement.

2020-2021 FISCAL YEAR

6. The parties hereby agree that, commencing on July 1, 2020, the City utilized the 2019-2020 Staffing Plan as a 2020-2021 Staffing Plan, and which will apply through June 30, 2021.

7. The Department will provide the Union with a report of all qualified EMT level calls responded to by the Department for which the County EMS transportation provider is obligated to make a monetary payment to the City, for the period commencing on July 1, 2020. The monthly report will include the following information:

- a. The date and time of each qualified EMT level call the Department responded to during the month;
- b. The total amount of monetary payments the City is entitled to receive for all qualified EMT level calls responded to during the month;
- c. The total amount billed to the County's EMS transportation provider for the EMT level calls responded to by the Department during the month;
- d. A running total of the amounts billed to and collected from the County's EMS transportation provider.

8. The City will calculate the total additional revenues actually received from the transportation provider for each qualified EMT level call responded to during the period July 1, 2020 to June 30, 2021 (which could be less than the amounts billed due to any damages assessed against the funds by MVEMSA).

9. The City will pay to Union the total monetary payments actually received by the City during this period. The payment under this agreement is intended to be fully cost neutral to the City. The Union will provide the City with an IRS W-9 Form so that the City can appropriately process the payment set forth in this Agreement. The Union agrees that it assumes any and all liability related to the use and/or tax implications of this payment. The City will provide the payment related to the period July 1, 2020 to June 30, 2021, to the Union within 30 days following the City's receipt and accounting of the amounts related to the 2020-2021 fiscal year.

GENERAL PROVISIONS

1. The Union will withdraw Unfair Practice Charge No. SA-CE-1114-M and request that PERB dismiss the Complaint. The Union agrees that it shall not file a PERB unfair practice charge or any other lawsuit or claim related to the subject matter of this Agreement.

2. The Grievance is withdrawn. The Union agrees that it shall not file a grievance related to the subject matter of this Agreement.

3. This Agreement and compliance with it shall not be construed as an admission by the City of any liability, misconduct, or wrongdoing.

4. This Agreement is binding on the Parties and their heirs, administrators, representatives, executors, successors and assigns.

5. The Parties agree to bear their own attorney's fees and costs incurred in or arising out of all matters described herein.

6. This Agreement may not be amended except by written amendment signed by the Union and the City.


7. This Agreement shall be interpreted in accordance with the plain meaning of its terms and not for or against the drafter of any part of this Agreement.

8. This Agreement shall be governed by the laws of the State of California and venue for any action under this Agreement shall be in Stanislaus County.

9. This Agreement may be executed in counterparts and together they shall constitute the Agreement. A PDF or facsimile shall be deemed the same as an original.

10. As part of this Agreement, the parties agree that the City may proceed with converting from a 24-pay period per year cycle to a 26-pay period per year cycle.

On Behalf of the City:

By: 

KEVIN R. DALE

Dated: March 9, 2021

On Behalf of the Union:

By: 

Dated: March 10, 2021

City Council Staff Report

May 25, 2021



From: Gary R. Hampton, Acting City Manager
Prepared by: Nadine C. Silva, Senior Accountant
Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Resolution: Authorizing the examination of the Bradley-Burns Local Sales or Transactions and Use Tax records

Motion: Approving the Amendment and Novation Agreement to Contract between Municipal Resource Consultants and MuniServices, LLC and City of Turlock for sales tax audit services to include examination of the Local Sales or Transactions and Use Tax records pertaining to the Bradley-Burns Local Sales and Use Tax Law which is part of the Revenue and Taxation Code in California

2. SYNOPSIS:

Adopting a Resolution authorizing examination of the local sales or transactions and use tax records and approving the Amendment and Novation Agreement to contract between Municipal Resource Consultants (the "Assuming Party") and MuniServices, LLC (dba MuniServices LLC) ("MuniServices"), (the "Assuming Party") and City of Turlock for sales tax audit services to include examination of the Local Sales or Transactions and Use Tax records pertaining to the Bradley-Burns Local Sales and Use Tax Law which is part of the Revenue and Taxation Code in California

3. DISCUSSION OF ISSUE:

The City of Turlock has designated Municipal Resource Consultants to examine sales and use tax records on behalf of the City of Turlock since May 12, 1992. Throughout the years, Municipal Resource Consultants has enacted business under the name MuniServices LLC (dba Avenu MuniServices LLC), both Delaware limited liability companies, with offices in Centreville, Virginia. Therefore, per the requirement of the California Department of Tax and Fee Administration (CDTFA), the City is required to reference the same company name of MuniServices LLC, to properly comply with Revenue and Taxation Code section 7056, section, subdivision (b).

Through acquisition, the company name has varied at times, however, MuniServices LLC is and always has been the registered legal entity. For that reason, the CDTFA issued a ruling that any contracts and/or resolutions that do not reference the company name of MuniServices LLC must be corrected. CDTFA Legal has agreed that this can be done with a contract novation agreement referencing MuniServices LLC's existing contract, which they have approved.

Therefore, Staff is requesting that the novation agreement and resolution be approved to comply with the CDTFA guidelines and prevent any interruption in MuniServices LLC receiving the City's sales tax data, allowing them to continue to provide the City with audit and information services.

The Resolution attached hereto updates the legal entity name referenced in the City's original agreement dated May 12, 1992 with Municipal Resource Consultants to MuniServices LLC (dba Avenu MuniServices LLC) and authorizes the City Manager, and any other City personnel designated in writing by the City Manager, as well as MuniServices LLC to examine the records.

Additionally, the Agreement with MuniServices LLC (formerly Municipal Resource Consultants) needs to be amended to authorize the examination of confidential records and perform services pertaining to the Bradley-Burns Local Sales and Use Tax.

4. BASIS FOR RECOMMENDATION:

- A. The City deems it desirable and necessary for authorized representatives of the City to examine confidential records of the Department pertaining to the local transactions and use taxes collected by the Department for the City pursuant to the Contract.

5. FISCAL IMPACT / BUDGET AMENDMENT:

None by this action.

6. CITY MANAGER'S COMMENTS:

Recommend approval.

7. ENVIRONMENTAL DETERMINATION:

N/A

8. ALTERNATIVES:

- A. The City Council may choose not to adopt the Resolution or approve the Amended Agreement. However, this action is not recommended as it necessary for City staff as well as the City's sales tax consultant to examine confidential records pertaining to the local transactions and use taxes collected by the Department.

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

**IN THE MATTER OF AUTHORIZING THE
EXAMINATION OF THE BRADLEY-BURNS
LOCAL SALES OR TRANSACTIONS AND USE
TAX RECORDS**

RESOLUTION NO. 2021-

WHEREAS, pursuant to Ordinance Number 176-CS, the City of Turlock entered into a contract with the California Department of Tax and Fee Administration (Department) formerly the State Board of Equalization, to perform all functions incident to the administration and collection of local sales and use taxes; and

WHEREAS, pursuant to Revenue and Taxation Code Section 7270, the City entered into a contract with the California Department of Tax and Fee Administration (Department) to perform all functions incident to the administration and collection of transactions and use taxes; and

WHEREAS, the City deems it desirable and necessary for authorized representatives of the City to examine confidential records of the Department pertaining to the local sales or transactions and use taxes collected by the Department for the City pursuant to the Contract; and

WHEREAS, Section 7056 of the Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of the Department records, and Section 7056.5 of the California Revenue and Taxation Code establishes criminal penalties for the unlawful disclosure of information contained in, or derived from, the sales or transactions and use tax records of the Department; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Turlock that the City Manager or other officer or employee of the City designated in writing by the City Manager to the California Department of Tax and Fee Administration is hereby appointed to represent the City with authority to examine sales or transactions and use tax records of the Department pertaining to sales and use taxes collected for the City by the Department pursuant to the Contract between the City and the Department. The information obtained by examination of the Department's records shall be used only for purposes related to the collection of the City's sales and use taxes by the Department pursuant to the Contract.

BE IT FURTHER RESOLVED by the City Council of the City of Turlock that MuniServices, LLC (formerly referred to Municipal Resource Consultants in Agreement dated May 12, 1992) is hereby designated and authorized to examine all of the sales or transactions and use tax records of the Department pertaining to sales and use taxes collected for the City by the Department. The person or entity designated by this section meets all of the following conditions, which are also included in the contract between the City and the MuniServices, LLC.:

Bradley-Burns Local Sales or Transactions and Use Tax Records

The person or entity designated by this section meets all of the following conditions:

- a) has an existing contract ratified by Council on May 12, 1992 with City to examine sales or transactions and use tax records, under the legal name of Municipal Resource Consultants;
- b) is required by that contract to disclose information contained in, or derived from, those sales or transactions and use tax records only to an officer or employee authorized under this resolution to examine the information;
- c) is prohibited by that contract from performing consulting services for a retailer during the term of that contract;
- d) is prohibited by that contract from retaining the information contained in or derived from those sales or transactions and use tax records after that contract has expired.

BE IT FURTHER RESOLVED that the information obtained by examination of the Department's records shall be used only for purposes related to the collection of the City's local sales or transactions and use taxes by the Department pursuant to the Contract between the City and the Department.

BE IT FURTHER RESOLVED that this resolution supersedes Resolution No. 2005-188 adopted on 9/27/05 by the City Council of the City of Turlock pursuant to subdivision (b) of Revenue and Taxation Code Section 7056 in relation to the Bradley-Burns local sales or transactions and use tax records to be examined by MBIA MuniServices Company (aka Municipal Resource Consultants, MuniServices LLC and Avenu MuniServices LLC).

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

**AMENDMENT AND NOVATION AGREEMENT TO CONTRACT BETWEEN
MUNICIPAL RESOURCE CONSULTANT AND MUNISERVICES, LLC
AND CITY OF TURLOCK**

THIS CONTRACT AMENDMENT AND NOTIVATION AGREEMENT (the "Amendment") is between Municipal Resource Consultants (the "Assigning Party"), and MuniServices LLC/dba Avenu MuniServices LLC ("MuniServices"), (the "Assuming Party"), (collectively the "Parties") both Delaware limited liability companies, with offices located at 5680 Trinity Parkway, Suite 120, Centreville VA 20120, and the City of Turlock, an instrumentality of the State of California, 156 S Broadway, Turlock, CA 95380 ("Remaining Party"), (together, the "Parties") is entered into this 25th day of May, 2021 (the "Novation Effective Date").

The City and MuniServices, LLC agree as follows:

WHEREAS, the parties intend that this Amendment to that certain Agreement between Municipal Resource Consultants and The City of Turlock, of the State of California, entered into on May 12, 1992 by Resolution No. 92-077 (the "Agreement") (attached hereto as "Exhibit A") for Sales and Use Tax Services to be a novation and that the Assuming Party be substituted for the Assigning Party.

WHEREAS, the Remaining Party recognizes Assuming Party as Assigning Party's successor-in-interest in and to the Agreement.

WHEREAS, by this Agreement, the Assuming Party becomes entitled to all rights, title, and interest of the Assigning Party, in and to the Assigned Agreement in as much as Assuming Party is the substituted party to the Assigned Agreement as of and after the Effective Date.

WHEREAS, remaining Party and Assuming Party shall be bound by the terms of the Assigned Agreement in every way as if Assuming Party is named in the novated Assigned Agreement in place of Assigning Party as a party thereto.

NOW THEREFORE, be it resolved that the Assuming Party be substituted for the Assigning Party.

IN WITNESS WHEREOF, the Parties have caused this Amendment to be executed by their duly authorized representatives as of the date set forth below.

DATED: _____

CITY OF TURLOCK, a municipal corporation ASSUMING PARTY

By: _____
Gary R. Hampton, Acting City Manager

MUNISERVICES, LLC
By: _____

Date: _____

Name: _____

APPROVED AS TO FORM:

Title: _____

By: _____
George A. Petrulakis, Interim City Attorney

ATTEST:

By: _____
Jennifer Land, City Clerk

ASSIGNING PARTY

MUNICIPAL RESOURCE CONSULTANT

By _____

Name: _____

Title: _____

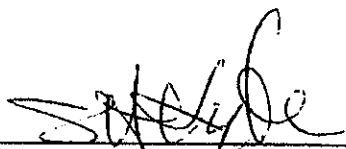


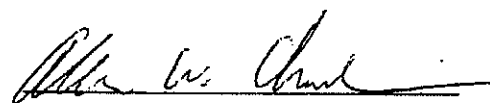
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**SALES TAX AUDIT & INFORMATION SERVICES AGREEMENT
BETWEEN
CITY OF TURLOCK AND MUNICIPAL RESOURCE CONSULTANTS**

The Consultant Services Agreement attached hereto as Exhibit "A" is an excerpt (pages three (3) through thirty-two (32)) of the fifty-two (52) page proposal submitted by Municipal Resources Consultants and when signed by all of the parties as indicated hereinbelow represents and is the entire agreement between the City of Turlock and Municipal Resources Consultants, pursuant to Council Resolution Number 92-077.

By: 
STEVEN H. KYTE,
City Manager

By: 
Title: Partner
Municipal Resources Consultants

Attest:
Clerk of the City of Turlock,
State of California

By: 
LINDA K. LEITAKER,
City Clerk

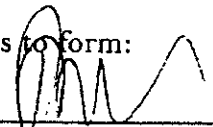
Approved as to form:
By: 
ANGIE P. MORRIS,
City Attorney

EXHIBIT A - CONSULTANT SERVICES

Municipal Resource Consultants (MRC) shall provide sales tax audit and information services to the City of Turlock (City). The objectives, scope, procedures, timing, compensation and qualifications are set forth as follows:

I. SALES/USE TAX ALLOCATION AUDITS

Many California cities are not receiving the sales/use tax revenue to which they are entitled due to point-of-sale and other types of taxpayer reporting errors (for discussion of misallocation causes, see enclosed MRC Insights newsletter). When businesses fail to properly report their California sales/use tax, the local allocation is distributed in error to pool accounts or other jurisdictions.

Accordingly, the purpose of MRC's initial and ongoing allocation audit service is to detect and correct taxpayer reporting errors and thereby generate new sales/use tax revenue which would not otherwise have been realized by the City of Turlock. Unlike most tax audits, MRC's allocation audit service produces new revenue without causing any additional tax liability for business.

As discussed under Section IV, MRC's audit staff is organized into highly focused areas of specialization related to either the detection or correction of misallocations. In this regard, the audit service scope includes, but is not limited to, MRC performing the following procedures and tasks:

A. DETECTION OF MISALLOCATIONS

1. Procure a computer tape of sales/use tax permit records from the State Board of Equalization (SBE).
2. Establish master file from tape data provided in previous task.
3. Clean-up, standardize and computerize data from City's sales tax distribution reports provided by SBE for eight (8) previous quarters, current quarter and each future quarter service is provided.

-
4. Develop a target list of potential point-of-sale/use taxpayer reporting errors based on a physical canvassing and evaluation of sales/use tax generating businesses located in the City of Turlock. These businesses are to be analyzed based on proprietary guidelines established by MRC, formulated through expert knowledge of corporate mergers and acquisitions, sales tax versus use tax, business marketing organization and methods, commercial/industrial sales/use tax reporting practices, and other conditions contributing to reporting errors.
 5. Meet with designated City official(s) to review service objectives and scope, MRC workplan schedule, public relations and logistical matters. MRC will also establish an appropriate liaison with the City's coordinator and define logical checkpoints for reviewing the project's progress.

Note: with the exception of this initial meeting, MRC's service requires no time or effort on the part of City staff.

6. Contact personnel in sales, operations and/or tax accounting at each target business to determine whether a point-of-sale/use reporting error exists.

Note: this is accomplished with the highest regard to discretion and professional conduct, as evidenced by the fact that MRC's allocation audits have involved more than 400,000 direct contacts with taxpayer businesses without a single complaint from a taxpayer, client or the State Board of Equalization. Our allocation audits are predicated on a noncontroversial, constructive, public relations approach which emphasizes the importance of each business to the City and the mutual benefits of correcting reporting errors.

7. Provide to the City and State Board of Equalization, reports addressing each taxpayer reporting error individually, including the business name, address, telephone number, California sales tax permit number, individuals contacted, date(s) of contact, nature of business, reason(s) for error, recommended corrective procedure and, if available, estimated sales/use tax revenue which should be forthcoming to the City of Turlock.

-
8. Respond to negative findings by SBE with timely reconfirmation documentation in order to preserve the City's original dates of knowledge.
 9. Receive and process sales/use tax quarterly distribution reports provided to City by SBE.
 10. Monitor and analyze the quarterly distribution reports with audit focus on the following:
 - a. Those accounts with previously detected reporting errors to ensure that the corrections are made for current quarters plus retroactive adjustments for eligible amounts improperly distributed in prior quarters.
 - b. Those accounts representing 90% of the City's total sales/use tax revenue to identify and investigate significant aberrations (e.g., negative fund transfers, declines, deficiency assessments, etc.).
 - c. Those accounts having a use tax designation to ascertain why the tax is being classified as use tax rather than sales tax.
 - d. Those accounts receiving deficiency assessments to ensure that the City receives its local allocation.
 11. Review the City's purchases to identify opportunities for the City to recover the local allocation on transactions subject to use tax. MRC will also prepare the necessary documentation to facilitate recovery, including assistance in preparing and filing the returns.

B. TYPES OF AUDITS

MRC's allocation audit service includes five distinctly different types of audits:

- o Initial and periodic field audits
- o Permitization audits
- o Deficiency assessment audits
- o Purchases audits
- o Quarterly Distribution Report audits

The nature of each audit is further described as follows:

Field Audits

MRC's initial and periodic field audits include a physical canvassing and evaluation of sales/use tax generating businesses located in the City. In the absence of this labor-intensive, time-consuming undertaking, significant misallocations will remain undetected.

MRC's field audits focus on those businesses located in the City from which the City has not been receiving sales/use tax revenue, but should be.

Permitization Audits

Wholesalers, contractors, processors, manufacturers and other non-retail businesses will frequently not have a sales tax permit properly registered to the jurisdiction in which they are located because their business operations do not include a point-of-sale qualifying activity.

However, these companies will often generate local sales/use tax from audit deficiency assessments, occasional sales (i.e., mergers and acquisitions), and self-accrual of use tax on purchases.

MRC's field audits facilitate the identification and correction of improperly registered permits for companies not having point-of-sale operations in the City.

Deficiency Assessment Audits

When the California State Board of Equalization audits a business for sales/use tax compliance, it is not uncommon for the business to receive a substantial deficiency assessment due to underpayments and/or undercollections.

In many cases, the local allocation portion of the deficiency assessment is distributed in error to the State pool, County pools or other jurisdictions.

Accordingly, MRC has developed proprietary criteria and techniques to detect and correct SBE deficiency assessment misallocations and thus expand the benefits produced by our allocation audit service.

Purchases Audits

When California customers purchase tangible personal property for which title passes out-of-state, the transactions are subject to use tax (rather than sales tax) which is typically collected by the vendor who in turn remits it to the SBE, with the local allocation distributed statewide or countywide through the pools, based on customer location.

Under certain conditions, the City may elect to self-accrue the use tax and remit it directly to the SBE, in which case the local portion will come back to the City in the same manner as sales tax.

MRC's purchases audits will include a review of the City's purchases to identify opportunities for the City to recover the local allocation on transactions subject to use tax. In this regard, MRC will prepare the documentation to facilitate the recovery, including assistance in preparing and filing the tax returns.

Quarterly Distribution Report Audits

Every three months, the City receives a Quarterly Distribution Report (QDR) from the SBE with the local allocation amount broken down by permit number, grouped according to business code, for each account that has identified the City of Turlock as the point-of-sale for the quarter ending three months prior to receipt of the QDR.

In conjunction with our initial field audit, we enter data from the current and previous eight QDRs for processing on our Sales Tax Analysis and Reporting System (STARS) in order to facilitate an ongoing sales/use tax audit program.

In the absence of such a program, there is no way of identifying misallocations that occur between field audits.

Our QDR audits have the same objective as our other allocation audits; to detect and correct taxpayer reporting errors and thereby generate new sales/use tax revenue for the City. However, our QDR audits focus on those accounts where we observe a decline in the City's sales/use tax revenue to either nothing or substantially less than what has been reported on an historical trend basis.

In most cases, the accounts showing zero balances have either relocated or simply reported late, in which case the payments will not be reflected until the next QDR. Therefore, six months elapse before the QDRs indicate whether a zero balance account can be attributed to a late payment or some other problem.

Although most zero balances and substantial declines occur for valid reasons, our QDR audits are resulting in the detection and correction of numerous accounts that were reporting properly until they changed their sales/use tax reporting procedures and created misallocations.

Whether the reporting procedures are changed due to a merger/acquisition, turnover of tax administration personnel, computerization of the sales/use tax compliance function or other reasons we encounter, the local amount of California sales tax is typically misallocated because it is reported on either a consolidated, destination or use tax basis.

Considering that:

- o there is a three-month lag time in reporting the quarterly sales tax distribution results
- o there is a six-month lag time in reporting late-paying businesses that all appear as zero balance accounts on the previous QDR

- o considerable time is required to input and analyze QDR data and contact the taxpayer in order to ascertain the cause of each potential misallocation
- o under California SBE regulations, cities and counties may only recover misallocated revenue for the three quarters prior to the initial SBE being notified of the reporting error

it is obvious that the QDR audits must be conducted in a highly efficient and timely manner or the eligibility window closes and the opportunity for the City to recover misallocated revenue is forfeited.

C. CORRECTION OF MISALLOCATIONS

For each misallocated account detected, MRC will coordinate with the business and SBE to make the necessary corrections plus retroactive adjustments for eligible amounts of sales/use tax improperly distributed in prior quarters. This task is simply stated, but enormously complex and time-consuming, for the following-described reasons:

When MRC detects taxpayer reporting errors, together with the reasons therefor, less than half of our audit work is accomplished. Most of our audit work is devoted to facilitating corrective action. This is largely due to the preponderance of reporting errors by out-of-state headquartered distributors, contractors, processors, manufacturers and lessors engaged in business-to-business sales in California. In terms of dollars, these companies account for more than 90% of misallocated sales/use tax revenue.

For these companies, there is considerable confusion due to the complexities posed by California's unique point-of-sale regulations. The reporting problems are further compounded when the regulations are applied to multiple California locations with each having a product/customer mix of business-to-business sales where some of the transactions are subject to sales tax, some are subject to use tax and some are exempt.

Unlike over-the-counter retail consumer outlets where all sales are taxable, business-to-business taxpayers sell to Original Equipment Manufacturers (OEMs), resellers and other types of exempt customers, as well as end users, with some products requiring installation affixing them to real property.

For convenience and expediency, it is common for taxpayers located outside of California to erroneously report by customer destination or characterize sales transactions as being subject to use tax or contractor-installed classifications.

The State Board of Equalization does not have sufficient staff or incentive to correct these types of misallocations.

In order to correct these complex reporting errors, MRC undertakes a travel-intensive liaison program to facilitate coordination and communication between typically four parties; sales/operations personnel at the taxpayer's local operation, tax personnel at the company's corporate headquarters, and State Board of Equalization personnel at Sacramento and the in-state/out-of-state District offices.

Implementation of corrective action normally requires that MRC's senior personnel travel to the taxpayer's headquarters to personally discuss the nature of the reporting error and applicable regulations with corporate tax counsel. The objective of these meetings is to correct the distribution reporting error by assisting the taxpayer in developing an allocation formula which is acceptable to the State Board of Equalization. (Note: All expenses incurred to provide the audit service are absorbed by MRC, including employee salaries, insurance, airfare, auto rentals, lodging, meals, communications, etc.).

D. TIMING CONSIDERATIONS

The SBE will only allow the City to recover misallocated sales/use tax for up to three quarters prior to the SBE being notified of the reporting error for a given account. Consequently, if a misallocating account has had its point-of-sale located in the City for more than three quarters, the City forfeits the right to recover a portion of its misallocated sales tax with every elapsed quarter that a reporting error remains undetected.

The preliminary workplan schedule following this page presents MRC's time frames for accomplishment of the prescribed tasks. As indicated, the initial field audit is to be completed within 90 to 120 working days following receipt of authorization.

By significantly accelerating the timetable for performance of the audit, MRC can convert a cost (forfeited revenue) into a benefit (recovered revenue).

**Sales Tax Audit & Information
Schedule & Progress Chart
(Preliminary)**

City of Turlock
Contract Date

DESCRIPTION	Month	Month	Month	Month	Month	Month	Month	Month	Month	Month	Month	Month	Month	Month
	1	2	3	4	5	6	7	8	9	10	11	12	13	
Contract Authorization	X													
Mobilization/Orientation	X													
Procure Permit Listing & Quarterly Distribution Reports	XX													
Clean-up, Standardize & Computerize Permit Listing & QDR Data	XXXX	XX												
Deliver & Review with City STARS Reports & Inquiry System		X												
Physically Canvas and Evaluate Businesses in City	XXXX	XXXX												
Develop Target List of Potential Misallocations	X	XXXX												
Review MRC Field Protocol with City	X		X											
Contact Each Business on Target List		XXXX	XXXX											
Prepare, Deliver & Review Initial Audit Reports			X											
Coordinate w/Taxpayers & SBE to Correct Misallocated Accounts														
Receive, Process, Monitor & Analyze Quarterly Distribution Reports														
Ongoing Detection & Correction of Misallocated Accounts														
Deliver Ongoing Audit & Information Service Reports														
Prepare & Submit Quarterly Audit Progress Reports														

X Full Time Effort = Part Time Effort As Required

E. QUARTERLY PROGRESS REPORTS

On a quarterly basis, MRC is to provide the City with audit progress reports to include, but not be limited to, the following:

1. Status of audit work in progress, including:
 - a. Copies of reports provided to the SBE addressing each point-of-sale taxpayer reporting error individually, including the business name, address, telephone number, California sales tax permit number, individuals contacted, date(s) of contact, nature of business, reason for error and recommended corrective procedure.
 - b. Copies of misallocation reconfirmation documentation, in response to negative findings by the SBE, in order to preserve original dates of knowledge.
2. Actual sales/use tax produced for the City by MRC's audit service on a quarterly and cumulative basis.
3. Projected sales/use tax revenue forthcoming to the City as a result of MRC's allocation audits, delineated according to source, timing and one-time versus ongoing.
4. Alphabetical listing of all misallocated accounts detected for the City by MRC including, for each, the permit number, correction status, payment amount received by the City, quarter to which payment is related and payment source (e.g., fund transfer, deficiency assessment, etc.).

II. INFORMATION SERVICES

Much of the data developed as part of MRC's audit service is common to that required for the sales tax module of GRIP, MRC's proprietary Geobased Revenue Information Program (please refer to enclosed brochure).

The complete GRIP database encompasses all of a City's land parcels, its buildings, its commercial, industrial, institutional, and residential users, and its major sources of general fund revenue - such as business license tax, franchise fees, parking tax, property tax, sales tax, transient occupancy tax, use tax, utility users tax, etc.

MRC's GRIP service is the key to unlocking revenue enhancement strategies and solutions for California cities seeking fiscal self-reliance.

The GRIP sales tax module will enable MRC to assist the City of Turlock maintain and enhance revenue by developing and implementing strategies and solutions based on:

- o Revenue Recovery Audits
- o Business Retention
- o Business Expansion
- o Fiscal Impact Analysis
- o SWOT¹ Analysis
- o Revenue Forecasting
- o Strategic Planning
- o Special Studies & Reports

Examples of these applications using the GRIP sales tax module are summarized as follows:

- o REVENUE RECOVERY AUDITS

The logical starting point for any city seeking revenue enhancement is to make sure it is receiving all the revenue it is entitled to from its businesses and intermediaries.

¹ Strengths, Weaknesses, Opportunities, Threats

Computerized access to sales tax registration and allocation data facilitates the auditing of sales tax and other City revenues. For example, the GRIP sales tax module includes a quarterly updated Sales Tax Inquiry System installed by MRC on IBM compatible PCs, designated by the City, to provide the City's business license staff with on-line access to sales tax information on all businesses that the SBE has registered to the City (further discussed below under sales Tax Inquiry System).

o BUSINESS RETENTION

Many cities are unaware that 80% or more of their general fund revenue is generated by 10% to 25% of their businesses. It is thus commonplace for cities to inadvertently neglect or alienate businesses that are vital to their fiscal health and allow - or unintentionally encourage - these businesses to leave, and take their revenue with them.

The GRIP sales tax module includes a quarterly updated report on the City's major (and top 100) sales tax producers ranked in order according to level of sales tax produced for current and prior periods.

With this accurate information, the City can develop and implement proactive public relations programs that will help retain these vital businesses and their revenue through improved communication and cooperation.

o BUSINESS EXPANSION

On a regular basis, taxpaying businesses (including institutions and government agencies) make arbitrary decisions that have positive and negative impacts on the City's revenue.

Typically, these taxpayers do not realize the revenue impact their decisions have on the City and the discretionary latitude they possess to enhance or impair City revenues.

By combining a GRIP sales tax analysis with our knowledge of how the administrative procedures of taxpayers and intermediaries affect City revenue, MRC can identify those taxpayers with the greatest potential for enhancing City revenue through modification of their procedures.

In addition to retaining vital businesses, a proactive taxpayer relations program enables the City and its taxpayers to explore opportunities for enhancing revenue without creating additional tax liability.

o FISCAL IMPACT ANALYSIS

Many cities charge impact fees that partially defray estimated infrastructure costs caused by development.

Rarely, however, is a provision made to recover the deficit produced when the ongoing actual cost for a county or City to service a development or business exceeds the general fund revenue produced. For this reason, many cities unknowingly subsidize developments and businesses that are not paying their way. Which is one of the reasons revenue shortfall gaps are widening.

In order to structure a self-sustaining impact analysis and cost recovery program, MRC's complete GRIP analysis provides a city with the contribution of revenue from each parcel, use, development, user and geographic area on a total amount and size-adjusted basis for individual and aggregated revenue sources.

By comparing revenue contribution to service costs, in equivalent units of measurement, a City can readily ascertain whether the revenue derived from a given use, development, parcel, user or geographic area is greater than, less than or equal to the related service costs.

The first task in building the complete GRIP database is to develop the sales tax module, which establishes a computerized system that identifies (and ranks) the contribution of sales/use tax revenue from each commercial, industrial, residential, institutional and governmental taxpayer in the City, as well as each address, development, shopping center or other designated geographic area.

o SWOT ANALYSIS

Every City has unique Strengths, Weaknesses, Opportunities and Threats (SWOTs) that affect its businesses and therefore its revenue base. Current examples include:

- Major businesses migrating inland at a record pace to avoid urban traffic congestion, high housing and land costs, and long-distance commutes for their employees

- Legally binding decisions entitling major industries and businesses to budget-busting tax reductions, exemptions and refunds

- Much of a jurisdiction's general fund revenue being generated by businesses in an industry which expects a prolonged economic downturn

To develop reliable revenue forecasts and proactive strategic plans that will maintain and enhance revenue, cities must be able to assess how constantly changing external dynamics translate to SWOTs for their businesses and revenue bases. The GRIP sales tax module provides much of the basis for this type of assessment.

o REVENUE FORECASTING

Although the downside implications for errant revenue forecasting can be severe and embarrassing, the typical city has no reliable basis for assessing how actual and potential changes or unusual developments will impact its revenue base and fiscal future.

Based on a GRIP SWOT analysis, MRC can assist the City in developing "what if" sales tax revenue forecasts based on pessimistic, optimistic and mixed-assumptions scenarios. This analysis is especially important to the City when an adverse impact is of sufficient magnitude to cause fiscal crisis. Developing these scenarios will lead the City to strategic planning that will help avoid catastrophic outcomes.

o STRATEGIC PLANNING

In order to develop and implement a strategic plan for maintaining and enhancing revenue, the City must be able to define its Strengths, Weaknesses, Opportunities and Threats (SWOTs).

With the GRIP sales tax module, MRC can assist the City in assessing its SWOTs and, based on that assessment, developing a strategic plan which will:

- Maintain and enhance revenue by capitalizing on the strengths and opportunities
- Contain losses by taking defensive steps to eliminate or reduce weaknesses and threats

o SPECIAL STUDIES & REPORTS

Cities frequently need special studies or reports for purposes such as:

- Negotiating revenue-sharing agreements with private developers, business users and other jurisdictions
- Evaluating and monitoring performance in specific developments, project areas, annexation areas, etc.
- Analyzing retail sales leakage
- Planning project development for revenue generation
- Promoting the City for business and industry

MRC's GRIP sales tax module provides the basis for estimating, tracking and evaluating revenue generation by land use, development, user, industry, parcel, address or designated geographic area. This multi-dimensional capability simplifies the task of planning and producing special reports and studies.

The GRIP sales tax module consists of a Sales Tax Inquiry System, STARS reports and related consulting, further described as follows:

A. SALES TAX INQUIRY SYSTEM

MRC will install and update quarterly the City's sales tax registration and allocation data on IBM compatible PCs designated by the City. MRC will also train authorized City staff in the use of the Inquiry System and an easy-to-follow user manual, also furnished by MRC.

Because the Sales Tax Inquiry System contains confidential information, access is limited to authorized personnel by making the System password - protected.

The Inquiry System will enable City staff to analyze the contribution of sales/use tax revenue from each business in the City, on an individual, grouped or sorted-order basis by business name, business type, permit number, size ranking, street address, development, shopping center or other geographic area.

All sales tax data processed by MRC is located on the Inquiry System. History for each account can be called up by account number and even by business tax registration number(s), if the latter are added to the Inquiry System. MRC has made the Inquiry System extremely user-friendly, even incorporating different types of name and address searches. For example, the address search only needs the street name and will fill in the direction and proper abbreviation for the street type.

Also, in looking up a particular type of business segment, a listing of business codes is shown on a "pop up" menu to help the user identify which code to select. The Inquiry System can also be used to geo-code specific areas such as business districts, shopping centers, project redevelopment areas, industrial parks, etc. MRC's Inquiry System will even generate the geo-coded addresses, thus eliminating the need to manually place a code by each business in a geo-area. The System will also eliminate a geo-area in a global command rather than having to eliminate geo-coded accounts one-by-one when removing a geo-area. MRC's Sales Tax Inquiry System would be a particularly valuable tool for administration of the City's business license tax program.

B. STARS (SALES TAX ANALYSIS & REPORTING SYSTEM) REPORTS

Quarterly, MRC will provide the City with an updated set of bound STARS reports (sample enclosed). The scope of MRC's STARS reports includes, but is not limited to, the following:

1. Cleaning up, standardizing and automating data from the City's sales and use tax distribution reports provided by the SBE for eight (8) previous quarters, the current quarter and each future quarter service. This is done to provide two benchmark years in the initial report to the City. Amounts for the most recent quarter are included in each STARS report, but are not used for benchmark purposes as many accounts are incomplete because of late-paying businesses.

MRC clients use STARS reports to gain a better understanding of where their sales tax comes from, what trends, good or bad, are occurring in their sales tax base, and to identify those businesses on which the jurisdiction is most dependent for its sales tax revenue.

2. Receiving and processing sales tax distribution reports quarterly.
3. Reorganizing and refining the computerized sales tax data for the City using MRC's STARS.
4. Analyzing the City's major sales tax producers.

All major sales producers and business categories are monitored and analyzed quarterly to include the following:

- a. Management Summary, Sales Tax Digest, Charts. MRC delivers each quarter with the STARS reports, a confidential Management Summary, a non-confidential Sales Tax Digest, and twelve color charts that portray graphically the City's sales tax performance and composition.

- b. Analysis Section. The Analysis Section of MRC's STARS report compares the sales tax performance for the latest complete quarter/report benchmark year to previous quarters and years. This section, which is an exclusive MRC report, was instituted to replace cumbersome manual comparisons between quarters and years.

The Analysis Section includes the following: (1) historical performance of the top 100 accounts for up to four years, (2) an automated analysis of the changes that occurred by economic category and by business sector with the specific businesses that made the major contribution to the change delineated; and (3) an analysis by magnitude of change indicating which key businesses grew or declined, measured in absolute dollars and percentages.

Quarterly aberrations due to SBE audits, fund transfers and other causes are also identified and analyzed for budget planning and revenue forecasting purposes.

- c. Major (and Top 100) Sales Tax Producers. Sales tax performance of the top 100 sales tax accounts is shown in order of sales tax produced with the results for the last five quarters prominently displayed. The proportion of City sales tax produced is also shown by each account.
- d. Sales Tax Accounts by Business Code. This report shows the various business codes assigned by the State Board of Equalization and the accounts assigned those codes in order of sales tax produced. Five quarters of sales tax data are shown for each account. The client can select the cut-off level of this report (i.e., all accounts or just accounts that produce over a certain amount per year). Misclassified sales tax accounts are corrected to make the report a true reflection of the sources of the City's sales tax income.

- e. Sales Tax Trend Report. Data is summarized by economic category and by business sector making up each category. Sales tax trends are shown by quarter and by successive benchmark years. Percent of sales tax is also shown to indicate trends in sales tax composition as well as performance.

Growth and decline comparisons are indicated by various categories for forecasting and analysis.

- f. Sales Tax By Account/Sub-Number. The State Board of Equalization does not provide the specific sales tax amounts generated by each individual location of a company with multiple locations in the same jurisdiction. Such a breakdown is needed if the City is to track sales tax by specific geo-areas, such as shopping centers, project areas, business districts, industrial parks, etc. STARS allocates sales tax by location and even customizes difficult allocations such as auto dealers with showrooms, leasing, used cars, and body repair shops. This report shows the amounts allocated to each individual location for a firm with multiple locations in the City.
- g. Geo-Coding. Tracks sales tax performance within designated areas of the City (e.g., key shopping centers, project areas, downtown business districts, etc.) Charts and printed reports are included for each geo-area.
- h. Cross Reference Reports. These reports allow the user to look up any account shown in the STARS reports by name, address, or account number.
- i. Special Business Tax Report. MRC's STARS includes a report that is specifically designed to facilitate the City's business license tax administration by replacing the manual yellow registration control cards.

These cards come in no particular order and are cumbersome to use. MRC produces a printed report each quarter that lists all changes to the City's sales tax records by the type of change (i.e., new businesses, closed businesses, new addresses, new owners, etc.). Under each type of change are the accounts in clean address order.

By correcting, cleaning up and standardizing addresses, business names and business classifications on all of the City's sales tax generators, MRC is able to provide the City's business license staff with another valuable audit tool. MRC will also provide the City with a copy of the cleaned up sales tax files on floppy disk or nine-track tape if the City wishes to add the data to its database.

C. CONSULTING SERVICES

In conjunction with the Sales Tax Inquiry System and STARS reports, MRC shall provide consulting services to include:

1. Providing City staff with post-audit sales tax orientation:
 - a. Conducting a technical seminar on California's local sales tax distribution process
 - b. Training staff in the fundamentals of sales/use tax allocation auditing should the City desire to assume responsibility for future maintenance of local retail accounts internally.
2. Preparing and analyzing a list of the City's major sales/use tax generators to assist the City in developing a public relations program to prevent the loss of these important businesses.
3. Profiling for Economic Development personnel the most economically desirable/undesirable types of developments/business uses and the reasons why.

4. Providing a list of businesses located (or doing business) in the City that are not presently producing as much sales/use tax to the City as they could be through constructive changes in marketing/purchasing procedures (with the City's approval, MRC will assist the City in pursuing these opportunities and implementing the changes).
5. Assisting in defining specific geographic areas for which the City would have an interest in knowing the sales/use tax produced.
6. Serving as a resource to assist the City on an "as-needed" basis by providing legal and technical support on sales/use tax issues and questions regarding proposed legislation, estimated revenue on proposed projects, revenue-sharing negotiations, retail sales leakage, budget projections, etc.

D. TIMING

MRC shall commence preparing the Sales Tax Inquiry System and STARS reports within 10 working days following receipt of the following:

- o Contract approval and resolution designating MRC as the authorized City Consultant to examine sales and use tax records (see Exhibit C); and
- o State Board of Equalization quarterly distribution reports for most recent nine (9) consecutive quarters.

The initial Sales Tax Inquiry System shall be delivered and installed on IBM compatible PCs designated by City, together with the STARS reports, within 45 working days following receipt of the above. The quarterly updated Inquiry System and STARS reports will be delivered to the City within 30 working days following receipt of the quarterly distribution reports.

MRC will provide consulting services to the City in conjunction with delivery of the Inquiry System and STARS reports following completion of the enhancement audits.

III. COMPENSATION

In order to make MRC's services self-funding for the City, MRC's compensation for providing the audit and information services shall be entirely predicated and contingent upon MRC's audits producing new sales/use tax revenue that would not otherwise have been received by the City, further described as follows:

A. ALLOCATION AUDIT SERVICE

MRC's compensation for providing the allocation audit service is 25% of the new sales/use tax revenue received by the City as a result of MRC detecting and correcting the related point-of-sale/use distribution error. Said 25% applies to each correction for fund transfers (i.e., retroactive adjustments for eligible amounts improperly distributed in prior quarters) and the first six consecutive reporting quarters following completion of the audit by MRC and confirmation of corrections by the State Board of Equalization.

Sales/use tax audit invoices are submitted quarterly after the City has received the revenue from the correction and quarterly distribution report verifying it. Each invoice is to include the business name, permit number, local allocation amount received by the City and amount due MRC. Invoices are due and payable upon receipt.

B. INFORMATION SERVICE

MRC shall provide the Sales Tax Inquiry System and STARS reports for \$625 per quarter, payable only after the City has received the Sales Tax Inquiry System, STARS report(s) and sufficient funds to cover the charges from the City's share of new tax revenue produced from MRC's audit service. Stated another way, payment is deferred until there is adequate audit revenue to cover it. The following computation illustrates a hypothetical example:

New sales/use tax revenue produced for City from MRC audit service	\$ 50,000
Less MRC compensation for audit service @ 25%	-12,500
City's share of new sales tax revenue @ 75%	<u>\$ 37,500</u>
Less information service charge for full year @ \$625 per quarter	-2,500
Net new sales/use tax revenue to City after compensating MRC for audit and information services	<u>\$ 35,000</u>

Should MRC's audit service fail to generate sufficient new sales/use tax revenue for the City to cover the information service charges out of the City's 75% share, then MRC shall absorb the shortfall amount.

C. EXPENSES

All expenses incurred by MRC in providing the sales tax audit and information services are absorbed by MRC. These expenses include items such as employee salaries and benefits, insurance, airfare, auto rentals, meals, lodging, keypunching, computer processing, clerical, communications (e.g. personal meetings, telephone, mail, etc.) photocopying, overhead and miscellaneous out-of-pockets for consumable supplies and research material such as maps, directories, etc.

IV. QUALIFICATIONS

Since its inception in 1978, Municipal Resource Consultants (MRC) has specialized in providing innovative revenue enhancement audit services to municipalities located throughout California. MRC is the only firm in California (or the rest of the country), offering these proprietary enhancement audit services that encompass all sources of municipal tax revenue.

MRC's revenue enhancement audit services are complemented by geobased management information programs and consulting in areas such as strategic planning, economic development and redevelopment.

In 1978, MRC pioneered the concept of revenue enhancement consulting with its sales tax services for California municipalities. Since then, MRC has established a track record of consistently impressive results by providing ongoing revenue enhancement services to more than 100 California municipalities. To date, MRC's sales tax audits have produced more than \$70 million for the clients served.

MRC's revenue enhancement services are designed to provide clients with an ongoing, readily measurable economic return that is many times greater than the amount invested in the service.

On behalf of the clients served, MRC's revenue enhancement audit findings and recommendations have been validated and accepted by third party intermediaries throughout California, in addition to thousands of corporate tax departments throughout the United States.

MRC's 55 member staff serves California cities from five in-state office locations.

Please refer to Exhibit D for a representative list of MRC client cities, results achieved and references.

V. PROJECT TEAM

In providing sales tax audit and information services to the City, MRC will be employing a project team approach. MRC's team for providing these services consists of 25 full-time, permanent MRC employees and 1 attorney specializing in sales/use tax law. Project team personnel are described according to project role and functional area of specialization, as follows:

Project Co-Directors: John Austin & Allen Charkow

As Project Co-Directors, John and Allen are responsible for the overall quality control and timeliness of the project. They are also responsible for making MRC's resources available to the project and assisting in the technical direction, management and liaison activities.

Both John and Allen will be personally involved in providing MRC's sales tax audit, information and consulting services to the City. John is responsible for the design and provision of MRC's sales/use tax enhancement services, contract negotiations and client relations. Allen is responsible for the development and implementation of MRC's data processing and geobased information systems for auditing, monitoring, analyzing and projecting sales tax revenue.

Project Manager - Hunter Austin

As Project Manager, Hunter has day-to-day responsibility for the technical direction and coordination of the project, including the methodology and procedures utilized in detecting, documenting and correcting sales/use tax misallocations. In this capacity, his duties encompass creation and implementation of the workplan, including scheduling, coordinating and monitoring the activities of other project team members.

Legal Counsel - Joseph Vinatieri

When MRC's auditors or clients have questions or issues involving interpretation of sales/use tax law, they rely on the legal counsel of Joseph Vinatieri who is a Partner with Bewley, Lassleben & Miller.

Data Processing & Detection Analysis

Data Processing and Detection Analysis personnel are responsible for:

- o Creating MRC's quarterly STARS reports and Sales Tax Inquiry System
- o Developing MRC's target list of potentially misallocated accounts based on a physical canvassing and evaluation of sales/use tax generating businesses located in the unincorporated area of the County
- o Monitoring quarterly distribution reports for aberrations

For these purposes, MRC has developed proprietary electronic mapping and data processing technology.

Detection Auditing

Detection Auditing personnel are responsible for contacting target list businesses to determine whether allocation reporting errors exist and, for each misallocation detected, developing the substantiating documentation to be included in MRC's reports for submission to the County and State Board of Equalization.

Correction Auditing

Correction Auditing personnel are responsible for:

- o Correcting misallocated accounts by working with personnel at the taxpayer's local operation and corporate headquarters and the State Board of Equalization's in-state/out-of-state District offices and Local Tax Unit in Sacramento
- o Preserving the City's original dates of misallocation knowledge by responding to the SBE's negative findings with timely reconfirmation documentation
- o Recovering for the City eligible amounts misallocated in prior quarters.

Consulting

Consulting personnel have liaison responsibility for providing to the City GRIP sales tax module services, consisting of the Sales Tax Inquiry System, STARS reports and consulting to assist the City in developing and implementing strategies and solutions for:

- Enhancement Audits
- Business Retention
- Business Cooperation
- Fiscal Impact Analysis
- SWOT Analysis
- Revenue Forecasting
- Strategic Planning
- Special Studies & Reports

VI. CERTIFICATION OF CONFIDENTIALITY

Section 7056 of the State of California Revenue and Taxation Code specifically limits the disclosure of confidential taxpayer information contained in the records of the State Board of Equalization. This section specifies the conditions under which a City or county may authorize persons other than officers and employees to examine State Sales and Use Tax records.

- A. MRC is authorized by this Agreement to examine sales and use tax records of the State Board of Equalization provided to City pursuant to contract under the Bradley-Burns Uniform Sales and Use Tax Law.
- B. MRC is required to disclose information contained in, or derived from, those sales and use tax records only to an officer or employee of the City who is authorized by resolution to examine the information.
- C. MRC is prohibited from performing consulting services for a retailer during the term of this Agreement.
- D. MRC is prohibited from retaining the information contained in, or derived from, those sales and use tax records, after this Agreement has expired.

Information obtained by examination of State Board of Equalization records shall be used only for purposes related to collection of local sales and use tax or for other governmental functions of the City as set forth by resolution adopted pursuant to Section 7056(b) of the Revenue and Taxation Code.

The resolution shall designate MRC as a person authorized to examine sales and use tax records and certify that this Agreement meets the requirements set forth above and in Section 7056(b)(1) of the Revenue and Taxation Code (see Exhibit C).

MRC hereby certifies that any and all information examined in the conduct of work performed is to be utilized only for those purposes authorized by the City and by the Bradley-Burns Uniform Local Sales and Use Tax Law.

City Council Staff Report
May 25, 2021

60



From: Jennifer Land, City Clerk
Prepared by: Jennifer Land, City Clerk
Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Resolution: Authorizing the examination of the Measure A Local Transactions (Sales) and Use Tax records

Motion: Approving Amendment No. 1 to an Agreement with MuniServices LLC for sales tax audit services to include examination of the Local Transactions (Sales) and Use Tax records pertaining to Measure A

2. SYNOPSIS:

Adopting a Resolution authorizing examination of the local transactions and use tax records and approving Amendment No. 1 to an Agreement with the City's sales tax consultant for services pertaining to Measure A.

3. DISCUSSION OF ISSUE:

To enact a three-quarter ($\frac{3}{4}$) cent transactions (sales) and use tax, the City Council submitted Ordinance No. 1281-CS to the voters of the City of Turlock as Measure A. At the November 3, 2020 general municipal election, City voters approved Measure A, and as a result the City adopted Measure A.

On December 8, 2020, the City Council authorized the City Manager to execute Agreements with the California Department of Tax and Fee Administration (Department) for implementation of Measure A, "City of Turlock, 911 Safety/Emergency Medical Response, Community Services Measure", a Local Transactions and Use Tax, and any additional documents needed for the Department to implement the tax.

The City Council also authorized the City Manager, and any other City personnel designated in writing by the City Manager, to examine confidential records of the Department pertaining to the local transactions and use taxes collected by the Department for the City pursuant to the Contract. After further review of this action,

it has been determined the City's sales tax consultant (MuniServices LLC) also needs authorization to examine such records.

The Resolution attached hereto updates the previous action taken by Council and authorizes the City Manager, and any other City personnel designated in writing by the City Manager, as well as MuniServices LLC, to examine the records.

Additionally, the Agreement with MuniServices LLC (formerly MBIA MuniServices Company) needs to be amended to authorize the examination of confidential records and perform services pertaining to Measure A.

4. BASIS FOR RECOMMENDATION:

- A. The City deems it desirable and necessary for authorized representatives of the City to examine confidential records of the Department pertaining to the local transactions and use taxes collected by the Department for the City pursuant to the Contract.

5. FISCAL IMPACT / BUDGET AMENDMENT:

None by this action.

6. CITY MANAGER'S COMMENTS:

Recommend approval.

7. ENVIRONMENTAL DETERMINATION:

N/A

8. ALTERNATIVES:

- A. The City Council may choose not to adopt the Resolution or approve the Amended Agreement. However, this action is not recommended as it necessary for City staff as well as the City's sales tax consultant to examine confidential records pertaining to the local transactions and use taxes collected by the Department.

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF AUTHORIZING THE }
EXAMINATION OF THE MEASURE A LOCAL }
TRANSACTIONS (SALES) AND USE TAX }
RECORDS }
_____ }

RESOLUTION NO. 2021-

WHEREAS, the City Council submitted to City of Turlock (the "City") voters Ordinance No. 1281-CS, a measure to enact a local three-quarter ($\frac{3}{4}$) cent transactions (sales) and use tax as Measure A ("Measure A"); and

WHEREAS, at the November 3, 2020 general municipal election, City voters approved Measure A and as a result the City adopted Measure A; and

WHEREAS, pursuant to Measure A and Section 7270 of the Revenue and Taxation Code, the City entered into a contract with the California Department of Tax and Fee Administration (the "Department") to perform all functions incident to the administration and operation of Measure A (the "Contract"); and

WHEREAS, the City deems it desirable and necessary for authorized representatives of the City to examine confidential records of the Department pertaining to the local transactions and use taxes collected by the Department for the City pursuant to the Contract; and

WHEREAS, Section 7056 of the Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of the Department's records and establishes criminal penalties for the unlawful disclosure of information contained in or derived from, the local transactions and use tax records of the Department; and

WHEREAS, Section 7056 of the California Revenue and Taxation Code requires that any person designated by City shall have an existing contract to examine City's sales and transactions and use tax records.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Turlock that the City Manager or other officer or employee of the City designated in writing by the City Manager to the Department is hereby appointed to represent the City with authority to examine records of the Department pertaining to the local transactions and use taxes collected for the City by the Department pursuant to the Contract between the City and the Department. The information obtained by examination of the Department's records shall be used only for purposes related to the collection of the City's local transactions and use taxes by the Department pursuant to the Contract.

BE IT FURTHER RESOLVED by the City Council of the City of Turlock that MuniServices, LLC is hereby designated and authorized to examine all of the sales and transactions and use tax records of the Agency pertaining to all sales and use taxes collected for the City and any transaction and use taxes collected for the City under the following Transactions and Use Tax Ordinances and any future Transactions and Use Tax Ordinances that may be enacted in the City:

Measure A

The person or entity designated by this section meets all of the following conditions:

- a) has an existing contract with City to examine sales and transactions and use tax records;
- b) is required by that contract to disclose information contained in, or derived from those sales and transactions and use tax records only to an officer or employee authorized under Section 1 (or Section 2) of this resolution to examine the information;
- c) is prohibited by that contract from performing consulting services for a retailer during the term of that contract;
- d) is prohibited by that contract from retaining the information contained in or derived from those sales and transactions and use tax records after that contract has expired.

BE IT FURTHER RESOLVED that the information obtained by examination of the Department's records shall be used only for purposes related to the collection of the City's local transactions and use taxes by the Department pursuant to the Contract between the City and the Department.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

**AMENDMENT NO. 1 TO CONTRACT BETWEEN
CITY OF TURLOCK AND MUNISERVICES, LLC**

THIS CONTRACT AMENDMENT No. 1 (the "Amendment") is entered into between City of Turlock ("City") and MuniServices LLC/dba Avenu MuniServices LLC ("MuniServices"), (collectively the "Parties").

The City and MuniServices agree as follows:

WHEREAS, the City and MuniServices, entered into a Professional Services Agreement, on or about November 8, 2005 (hereinafter "Agreement") to perform, among other things, Revenue Enhancement Services;

WHEREAS, on November 3, 2020, the voters of the City of Turlock approved the adoption of a three quarter-cent Sales Tax ("Sales Tax"), Turlock Sales Tax Measure A. The three quarter-cent sales tax increase became effective on April 1, 2021 (the "Sales Tax");

WHEREAS, the State Board of Equalization or its successor agency the California Department of Tax and Fee Administration (collectively, or in the alternative, the "Agency") has taken the position that general references to "sales and use tax" are insufficient to allow access to information relating the collection of the Sales Tax by the Agency;

WHEREAS, the City and MuniServices, without conceding the correctness of the Agency's interpretation, deem it prudent to comply with the interpretation by amending the Agreement to specifically refer to the Sales Tax;

WHEREAS, section 7056 of the California Revenue and Taxation Code imposes conditions on the access to information related to the collection of sales, transaction, and use tax by the Agency;

NOW THEREFORE, in order to satisfy the requirements of section 7056, the parties hereby amend the Agreement as follows:

1. The following language is incorporated into the Professional Services Agreement as if set forth therein.

Transaction and Use Tax

*"MuniServices qualifies under Section 7056 of the Revenue and Taxation Code to review (Bradley-Burns) confidential taxpayer information and documentation before the State Board of Equalization (BOE) or its successor agency, the California Department of Tax and Fee Administration (collectively, or in the alternative, the "Agency"). MuniServices is hereby authorized by this Agreement to examine sales or transactions and use tax records of the Agency, including but not limited to the transaction and use tax that became effective on or about April 1, 2021 known as **Tax Measure A** pertaining to the ascertainment of those sales or transactions and use taxes to be collected for the City.*

MuniServices is required to disclose information contained in, or derived from, those sales or transactions and use tax records only to an officer or employee of the City who is authorized by resolution to examine the information.

MuniServices is prohibited from performing consulting services for a retailer during the term of this Agreement.

MuniServices is prohibited from retaining the information contained in, or derived from, those sales or transactions and use tax records, after this Agreement has expired."

2. The City and MuniServices agree that although the scope of work generically refers to "sales and use tax" those references are meant to include "sales, transaction, and use tax" as part of the scope of work, including but not limited to any transaction and use taxes adopted after the effective date of the Agreement.
3. The Parties agree that Agreement is applicable to all Sales, Transaction and Use Tax Ordinances currently enacted in the City and which may become enacted while the Agreement is in effect.
4. The Parties agree that the City will adopt an updated resolution in substantially the same form as the template provided as Exhibit A to this Amendment.
5. Except as herein modified, all other provisions of the Agreement, including any exhibits and subsequent amendments thereto, shall remain in full force and effect.
6. In case of a conflict between the terms of this Amendment and the terms of the Contract, the terms of this Amendment shall strictly prevail.

IN WITNESS WHEREOF, the Parties have caused this Amendment to be executed by their duly authorized representatives as of the date set forth below.

DATED: _____

CITY OF TURLOCK, a municipal corporation

MUNISERVICES, LLC

By: _____
Gary R. Hampton, Acting City Manager

By: _____

Date: _____

Name: _____

APPROVED AS TO FORM:

Title: _____

By: _____
George A. Petrulakis, Interim City Attorney

ATTEST:

By: _____
Jennifer Land, City Clerk

6P

City Council Staff Report
May 25, 2021



From: Nathan Bray, P.E.,
Interim Development Services Director / City Engineer

Prepared by: Adam Hutchings, P.E., Associate Civil Engineer

Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Motion: Approving Contract Change Order No. 1 in the amount of \$142,369.80 (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 \$284,739.65

Resolution: Appropriating \$71,185 to account number 410-51-531.43145 "Pave Trenches" from Fund 410 "Water Quality Control (WQC)" unassigned reserves and \$71,185 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"

2. SYNOPSIS:

This action approves Contract Change Order No. 1 for an allowance to repair additional utility trenches to be added to the project's scope of work and appropriates funds for City Project No. 20-011 "City Utility Trench Repair 2020."

3. DISCUSSION OF ISSUE:

On February 23, 2021, the City Council approved an agreement with Arrow Construction, Inc., of Sacramento, California, for City Project No. 20-011 "City Utility Trench Repair 2020" in the amount of \$142,369.85. The scope of work of City Project No. 15-44 includes eighteen (18) trench repairs and involves the removal and replacement of the asphalt patch and backfill material with properly compacted aggregate base and hot mix asphalt as required to repair the trench consistent with City Standard Specifications and Drawings.

Construction began in May 2021. During the progress of work, City engineering staff learned that the locations included in the current scope of work are for trenches constructed in 2019. Upon review of the trench location list for 2020 and the current

list for 2021, sixty-six (66) additional trenches were identified as needing repair. Change Order No. 1 includes an allowance equal to the original contract amount to repair additional trench locations, beginning with the oldest trenches added in 2020. Bid item pricing will be used to the extent possible for new trenches added under Change Order No. 1.

Change Order History:

	Amount	City Council Meeting
Original Contract	\$ 142,369.85	February 23, 2021
Change Order No. 1	\$ 142,369.80	May 25, 2021
Adjusted Total Contract	\$ 284,739.65	

Engineering staff will prepare plans and specifications for an additional trench repair project to be bid in 2021 to repair the balance of the remaining trench locations identified in the 2020 trench location list, as well as the current 2021 trench location list.

4. BASIS FOR RECOMMENDATION:

- A. City Policy states the City Engineer is authorized to approve change orders up to 2%, the City Manager is authorized to approve change orders up to 5%, and all other change orders must be approved by the City Council.
- B. Contract Change Order No. 1 is necessary to repair additional trenches not included in the original project scope.

5. FISCAL IMPACT / BUDGET AMENDMENT:

***NOTE - No General Fund money will be used for this project.**

The designated project account numbers are 410-51-531.43145 "Pave Trenches" and 420-52-550.43145 "Pave Trenches." Each account is utilized to provide 50% of the funding for the project. Appropriations of \$71,185 are needed for each project account number to provide adequate funding in the amount of \$142,370 for Contract Change Order No. 1.

6. CITY MANAGER'S COMMENTS:

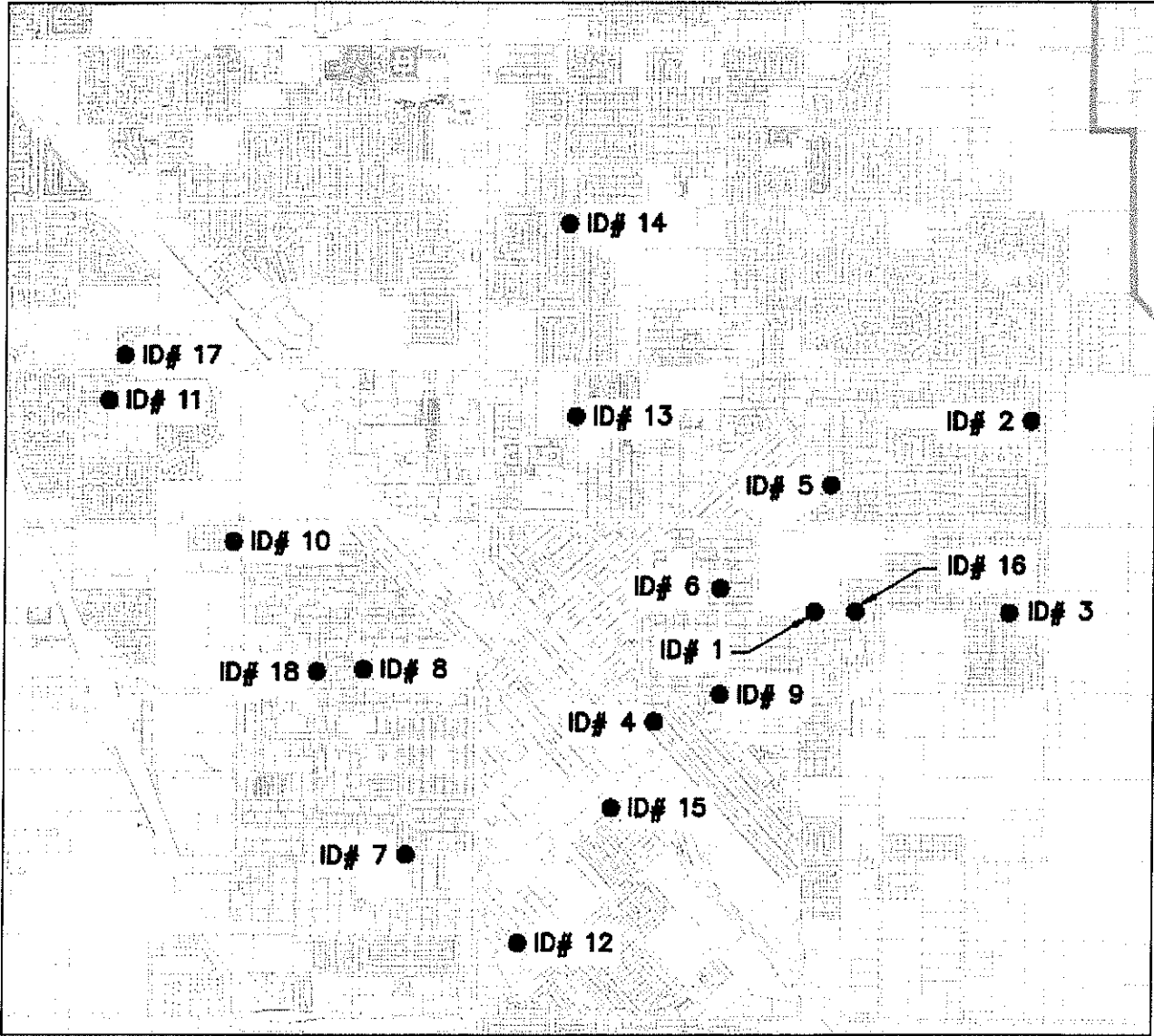
Recommend approval.

7. ENVIRONMENTAL DETERMINATION:

On February 23, 2021, the City Council determined this project is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines.

8. ALTERNATIVES:

- A. Council could choose to not approve Contract Change Order No. 1. Staff does not recommend this alternative as the additional work is necessary to repair additional trenches consistent with City Standard Specifications and Drawings.



PROJECT LOCATION MAP
(ORIGINAL PROJECT SCOPE)



CONTRACT CHANGE ORDER

Date issued: 25-May-21

Change Order No.: 1

Project Name: City Utility Trench Repair – 2020

Arrow Construction
 1850 Diesel Dr
 Sacramento, California 95838
 916-640-0600

Project No.: 20-011
 Original Contract Amount: \$142,369.85
 Contract Award Date: 2/23/21

You are directed to make the following changes in this contract as requested by The City of Turlock:

	ITEM	Unit:	Quantity:	Unit Price:	Total:
1	Repair additional utility trenches	ALLOW	1	\$142,369.80	\$142,369.80
Total this CCO=					\$142,369.80
<i>The original contract sum =</i>					\$142,369.85
<i>Net change by previous change orders =</i>					\$0.00
<i>The contract sum will increase in the amount of =</i>					\$142,369.80
<i>The new contract sum including this change order will be =</i>					\$284,739.65
The contract time will be deferred until project is complete.					

Accepted: _____
 Arrow Construction, Contractor

Date: _____

Recommended: _____
 Nathan Bray, Interim Development Services Director/City Engineer

Date: _____

Approved: _____
 Gary R. Hampton, Acting City Manager

Date: _____

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF APPROPRIATING \$71,185 } RESOLUTION NO. 2021-
TO ACCOUNT NUMBER 410-51-531.43145 }
"PAVE TRENCHES" FROM FUND 410 "WATER }
QUALITY CONTROL (WQC)" UNASSIGNED }
RESERVES AND \$71,185 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" }
_____ }

WHEREAS, the designated project account numbers are 410-51-531.43145 "Pave Trenches" and 420-52-550.43145 "Pave Trenches" and each account shall be utilized to provide 50% of the funding for the project; and

WHEREAS, by separate action, the City Council is requested to approve Change Order No. 1 to provide an allowance equal to the original contract amount to repair additional trench locations identified in need of repair; and

WHEREAS, the Fiscal Year 2020-21 budget does not include sufficient funding in project account numbers 410-51-531.43145 "Pave Trenches" or 420-52-550.43145 "Pave Trenches" to fund Change Order No. 1.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Turlock does hereby appropriate \$71,185 to account number 410-51-531.43145 "Pave Trenches" from Fund 410 "Water Quality Control (WQC)" unassigned reserves and \$71,185 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."

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

City Council Staff Report

May 25, 2021



6Q

From: Steven Williams, Interim Chief of Police
Prepared by: Miguel Pacheco, Police Captain
Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Resolution: Reducing the appropriation originally approved on February 23, 2021 by Resolution No. 2021-031 by \$74,169 from 110-20-210.38001_325 "Transfers In from CARES Act Funds" back to unassigned balance of CARES Act Fund 110-10-189 for funding not utilized for the two (2) School Resource Officer salaries due to the reopening of secondary schools and School Resource Officers being reassigned to high schools

2. SYNOPSIS:

Reducing the appropriation originally approved on Resolution No. 2021-031 with a transfer of \$74,169 back to CARES Act Funds due to the reopening of secondary schools in the Turlock Unified School District and School Resource Officers being reassigned to high schools.

3. DISCUSSION OF ISSUE:

The City of Turlock accepted \$2,508,525 as part of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). The receipt of the funds by the City of Turlock occurred over the course of several months in incremental payments. To date, the full amount of \$2,508,525 has been received by the City of Turlock.

On February 23, 2021, per Resolution No. 2021-031, Turlock City Council Authorized the use of CARES Act funds to support public safety through the temporary reassignment of two (2) School Resource Officers to Patrol whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency by appropriating \$285,000 from 110-10-189.48001_325 "Transfer Out to Respond to COVID-19 Pandemic" to 110-20-210.38001_325 "Transfer In from CARES Act Funds".

On March 15, 2021, it was determined that the temporary reassignment of two (2) School Resource Officers to patrol in order to mitigate or respond to the

COVID-19 public health emergency was no longer necessary. \$210,831 has been expensed per Resolution number 2021-031, therefore, a balance of \$74,169 will not be utilized and should be returned to CARES Act Fund.

4. BASIS FOR RECOMMENDATION:

As of March 15, 2021, the need no longer exists to augment patrol staff with two (2) School Resource Officers. The balance of unexpended funds per Resolution No. 2021-031 should be returned to the CARES Act Fund.

5. FISCAL IMPACT / BUDGET AMENDMENT:

Fiscal Impact

Returning \$74,169 to 110.10.189 "Cares Act Fund" from Police general fund 110-20-210.38001_325.

6. CITY MANAGER'S COMMENTS:

Recommend approval.

7. ENVIRONMENTAL DETERMINATION:

N/A

8. ALTERNATIVES:

- A. Council could reject the request to return \$74,169 to 110.10.189 "Cares Act Fund." This option is not recommended as the need for this funding to help augment patrol with SRO's is no longer necessary.

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF REDUCING THE }
APPROPRIATION ORIGINALLY APPROVED }
ON FEBRUARY 23, 2021 BY RESOLUTION }
NO. 2021-031 BY \$74,169 FROM }
110-20-210.38001_035 "TRANSFERS IN }
FROM CARES ACT FUNDS" BACK TO }
UNASSIGNED BALANCE OF CARES ACT }
FUND 110-10-189 FOR FUNDING NOT }
UTILIZED FOR THE TWO (2) SCHOOL }
RESOURCE OFFICER SALARIES DUE }
TO THE REOPENING OF SECONDARY }
SCHOOLS AND SCHOOL RESOURCE }
OFFICERS BEING REASSIGNED TO }
HIGH SCHOOLS }
_____ }

RESOLUTION NO. 2021-

WHEREAS, on February 23, 2021, City Council approved Resolution No. 2021-031, appropriating \$285,000 to account 110-20-210.38001_325 "Transfers in from CARES Act Fund"; and

WHEREAS, these funds were for the salaries of the two (2) School Resource Officers reassignment to Patrol to provide services substantially dedicated to mitigating or responding to COVID-19 public healthy emergencies; and

WHEREAS, on March 15, 2021, it was determined that the temporary reassignment was no longer necessary and the two (2) School Resource Officers were reassigned to the high schools; and

WHEREAS, only \$210,831 was expensed during the reassignment to Patrol and \$74,169 will not be utilized and should be returned to CARES Act Funds.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Turlock does hereby reduce the appropriation originally approved on February 23, 2021 by Resolution NO. 2021-031 by \$74,169 from 110-20-210.38001_325 "Transfers In from CARES Act Funds" back to unassigned balance of CARES Act Fund 110-10-189 for funding not utilized for the two (2) School Resource Officer salaries due to the reopening of secondary schools and School Resource Officers being reassigned to high schools.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF AMENDING THE ZONING }
MAP OF THE CITY OF TURLOCK, CALIFORNIA, }
ATTACHED TO TITLE 9 OF THE TURLOCK }
MUNICIPAL CODE [REZONE 2020-01 PLANNED }
DEVELOPMENT 279 (FIFTH STREET }
COMMUNITY)] }

ORDINANCE NO. - CS

BE IT ORDAINED by the City Council of the City of Turlock as follows:

SECTION 1. ENVIRONMENTAL DETERMINATION. The City Council finds that the report or declaration reflects the independent judgement of the lead agency and that the project will not have a significant impact on the environment and hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and directs that a Notice of Determination be filed.

SECTION 2. ZONING CHANGE. The Zoning Map of the City of Turlock is hereby amended to rezone the following described properties from Medium Density Residential (R-M) and High Density Residential (R-H) to Planned Development No. 279, under the provisions of Title 9 of the Turlock Municipal Code, and said real properties shall hereafter be subject to the provisions and regulations of this Chapter relating to properties located within such Districts. Said properties are described as follows:

1201 Fifth Street, Stanislaus County APN 043-016-004:

The Southwesterly 148.25 feet of Lot 32 of the Wright Subdivision, in Section 23, Township 5 South, Range 10 East, Mount Diablo Base and Meridian, according to the Map thereof filed in the office of the County Recorder of Stanislaus County, California, on April 16, 1903, in Vol. 1 of Maps, at Page 50; Also the Southwesterly 116.0 feet of the Northwesterly 148.25 feet of Lot 27 of the Wright Subdivision, in Section 23, Township 5 South, Range 10 East, Mount Diablo Base and Meridian, according to the Map thereof filed in the office of the County Recorder of Stanislaus County, California on April 16, 1903, in Vol. 1 of Maps, at page 50.

1233 Fifth Street, Stanislaus County APN 043-016-005:

Lot 32 and the Southwesterly 116.0 feet of Lot 27 of the Wright Subdivision, in Section 23, Township 5 South, Range 10 East, M. D. B. & M., according to the Map thereof filed in the Office of the County Recorder of Stanislaus County, California, on April 16, 1903 in Vol. 1 of Maps at Page 50. Excepting the Northwesterly 148.25 feet thereof.

1137 Fifth Street, Stanislaus County APN 043-059-001:

Parcel 2, as shown on the Parcel Map of Lot 33 of the Wright Subdivision, said Parcel Map

having been recorded on March 22, 1976 in Book 2 of Parcel Maps at Page 75, as Instrument No. 43041, Stanislaus County Records.

SECTION 3. ZONING MAP. The Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code is amended to appear as set forth on the map attached hereto (Exhibit A), which is hereby made a part of this ordinance by reference.

SECTION 4. VALIDITY. If any section, subsection, sentence, clause, word, or phrase, of this ordinance is held to be unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remainder of this ordinance. The Turlock City Council hereby declares that they would have passed this ordinance, and each section, subsection, sentence, clause, word, or phrase thereof, irrespective of the fact that one or more section, subsection, sentence, clause, word, or phrase be declared invalid or unconstitutional.

SECTION 5. ENACTMENT. This ordinance shall become effective and be in full force on and after thirty (30) days of its passage and adoption. Prior to the expiration of fifteen (15) days from the passage and adoption thereof, this ordinance shall be published in a newspaper of general circulation printed and published in the County of Stanislaus, State of California, together with names of the members of the City Council voting for and against the same.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

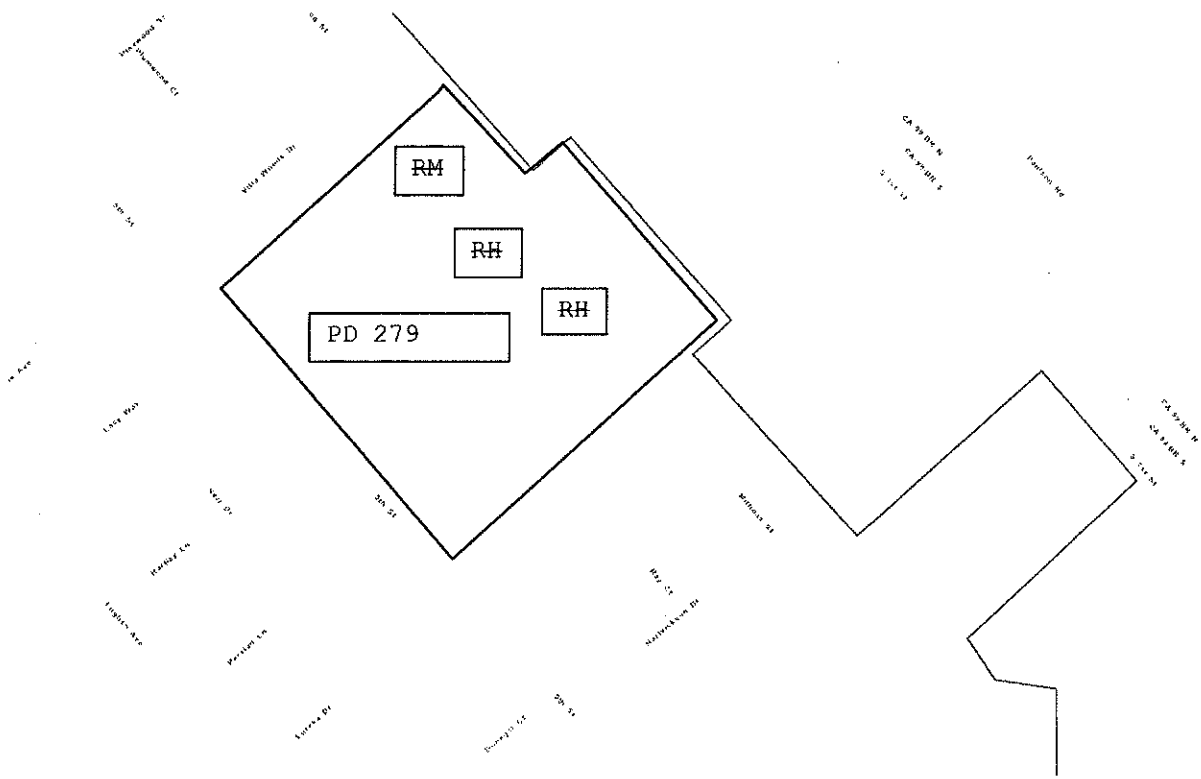
Signed and approved this 25th day of May, 2021.

Amy Bublak, Mayor

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

Exhibit A



BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

**IN THE MATTER OF ESTABLISHING
CONDITIONS OF APPROVAL FOR
PLANNED DEVELOPMENT 279
(FIFTH STREET COMMUNITY)**

RESOLUTION NO. 2021-

WHEREAS, NRB Investments has filed an application with the Secretary of the Planning Commission to rezone three parcels, one approximately 4.78 acre parcel zoned Medium Density Residential and two parcels totaling approximately 11.07 acres zoned High Density Residential to Planned Development 279 to allow for the development a 178 small-lot single family residential subdivision; and

WHEREAS, the rezoning would allow deviations from the minimum lot size, dimensions, setbacks and street widths required in the Medium and High Density Residential Zoning Districts; and

WHEREAS, typical lot sizes will range from 2,160 to 4,724 square feet; and

WHEREAS, the project will be developed generally in accordance with standards established for the Medium Density Residential (R-M) zoning district; and

WHEREAS, the properties affected by this Resolution are 1137, 1201 and 1233 Fifth Street, more particularly described as Stanislaus County Assessor's Parcel Numbers 043-059-001, 043-016-004 and 043-016-005; and

WHEREAS, said applications have been studied by City Staff and recommendations made to the Planning Commission; and

WHEREAS, the Planning Commission considered the request on April 1, 2021, and recommended that the proposed amendment to the official City of Turlock Zoning Map and establishment of Planned Community Development District No. 279 [PD-279 (Rezone 2020-01)] be authorized by the City Council; and

WHEREAS, on May 11, 2021, the City Council considered the request, the Planning Commission recommendation, and the Environmental Review documentation and testimony and found that Rezone No. 2020-01, and Planned Community Development District No. 279 (PD-279) will not have a significant adverse impact upon the environment and directed that a Notice of Determination for a Mitigated Negative Declaration be filed; and

WHEREAS, the City Council held a public hearing on May 11, 2021, and considered the public testimony before introducing the ordinance amending the zoning map of the City of Turlock, attached to Title 9 of the Turlock Municipal Code for Rezone 2020-01 (Fifth Street Community); and

WHEREAS, a second reading of the ordinance occurred on May 25, 2021 at a public noticed meeting, the Turlock City Council voted to enact the ordinance amending the zoning map of the City of Turlock, attached to Title 9 of the Turlock Municipal Code for Rezone 2020-01 (Fifth Street Community).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Turlock as follows:

Section 1. The City Council adopts a Mitigated Negative Declaration of Environmental Effect and Mitigation Monitoring and Reporting Program, having determined that the City of Turlock, as lead agency for the proposed project, has prepared an initial study to make the following findings:

1. Pursuant to CEQA Guidelines Section 15162, the proposed activity is adequately described and is within the scope of the General Plan EIR.
2. All feasible mitigation measures developed in the General Plan EIR have been incorporated into the project.
3. Pursuant to Public Resources Code Sections 21080(c)(2) and 21157.5, the initial study prepared for the proposed project has identified potential new or significant effects that were not adequately analyzed in the General Plan EIR, but feasible mitigation measures have been incorporated to revise the proposed subsequent project to avoid or mitigate the identified effects to a point where clearly no significant effects would occur.
4. There is no substantial evidence before the lead agency that that the subsequent project, as revised, may have a significant effect on the environment.
5. The analyses of cumulative impacts, growth inducing impacts, and irreversible significant effects on the environment contained in the General Plan EIR are adequate for this subsequent project.
6. Pursuant to CEQA Guidelines Section 15093, a Statement of Overriding Considerations was adopted for the General Plan EIR by Turlock City Council Resolution 2012-156. As identified in the Turlock General Plan EIR, development in the project area would result in significant, and unavoidable, impacts in the areas of noise, regional air quality, and the eventual loss of agricultural land. The magnitude of these impacts can be reduced, but not eliminated by the mitigation measures referenced in the initial study prepared for this project and General Plan EIR. Therefore, mitigation measures identified in the General Plan EIR, and its respective Statements of Overriding Considerations (contained in Turlock City Council Resolution No. 2012-156), are adequate to mitigate the impacts from the proposed project where feasible, and are hereby incorporated by reference.
7. Pursuant to Public Resources Code Section 21157.6(a), having reviewed the General Plan EIR, the City of Turlock finds and determines that:
 - a. There are no substantial changes that have occurred with respect to the circumstances under which the General Plan EIR was certified, and
 - b. There is no new available information which was not and could not have been known at the time the General Plan EIR was certified.

Section 2. That the City Council of the City of Turlock does hereby approve the development of Planned Community Development District No. 279 (PD-279), in accordance with the plan filed as part of the Planning Commission consideration, referred to above, and which is on file in the office of the Turlock Planning Division. The following

conditions shall apply, as well as compliance with all applicable codes and ordinances and shall be complied with prior to issuance of Certificate of Occupancy, or its equivalent, unless otherwise stipulated:

CONDITIONS FOR PLANNED DEVELOPMENT DISTRICT NO. 279 (PD-279)

1. This approval authorizes the rezoning of approximately 4.78 acres of Medium Density Residential and 11.07 acres of High Density Residential to Planned Development 279 to allow for the development of a gated, 178 small-lot single family residential subdivision.
2. Minor amendments to the site layout, building design, and other conditions contained within this approval may be authorized by the Development Services Director on a case-by-case basis, provided that such amendments are consistent with the overall intent and purpose of the conditions contained herein.
3. All development on the property shall be subject to the conditions set forth in Vesting Tentative Subdivision Map 2020-02, and all conditions therein
4. Planned Development 279 authorizes the development of 178 residential lots generally in conformance with the standards of the R-M zoning district as contained in Turlock Municipal Code § 9-3-200ART, unless otherwise stated herein.
5. The subdivision shall be developed in accordance with the vesting tentative subdivision map submitted as part of the application for this project, except as may be amended herein.
 - 1) Side yard setback 4’.
 - 2) Corner side yard setback 9’.
 - 3) Rear yard setback 10’.
 - 4) Front yard setback and driveway length 5’.
6. All mitigation measures contained in the Initial Study prepared for the proposed project are hereby made conditions of approval for Rezone 2020-01 and Planned Development 279.
7. The access gates shall be equipped with a “Knox Box” or similar system, approved by the Police and Fire Chiefs, or their designees.
8. Curbs shall be painted red in vehicle stacking areas and shall be posted as No Parking areas.
9. There shall be at least two entrances accessible to emergency vehicles.
10. Access shall be provided to the City’s designated waste hauler for on-site refuse collection.
11. At least 40’ of vehicle stacking room shall be provided between the gate and the public right of way.

12. A separate guest turn-out lane, with room for at least one vehicle (20 feet shall be provided for guests to await admission. This guest turn-out lane shall be located immediately adjacent to the main vehicle stacking area.
13. An entry telephone, or similar communications device, shall be provided in the guest turn-out area for visitors to contact their host for admission to the gated community. The entrance and exit lanes shall be clearly marked and separated by a landscaped median with a minimum width of 6 feet. The medial shall contain the entry control device. Drivers should not be forced out of their vehicles to use the entry control device.
14. The driveway approach shall be constructed of stamped concrete or a similarly textured material.
15. No gate shall swing outward into the vehicle stacking area.
16. A vehicle turn-around shall be provided in front of the gate. Under no circumstances should a vehicle be forced to back out of a vehicle stacking area.
17. No fence shall exceed seven feet in height, unless a documented noise study dictates otherwise.
18. No wall, fence, gate or other related appurtenance shall constitute a vision hazard as determined by the City Engineer or designee.
19. Walls shall not be located in the clear-vision triangle.

Section 3. That said Rezoning is hereby approved subject to compliance with all applicable codes and ordinances, and subject to the terms and conditions set forth herein.

Section 4. The Director of Development Services, or designee, is hereby directed to record this Resolution at the office of the County Recorder of the County of Stanislaus.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California



City Council Staff Report
May 25, 2021

From: Carl Brown, Interim Municipal Services Deputy Director

Prepared by: Danae Lawrence, Staff Services Technician

Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Resolution: Rescinding Resolution No. 2016-129 and adopting a new Resolution updating the 2020 Urban Water Management Plan and Water Shortage Contingency Plan for the City of Turlock

2. SYNOPSIS:

Rescinding Resolution No. 2016-129 and adopting a new Resolution to update the Urban Water Management Plan and Water Shortage Contingency Plan.

3. DISCUSSION OF ISSUE:

California urban water suppliers that provide 3,000 acre-feet or more of water annually, or serve more than 3,000 connections, are required to prepare and adopt an Urban Water Management Plan (UWMP). An UWMP documents the adequacy of water supplies for existing and future water demands. It is also used to support long-term water resource planning and allows water suppliers to assess the reliability of their water supply. UWMPs must be updated every five years and include a 20-year planning horizon. The 2015 UWMP was adopted in June 2016.

The Urban Water Management Planning Act (Act) requires those amending or preparing UWMPs and Water Shortage Contingency Plans (WSCPs) to notify the cities and counties, within which the preparer supplies water, at least 60 days prior to the public hearing that the process of amending the UWMP has begun. Letters were e-mailed to the City, Stanislaus County, and 16 other interested parties on January 27, 2021 informing them of the City of Turlock 2020 UWMP and WSCP update.

The Act also requires a draft of the UWMP and WSCP be made available for public review at least two weeks prior to the public hearing. The City of Turlock released the draft UWMP and WSCP on May 11, 2021. Since its release the UWMP has been available for public review on the City of Turlock's Website (cityofturlock.org).

A public notice was published in the Turlock Journal on May 8, 2021 and May 15, 2021 informing the public of the hearing and where the draft UWMP and WSCP were available for viewing on the City's website and in the Municipal Services Department.

The State of California's Department of Water Resources (DWR) requires the 2020 UWMP and WSCP to be submitted by July 1, 2021. DWR will review the submitted plans to verify water suppliers have completed the requirements identified in the Act. Failure to comply with the Act may result in the inability to obtain future grants and loans from the State.

4. BASIS FOR RECOMMENDATION:

- A. In accordance with the Urban Water Management Planning Act (California Water Code Sections 10610 – 10657), the City of Turlock is required to update its UWMP and submit it to DWR by July 1, 2021. In addition, DWR has imposed new requirements for urban water suppliers to adopt within the WSCP.
- B. Long-term water resource planning is critical to ensure sustainability to meet current and future needs of consumers.
- C. Ensure compliance with the State which is necessary to obtain future grants and loans.

5. FISCAL IMPACT / BUDGET AMENDMENT:

Fiscal Impact: No impact to the General Fund.

6. CITY MANAGER'S COMMENTS:

Recommend approval.

7. ENVIRONMENTAL DETERMINATION:

N/A

8. ALTERNATIVES:

- A. Do not approve the 2020 UWMP and WSCP. This alternative is not recommended. By not meeting the State's deadline of submitting a 2020 UWMP and WSCP by July 1, 2021, it puts the City at risk of potentially not receiving future State grants and loans.

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF RESCINDING }
RESOLUTION NO. 2016-129 AND ADOPTING A }
NEW RESOLUTION UPDATING THE 2020 }
URBAN WATER MANAGMENT PLAN AND }
WATER SHORTAGE CONTINGENCY PLAN }
FOR THE CITY OF TURLOCK }
_____}

RESOLUTION NO. 2021-

WHEREAS, the Urban Water Management Planning Act (Act) requires water suppliers with 3,000 connections or more, or supplying 3,000 or more acre-feet of water per year, to prepare an Urban Water Management Plan (UWMP) every five years; and

WHEREAS, the UWMP assists water suppliers in mapping out long-term water resource planning to ensure an adequate water supply is available to meet existing and future water demands over a 20-year planning horizon; and

WHEREAS, water suppliers are required to report, describe, and evaluate water deliveries and uses, existing and future water supply sources, efficient water uses, demand management measures, water shortage contingency planning and drought response actions; and

WHEREAS, the City of Turlock has prepared the 2020 UWMP in compliance with the Act; and

WHEREAS, the 2020 UWMP and Water Shortage Contingency Plan must be submitted to the State of California’s Department of Water Resources by July 1, 2021.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Turlock does hereby rescind Resolution No. 2016-129 and adopt a new Resolution updating the 2020 Urban Water Management Plan and Water Shortage Contingency Plan for the City of Turlock.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

- AYES:
- NOES:
- NOT PARTICIPATING:
- ABSENT:

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

2020 Urban Water Management Plan
is available for review at the following locations:

City of Turlock Municipal Services Department

City Clerk's Office

City of Turlock Website
(https://cityofturlock.org/_pdf/files/2020UWMPPublicDraft-FINAL.pdf)

City Council Staff Report

May 25, 2021



From: Carl Brown, Interim Municipal Services Deputy Director

Prepared by: Danae Lawrence, Staff Services Technician

Agenized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Ordinance: Amending the Turlock Municipal Code Title 6, Chapter 7, regarding water conservation and education in accordance with Department of Water Resources' (DWR) new requirements for urban water suppliers to adopt within the Water Shortage Contingency Plan (WSCP)

2. SYNOPSIS:

Amending the Turlock Municipal Code to make updates to the water conservation stages listed in the Water Shortage Contingency Plan required by DWR.

3. DISCUSSION OF ISSUE:

In 2018, the California State Legislature enacted two policy bills, SB 606 (Hertzberg) and AB 1668 (Friedman) (2018 Water Conservation Legislation), to establish a new foundation for long-term improvements in water conservation and drought planning to adapt to climate change and the resulting longer and more intense droughts in California. The 2018 Water Conservation Legislation set new requirements for water shortage contingency planning. The proposed updates to the Turlock Municipal Code Title 6, Chapter 7, relating to water conservation and education listed in the water conservation stages are consistent with these requirements.

4. BASIS FOR RECOMMENDATION:

- A. Updating the Turlock Municipal Code with the proposed changes to Title 6, Chapter 7, regarding water conservation and education will ensure compliance with DWR's imposed new requirements for urban water suppliers to adopt a Water Shortage Contingency Plan (WSCP).

- B. The updated water conservation stages listed in the WSCP will ensure Turlock's drinking water supply will be able to meet its demand in dry years.
- C. Updating the Turlock Municipal Code to reflect the updated water conservation stages is necessary to ensure compliance with the State, which is necessary to obtain future grants and loans.
- D. Updating the Turlock Municipal Code to remove section 6-7-403 "City Manager: Authorized Action" is necessary to be in compliance with California Water Code Division 1, Section 350 that states "The governing body of a distributor of a public water supply...shall declare a water shortage emergency condition to prevail within the area served by such distributor whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the distributor to the extent that there would be insufficient water for human consumption, sanitation, and fire protection."

5. FISCAL IMPACT / BUDGET AMENDMENT:

Fiscal Impact: No impact to the General Fund or Enterprise Fund.

6. CITY MANAGER'S COMMENTS:

Recommend approval.

7. ENVIRONMENTAL DETERMINATION:

N/A

8. ALTERNATIVES:

- A. Not accept the changes to the Municipal Code. This option is not recommended due to the water conservation stages being listed in the newly updated WSCP per DWR's requirements.

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF AMENDING THE
TURLOCK MUNICIPAL CODE TITLE 6,
CHAPTER 7, REGARDING WATER
CONSERVATION AND EDUCATION IN
ACCORDANCE WITH DEPARTMENT OF
WATER RESOURCES' (DWR) NEW
REQUIREMENTS FOR URBAN WATER
SUPPLIERS TO ADOPT WITHIN THE WATER
SHORTAGE CONTINGENCY PLAN (WSCP)

ORDINANCE NO. -CS

WHEREAS, in accordance with the Urban Water Management Planning Act (California Water Code Sections 10610 – 10657), the City of Turlock is required to update its Urban Water Management Plan (UWMP) and submit it to the State of California's Department of Water Resources (DWR) by July 1, 2021. In addition, DWR has imposed new requirements for urban water suppliers to adopt within the Water Shortage Contingency Plan (WSCP); and

WHEREAS, amending the Turlock Municipal Code Title 6, Chapter 7, regarding water conservation and education will reflect the changes made to the water conservation stages listed in the WSCP.

BE IT ORDAINED by the City Council of the City of Turlock as follows:

SECTION 1. AMENDMENT: Title 6, Chapter 7, Article 3, Section 01 is hereby amended to read as follows:

6-7-301 Outdoor landscape watering.

(a) Outdoor landscape watering is prohibited between the hours of 9:00 a.m. and 7:00 p.m.

SECTION 2. AMENDMENT: Title 6, Chapter 7, Article 4, Section 03 is hereby amended to read as follows:

6-7-403 City Manager: Authorized action.

The City Manager, or his or her designee, is hereby authorized and directed to implement the provisions of this chapter upon a declaration by the City Council that a water shortage emergency condition prevails as specified in Section 6-7-405.
~~determination that same is necessary to protect the public welfare and safety.~~

SECTION 3. AMENDMENT: Title 6, Chapter 7, Article 4, Section 05 is hereby amended to read as follows:

6-7-405 Water conservation stages.

(a) Stage 1. Mandatory water conservation compliance: Warning. Upon implementation of this chapter by the City Manager Council pursuant to ~~TMC 6-7-403~~, Water Code Division 1, Section 350, and publication of notice that Stage 1 mandatory water conservation compliance measures are in effect, in addition to the Outdoor Landscape Watering, Water Use Prohibitions, and Acts Constituting Water Wasting, the following mandatory conservation compliance measures shall apply:

(1) Outdoor landscape watering. Outdoor landscape watering shall be limited to three (3) times per week on an odd-even basis. If the address ends in an even number, the water days shall be Tuesdays, Thursdays, and Saturdays. If the address ends in an odd number, the watering days shall be Wednesdays, Fridays, and Sundays. No outdoor landscape watering on Mondays. Drip irrigation systems shall be exempt.

(2) Outdoor landscape watering is prohibited between the hours of 9:00 a.m. and 9:00 p.m.

(3) Large commercial landscapes and City parks may have individual watering schedules approved by the Municipal Services Department.

(4) Residential vehicle washing. Residents shall be allowed to wash their vehicles as established by TMC 6-7-302(d).

(b) Stage 2. Mandatory water conservation compliance: Warning. Upon implementation of this chapter by the City Manager Council pursuant to Water Code Division 1, Section 350, TMC 6-7-403, and publication of notice that Stage 2 mandatory water conservation compliance measures are in effect, in addition to the Outdoor Landscape Watering, Water Use Prohibitions, and Acts Constituting Water Wasting and Stage 1 measures, the following Stage 2 mandatory conservation compliance measures shall apply:

(1) Outdoor landscape watering. Outdoor landscape watering shall be limited to two (2) times per week on an odd-even basis. If the address ends in an even number, the watering days shall be Tuesdays and Saturdays. If the address ends in an odd number, the watering days shall be Wednesdays and Sundays. No outdoor landscape watering on Monday, Thursday, and Friday. Drip irrigation systems shall be exempt.

~~(2) Outdoor landscape watering is prohibited between the hours of 9:00 a.m. and 7:00 p.m.~~

~~(23) Large commercial landscapes and City parks shall also be limited to two (2) days per week, as scheduled by the Municipal Services Department.~~

~~(4) Residential vehicle washing. Residents shall be allowed to wash their vehicles as established by TMC 6-7-302(d).~~

~~(5) Further use of decorative fountains or reflection ponds shall be discontinued until further notice.~~

(c) Stage 3. Mandatory water conservation compliance: Warning. Upon implementation of this chapter by the City Council Manager pursuant to ~~TMC 6-7-403~~ Water Code Division 1, Section 350, and publication of notice that Stage 3 mandatory water conservation compliance measures are in effect, in addition to the Outdoor Landscape Watering, Water Use Prohibitions, and Acts Constituting Water Wasting, Stage 1 and Stage 2 measures and the following Stage 3 mandatory conservation compliance measures shall apply:

(1) Outdoor landscape watering shall be limited to one (1) day per week on and odd-even basis. If the address ends in an even number, the watering day shall be Saturdays. If the address ends in an odd number, the watering day shall be Sundays. No outdoor landscape watering Monday through Friday. Drip irrigation systems shall be exempt.

~~(2) Outdoor landscape watering is prohibited between the hours of 9:00 a.m. and 7:00 p.m.~~

~~(23) Large commercial landscaping and City parks shall be limited to one (1) day per week, as scheduled by the Municipal Services Department.~~

~~(4) Filling newly constructed or drained swimming pools with City water shall be prohibited.~~

~~(35) Construction water from City fire hydrants shall be banned but treated effluent recycled water from the City of Turlock's Regional Water Quality Control Facility may be made available for construction water purposes.~~

~~(6) Further use of decorative fountains or reflection ponds shall be discontinued until further notice.~~

~~(47) Washing of automobiles, trucks, trailers, boats, airplanes, and other types of mobile equipment not occurring upon the immediate premises of commercial car washes and commercial service stations and not in immediate interest of the public health, safety, and welfare shall be prohibited.~~

~~(5) Further use of decorative fountains or reflection ponds shall be discontinued until further notice.~~

(d) Stage 4. Mandatory water conservation compliance: Warning. Upon implementation of this chapter by the City Council Manager pursuant to Water Code Division 1, Section 350~~TMC 6-7-403~~, and publication of notice that Stage 4 mandatory water conservation compliance measures are in effect, in addition to the Outdoor Landscape Watering, Water Use Prohibitions, and Acts Constituting Water Wasting, Stage 1, Stage 2 and

Stage 3 measures and the following Stage 4 mandatory conservation compliance measures shall apply:

~~(1) Outdoor landscape watering shall be prohibited~~limited to one day per week, for trees only, only if a quick-acting automatic positive shut-off valve is used and in proper operating condition. ~~This includes multi-purpose commercial landscapes and City parks and median strips, and drip irrigation.~~

~~(2) Industry and commercial businesses shall be required to curtail consumption in order to maintain adequate supplies of water for health and safety.~~

~~(3) If there is total well failure, disaster relief from outside the City of Turlock shall be required.~~

(e) Stage 5. Mandatory water conservation compliance: Warning. Upon implementation of this chapter by the City Council pursuant to Water Code Division 1, Section 350, and publication of notice that Stage 5 mandatory water conservation compliance measures are in effect, in addition to the Outdoor Landscape Watering, Water Use Prohibitions, and Acts Constituting Water Wasting, Stage 1, Stage 2 Stage 3 and Stage 4 measures and the following Stage 5 mandatory conservation compliance measures shall apply:

(1) Large commercial landscaping and City parks shall be limited to one (1) day per month, as scheduled by the Municipal Services Department.

(f) Stage 6. Mandatory water conservation compliance: Warning. Upon implementation of this chapter by the City Council pursuant to Water Code Division 1, Section 350, and publication of notice that Stage 6 mandatory water conservation compliance measures are in effect, in addition to the Outdoor Landscape Watering, Water Use Prohibitions, and Acts Constituting Water Wasting, Stage 1, Stage 2 Stage 3, Stage 4 and Stage 5 measures and the following Stage 6 mandatory conservation compliance measures shall apply:

- (1) Industry and commercial businesses shall be required to curtail consumption to maintain adequate supplies of water for health and safety
- (2) Outdoor landscape watering shall be prohibited
- (3) Filling newly constructed or drained swimming pools with City water shall be prohibited.

SECTION 4. VALIDITY: If any section, subsection, sentence, clause, word, or phrase of this ordinance is held to be unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remainder of this ordinance. The Turlock City Council hereby declares that they would have passed this ordinance, and each section, subsection, sentence, clause, word, or phrase thereof, irrespective of the fact that one or more section, subsection, sentence, clause, word, or phrase be declared invalid or unconstitutional.

SECTION 5. ENACTMENT: Prior to the expiration of fifteen (15) days from the passage and adoption thereof, this ordinance shall be published in a newspaper of general circulation printed and published in the County of Stanislaus, State of California, together with names of the members of the City Council voting for and against the same.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 8th day of June, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

Signed and approved this ____ day of _____, 2021.

Amy Bublak, Mayor

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

City Council Staff Report

May 25, 2021



From: Nathan Bray, P.E.,
Interim Development Services Director / City Engineer

Prepared by: Stephen Fremming, P.E., Principal Civil Engineer

Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Resolution: Authorizing the sole source specification of various equipment and sole source procurement of pumps, pump motors, and variable frequency drives identified in the included tables necessary for construction of City Project No. 18-69 "Surface Water Distribution System Improvements" without compliance to formal bidding procedures pursuant to Turlock Municipal Code Sections 2-7-08(b)(2) and 2-7-08(b)(6)

Motion: Approving the advertisement for construction bids for City Project No. 18-69 "Surface Water Distribution System Improvements"

2. SYNOPSIS:

These actions authorize the sole source specification of various equipment, sole source procurement of pumps, pump motors, and variable frequency drives, and authorize staff to advertise City Project No. 18-69 "Surface Water Distribution System Improvements" for construction bids.

3. DISCUSSION OF ISSUE:

As members of the Stanislaus Regional Water Authority (SRWA), the City of Turlock and the City of Ceres have been working with Turlock Irrigation District (TID) to develop a Regional Surface Water Supply Project (RSWSP) which, when completed, will produce raw water for TID and treated water for use by the cities. In June 2020, both the City of Turlock and the SRWA Board voted to move forward with the RSWSP which will include design and construction of treatment and conveyance facilities providing 15 million gallons of treated drinking water per day (10 MGD for Turlock, 5 MGD for Ceres). The SRWA has executed a contract with Jacobs Engineering to design and build the RSWSP; and design and construction is now in progress.

On December 11, 2018, the City Council approved an agreement with Carollo Engineers to provide preliminary design services for City Project No. 18-69 "Surface Water Distribution System Improvements." The project is necessary in order to receive, store, pump, and distribute the new surface water supply into the City's existing distribution system. It is anticipated that 100% plans and specifications will be ready for bidding in June 2021. The project scope includes:

- Large diameter pipelines up to 54 inches in diameter to convey treated surface water to the City's potable water distribution system
- A 40-foot-tall concrete reservoir with 2.3 million gallons of storage volume
- Booster pump station housed in a building to convey treated surface water from SRWA to the City's distribution system
- Surge tank to prevent damage to City facilities
- Emergency diesel-fired generator
- Overflow retention basin for storage of an entire tank volume
- Three (3) pressure reducing valves at the connection points to City's existing distribution system

Section 2-7-08(b) of the Turlock Municipal Code (TMC) allows the City Council to procure certain items via sole source as opposed to the formal bidding procedures established in Section 2-7-08 of the TMC in certain situations. The relevant TMC sections are as follows:

- *TMC Section 2-7-08(b)(2) When the supplies, materials, equipment, or services can be obtained from only one (1) vendor.*
- *TMC Section 2-7-08(b)(6) When the Council shall have adopted a resolution by at least four (4) affirmative votes determining that the best interests of the City require that the purchase be made without compliance with the formal bid procedure.*

Due to the time constraints with this project, the long lead times for certain critical components and the potential for liquidated damages for failure to perform, staff recommends the City Council utilize TMC Sections 2-7-08(b)(2) & (6) for procurement of certain items as listed below.

The City is committed to active competition in the design and construction of public works projects. However, there are cases where distinct advantages are gained relating to uniformity of maintenance activities when specifying certain equipment without opportunity for substitution. Staff recommends that various manufactured equipment be specified in the project's contract documents to be purchased and installed by the construction contractor without an opportunity for substitution for an alternate manufacturer as identified in the table directly below.

<u>City Project No. 18-69 "Surface Water Distribution System Improvements"</u>				
<u>Proposed Sole Source Specified Equipment</u>				
<u>Specific- ation no.</u>	<u>Equipment Description</u>	<u>Manufac- urer</u>	<u>Product Cost Estimate</u>	<u>Justification</u>
15117	Altitude Valve	Cla-Val	\$120,000	Cla-Val altitude valves are installed at the City's two other tank and pump stations. By matching existing equipment, maintenance costs are reduced due to interchangeable parts, familiarity of the equipment, and decreasing the need to stock inventory from different manufacturers.
17302	Flowmeter	Siemens SitTrans	\$22,500	Siemens magnetic flowmeters are currently installed at other pump stations in the City. By matching existing equipment, maintenance costs are reduced due to interchangeable parts, familiarity of the equipment, and decreasing the need to stock inventory from different manufacturers.
15050	Mechanical Seals	Chesterton	\$5,000	By matching existing equipment, maintenance costs are reduced due to interchangeable parts, familiarity of the equipment, and decreasing the need to stock inventory from different manufacturers.
11122	Tank Mixer	GridBee	\$12,000	GridBee mixer has performed well in other areas. By matching existing equipment, maintenance costs are reduced due to interchangeable parts, familiarity of the equipment, and decreasing the need to stock inventory from different manufacturers.

11312K	Submersible Pump, Detention basin pump station	Flygt	\$45,000	The City has approval to sole source Flygt Pumps per Resolution No. 2005-174 due to extensive use, ease of maintenance, and interchangeable parts
17720	PLC	Rockwell Software Controllogix platform and I/O cards	\$50,000	Match existing equipment at other facilities.
	SCADA	VTSCADA software	\$3,000	Match existing equipment at other facilities.
17750	Radios	General Electric Orbit	\$20,000	Match existing equipment at other facilities.
ESTIMATED TOTAL			\$277,500	

Per the executed contract between SRWA and Jacobs Engineering, the City of Turlock's surface water distribution facility project must be complete prior to January 15, 2023. If the City does not meet the completion date specified in the SRWA-Jacobs contract, the City may be subject to monetary risk should there be demonstrated impacts to Jacobs Engineering associated with late project delivery such as re-mobilizations, loss of production, extended overhead, and re-disinfection/water quality impacts. In order to complete the City's project prior to the January 15, 2023 deadline, it is necessary for the City to pre-purchase select equipment that would traditionally be purchased by the awarded construction contractor to expedite the delivery of long-lead time items for manufacturing.

On November 10, 2020, the City Council approved Amendment No. 4 to the agreement with Carollo Engineers to include additional tasks to develop procurement documents for equipment known to require a long lead time for the purpose of pre-purchase by the City. As part of their work in Amendment No. 4, Carollo Engineers reviewed equipment lead times and compared it with the anticipated construction schedule. Carollo Engineers has determined that horizontal centrifugal pumps, pump motors, and variable frequency drives (VFDs) must be pre-purchased by the City to maintain the intended schedule and complete the project prior to the January 15, 2023 deadline.

The proposed resolution also requests Council to authorize the sole source procurement and purchase of pumps, pump motors, and variable frequency drives (VFDs) without compliance to formal bidding procedures. City staff will request Council's approval for a purchase order agreement for the pumps, pump motors, and VFDs identified in the table directly below at a future time once the scope and pricing have been determined and reviewed by Carollo Engineers and City staff.

City Project No. 18-69 "Surface Water Distribution System Improvements"				
Proposed Sole Source Pre-Purchased Equipment				
<u>Specification no.</u>	<u>Equipment Description</u>	<u>Manufacturer</u>	<u>Product Cost Estimate</u>	<u>Justification</u>
11312H	Horizontal Split Case Pumps	Patterson Pumps	\$200,000	Patterson Pumps are installed at other water storage tank sites. By matching existing equipment, maintenance costs are reduced due to interchangeable parts, familiarity of the equipment, and decreasing the need to stock inventory from different manufacturers. These pumps will be purchased from the only authorized vendor of Patterson Pumps in this region, Thomas & Associates of Novato, California.
16222	Pump Motors	US Motors, General Electric, Reliance, Toshiba, or Baldor	\$200,000	The pump motors will be directly purchased from the only authorized vendor of Patterson Pumps in this region, Thomas & Associates of Novato, California. The pumps, motors and VFDs are integral equipment, required to be tested together by the pump manufacturer such that there is a single point of responsibility for factory acceptance testing. Pump motor equipment is not required to be from a single specified manufacturer. Thomas & Associates will be required to provide the lowest cost pump motors that meet the specification requirements.

16265	Pump Variable Frequency Drives (VFDs)	Eaton, Allen Bradley, Schneider Electric, or GE by ABB	\$200,000	The pump VFDs will be directly purchased from the only authorized vendor of Patterson Pumps in this region, Thomas & Associates of Novato, California. The pumps, motors and VFDs are integral equipment, required to be tested together by the pump manufacturer such that there is a single point of responsibility for factory acceptance testing. VFD equipment is not required to be from a single manufacturer. Thomas & Associates will be required to provide the lowest cost VFDs that meet the specification requirements.
ESTIMATED TOTAL			\$600,000	

Plans and specifications for the project are now complete and staff requests authorization to advertise the project for construction bids.

4. BASIS FOR RECOMMENDATION:

- A. Section 2-7-08(b)(6) of the Turlock Municipal Code allows for deviation from normal competitive bidding procedures when the Council adopts a resolution by at least four (4) affirmative votes determining that the best interests of the City require that the purchase be made without compliance with the formal bid procedure.
- B. Section 2-7-08(b)(2) of the Turlock Municipal Code allows for deviation from normal competitive bidding procedures when the equipment can be obtained from only one vendor. Patterson Pumps are only available through a single authorized vendor, Thomas & Associates of Novato, California.
- C. Per Resolution No. 2009-247, the City Council must authorize the advertisement of projects estimated over one million dollars.

5. FISCAL IMPACT / BUDGET AMENDMENT:

No General Fund Monies will be used for this project.

The total estimated construction costs are displayed below:

Estimated Contractor Bid Cost	\$ 30,500,000
Construction Contingency	\$ 1,525,000
Construction Management	\$ 1,600,000
Engineering Services During Construction	\$ 1,500,000
City Engineering Services	\$ 180,000
Environmental Monitoring	\$ 80,000
Encroachment Permit Fees	\$ 75,000
Estimated Construction Costs Total	\$ 35,460,000

The costs listed above are estimates only and will be revised to reflect actual amounts at the time of the award of bid of the construction contract. Construction costs will be incurred in Fiscal Years 2021-22 and 2022-23. The Municipal Services Department has identified funding from Fund 420 for project costs estimated to be incurred in the Fiscal Year 2021-22 budget. If additional funds are needed beyond what is included in the Fiscal Year 2021-22 budget, an appropriation will be requested at the time of the award of the construction contract.

6. CITY MANAGER’S COMMENTS:

Recommend approval.

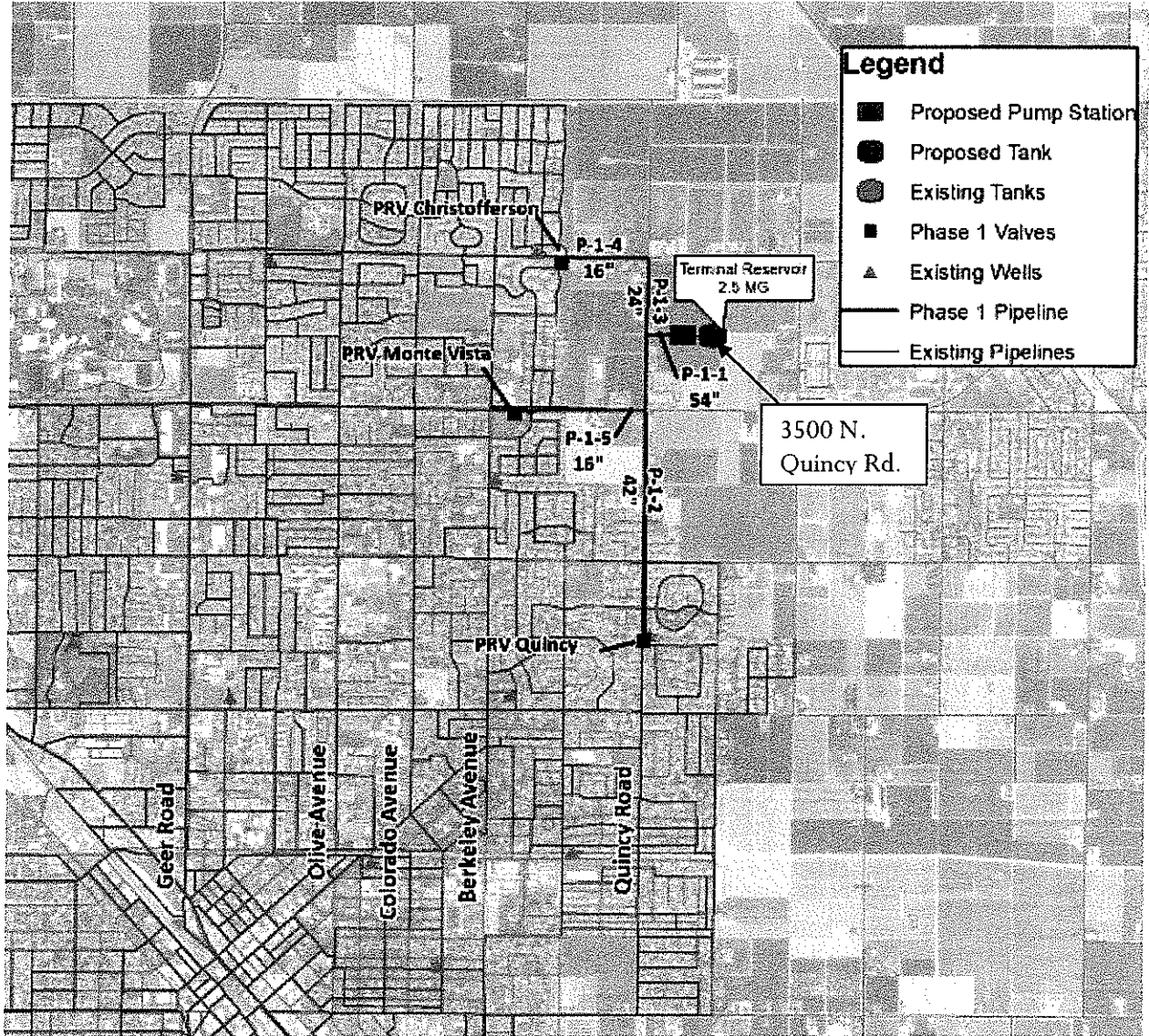
7. ENVIRONMENTAL DETERMINATION:

The SRWA surface water project includes a complete environmental assessment, including a Final Environmental Impact Report not only for the RSWSP, but also for the City’s local distribution facilities. SRWA is the lead agency as concerns CEQA for this project and has completed all necessary CEQA actions and determinations. Therefore, no additional environmental determination is needed at this time.

8. ALTERNATIVES:

- A. Council could deny the sole source specification of various equipment and sole source procurement of pumps, pump motors, and variable frequency drives. This action is not recommended as sole sourcing will allow the City to standardize on maintenance activities including parts and services across multiple City utility assets.
- B. Council could deny City staff to advertise the project. This is not recommended because the project is needed and funding is available.

Project Location Map



BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF AUTHORIZING THE	}	RESOLUTION NO. 2021-
SOLE SOURCE SPECIFICATION OF	}	
VARIOUS EQUIPMENT AND SOLE SOURCE	}	
PROCUREMENT OF PUMPS, PUMP MOTORS,	}	
AND VARIABLE FREQUENCY DRIVES	}	
IDENTIFIED IN THE INCLUDED TABLES	}	
NECESSARY FOR CONSTRUCTION OF	}	
CITY PROJECT NO. 18-69 "SURFACE WATER	}	
DISTRIBUTION SYSTEM IMPROVEMENTS"	}	
WITHOUT COMPLIANCE TO FORMAL BIDDING	}	
PROCEDURES PURSUANT TO TURLOCK	}	
MUNICIPAL CODE SECTIONS 2-7-08(B)(2)	}	
AND 2-7-08(B)(6)	}	
<hr/>		

WHEREAS, by separate action, Council is requested to authorize City Project No. 18-69 "Surface Water Distribution System Improvements" for advertisement for construction bids; and

WHEREAS, the project includes specialty equipment for conveying potable water from the point of connection to the Stanislaus Regional Water Authority (SRWA) pipeline to a proposed water storage tank, booster pump station, and City water distribution system; and

WHEREAS, Section 3400(c)(2) of the Public Contract code allows for the sole source of materials "in order to match other products in use on a particular public improvement either completed or in the course of completion"; and

WHEREAS, Section 2-7-08(b)(6) of the Turlock Municipal Code allows for deviation from normal competitive bidding procedures when the Council shall have adopted a resolution by at least four (4) affirmative votes determining that the best interests of the City require that the purchase be made without compliance with the formal bid procedure; and

WHEREAS, Section 2-7-08(b)(2) of the Turlock Municipal Code allows for deviation from normal competitive bidding procedures when the equipment can be obtained from only one (1) vendor; and

WHEREAS, it is recommended that various manufactured equipment be specified in the project's contract documents to be purchased and installed by the construction contractor without an opportunity for substitution for an alternate manufacturer as identified in the table directly below; and

<u>City Project No. 18-69 "Surface Water Distribution System Improvements"</u>				
<u>Proposed Sole Source Specified Equipment</u>				
<u>Specific- ation no.</u>	<u>Equipment Description</u>	<u>Manufact- urer</u>	<u>Product Cost Estimate</u>	<u>Justification</u>
15117	Altitude Valve	Cla-Val	\$120,000	Cla-Val altitude valves are installed at the City's two other tank and pump stations. By matching existing equipment, maintenance costs are reduced due to interchangeable parts, familiarity of the equipment, and decreasing the need to stock inventory from different manufacturers.
17302	Flowmeter	Siemens SitTrans	\$ 22,500	Siemens magnetic flowmeters are currently installed at other pump stations in the City. By matching existing equipment, maintenance costs are reduced due to interchangeable parts, familiarity of the equipment, and decreasing the need to stock inventory from different manufacturers.
15050	Mechanical Seals	Chesterton	\$ 5,000	By matching existing equipment, maintenance costs are reduced due to interchangeable parts, familiarity of the equipment, and decreasing the need to stock inventory from different manufacturers.
11122	Tank Mixer	GridBee	\$ 12,000	GridBee mixer has performed well in other areas. By matching existing equipment, maintenance costs are reduced due to interchangeable parts, familiarity of the equipment, and decreasing the need to stock inventory from different manufacturers.
11312K	Submersible Pump, Detention basin pump station	Flygt	\$ 45,000	The City has approval to sole source Flygt Pumps per Resolution No. 2005-174 due to extensive use, ease of maintenance, and

				interchangeable parts
17720	PLC	Rockwell Software Controllogix platform and I/O cards	\$ 50,000	Match existing equipment at other facilities.
	SCADA	VTSCADA software	\$ 3,000	Match existing equipment at other facilities.
17750	Radios	General Electric Orbit	\$ 20,000	Match existing equipment at other facilities.
ESTIMATED TOTAL			\$277,500	

WHEREAS, per the executed contract between SRWA and Jacobs Engineering, the City of Turlock’s surface water distribution facility project must be complete prior to January 15, 2023, and it is recommended that the horizontal centrifugal pumps, pump motors, and variable frequency drives be pre-purchased by the City and delivered to the contractor for installation without compliance to formal bidding procedures in order to assist in meeting the targeted project completion date as identified in the table directly below.

<u>City Project No. 18-69 “Surface Water Distribution System Improvements”</u>				
<u>Proposed Sole Source Pre-Purchased Equipment</u>				
<u>Specific- ation no.</u>	<u>Equipment Description</u>	<u>Manufact- urer</u>	<u>Product Cost Estimate</u>	<u>Justification</u>
11312H	Horizontal Split Case Pumps	Patterson Pumps	\$200,000	Patterson Pumps are installed at other water storage tank sites. By matching existing equipment, maintenance costs are reduced due to interchangeable parts, familiarity of the equipment, and decreasing the need to stock inventory from different manufacturers. These pumps will be purchased from the only authorized vendor of Patterson Pumps in this region, Thomas & Associates of Novato, California.

16222	Pump Motors	US Motors, General Electric, Reliance, Toshiba, or Baldor	\$200,000	The pump motors will be directly purchased from the only authorized vendor of Patterson Pumps in this region, Thomas & Associates of Novato, California. The pumps, motors and VFDs are integral equipment, required to be tested together by the pump manufacturer such that there is a single point of responsibility for factory acceptance testing. Pump motor equipment is not required to be from a single specified manufacturer. Thomas & Associates will be required to provide the lowest cost pump motors that meet the specification requirements.
16265	Pump Variable Frequency Drives (VFDs)	Eaton, Allen Bradley, Schneider Electric, or GE by ABB	\$200,000	The pump VFDs will be directly purchased from the only authorized vendor of Patterson Pumps in this region, Thomas & Associates of Novato, California. The pumps, motors and VFDs are integral equipment, required to be tested together by the pump manufacturer such that there is a single point of responsibility for factory acceptance testing. VFD equipment is not required to be from a single manufacturer. Thomas & Associates will be required to provide the lowest cost VFDs that meet the specification requirements.
ESTIMATED TOTAL		\$600,000		

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Turlock does hereby authorize the sole source specification of various equipment and sole source procurement of pumps, pump motors, and variable frequency drives identified in the included tables necessary for construction of City Project No. 18-69 "Surface Water Distribution System Improvements" without compliance to formal bidding procedures pursuant to Turlock Municipal Code Sections 2-7-08(b)(2) and 2-7-08(b)(6).

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

City Council Staff Report
May 25, 2021



From: Nathan Bray, P.E.,
Interim Development Services Director / City Engineer

Prepared by: Nathan Bray, P.E.,
Interim Development Services Director / City Engineer

Agendized by: Gary Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Resolution: Approving a new job description for the position of Program Manager, effective July 1, 2021

Resolution: Authorizing the hiring of one (1) Program Manager in the Development Services Department – Engineering Division and authorizing the City Manager to offer hiring incentives based on qualifications not to exceed 40 hours of sick leave, 80 hours of vacation, and \$6,000 to be distributed 50% on the date of hire and 50% on completion of probation

2. SYNOPSIS:

These actions will approve a new job classification and authorize the City Manager to fill the position with hiring incentives. This position will manage the new roads program as introduced by the Mayor in the State of the City Address.

3. DISCUSSION OF ISSUE:

Background

The City of Turlock has historically had inadequate funds to maintain the street network system. In this regard, Turlock is very similar to other valley towns and as such, the roads have deteriorated. This is commonly referred to as Deferred Maintenance which represents the cost to rehabilitate the street network system to a pavement condition index (PCI) that preventative maintenance treatments (seal coats) can be applied and effective.

The Turlock voters approved Measure A, a ¾ cent general sales tax, in November 2020 providing the City of Turlock with additional revenues. Council has expressed a desire to allocate 50% of the revenues from Measure A for road rehabilitation efforts. Additionally, during the State of the City Address, the Mayor identified a new

roads program initiative to rehabilitate the remaining 428 lane miles of roads over the course of 5 years.

The Mayor's initiative includes allocating 50% of Measure A revenues, approximately \$5,500,000, annually towards road rehabilitation projects. This initiative would essentially increase the existing road funding by 100% and in the first couple years would focus on creating shovel ready projects and adding Measure A funds to existing projects in order to leverage existing funds to go farther. Additionally, staff will explore bonding via lease revenue bonds and utilizing the up-front capital from the bonds for intensive system-wide street improvements while utilizing the 50% allocation of Measure A revenues for debt service on the lease revenue bonds.

Program Manager

In order to facilitate the roads program initiative identified by the Mayor, additional staff is needed. First, a job description for a program manager will need to be created (attached as Exhibit A) as the City does not have any existing job description that meets the intent. In order to attract qualified candidates, hiring incentives are proposed and would be offered based on qualifications. The incentives are as follows:

- 40 hrs. sick leave
- 80 hrs. vacation leave
- \$3,000 date of hire
- \$3,000 passing probation (~1 year)

The position would go out for recruitment immediately with a candidate starting no earlier than July 1, 2021. This position is designated as un-represented for labor relations purposes and is considered exempt under the Fair Labor Standards Act (FLSA). This position would be responsible for overseeing the Request for Proposal (RFP) development, consultant contract administration, exploring and identifying funding opportunities to including bonding, regular reporting at City Council meetings, and other duties to support the roads initiative program.

The first duties this position would undertake involve writing an RFP for a consultant to perform the planning, design, and financing including bonding (lease revenue). This position would coordinate and facilitate revisions to the City's street management system (Streetsaver) based upon surveys provided from the consultant.

4. BASIS FOR RECOMMENDATION:

- A. Council has expressed a desire to increase funding for road rehabilitation projects and additional staff is needed for the additional workload.

5. FISCAL IMPACT / BUDGET AMENDMENT:

These actions will not affect the adopted Fiscal Year 2020-21 Budget. All expenses for these actions will be funded from a portion of Measure A for road purposes and identified in future Fiscal Year budgets.

6. CITY MANAGER'S COMMENTS

Recommend Approval.

7. ENVIRONMENTAL DETERMINATION:

This action is not subject to the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15378 (Project) of the CEQA guidelines. This action consists of "organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment," and therefore, is not considered a project.

8. ALTERNATIVES:

A. Council could reject the proposed job description or hiring incentives. These alternatives are not recommended by staff as additional staff is required to implement Councils desire to fund road rehabilitation projects with Measure A.

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

**IN THE MATTER OF APPROVING A NEW JOB }
DESCRIPTION FOR THE POSITION OF }
PROGRAM MANAGER, EFFECTIVE }
JULY 1, 2021 }**

RESOLUTION NO. 2021-

WHEREAS, staff has identified a need to add the job description for the position of Program Manager (Exhibit A); and

WHEREAS, the addition of the classification of Program Manager is requested due to Council's desire to spend Measure A funds on road rehabilitation projects.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Turlock does hereby approve a new job description for the position of Program Manager, effective July 1, 2021.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California



PROGRAM MANAGER

DEFINITION

Under general direction, performs project management functions for high profile projects and provides highly responsible and complex administrative support to the Development Services Director and/or Deputy Director.

This position is designated as un-represented for Labor Relations purposes and is considered exempt under the Fair Labor Standards Act (FLSA).

SUPERVISION RECEIVED AND EXERCISED

General supervision is provided by the Development Services Director and/or Deputy Director. The Program Manager exercises administrative supervision and direction to professional, technical and administrative support personnel.

DISTINGUISHING CHARACTERISTICS

The Program Manager is responsible for managing high profile engineering projects. This classification differs from the classification of Principal Civil Engineer in that the latter requires registration as a Professional Engineer and is responsible for managing the engineering functions related to high profile projects.

ESSENTIAL FUNCTIONS: - Duties may include, but are not limited to the following:

- Manages the selection of outside consultants; oversees the bid, proposal, and purchase recommendation process for projects; solicits and reviews proposals; selects consultants; establishes schedule and performance criteria.
- Negotiates and completes various contracts developed for consultants and other outside service providers.

- Works with consultants on project planning, preparation, scheduling, and execution of contracts; ensures work is completed on time and in conformance with plans, specifications, local laws, codes and regulations.
- Monitors and reviews consultants working on assigned construction and rehabilitation projects; reviews status reports from consultants.
- Reviews project documents such as plans, specifications, studies, budgets, and estimates.
- Responds to questions and inquiries from the general public, developers, contractors, engineering professionals, and City staff regarding projects.
- Interfaces with stakeholders such as management, City Council, peers, project staff, and consultants as necessary to coordinate project execution; informs stakeholders of project status and possible outcomes.
- Prepares project reports for the City Council, management, outside agencies, and others; makes presentations as necessary.
- Performs periodic review of work onsite to ensure that the work is satisfactory and completed according to plan.
- May provide administrative supervision and direction to professional, technical, and clerical staff
- Perform related duties as assigned

MINIMUM QUALIFICATIONS

Program Manager

Knowledge of:

- Principles and practices of project management and administration
- Advanced methods, materials, and techniques used in the design and construction of projects
- Road rehabilitation treatments
- Road construction projects
- Methods and techniques of contract negotiations and administration

- Principles and practices of project budget preparation and control
- Principles of employee supervision
- Methods and techniques of plan review and analysis
- Methods and techniques of conducting site and field investigations
- Principles and procedures of record keeping
- Principles of business letter writing and basic report presentation
- Office procedures, methods, and equipment including computers and applicable software applications such as word processing, spreadsheets, and databases
- Pertinent federal, state and local laws, rules, and regulations

Ability to:

- Plan, organize, direct, coordinate, and evaluate assigned high profile projects
- Work collaboratively with community groups, boards, commissions, and City Council to achieve desired goals
- Prepare, review, interpret, and analyze plans, drawings, specifications, contract documents, bid documents, and reports for conformance to professional standards, contract obligations, and approved budgets
- To read maps, research public records and interpret construction documents
- Respond to questions and inquiries from a variety of sources regarding projects
- Interpret and explain projects to the business community and the general public
- Ensure compliance with applicable rules, regulations, and codes
- Inspect projects for conformance with plans and specifications
- Interpret and apply pertinent federal, state, and local laws, codes, and regulations
- Prepare clear and concise reports
- Work cooperatively with other departments, City officials, and outside agencies

- Operate office equipment including computers and supported word processing, spreadsheet, and database applications
- Communicate clearly and concisely, both orally and in writing
- Establish and maintain effective working relationships with those contacted in the course of work

EXPERIENCE AND EDUCATION

Program Manager

Experience:

Six years of increasingly responsible experience managing capital projects. Additional qualifying experience may be substituted for the required education on a year-for-year basis, up to a maximum of two years.

Education:

Possession of a Bachelor's Degree from an accredited college or university with major coursework in the areas of construction management, engineering, industrial technology, public administration or a closely related field.

LICENSE AND/OR CERTIFICATE

License:

Possession of an appropriate, valid California Driver's License at the time of appointment, to be maintained as a condition of continued employment.

PHYSICAL REQUIREMENTS

Maintain the following physical abilities: See well enough to operate vehicles and office equipment; hear well enough to converse on the telephone and in person; be able to communicate clearly without amplification; body mobility adequate to drive and perform required office duties including reaching and bending for files and related office items; use of hands and fingers adequate for operating vehicles, writing, typing, computer, copier, and fax machine and related functions; ability to lift office files, binders and small office equipment, as needed.

Reviewed and approved:

Personnel Officer

Date

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF AUTHORIZING THE HIRING }
OF ONE (1) PROGRAM MANAGER IN THE }
DEVELOPMENT SERVICES DEPARTMENT – }
ENGINEERING DIVISION AND AUTHORIZING }
THE CITY MANAGER TO OFFER HIRING }
INCENTIVES BASED ON QUALIFICATIONS }
NOT TO EXCEED 40 HOURS OF SICK LEAVE, }
80 HOURS OF VACATION, AND \$6,000 TO BE }
DISTRIBUTED 50% ON THE DATE OF HIRE }
AND 50% ON COMPLETION OF PROBATION }

RESOLUTION NO. 2021-

WHEREAS, by separate action, the Council is requested to approve the creation of the job description for Program Manager; and

WHEREAS, the hiring of a Program Manager is requested due to Council's desire to spend Measure A funds on road rehabilitation projects; and

WHEREAS, the filling of this position is critical to the implementation of increased road rehabilitation projects funded by Measure A; and

WHEREAS, hiring incentives increase the probability of successfully filling the Program Manager position with a highly qualified person; and

WHEREAS, hiring incentives have been used in the past when filling positions is critical and/or difficult; and

WHEREAS, hiring incentives would be based on qualifications and the financial incentives would be split 50% on the date of hire and 50% on successful completion of a one (1) year probationary term.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Turlock does hereby authorize the hiring of one (1) Program Manager in the Development Services Department – Engineering Division and authorize the City Manager to offer hiring incentives based on qualifications not to exceed 40 hours of sick leave, 80 hours of vacation, and \$6,000 to be distributed 50% on the date of hire and 50% on completion of probation.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 25th day of May, 2021, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Jennifer Land, City Clerk,
City of Turlock, County of Stanislaus,
State of California

City Council Staff Report

May 25, 2021



9C

From: Maryn Pitt, Assistant to the City Manager for Economic Development and Housing

Prepared by: Maryn Pitt, Assistant to the City Manager for Economic Development and Housing

Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Motion: Approving an Agreement with Community Housing and Shelter Services (CHSS), a non-profit organization, to administer a rent, mortgage, and utility assistance program to eligible households as prescribed in Attachment A and authorizing the City Manager to execute all necessary documents

2. SYNOPSIS:

Approval of a Sub-Recipient Agreement with Community Housing and Shelter services for rent, mortgage, and utility assistance for eligible households in Turlock utilizing CDBG-CV funds.

3. DISCUSSION OF ISSUE:

The Community Development Block Grant (CDBG) program is a federal program intended to strengthen communities by providing funds to improve housing, living environments, and economic opportunities, principally for persons with low and moderate incomes. At least 70% of CDBG funds received by a jurisdiction must be spent to benefit people with low and moderate incomes (less than 80% of the AMI).

On March 27, 2020, Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116-136, to directly address the impacts of the COVID-19 Coronavirus. As part of the CARES Act, Congress appropriated \$5 billion in Community Development Block Grant Coronavirus (CDBG-CV) funds. Of this amount, the U.S. Housing and Urban Development (HUD) immediately allocated \$2 billion, based on the fiscal year 2020 CDBG formula.

Existing CDBG regulations [24 CFR 570.207(b)(4)] allow the use of CDBG to Make "emergency grant payments made over a period of up to three consecutive months to the provider of such items or services [food, clothing, housing (rent or

mortgage), or utilities'] on behalf of an individual or family." Therefore, the use of CDBG to provide assistance for up to six months in the form of rent or mortgage assistance and utility payments are eligible uses of CDBG (CV).

The CARES Act removed the statutory 15% cap on the amount of a jurisdiction's CDBG allocation that can be used for "public services," which the provision of rental or utility payment assistance would normally be considered. The Act limits the exemption from the 15% cap to "activities to prevent, prepare for, and respond to the coronavirus." The Act also states that a jurisdiction's FY19 and FY20 CDBG allocations are also free from the 15% public-service cap.

The City of Turlock's Housing Division's CDBG Program was allocated a total of \$861,502 in the first and third tranche of CDBG-CV funds. These funds are supplemental to the annual allocations of CDBG funds the City receives and shall specifically, be used to address the impacts of COVID-19 on residents who have experienced adverse economic impacts that precluded them from remaining current on their mortgage, rent, or utility payments. The City is treating this agreement as a public services sub recipient agreement, which provides for a non-profit organization to provide direct services to the community. The City has only received the Federal Funding Agreement for the first tranche of funds (in the amount of \$386,829.) and therefore, staff is only bringing forward what is eligible to be currently contracted.

The City reached out and connected with Community Housing and Shelter Services (CHSS), who are based in Modesto and have both experience in administering Housing and Urban Development (HUD) funds as well as being a HUD certified housing rental counseling agency. They also employ bi-lingual staff for many direct service roles, which complies with COVID-19 federal money guidance to ensure adequate outreach to underserved groups and communities of color.

City staff is recommending CHSS to administer the program and has received the concurrence of the CDBG Public Services Committee for the selection of CHSS to administer this special funded community assistance. CHSS staff has a combined experience of more than 30 years in providing case management and supportive services, knowledge of HUD regulations, and the knowledge of the documentation necessary to complete client files. CHSS also serves as the lead agency providing rental and/or deposit assistance to low income households seeking to obtain permanent, affordable housing.

This agreement addresses the first tranche of funds in the amount of \$309,464.00 in direct service and an additional allowance for administrative overhead of \$10,000, for a total of \$319,464.00 which includes the following breakdown of grant expenses:

Community Housing and Shelter Services:

Administrative allowance	10,000.00
Delivery (direct service)	74,456.00
Direct aid to families	<u>\$235,008.00</u>
TOTAL	\$319,464.00

Guidance on the parameters of the program, such as a limit on the amount of assistance provided per household is dictated in the HUD Cares Act Guidance as well as in the CFR's as to income limits and household eligibility which is \$7,344 per household. The specific documentation to determine eligibility would contain the following information:

1. Applicant must reside in the City of Turlock.
2. Annual household income does not exceed the U.S. Department of Housing and Urban Development (HUD) established "Moderate-Income" limits. Household income eligibility is based on the following two (2) factors:
 - a. The total number of persons residing in the household; and
 - b. The total amount of the annual household income.
3. Economically impacted during the COVID-19 pandemic period beginning March 27, 2020- to present.
4. Current residential lease agreement or mortgage statement.
5. Completed W-9 form from bona fide landlord/property management agent or 1099 from mortgage company.
6. Signed Program Participation-Payment Acceptance form from bona fide landlord/property management agent/mortgage company. (For direct payment)
7. Confirmed current rental/mortgage/utility balances.
8. Documentation related to no duplication of benefit.

CHSS will provide quarterly reporting of accomplishment data. The City administers all HUD funds on a reimbursement basis so funds will be reimbursed to CHSS upon submission of the quarterly reporting. All direct assistance funds are paid to the vendor directly, not to the family or household.

It is important that all client files contain complete income and COVID related hardship documentation relative to determining eligibility as well as there has been no duplication of benefits to the applicant family.

As with most special grant funds provided by HUD, it is certain that the client files will be monitored by HUD in the next two review cycles. Housing staff will review all client files at the full expenditure of the grant to ensure compliance and before HUD monitoring. This program file review insures that costs and client files, upon completion of the grant, are compliant with HUD guidelines.

While many clients may opt to participate with CHSS virtually, the City is assisting CHSS to find local office space to serve clients who choose to participate in person so that transportation to Modesto is not a barrier to receiving assistance.

Lastly, we believe timing to roll out this assistance program is critical as the eviction moratorium will be lifted on September 1, 2021 and this program will assist in preventing additional homeless individuals and families in Turlock.

The City has the option to amend this agreement with Council approval to add both time and additional CDBG-CV funding from the balance of the Round 1 funds as well as the Round 3 funds become available for expenditure.

4. BASIS FOR RECOMMENDATION:

- A. On April 13, 2021, the City Council approved an amendment to the City's Fiscal Year 2020-2021 Annual Action Plan to include the use of the entitlement allocation of CDBG-CV funds.
- B. There is a clear need in the Turlock community to assist individuals and families who have been adversely impacted by COVID-19 pandemic relative to their ability to remain current on their mortgage, rent and utility accounts. This grant assistance is an effort to prevent eviction, foreclosure, and homelessness among the community's low-income households.

5. FISCAL IMPACT / BUDGET AMENDMENT:

The CDBG-CV funds have already been budgeted in Fund 258 HUD CARES Act COVID-19 funds.

6. CITY MANAGER'S COMMENTS:

Recommend Approval.

7. ENVIRONMENTAL DETERMINATION:

This activity is exempt under NEPA.

8. ALTERNATIVES:

- A. The City could choose to utilize these funds in another manner. This option is not recommended as Council has taken previous action to support this activity and use of CDBG-CV funds.

- B. Council could direct staff to implement the program internally using City staff. This option is not recommended as there is insufficient staff resources to administer an additional \$386,829 in a new program. Staff will still be required to monitor the client files and eligibility to ensure that the program guidance was followed correctly.



AGREEMENT
Between
THE CITY OF TURLOCK
And
COMMUNITY HOUSING AND SHELTER SERVICES
for
PUBLIC SERVICES THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT
(COVID-19) PROGRAM
CONTRACT NO. 2021-059

THIS AGREEMENT is made this 25th day of May, 2021, by and between the **CITY OF TURLOCK**, a municipal corporation of the State of California, as the implementer of the **COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG-COVID)**, hereinafter referred to as "CITY" and **COMMUNITY HOUSING AND SHELTER SERVICES** hereinafter referred to as "ORGANIZATION."

WITNESSETH:

WHEREAS, CITY has received funds from the United States Government under Title I of the Housing and Community Development Act of 1974, as amended (HUD Act), Public Law 93-383; and

WHEREAS, the CITY wishes to engage the ORGANIZATION to assist the CITY in utilizing such funds; and

NOW, THEREFORE, the parties hereto mutually agree as follows:

1. **SCOPE OF SERVICE:** The ORGANIZATION will be responsible for administering a CDBG-CV Emergency Mortgage, Rent, and Utility Assistance Public Service Program in a manner satisfactory to the CITY. The Public Service Program shall be provided in accordance with the standards required as a condition of providing these funds and in accordance with Exhibit A attached hereto and incorporated herein by reference. The ORGANIZATION shall provide such Services in accordance with 24 CFR § 570 *et seq* and all other applicable federal state or local laws, rules or regulations. The ORGANIZATION shall also follow policies and procedures provided by the CITY for the CDBG-CV specific funding.

(a) National Objectives: All activities funded with CDBG funds must meet one of the CDBG program's National Objectives: benefit low- and moderate-income persons; aid in the prevention or elimination of slums or blight; or meet community development needs having a particular urgency, as defined in 24 CFR 570.208. The ORGANIZATION certifies that the activity carried out under this Agreement will meet the National Objective specified in Exhibit A.

(b) Levels of Accomplishment-Goals and Performance Measures: The

ORGANIZATION agrees to provide levels of program services specified in Exhibit A.

(c) Staffing: The ORGANIZATION agrees to provide levels of staffing for the program as specified in Exhibit A.

(d) Performance Monitoring: The CITY will monitor the performance of the ORGANIZATION against goals and performance standards as stated in Exhibit A. Substandard performance as determined by the CITY will constitute noncompliance with this Agreement. If action to correct such substandard performance is not taken by the ORGANIZATION within a reasonable period of time after being notified by the CITY, contract suspension or termination procedures will be initiated.

2. COMPENSATION: ORGANIZATION shall be paid a total consideration of not to exceed Three Hundred and Nine thousand four hundred sixty-four and no/100^{ths} Dollars (\$309,464.00), for full performance of the Public Services specified under this Agreement, in conformity with the approved program proposal and budget document which is attached to this Agreement as Exhibit A. An additional Ten Thousand and no/100^{ths} Dollars (\$10,000.00) will be provided for administration expenses not included in the program budget. The amount set forth in this section is not a guarantee of the compensation that ORGANIZATION will receive, but rather is merely a limit of potential City expenditures under this Agreement. ORGANIZATION will be paid for services actually performed in accordance with the requirements of this Section. The CITY may require a more detailed budget breakdown than the one provided in Exhibit A and the ORGANIZATION shall provide such supplementary budget information in a timely fashion in the form and content prescribed by the CITY. The City may add additional funding to this agreement through an amendment if funding becomes available. Any amendments to the budget must be approved in writing by both the CITY and the ORGANIZATION. ORGANIZATION agrees that compensation shall be paid in the manner and at the times set forth below:

(a) Payment:

(1) Funds will be dispersed on a draw basis as costs are incurred and can be drawn at 25% or more intervals. Drawdowns for the payment of eligible expenses shall be made against the scope of work and line item budgets specified in Exhibit A and in accordance with performance. Expenses for general administration shall also be paid against the line item budgets specified in Exhibit A and in accordance with performance.

(2) The request for a draw will be accompanied by documentation of the costs which would include such information as invoices and time cards. The request will also include data of the persons served through the program including, but not limited to, income, race/ethnicity, and statistics data required by HUD, and such other information as the City may request. First Draw can be requested after April 1, 2021. Final draw must be requested before June 30, 2022.

(3) Payments may be contingent upon certification of the ORGANIZATION'S financial management system in accordance with the standards specified in 24 CFR 84.21.

(4) ORGANIZATION shall notify CITY in writing of all authorized personnel who shall be empowered to file requests for payment pursuant to this Agreement.

(5) Not more often than monthly, City shall make payments, based on invoices received, for services satisfactorily performed, and for authorized reimbursable costs incurred. City shall pay undisputed invoices that comply with the above requirements within 30 days from the receipt of the invoice.

(6) The administration portion of \$10,000.00 may be drawn in four installments over the term of the agreement. Documentation for the administrative expenses must accompany the payment request.

3. TERM OF AGREEMENT. The Services of ORGANIZATION are to commence on April 27, 2021, and end on June 30, 2022, unless the term of the agreement is otherwise terminated or extended, and shall be undertaken and completed in such sequence as to assure their expeditious completion in the light of the purposes of this Agreement. The point of contact for CITY shall be the City of Turlock, Housing Program Services Division, 156 South Broadway, Suite 140, Turlock, California, 95380.

The term of the agreement may be extended by one year upon written agreement by both parties, subject to the availability of funds.

4. GENERAL CONDITIONS. The ORGANIZATION agrees to comply with the requirements of Title 24 of the Code of Federal Regulations, Part 570 (the U.S. Housing and Urban development regulations concerning Community Development Block Grants (CDBG) including subpart K of these regulations, except that (1) the ORGANIZATION does not assume the recipient's environmental responsibilities described in 24 CFR 570.604 and (2) the ORGANIZATION does not assume the recipient's responsibility for initiating the review process under the provisions of 24 CFR Part 52. The ORGANIZATION also agrees to comply with all other applicable Federal, state and local laws, regulations, and policies governing the funds provided for under this contract. The ORGANIZATION further agrees to utilize funds available under this Agreement to supplement rather than supplant funds otherwise available.

(a) ORGANIZATION agrees to submit quarterly program status reports to CITY, and other reports as may be required by CITY.

(b) ORGANIZATION agrees to maintain racial, ethnic, gender, head of household and family size data showing the extent to which these categories of persons have participated in, or benefited from, the project, and to provide such data in an activity report to CITY quarterly.

(c) ORGANIZATION agrees to keep all necessary books and records, including property, personnel and financial records, in connection with the operations and services performed under this Agreement, and shall document all transactions so that all expenditures may be properly audited.

(d) ORGANIZATION agrees that CITY or any authorized representative has access to and the right to examine all records, books, papers or documents related to the program/scope of services/project.

(e) ORGANIZATION agrees to provide to CITY at ORGANIZATION's cost, a certified audit performed by an accredited certified public accountant, of all funds received or utilized by ORGANIZATION, including the distribution of Community Development Block Grant Funds for fiscal year 2020-2021 and 2021-2022 to be delivered to CITY by October 1, 2021 and October 1, 2022 respectively or within 30 days of receipt of ORGANIZATION's audited financials.

(f) ORGANIZATION hereby severally warrants that it will establish and adopt safeguards to prohibit members, officers, and employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties. Further, no member, officer, or

employee of ORGANIZATION who exercises any functions or responsibility with respect to the program during his or her tenure or for one year thereafter, shall have any interest, direct or indirect, in any Agreement or sub-agreement, or the proceeds thereof, either for themselves or those with whom they have family or business ties, for work to be performed in connection with the program assisted under this Agreement.

(g) The undersigned persons signing as officers on behalf of ORGANIZATION, a party to this Agreement, hereby severally warrants and represents that said persons have authority to enter into this Agreement on behalf of said ORGANIZATION and to bind the same to this Agreement, and, further that said ORGANIZATION has authority to enter into this Agreement and that there are no restrictions or prohibitions contained in any article of incorporation or bylaws against entering into this Agreement.

(h) CITY shall not be responsible or liable for any debts, actions, obligations, negligence, or liabilities committed or incurred by ORGANIZATION, its staff or clientele, and ORGANIZATION hereby agrees to defend, hold harmless and indemnify CITY from and against any and all liabilities for debts, obligations, and negligence. No payment, however, final or otherwise, shall operate to release ORGANIZATION from any obligations under this Agreement. Should either party be required to bring a legal action to enforce the provisions of this Agreement, the prevailing party shall be reimbursed for all court costs and all reasonable attorney's fees incurred in the prosecution or defense of said action.

(i) Both parties hereto in the performance of this Agreement will be acting in an independent capacity and not as agents, employees, partners or joint ventures with one another.

ORGANIZATION is not an employee of CITY and is not entitled to any of the rights, benefits, or privileges of CITY employees, including but not limited to medical, unemployment, or Workers' Compensation insurance.

5. OTHER PROVISIONS.

(a) During the performance of this Agreement, ORGANIZATION agrees as follows:

(1) ORGANIZATION shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, handicap, sexual orientation, ancestry, national origin, familial status, or any other basis prohibited by applicable law. ORGANIZATION shall take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex, age, handicap, sexual orientation, familial status, ancestry, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

ORGANIZATION agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

(2) ORGANIZATION will, in all solicitations or advertisements for employees placed by or on behalf of ORGANIZATION, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, age, handicap, sexual orientation, ancestry, national origin, familial status, or any other basis prohibited by applicable law.

(b) **EQUAL OPPORTUNITY IN PARTICIPATION.** Under the terms of Section 109 of the Housing and Community Development Act of 1974, and in conformance with CITY policy and all requirements imposed by or pursuant to the Regulations of the Department of Housing and Urban Development (24 CFR Part 570.602 issued pursuant to this section).

(c) **Civil Rights**

(1) Compliance. The ORGANIZATION agrees to comply with the civil rights laws of the State of California and with Title VI of the Civil Rights Act of 1964 as amended, Title VIII of the Civil Rights Act of 1968 as amended, Section 104(b) and Section 109 of Title I of the Housing and Community Development Act of 1974 as amended, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Executive Order 11063, and Executive Order 11246 as amended by Executive Orders 11375, 11478, 12107 and 12086

(2) Nondiscrimination. The ORGANIZATION agrees to comply with the non-discrimination in employment and contracting opportunities laws, regulations, and executive orders referenced in 24 CFR 570.607, as revised by Executive Order 13279. The applicable non-discrimination provisions in Section 109 of the HCDA are still applicable.

(d) **BUSINESS AND EMPLOYMENT OPPORTUNITIES FOR LOW/MODERATE INCOME RESIDENTS.** ORGANIZATION will conform with the rules and regulations set forth under Section 3 of the Housing and Urban Development Act of 1968, (12 USC 1701u), as amended, and the HUD regulations issued pursuant thereto at 24 CFR Part 135. This act requires that, to the greatest extent feasible, opportunities for training and employment be given to lower income residents of the project area.

(e) **DRUG-FREE WORK PLACE.** Organization will maintain a drug free work place and will comply with all applicable Federal, State and local laws pertaining to a drug-free work place.

(f) **PROVISIONS REQUIRED BY LAW DEEMED INSERTED.** Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to be inserted herein, and the Agreement shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon the application of either party, the Agreement shall forthwith be physically amended to make such insertion or correction.

6. CITY RECOGNITION. The ORGANIZATION shall insure recognition of the role of the CITY in providing services through this Agreement. All activities, facilities and items utilized pursuant to this Agreement shall be prominently labeled as to funding source. In addition, the ORGANIZATION will include a reference to the support provided herein in all publications made possible with funds made available under this Agreement.

7. ADMINISTRATIVE REQUIREMENTS.

(a) **Financial Management**

(1) Accounting Standards. The ORGANIZATION agrees to comply with 24 CFR 84.21-28 and agrees to adhere to the accounting principles and procedures required therein, utilized adequate internal controls, and maintain necessary source documentation for all costs incurred.

(2) Cost Principles. The ORGANIZATION shall administer its program in conformance with 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. The Uniform Requirements superseded, consolidated, and streamlined requirements from eight OMB Circulars including OMB Circulars A-122, "Cost Principles for Non-Profit Organization," or A-21, "Cost Principles for Educational Institutions," or A-87, "Cost Principles for State, Local and Indian Tribal Governments," as applicable. These principles shall be applied for all costs incurred whether charged on a direct or indirect basis.

(b) Documentation and Record Keeping.

(1) Records to be maintained. The ORGANIZATION shall maintain all records required by the Federal regulations specified in 24 CFR 570.506 that are pertinent to the activities to be funded under this Agreement. Such records shall include but not be limited to:

- a. Records providing a full description of each activity undertaken;
- b. Records demonstrating that each activity undertaken meets one of the National Objectives of the CDBG program;
- c. Records required to determine the eligibility of activities;
- d. Records required to document the acquisition, improvement, use or disposition of real property acquired or improved with CDBG assistance;
- e. Records documenting compliance with the fair housing and equal opportunity component of the CDBG program;
- f. Financial records as required by 24 CFR 570.502, and 24 CFR 84.21-28;
- g. Other records necessary to document compliance with Subpart K of 24 CFR Part 570.

(2) Retention. The ORGANIZATION shall retain all financial records, supporting documents, statistical records, and all other records pertinent to the agreement for a period of four (4) years. The retention period begins on the date of the submission of the CITY'S annual performance and evaluation report to HUD in which the activities assisted under the Agreement are reported on for the final time. Notwithstanding the above, if there is litigation, claims, audits, negotiations or other actions that involve any of the records cited and that have started before the expiration of the four-year period, then such records must be retained until completion of the actions and resolution of all issues, or the expiration of the four-year period, whichever occurs later.

(3) Client Data. The ORGANIZATION shall maintain client data demonstrating client eligibility for services provided. Such data shall include, but not be limited to, client name, address, income level or other basis for determining eligibility, and description of service provided. Such information shall be made available to CITY monitors or their designees for review upon request.

(4) Disclosure. The ORGANIZATION understands that client information collected under this contract is private and the use or disclosure of such information, when not directly connected with the administration of the CITY'S or ORGANIZATION's responsibilities with respect to services provided under this contract, is prohibited by the State or Federal law unless written consent

is obtained from such person receiving service and, in the case of minor, that of a responsible parent/guardian.

(5) Close-outs. The ORGANIZATION's obligation to the CITY shall not end until all close-out requirements are completed. Activities during this close-out period shall include, but are not limited to: making final payments, disposing of program assets (including the return of all unused materials, equipment, unspent cash advances, program income balances, and accounts receivable to the CITY), and determining the custodianship of records. Notwithstanding the foregoing, the terms of this Agreement shall remain in effect during any period that the ORGANIZATION has control over CDBG funds, including program income.

(6) Audits and Inspections. All ORGANIZATION records with respect to any matters covered by this Agreement shall be made available to the CITY, grantor agency, and the Comptroller General of the United States or any of their authorized representatives, at any time during normal business hours, as often as deemed necessary, to audit, examine, and make excerpts or transcripts of all relevant data. Any deficiencies noted in audit reports must be fully cleared by the ORGANIZATION within 30 days after receipt by the ORGANIZATION. Failure of the ORGANIZATION to comply with the above audit requirements will constitute a violation of this contract and may result in the withholding of future payments. The ORGANIZATION hereby agrees to have an annual agency audit conducted in accordance with current CITY policy concerning ORGANIZATIONS audits and 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. The Uniform Requirements superseded, consolidated, and streamlined requirements from eight OMB Circulars including OMB circular A-133.

If, as a result of any audit, any improper expenditures are revealed by the ORGANIZATION, its officers, agents, servants, employees and /or subcontractors, of the funds granted hereunder, and such questioned costs are disallowed under the procedures of the party by whom or on whose behalf said audit is conducted, then the amount of such disallowed cost shall constitute liquidated damages for the breach of that portion of the Agreement audited. In case of such disallowed cost, ORGANIZATION agrees to repay the CITY said sum as liquidated damages for the ORGANIZATIONS failure to perform the duties, bear the liabilities and fulfill the obligations imposed upon it by this Agreement.

(c) Reporting and Payment Procedures

(1) Program Income. The ORGANIZATION shall report to the CITY any interest or other income earned as a direct result of the use of the CDBG funds for the program outlined within this Agreement. The ORGANIZATION shall report all program income (as defined at 24 CFR 570.500(a)) generated by activities carried out with CDBG funds made available under this Agreement. All program income derived from the project, if any, shall revert to the CITY for use in the Community Development Block Grant program.

(2) Payment Procedures. The CITY will pay to the ORGANIZATION funds available under this Agreement based upon information submitted by the ORGANIZATION and consistent with the approved budget in Exhibit A. Payments will be made for eligible expenses actually incurred by the ORGANIZATION on a reimbursement basis. The CITY shall not provide any payments in advance of actual expenditures by the ORGANIZATION. Payments will be adjusted by the CITY in accordance with program income balances available in ORGANIZATION accounts. Payment requests shall include documentation to verify that the expenditure of funds is consistent with the project description as approved. Prior to reimbursing the ORGANIZATION, the CITY will verify the ORGANIZATION has provided the required draw. Funding is contingent upon the CITY receiving Community Development Block Grant funds from HUD.

(3) Progress Reports. The ORGANIZATION shall submit regular Progress Reports to the CITY in the form, content, and frequency as required by the CITY.

(d) Procurement

(1) Compliance. The ORGANIZATION shall comply with current CITY policy concerning the purchase of equipment and shall maintain inventory records of all non-expendable personal property as defined by such policy as may be procured with funds provided herein. All program assets (unexpended program income, property, equipment, etc.) shall revert to the CITY upon termination of this Agreement.

(2) Uniform Requirements. Unless specified otherwise within this agreement, the ORGANIZATION shall procure all materials, property, or services in accordance with the requirements of 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. The Uniform Requirements superseded, consolidated, and streamlined requirements from eight OMB Circulars.

(3) Travel. The ORGANIZATION shall obtain written approval from the CITY for any travel outside the metropolitan area with funds provided under this Agreement.

(e) Use and Reversion of Assets.

The use and disposition of real property and equipment under this Agreement shall be in compliance with the requirements of 2 CFR Part 200, and 24 CFR 570.502, 570.503, and 570.504, as applicable, which include but are not limited to the following;

(1) The ORGANIZATION shall transfer to the CITY any CDBG funds on hand and any accounts receivable attributable to the use of funds under this Agreement at the time of expiration, cancellation, or termination.

(2) In all cases in which equipment acquired, in whole or in part, with funds under this Agreement is sold, the proceeds shall be program income (prorated to reflect the extent to that funds received under this Agreement were used to acquire the equipment). Equipment not needed by the ORGANIZATION for activities under this Agreement shall be (a) transferred to the CITY for the CDBG program or (b) retained after compensating the CITY an amount equal to the current fair market value of the equipment less the percentage of non-CDBG funds used to acquire the equipment.

8. INSURANCE: ORGANIZATION shall not commence work under this Agreement until ORGANIZATION has obtained City's approval regarding all insurance requirements, forms, endorsements, amounts, and carrier ratings, nor shall ORGANIZATION allow any subcontractor to commence work on a subcontract until all similar insurance required of the subcontractor shall have been so obtained and approved. ORGANIZATION shall procure and maintain for the duration of this Agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by ORGANIZATION, its agents, representatives, employees or subcontractors. Failure to maintain or renew coverage or to provide evidence of renewal may constitute a material breach of contract. Any available insurance proceeds in excess of the specified minimum limits and coverage shall be available to CITY.

(a) General Liability Insurance: ORGANIZATION shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than one million dollars (\$1,000,000) per occurrence, two million dollars (\$2,000,000) general

aggregate, for bodily injury, personal injury, and property damage, including without limitation, blanket contractual liability and coverage for explosion, collapse and underground property damage hazards. ORGANIZATION's general liability policies shall be primary and not seek contribution from the City's coverages, and be endorsed using Insurance Services Office form CG 20 10 to provide that City and its officers, officials, employees, and agents shall be additional insureds under such policies. For construction contracts, an endorsement providing completed operations to the additional insured, ISO form CG 20 37, is also required.

(b) Workers' Compensation Insurance: ORGANIZATION shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance with limits of at least one million dollars (\$1,000,000). ORGANIZATION shall submit to City, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of City, its officers, agents, employees, and volunteers.

(c) Auto Insurance: ORGANIZATION shall provide auto liability coverage for owned, non-owned, and hired autos using ISO Business Auto Coverage form CA 00 01, or the exact equivalent, with a limit of no less than one million dollars (\$1,000,000) per accident. If ORGANIZATION owns no vehicles, this requirement may be met through a non-owned auto endorsement to the CGL policy.

(d) Professional Liability Insurance: When applicable, ORGANIZATION shall maintain professional liability insurance that insures against professional errors and omissions that may be made in performing the Services to be rendered in connection with this Agreement, in the minimum amount of one million dollars (\$1,000,000) per claim and in the aggregate. Any policy inception date, continuity date, or retroactive date must be before the effective date of this Agreement, and ORGANIZATION agrees to maintain continuous coverage through a period no less than three (3) years after completion of the services required by this Agreement.

(e) Deductibles and Self-Insured Retentions: Upon request of City, any deductibles or self-insured retentions must be declared to and approved by City. At the option of City, either: (1) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects City, its elective and appointive boards, officers, agents, employees, and volunteers; or (2) ORGANIZATION shall provide a financial guarantee satisfactory to City guaranteeing payment of losses and related investigations, claim administration and defense expenses.

(f) Other Insurance Provisions: The commercial general liability policy shall contain, or be endorsed to contain, the following provisions:

(1) City, its elective and appointive boards, officers, agents, employees, and volunteers are to be covered as additional insureds with respect to liability arising out of work or operations performed by or on behalf of ORGANIZATION, including materials, parts or equipment furnished in connection with such work or operations, which coverage shall be maintained in effect for at least three (3) years following the completion of the work specified in the contract. General liability coverage can be provided in the form of an endorsement to ORGANIZATION's insurance (at least as broad as CG 20 10 for ongoing operations and CG 20 37 for products/completed operations), or as a separate Owners and ORGANIZATIONS Protective Liability policy providing both ongoing operations and completed operations coverage.

(2) For any claims related to this project, ORGANIZATION's insurance coverage shall be primary insurance as respects City and any insurance or self-insurance maintained by City shall be excess of ORGANIZATION's insurance and shall not contribute with it.

(3) In the event of cancellation, non-renewal, or material change that reduces or restricts the insurance coverage afforded to City under this Agreement, the insurer, broker/producer, or ORGANIZATION shall provide City with thirty (30) days' prior written notice of such cancellation, non-renewal, or material change.

(4) Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subdivision (b) of Section 2782 of the Civil Code.

(g) Acceptability of Insurers: Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A-:VII or with an insurer to which the City has provided prior approval.

(h) Verification of Coverage: ORGANIZATION shall furnish City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive ORGANIZATION's obligation to provide them. City reserves the right, at any time, to require complete, certified copies of all required insurance policies and endorsements.

(i) Waiver of Subrogation: With the exception of professional liability, ORGANIZATION hereby agrees to waive subrogation which any insurer of ORGANIZATION may acquire from ORGANIZATION by virtue of the payment of any loss. The commercial general liability policy and workers' compensation policy shall be endorsed to contain a waiver of subrogation in favor of City for all work performed by ORGANIZATION, its agents, employees, independent contractors and subcontractors. ORGANIZATION agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation.

(j) Subcontractors: ORGANIZATION shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

9. INDEMNIFICATION:

Indemnity for Professional Liability: When the law establishes a professional standard of care for ORGANIZATION's Services, to the fullest extent permitted by law, ORGANIZATION shall indemnify, protect, defend, and hold harmless CITY and any and all of its elective and appointive boards, officers, officials, agents, employees or volunteers from and against any and all losses, liabilities, damages, costs, and expenses, including legal counsel's fees and costs but only to the extent the ORGANIZATION (and its Subcontractors) are responsible for such damages, liabilities and costs on a comparative basis of fault between the ORGANIZATION (and its Subcontractors) and the CITY in the performance of professional services under this Agreement. ORGANIZATION shall not be obligated to defend or indemnify CITY for the CITY's own negligence or for the negligence of others.

Indemnity for other than Professional Liability: Other than in the performance of professional services and to the full extent permitted by law, ORGANIZATION shall indemnify, defend, and hold harmless CITY and any and all of its elective and appointive boards, officers, officials, agents, employees or volunteers from and against any liability (including liability for claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including legal counsel's fees and costs, court costs, interest, defense costs, and expert witness fees), where the same arise out of, are a consequence of, or are in any way attributable to, in whole or in part, the performance of this Agreement by

ORGANIZATION or by any individual or agency for which ORGANIZATION is legally liable, including, but not limited to, officers, agents, employees, or subcontractors of ORGANIZATION.

10. PERSONNEL & PARTICIPANT CONDITIONS

(a) Federal regulations

(1) Section 504. The ORGANIZATION agrees to comply with all Federal regulations issued pursuant to Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), which prohibits discrimination against the individuals with disabilities or handicaps in any Federal assisted program. The CITY shall provide the ORGANIZATION with any guidelines necessary for compliance with that portion of the regulations in force during the term of this Agreement.

(b) Affirmative Action

(1) Approved Plan. The ORGANIZATION agrees that it shall be committed to carry out pursuant to the CITY's specifications an Affirmative Action Program in keeping with the principles as provided in President's Executive Order 11246 of September 24, 1966. The CITY shall provide Affirmative Action guidelines to the ORGANIZATION to assist in the formulation of such program. The ORGANIZATION shall submit a plan for an Affirmative Action Program for approval prior to the award of funds.

(2) Women- and Minority-Owned Businesses (W/MBE). The ORGANIZATION will use its best efforts to afford small businesses, minority business enterprises, and women's business enterprises the maximum practicable opportunity to participate in the performance of this contract. As used in this contract, the terms "small business" means a business that meets the criteria set forth in section 3(a) of the Small Business Act, as amended (15 U.S.C. 632), and "minority and women's business enterprise" means a business at least fifty-one (51) percent owned and controlled by minority group members or women. For the purpose of this definition, "minority group members" are Afro-Americans, Spanish-speaking, Spanish surnamed or Spanish-heritage Americans, Asian-Americans, and American Indians. The ORGANIZATION may rely on written representations by businesses regarding their status as minority and female business enterprises in lieu of an independent investigation.

(3) Access to Records. The ORGANIZATION shall furnish and cause each of its owned ORGANIZATIONS or subcontractors to furnish all information and reports required hereunder and will permit access to its books, records and accounts by the CITY, HUD or its agent, or other authorized Federal officials for purposes of investigation to ascertain compliance with the rules, regulations and provisions stated herein.

(4) Notifications. The ORGANIZATION will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or worker's representative of the ORGANIZATION's commitments hereunder, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(5) Equal Employment Opportunity and Affirmative Action (EEO/AA) Statement. The ORGANIZATION will, in all solicitations or advertisements for employees placed by or on behalf of the ORGANIZATION, state that it is an Equal Opportunity or Affirmative Action Employer.

(6) Subcontract Provisions. The ORGANIZATION will include the provisions

of Paragraphs 5.(c), Civil Rights, and 10.(b), Affirmative Action, in every subcontract or purchase order, specifically or by reference, so that such provisions will be binding upon each of its own ORGANIZATIONS or subcontractors.

(c) Employment Restrictions

(1) Prohibited Activity. The ORGANIZATION is prohibited from using funds provided herein or personnel employed in the administration of the program for: political activities; inherently religious activities; lobbying; political patronage; and nepotism activities.

(2) Labor Standards. The ORGANIZATION agrees to comply with the requirements of the Secretary of Labor in accordance with the Davis-Bacon Act as amended, the provisions of Contract Work Hours and Safety Standards Act (40 U.S.C. 327 *et seq.*) and all other applicable Federal, state and local laws and regulations pertaining to labor standards insofar as those acts apply to the performance of this Agreement. The ORGANIZATION agrees to comply with the Copeland Anti-Kick Back Act (18 U.S.C. 874 *et seq.*) and its implementing regulations of the U.S. Department of Labor at 29 CFR Part 5. The ORGANIZATION shall maintain documentation that demonstrates compliance with hour and wage requirements of this part. Such documentation shall be made available to the CITY for review upon request.

The ORGANIZATION agrees that, except with respect to the rehabilitation or construction of residential property containing less than eight (8) units, all contractors unengaged under contracts in excess of \$2,000 for construction, renovation or repair work financed in whole or in part with assistance provided under this contract, shall comply with Federal requirements adopted by the CITY pertaining to such contracts and with the applicable requirements of the regulations of the Department of Labor, under 29 CFR Parts 1, 3, 5 and 7 governing the payment of wages and ratio of apprentices and trainees to journey workers; provided that, if wage rates higher than those required under the regulations are imposed by state or local law, nothing hereunder is intended to relieve the ORGANIZATION of its obligation, if any, to require payment of the higher wage. The ORGANIZATION shall cause or require to be inserted in full, in all such contracts subject to such regulations, provisions meeting the requirements of this paragraph.

(3) "Section 3" Clause.

a. Compliance. Compliance with the provisions of Section 3 of HUD Act of 1968, as amended, and as implemented by the regulations set forth in 24 CFR 135, and all applicable rules and orders issued hereunder prior to the execution of this contract, shall be a condition of the Federal financial assistance provided under this contract and binding upon the CITY, the ORGANIZATION and any of the ORGANIZATION's subrecipients and subcontractors. Failure to fulfill these requirements shall subject the CITY, the ORGANIZATION and any of the ORGANIZATION's subrecipients and subcontractors, their successors and assigns, to those sanction specified by the Agreement through which Federal assistance is provided. The ORGANIZATION certifies and agrees that no contractual or other disability exists that would prevent compliance with these requirements.

The ORGANIZATION further agrees to comply with these "Section 3" requirements and to include the following language in all subcontracts executed under this agreement:

"The work to be performed under this Agreement is a project assisted under a program providing direct Federal financial assistance from HUD and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701). Section 3 requires that to the greatest extent feasible opportunities for training and employment be given

to low- and very low-income residents of the project area, and that contracts for work in connection with the project be awarded to business concerns that provide economic opportunities for low- and very low-income persons residing in the metropolitan area in which the project is located.”

The ORGANIZATION further agrees to ensure that opportunities for training and employment arising in connection with a housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public construction project are given to low- and very low-income persons residing within the metropolitan area in which the CDBG-funded project is located; where feasible, priority should be given to low- and very low-income persons within the service area of the project or the neighborhood in which the project is located, and to low- and very low-income participants in other HUD programs; and award contracts for work undertaken in connection with a housing rehabilitation (including reduction and abatement of lead-based paint hazards), housing construction, or other public construction project to business concerns that provide economic opportunities for low- and very low-income persons residing within the metropolitan area in which the CDBG-funded project is located; where feasible, priority should be given to residents within the service area or the neighborhood in which the project is located, and to low- and very low-income participant in other HUD programs.

The ORGANIZATION certifies and agrees that no contractual or other legal incapacity exists that would prevent compliance with these requirements.

b. Notification. The ORGANIZATION agrees to send to each labor organization or representative of workers with which it has a collective bargaining agreement or other contract or understanding, if any, a notice advising said labor organization or worker’s representative of its commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.

c. Subcontracts. The ORGANIZATION will include this Section 3 clause in every subcontract and will take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulation issued by the grantor agency. The ORGANIZATION will not subcontract with any entity where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR Part 135 and will not let any subcontract unless the entity has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.

(d) Conduct

(1) Assignability. The ORGANIZATION shall not assign or transfer any interest in this Agreement without the prior written consent of the CITY thereto; provided, however, that claims for money due or to become due to the ORGANIZATION from the CITY under this contract may be assigned to a bank, trust company, or other financial institution without such approval. Notice of any such assignment or transfer shall be furnished promptly to the CITY.

(2) Subcontracts

a. Approvals. The ORGANIZATION shall not enter into any subcontracts with any agency or individual in the performance of this contract without the written consent of the CITY prior to the execution of such agreement.

b. Monitoring. The ORGANIZATION will monitor all subcontracted services on a regular basis to assure contract compliance. Results of monitoring efforts shall be

summarized in written reports and supported with documented evidence of follow-up actions taken to correct areas of noncompliance.

c. Content. The ORGANIZATION shall cause all of the provisions of this contract in its entirety to be included in and made part of any subcontract executed in the performance of this Agreement.

d. Selection Process. The ORGANIZATION shall undertake to insure that all subcontracts let in the performance of this Agreement shall be awarded on a fair and open competition basis in accordance with applicable procurement requirements. Executed copies of all subcontracts shall be forwarded to the CITY along with documentation concerning the selection process.

(3) Hatch Act. The ORGANIZATION agrees that no funds provided, nor personnel employed under this Agreement, shall be in any way or to any extent engaged in the conduct of political activities in violation of Chapter 15 of Title V of the U.S.C.

(4) Conflict of Interest. The ORGANIZATION agrees to abide by the provisions of 245 CFR 84.42 and 570.611, which include (but are not limited to) the following:

a. The ORGANIZATION shall maintain a written code or standards of conduct that shall govern the performance of its officers, employees or agents engaged in the award and administration of contracts supported by Federal funds.

b. No employee, officer or agent of the ORGANIZATION shall participate in the selection, or in the award, or administration of, a contract supported by Federal funds if a conflict of interest, real or apparent, would be involved.

c. No covered persons who exercise or have exercised any functions or responsibilities with respect to CDBG-assisted activities, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest in any contract, or have a financial interest in any contract, subcontract, or agreement with respect to the CDBG-assisted activity, or with respect to the proceeds from the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for a period of one (1) year thereafter. For purposes of this paragraph, a "covered person" includes any person who is an employee, agent, consultant, officer, or elected or appointed official of the CITY, the ORGANIZATION, or any designated public agency.

(5) Lobbying.

The ORGANIZATION hereby certifies that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any

agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and

c. It will require that the language of paragraph (d) of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all Subrecipients shall certify and disclose accordingly:

d. **Lobbying Certification.** This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S.C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

(6) **Copyright.** If this contract results in any copyrightable material or inventions, the CITY and/or grantor agency reserves the right to royalty-free, non-exclusive and irrevocably license to reproduce, publish or otherwise use and to authorize others to use, the work or materials for government purposes.

(7) **Religious Activities.** The ORGANIZATION agrees that funds provided under this Agreement will not be utilized for inherently religious activities prohibited by 24 CFR 570.200(j), such as worship, religious instruction, or proselytization.

11. ENVIRONMENTAL CONDITIONS

(a) **Air and Water.** The ORGANIZATION agrees to comply with the following requirements insofar as they apply to the performance of this Agreement:

(1) Clean Air act, 42 U.S.C., 7401, *et seq.*;

(2) Federal Water Pollution Control Act, as amended, 33 U.S.C., 1251, *et seq.*, as amended, 1318 relating to inspection, monitoring, entry, reports, and information, as well as other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued thereunder;

(3) Environmental Protection Agency (EPA) regulations pursuant to 40 CFR Part 50, as amended.

(b) **Flood Disaster Protection.** In accordance with the requirements of the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001), the ORGANIZATION shall assure that for activities located in an area identified by the Federal emergency Management Agency (FEMA) as having special flood hazards, flood insurance under the National Flood Insurance Program is obtained and maintained as a condition of financial assistance for acquisition or construction purposes (including rehabilitation).

(c) **Lead-Based Paint.** The ORGANIZATION agrees that any construction or rehabilitation of residential structures with assistance provided under this Agreement shall be subject to HUD Lead-Based Paint Regulations at 24 CFR 570.608, and 24 CFR Part 35, Subpart B. Such regulations pertain to all CDBG-assisted housing and require that all owners, prospective owners, and tenants of properties constructed prior to 1978 be properly notified that such properties may include lead-based paint. Such notification shall point out the hazards of lead-based paint and explain the

symptoms, treatment and precautions that should be taken when dealing with lead-based paint poisoning and the advisability and availability of blood lead level screening for children under seven. The notice should also point out that if lead-based paint is found on the property, abatement measures may be undertaken. The regulations further require that, depending on the amount of Federal funds applied to a property, paint testing, risk assessment, treatment and/or abatement may be conducted.

(d) Historic Preservation. The ORGANIZATION agrees to comply with the Historic Preservation requirements set forth in the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470) and the procedures set forth in 36 CFR Part 800, Advisory Council on Historic Preservation Procedures for Protection of Historic Properties, insofar as they apply to the performance of this agreement.

In general, this requires concurrence from the State Historic Preservation Officer for all rehabilitation and demolition of historic properties that are fifty years old or older or that are included on a Federal, state or local historic property list.

12. SEVERABILITY

If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall nevertheless be in full force and effect.

13. SPECIAL TERMS AND CONDITIONS.

(a) It is expressly understood and agreed that either party shall have the right to terminate this Agreement upon fifteen (15) days' written notice to the other party. However, ORGANIZATION may not terminate An Assignment of Proceeds and Grant of Lien without written consent of CITY. All reports or accounting provided for herein shall be rendered whether or not falling due within the Agreement period.

(b) Further, CITY reserves the right to immediately terminate this Agreement upon written notification to ORGANIZATION under the following conditions:

(1) Notification by HUD to the CITY that said project is ineligible because of project location, services provided, or any other reason cited by HUD.

(2) Notification by HUD to CITY that said project is deficient and that continued support of the project is not providing an adequate level of services to low/moderate income or minority people.

(3) Written notification from HUD to CITY that the program funds made available to CITY are being curtailed, withdrawn, or otherwise restricted.

(c) CITY also reserves the right to immediately terminate this Agreement or to reduce the Agreement compensation amount under the following conditions:

(1) Failure of ORGANIZATION to file required reports

(2) Failure of ORGANIZATION to meet project dates

(3) Expenditure of funds under this Agreement for ineligible activities, services or items

(4) Failure to comply with written notice from CITY of substandard performance in scope of services under the terms of this Agreement.

14. OBLIGATIONS OF ORGANIZATION: Throughout the term of this Agreement, ORGANIZATION shall possess, or secure all licenses, permits, qualifications and approvals legally required to conduct business. ORGANIZATION warrants that it has all of the necessary professional capabilities and experience, as well as all tools, instrumentalities, facilities and other resources necessary to provide the CITY with the services contemplated by this Agreement. ORGANIZATION further warrants that it will follow the best current, generally accepted and professional practices to make findings, render opinions, prepare factual presentations, and provide professional advice and recommendations regarding this project.

15. PARTIAL INVALIDITY: If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.

16. ASSIGNMENT: This agreement is binding upon CITY and ORGANIZATION and their successors. Except as otherwise provided herein, neither CITY nor ORGANIZATION shall assign, sublet, or transfer interest in this Agreement or any part thereof without the prior written consent of the other.

17. NOTICE: Any and all notices permitted or required to be given hereunder shall be deemed duly given and effective (1) upon actual delivery, if delivery is by hand; or (2) five (5) days after delivery into the United States mail, if delivery is by postage paid, registered, or certified (return receipt requested) mail. Each such notice shall be sent to the parties at the address respectively indicated below or to any other address as the respective parties may designate from time to time:

for ORGANIZATION: COMMUNITY HOUSING AND SHELTER SERVICES

**Attn: Esther Rosas
708 H Street
Modesto, CA 95354
PHONE: (209) 527-0444**

for CITY:

**CITY OF TURLOCK
ATTN: MANAGER
HOUSING PROGRAM SERVICES DIVISION
156 SOUTH BROADWAY, SUITE 140
TURLOCK, CALIFORNIA 95380-5454
PHONE: (209) 668-5610
FAX: (209) 665-5120**

18. SECTION HEADINGS AND SUBHEADINGS

The section heading and subheadings contained in this Agreement are included for convenience only and shall not limit or otherwise affect the terms of this Agreement.

19. WAIVER

The CITY's failure to act with respect to a breach by the ORGANIZATION does not waive its right to act with respect to subsequent or similar breaches. The failure of the CITY to exercise or enforce

any right or provision shall not constitute a waiver of such right or provision.

20. ENTIRE AGREEMENT

The agreement constitutes the entire agreement between the CITY and the ORGANIZATION for the use of funds received under this Agreement and it supersedes all prior or contemporaneous communications and proposals, whether electronic, oral, or written between the CITY and the ORGANIZATION with respect to this Agreement.

21. CITY CONTRACT ADMINISTRATOR: The City's contract administrator and contact person for this Agreement is:

Maryn Pitt, Assistant to City Manager for Economic Development/ Housing
Housing Program Services Division
156 S. Broadway, Suite 140
Turlock, California 95380-5456
Telephone: (209) 668-5610
E-mail: mpitt@turlock.ca.us

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in duplicate by and through their respective officer's thereunto duly authorized by a motion approved by the Turlock City Council on May 25, 2021.

CITY OF TURLOCK, a municipal corporation

COMMUNITY HOUSING AND SHELTER SERVICES

By: _____
Gary R. Hampton, Acting City Manager

By: _____

Title: _____

Print Name: _____

APPROVED AS TO FORM:

By: _____
George A. Petrulakis, Interim City Attorney

Phone: (209) 527-0444
708 H Street
Modesto, CA 95354

ATTEST:

By: _____
Jennifer Land, City Clerk



City of Turlock
Community Development Block Grant (CDBG)
Public Service Grant Application
For Fiscal Year 2020-2021

Please fully review the Public Service Grant Application Guidelines prior to starting the application process.

A. Project Summary

A-1 Project Title: City of Turlock Homeless Prevention

Amount Requested **\$309,464**

Total Project Cost **\$309,464** (Should match Exhibit B-Budget)

Public Service Grant Application or

A-2 Legal Name of Agency requesting funding: Community Housing and Shelter Services of Stanislaus County

DBA Agency: Community Housing and Shelter Services

Agency address: 708 H. Street, Modesto, CA 95354

Phone: 209-527-0444

Tax ID number: 77-0079748

Incorporated year: 1981

501(c)(X): or Not

DUNS number: 835658782

City of Turlock Business License Number: Submitted Application-pending receipt of certificate. (See also Question B-2)

Organization's website: www.communityhousingandshelterservices.org

A-3 Project Contact Name: Esther Rosas Title: Executive Director

Address (if different than above): same as above

E-mail address: chssrosas@gmail.com

Phone: (209)527-0444

A-4 Agency Type (check all that apply):

Non-Profit For-Profit Government Faith-Based School/Institution of Higher Education

A-5 Number of unduplicated individuals and households you anticipate serving with this project:

Individuals: 96 and Households: 32. Projects must serve a minimum of 51% low- and moderate-income persons (persons at or below 80% of the area median income defined by HUD). An "unduplicated" count means that each client is counted only once during the fiscal year, regardless of the number of times the client is served.

A-6 Summarized Project Description: In the box below, provide a brief description of the proposed project and what it plans to accomplish if funded (Do not increase box size):

According to the State of California EDD, Stanislaus County has experienced a record high increase in those becoming unemployed within our County. Statistics report that although many have returned to the workforce there continues to be 8.2% of Californians who are still unemployed. Many as a result of the impacts of the COVID-19 pandemic. While many have applied for unemployment benefits many have not been approved or are awaiting to receive their benefits. Although, there currently is a state-wide temporary moratorium that offers protection for tenants from evictions and property owners from foreclosure, effective February 1, 2021 tenants/property owners will be required to repay any back owed rent/mortgage. CHSS anticipate that many of our City of Turlock residents will be served a 3-day notice to pay rent or quit or may face foreclosure when the order lifts. The proposed program will provides case management and short-term rental/mortgage/utility assistance to 32 households (96 individuals) experiencing verifiable hardships related to the COVID-19 pandemic. Each household served will receive up to \$7,344 for up to six months of assistance. In addition, households served will also receive six months of individualized follow-up case management support after the assistance is provided to ensure their on-going sustainability and to prevent any new incidences of being at-risk of becoming homelessness.

A-7 Additional Project Information: Expand on and provided additional information about the project and how it will be implemented.:

According to the State of California EDD, Stanislaus County has experienced a record high increase in those becoming unemployed within our County. Statistics report that although many have returned to the workforce there continues to be 8.2% of Californians who are still unemployed. Many as a result of the impacts of the COVID-19 pandemic. While many have applied for unemployment benefits many have not been approved or are awaiting to receive their benefits. Although, there currently is a state-wide temporary moratorium that offers protection for tenants from evictions and property owners from foreclosure, effective February 1, 2021 tenants/property owners will be required to repay any back owed rent/mortgage. Community Housing and Shelter Services (CHSS) anticipate that many of our City of Turlock residents will be served a 3-day notice to pay rent or quit or may face foreclosure when the order lifts. The proposed program will provides case management and short-term rental/mortgage/utility assistance to 32 households (96 individuals) experiencing verifiable hardships related to the COVID-19 pandemic. Each household served will receive up to \$7,344 for up to six months of assistance. In addition, households served will also receive six months of individualized follow-up case management support after the assistance is provided to ensure their on-going sustainability and to prevent any new incidences of being at-risk of becoming homelessness.

In order for CHSS to assist each household in removing barriers to sustainable housing, all households served will receive on-going Case Management Services at a minimum of once per month with the client, although the goal would be for additional follow-up. Those assisted will also receive on-going Case Management Services and complete an individualized action plan to address their immediate and long-term goals to ensure permanent housing sustainability. The primary objective for CHSS is to prevent and end homelessness by providing services that include: 1) provide crisis intervention to address immediate family needs, while simultaneously assisting families to develop permanent housing and action plans, 2) provide referrals to mainstream resources (CalWORKS, CalFRESH, SSI, Medical etc.), supportive networks, employment and education (CVOC, EDD, Stanislaus Workforce Development) will be made. These programs will provide assistance in securing employment and acquiring skills that promote opportunities for advancement and increased earning potential, 3) assist households in the completion of a household budget and gaining knowledge of tenant rights, and 4) provide up to six months of individualized follow-up case management support after the household receives assistance to ensure their sustainability and to prevent becoming at risk-of homelessness.

CHSS anticipates that 90% of the households served will remain in permanent stable housing. CHSS will provide up to six months of follow-up assistance after being permanently housed to ensure that all clients served have access to the tools that they need to maintain their permanent housing upon program exit.

B. Agency Information

B-1 Certifications: Is your agency required to have local, State, or Federal certificates, licenses, or conditional use permits?

Yes No

If Yes, please indicate what type of certificate/license is required, the entity that certifies your agency, and the dates of your most recent certification. Licensed childcare center agencies and Charter Schools must also attach a copy of Certificate of Occupancy. All CDBG funded staff working with children must be fingerprinted. Please list the staff positions that require fingerprinting. Please attach all of the indicated information labeled as **Exhibit L** (Certifications).

B-2 Business License: A Business License is required for all organizations doing business in Turlock. Please attach a copy of the current Business License labeled **Exhibit J**.

- City of Turlock Business License number: Submitted Application-pending receipt of certificate.
 Not applicable if the organization is not doing business in Turlock
 Not applicable if the organization is a government agency or school.

B-3 Mission Statement: List the agency's Mission Statement or if none explain why the agency exists and list its goals:

The mission of CHSS is, "to provide housing and related services to families in need". The vision of the agency is to transition families/individuals from temporary emergency shelter or motel voucher programs and into permanent rental housing and assist those that are at-risk-of becoming homeless. CHSS is the primary agency in Stanislaus County which provides emergency shelter to families via motel voucher programs. CHSS also serves as the lead agency providing rental and/or deposit assistance to low-income households seeking to obtain permanent, affordable housing as well as assisting those who are at-risk of becoming homeless.

B-4 Experience: Briefly explain the organization's previous experience in carrying out this or similar projects. Discuss staffing responsibilities and their qualifications for administering the project.

CHSS has been providing services to residents of Stanislaus County for over 39 years. The mission of CHSS is to provide housing and related services to families in need. The vision of the agency is to transition families/individuals from temporary emergency shelter or motel voucher programs and into permanent rental housing and assist those that are at-risk-of becoming homeless. CHSS offers the entire spectrum of housing services for residents that includes housing counseling, emergency shelter, rental assistance and supportive services permanent housing. CHSS is the primary agency in Stanislaus County, which provides emergency shelter to families via motel voucher programs. CHSS also serves as the lead agency providing rental and/or deposit assistance to low-income households seeking to obtain permanent, affordable housing as well as assisting those who are at-risk of becoming homeless. Being a full-service housing counseling agency is the component that sets CHSS apart from the rest in the area. The primary objective for CHSS is to prevent and end homelessness by providing services that include: individualized goal-based service planning and ongoing support services, which will connect Clients to mainstream resources, connections to supportive networks, referrals to employment, education and housing related services.

CHSS has over 39 years in experience administering various supportive permanent housing programs from HUD. CHSS has also been a recipient of Stanislaus County ESG and City of Modesto ESG funding for over 16 years; these funds have allowed CHSS to provide rental assistance, Homeless Prevention Rapid Re-Housing and shelter services to homeless individuals and families within our community. CHSS also receives funds from Emergency Food and Shelter Program annually through a competitive process. The funding allows CHSS to provide shelter and rental/mortgage assistance, however, it is only available for utilization for approximately (3) three to (4) four months in a given fiscal cycle. Lastly, CHSS administers several large grants to provide motel vouchers to homeless households, the funding is dedicated to specific programs (by referral only), namely TANF, WHSP/HSP homeless families, and BHRS.

CHSS has qualified staff with a combined 60 years of experience providing supportive services, knowledge of the eligibility requirements that HUD requires and are very adept at providing exemplary case management to low-to-moderate income renters and those who are experiencing homelessness.

Our Homeless Management Information System (HMIS) staff person has some of the most comprehensive data entry experience within the community for HMIS data entry related services. The data collection has been utilized to report on the Annual Homeless Assessment Report (AHAR) and on the Housing Inventory County Report (HIC). Entering this essential data allows Community System of Care (CSOC) to providing a better representation of the homeless population needs within the county.

Program personnel include:

Executive Director

11 years of experience in Rental and Housing Services with CHSS

10 years of experience in HPRP related services

Will provide program and administrative oversight and perform reporting responsibilities

Case Manager

3 years of experience in interviewing clients, making referrals and issuing payments

Will perform initial applicant screening, intake and assessment interviews; work with property owners, and process and issue payments

HMIS Data Entry Clerk

3 years of experience in data entry for Homeless Management Information System
 3 years of experience in Rental and Housing Services
 Member of the HMIS Sub-Committee

C. Project Information

C-1 Project: Is the proposed project new or an expansion of a currently offered project? (Check one)
 New Expanded

C-2 Target Demographic: Project serves the following Target Demographic (check only one):
 Children (infant-12) Youth (13-17) Adult (18-61) Elderly Persons (62+)
 Homeless/Low Income Non-Homeless Special Needs

C-3 Primary Service: Project provides the following Primary Service (check only one):
 Shelter Food Education Foster Care
 Welfare Health Recreation Crime Prevention
 Employment Fair Housing Other Rental/Mortgage/Utility Assistance

C-4 Secondary Services: This project also provides the following services (check all that apply):
 Shelter Food Education Foster Care
 Welfare Health Recreation Crime Prevention
 Employment Fair Housing Other Mortgage Assistance

C-5 Target Income Levels: The project target client income level (check all that apply). HUD Income table in Guidelines.
 Very Low (not greater than 30%) Low (not greater than 50%) Low/Moderate (Not greater than 80%)

C-6 Client Income Verification:
 To be eligible for CDBG assistance, a public service project **must serve low- and moderate-income persons**. Low- and moderate-income is defined as those at or below 80% of the area median income as defined by HUD. Income eligibility is determined by family size. HUD's definition of Family (24 CFR 5.403) includes everyone in the household. Documentation of the benefit to low- and moderate-income level persons is required of every project funded (CDBG National Objective 24 CFR 570.208). There are three income category options for meeting this objective, (1) Limited Clientele-Client based and (2) Limited Clientele-Presumed Benefit, where eligibility is determined on a client basis, or (3) Area-Benefit, where eligibility is determined by where the service is being provided. Each application must specify only one eligibility category for their project. Descriptions of these benefit categories are detailed below:

(For more information refer to page 4 of the Application Guidelines under Project Requirements)

1. **Limited Clientele- Client Based** – Project provides services to clients **city-wide**.
 (Requires copies of income verification documentation in individual client files)
 The program must serve a minimum of 51% low- and moderate-income persons.
2. **Limited Clientele- Presumed Benefit** – Project provides services **ONLY** to these HUD Presumed Benefit categories. Since these groups are presumed to be low and moderate income, individual income verification is not required although other client statistics will be required. Select the presumed benefit options below you will be serving. If you are serving any clients that do not fit into these specified categories you would select Limited Clientele-Client Based above.

<input type="checkbox"/> Elderly Persons (62 years and older)	<input type="checkbox"/> Battered Spouses
<input type="checkbox"/> Homeless Persons	<input type="checkbox"/> Abused Children
<input type="checkbox"/> Migrant Farm Workers	<input type="checkbox"/> Severely Disabled Adults
<input type="checkbox"/> Persons living with HIV/AIDS	<input type="checkbox"/> Illiterate Persons (includes non-English speakers)
3. **Area-Benefit** - The project must be offered to **all residents of a defined geographic area** containing a minimum of 51% of the residents who are low to moderate income as proven by 2010 census data. This is not an option for projects open to clients city-wide. If Area-Benefit has been selected, attach a map defining the area and label it **Exhibit O**. Prior city staff approval is required for this option to insure your project is eligible under Area-Benefit.

Census Tract: _____ Low and moderate %: _____ Census Tract: _____ Low and moderate %: _____

C-7 Statement of Problem or Need: Briefly describe the problem or need that the proposed project is intended to address. Qualify the need based on studies, surveys, or other to show what your conclusions are based on.

Homeless Prevention programs can play a vital role in strengthening families who are at the verge of becoming homeless. This funding will be utilized to provide short-term rental/mortgage/utility to households who are at imminent risk of becoming homeless by preventing eviction for households who have received a 3-day notice to pay rent or quit, utility shut-off notice as well as assisting property owners from foreclosure, effective February 1, 2021 tenants/property owners will be required to repay any back owed rent/mortgage. CHSS anticipate that many of our City of Turlock residents will be served 3-day notice to pay rent or quit or face foreclosure when the order lifts. and have written verifiable documentation of an emergency expense or verifiable loss of income due to the COVID-19 pandemic. This assistance would allow the households serve to maintain permanent housing during these unprecedented times. The proposed program will allow CHSS to provide short-term rental/mortgage assistance to 32 households (96 unduplicated individuals) consisting of families with minor children, seniors and those who are disabled. Each household will receive up to six months of assistance to ensure those served remain permanently housed. Additionally, Case Management services will be offered to all households that CHSS will serve under this program. Those assisted will also receive on-going Case Management Services and complete an individualized action plan to address their immediate and long-term goals to ensure permanent housing sustainability.

C-8 Consolidated Plan Goals: The City of Turlock's Consolidated Plan is designed to direct the City's investment of federal CDBG funds to meet priority needs for housing, community and economic development, and public service. The overall goals of the Consolidated Plan are as follows: to provide decent and affordable housing, to provide a suitable living environment, or to expand economic opportunities. **As an applying agency your project must cover one or more of the following objectives.**

(Check all that apply)

- Provide assistance that facilitates homeless services and transitional housing.
- Homeless services -areas of need include: Food, emergency shelter, housing counseling, homeless support services, domestic violence prevention and intervention, individual, family, group counseling, crisis intervention, and drug and alcohol abuse services.
- Support services that accompany permanent housing for people who are chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth.
- Support services to assist target income individuals and families, including those with special needs. Special needs include the elderly, frail elderly, persons with disabilities (mental, physical, developmental, persons with HIV/AIDS and their families), persons with alcohol or other drug addiction, and victims of domestic violence.
- Promote facilities and services that directly benefit residents of target-income neighborhoods.
- Employment training, job skills, mentoring, and computer technology.
- Senior, Youth, and Handicapped Services- areas of need include: food, physical fitness/wellness, activities/alternatives to serve at risk youth including after school programs, parenting programs, safety services, family and senior support services, handicapped assistive equipment technology, health services, crime awareness, protective services, transportation services, and child care services.
- Fair housing services.

C-9 Consolidated Plan Goals Met: Indicate how the project will meet the goals/needs outlined in the Consolidated Plan?

CHSS would like to continue to align our efforts to those of the Stanislaus County Board of Supervisors Focus on Prevention countywide initiative. This initiative is aimed to improve the quality of life for all Stanislaus residents and families through coordinated prevention efforts that will work across multiple sectors. According to the Stanislaus County Homeless Count for 2019, there were a total of 1,923 individuals experiencing homelessness within our county. However, we anticipate that these numbers will increase due to the impacts of the COVID-19 pandemic primary due to the loss of employment for many of the residents of Stanislaus County.

C-10 Project Accomplishments: What specific accomplishments does your agency expect to achieve with this project? What measures are in place to confirm and track these results? Please detail both short-term and long-term outcomes.

The proposed program will allow CHSS to provide short-term rental/mortgage assistance to 32 households (96 unduplicated individuals) consisting of families with minor children, seniors and those who are disabled. Each household will receive up to six months of assistance to ensure those served remain permanently housed. Additionally, Case Management services will be offered to all households that CHSS will serve under this program. Those assisted will also receive on-going Case Management Services and complete an individualized action plan to address their immediate and long-term goals to ensure permanent housing sustainability.

C-11 Client Screening: Describe how clients are prioritized and or screened for services. Are clients chosen for services at random, first come first serve, or a waiting list? What resources are used before services can be provided? If employees are eligible for program services what policies are in place to ensure there is no conflict of interest?

A household is eligible if are at imminent risk of becoming homeless, reside within the City of Turlock limits and are at or below 80% of the median income and have been affected by COVID-19 pandemic. In addition, the household must be willing to participate in case management services and have the potential to show sustainability or increase their income.

CHSS will accept households into the program on a first-come, first-serve basis upon them calling our rental assistance line. Clients will be screened for assistance to ensure that they have exhausted all resources available to them prior to receipt of this funding source.

In the event that an employee applies for rental/mortgage/utility assistance, they will be required to follow the same procedure as all other households seeking assistance. The client intake will be conducted by Executive Director and reviewed for approval by the agency's board of directors to ensure there are no conflicts of interest.

C-12 Counting Clients Served: Describe the procedures and methods used to count and monitor the unduplicated clients you anticipate serving. An "unduplicated" count means that each client is counted only once during the fiscal year, regardless of the number of times the client is served.

An unduplicated person is only counted once at the time of intake. Any additional "follow-up services" with clients are considered services and are not included in the "new client" or unduplicated count. When a household has been determined eligible for this program, an intake is completed. All statistics for households/individuals are entered once into our Homeless Management Information System (HMIS) with additional follow-ups entered as services only.

C-13 Income and City of Turlock Residency Determination: Describe how you will determine the income level and Turlock residency of persons served with regards to the HUD defined CDBG income limits? How will you document family/household size and ages? What staff member(s) will be responsible for documenting and calculating the income? How will you document Turlock residency? (Residency documentation is required by a third-party verification, such as a copy of a TID utility billing.)

CHSS understands that program documentation must be adequate to verify grant eligibility, comply with CDBG and City requirements and must be retained pursuant to program guidelines. As applicable, the following criteria shall be used to determine program participant eligibility for assistance.

a. Income shall be annualized and calculated and documented by the Case Manager based on the standards for the Housing Choice Voucher Program (Section 8 Eligibility Standards). Program participants must be 80% and under the Area Median Income to be determined to be eligible.

b. A client cannot be determined to be ineligible for the program due to a lack of income.

For each program participant who receives rent/mortgage/utility assistance, the following documentation of annual income will be maintained:

a. Income evaluation form containing the minimum requirements specified by HUD and completed by the recipient or sub-recipient; and

b. Source documents for the assets held by the program participant and income received over the most recent period for which representative data is available before the date of the evaluation (e.g., wage statement, unemployment compensation statement, public benefits statement, bank statement);

c. To the extent that source documents are unobtainable, a written statement by the relevant third party (e.g., employer, government benefits administrator) or the written certification by the recipient's or sub-recipient's intake staff of the oral verification by the relevant third party of the income the program participant received over the most recent period for which representative data is available; or

d. To the extent that source documentation and third party verification are unobtainable, the written certification by the program participant of the amount of income he/she received for the most recent period shall be representative of the income that it is reasonably expected to be received over the 3-month period following the evaluation.

When a household has been determined eligible for this program, an intake will be completed and all statistics for households/individual such as family/household size and ages will be entered into our Homeless Management Information System (HMIS).

Written verification to verifying how COVID-19 pandemic resulted in a financial hardship or a reduction of income- less hours, no sick time etc.

In addition, when a household residency documentation will be required by a third-party verification, such as a current copy of a TID utility billing.

C-14 Location(s) where services will be provided: Please list all locations (with address) where this project will be held, unless the location is a safe haven situation (i.e. Domestic abuse shelter).

Community Housing and Shelter Services
708 H Street,
Modesto, CA 95354

C-15 Site Control: If the project will be offered at location(s) owned or managed by another agency describe and verify that the site(s) is/are firmly committed for this project. Attach evidence of the site control to the application and label Exhibit N (Site Control). (Example: copy of lease, deed, agreement).

C-16 Collaboration: If the project is a collaborative effort with other agencies or contracted out, describe the partnership. Name the agencies involved and explain their roles. Services contracted out to other entities are required to have agreements allowing City and HUD access to project related documents and client files and must follow the same project regulations. The agency must have something in place to ensure that project regulations and requirements are met. Describe any informal collaborations with other agencies to assist your clients.

Not Applicable

C-17 Public Awareness: How are clients made aware of the agency, the project and services? How does the project receive most of its referrals?

People are made aware of the project and services via public outreach and referrals from many agencies such as United Way's 211 service, Community Services Agency (CSA Stanislaus County), Family Promise, and at monthly Community System of Care meetings (CSOC).

CHSS receives the majority of the referrals by those interested making direct contact with our agency.

C-18 Outreach: What will the agency do in order to promote and provide services to the community's diverse ethnic population?

Outreach will also be provided by providing informational fliers to agencies who have a diverse ethnic population served such as West Modesto Collaborative and El Concilio.

- C-19 a.) Personnel Costs:** Complete the Personnel Costs form **Exhibit C** provided. List the positions for **all of the individuals that will be involved with the implementation of the project, funded or not with Turlock CDBG funds**. This would include but is not limited to program staff, volunteers, and contracted employees. The expenses should correspond with the Budget (Exhibit B).
- b.) Job Descriptions:** Attach copies of all the job descriptions for the program positions listed in Exhibit C (referenced above). Label these as **Exhibit C-1**.

C-20 Eligibility: What are the client eligibility requirements to participate in the project/program? Make sure your requirements correspond to the grant guidelines. If using another agency to provide services or collaboration clarify how program eligibility requirements will be met.

A household is eligible if they are at imminent risk of becoming homeless, reside within the City of Turlock limits and are at or below 80% of the median income and have been affected by COVID-19 pandemic. In addition, the household must be willing to participate in case management services and have the potential to show sustainability or increase their income.

CHSS will accept households into the program on a first-come, first-serve basis upon them calling our rental assistance line. Clients will be screened for assistance to ensure that they have exhausted all resources available to them prior to receipt of this funding source.

C-21 Faith Based Organizations: CDBG funds cannot be used to support worship or religious instruction. Religious activities must be offered separately from the CDBG supported activity. Faith based agencies may not use direct CDBG funds to support inherently religious activities such as worship or religious instruction. Faith-based agencies that participate in the CDBG program shall not discriminate against a program beneficiary on the basis of religion or religious belief. Are you a faith-based organization?
 Yes No
 If Yes, What requirements do you have for providing services to your clients? How are you separating your religious instruction/activities from your program?

D. Financial & Budget Information

D-1 Previous Turlock CDBG Funding: Has this project previously been funded with CDBG funds from the City of Turlock? Yes No

If Yes, please indicate the year(s), allocations, expended, number served as reported to city, and project name/description in the following table:

Fiscal Years	Allocated	Expended	Number Served	Project Name/Description
2016/2017	\$	\$		
2017/2018	\$	\$		
2018/2019	\$	\$		
2019/2020	\$	(Program in progress)		

Please explain any discrepancy between allocated and expended funds. Explain if funds were reimbursed to the city and why:
 Not Applicable

D-2 **Fee Schedule:** Are there any fees, charges, and or membership requirements to receive services for the project? If "Yes" is selected please provide the appropriate fee schedule labeled **Exhibit M**.
 Yes No

If Yes, please fully describe the fees, charges, and or memberships required:

D-3 **Funding Level:**

If the agency is not awarded all of the funding requested; can the agency still provide the project?
 Yes No

If No, what is the minimum amount of funding that would be needed to provide the project?
\$ _____

D-4 **Other Funding Sources:** Describe other sources of funding for this project by completing the "Other Funding Sources" form provided labeled **Exhibit A**. Only list funding for this project, not the entire agency.

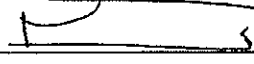
D-5 **Budget:** Complete the Budget form provided labeled **Exhibit B**. The budget should identify, in detail, how CDBG funds are to be utilized. This exhibit should balance with the figures provided in Exhibit A (Other Funding Sources) and Exhibit C (Personnel Information). All budget information must be provided using the supplied form. If the supplied form is not utilized the application may be deemed incomplete and not considered for funding. Items listed under Project Costs must be specific. Generic references such as "Program Expenses" are not allowable. Grant draw requests will be required to follow each line item amount and detail.

D-6 **Staff Authorized to request payments:** List all staff authorized to request grant payments.

Name: Esther Rosas
Title: Executive Director

Signature: 

Name: Mohammad Fahim Samadi
Title: HMIS Data Entry Clerk

Signature: 

E. Conflict of Interest

E-1 **Conflicts of Interest:** Conflicts of interest would include Turlock staff members or council members participating as an employee, board member or large contributor for your organization. Please review question E-3 below for possible staff conflicts. A conflict of interest requires a written waiver from the City Attorney before an agreement is signed.

Are there any conflicts or possible conflicts of interest to report? Yes No
If Yes, please explain all conflicts or possible conflicts.

- E-2 a.) **Board of Directors:** Please provide a list of names and positions of the Board of Directors and Officers for the Agency and label as **Exhibit K**.
- b.) **Board of Directors Minutes:** Provide a copy of the minutes from the board of directors or equivalent approving the application submittal has been approved and label as **Exhibit D**. If your board does not require authorization to submit an application, provide a letter signed by an approved representative authorizing the request for funds or provide a waiver of board action to apply for funding and label as **Exhibit D**.

E-3. **Agency Staff with City Connection:** Please list any employees or board members of the agency who are elected officials, appointed members of a City of Turlock Commission/Committee, or a City of Turlock employee (if applicable). Make sure to clearly identify the group with which they are affiliated. Current listings of City of Turlock advisory groups can be found on the City of Turlock website at <http://www.cityofturlock.org> including the City Council and the Art and Planning Commissions.

Not Applicable

F. Certifications

If this application is approved for funding, the agency agrees to fully comply with all required federal regulations including section 504, state, and local laws and regulations. The agency confirms that it is fully capable of fulfilling the obligations as cited in this proposal, and has attached the required documents referred to in this application. The agency confirms that the board of directors or equivalent has reviewed and approved submittal of this grant application, and the minutes of said meeting are attached marked Exhibit D.

The agency understands that any approval of the grant proposal is conditional upon the final acceptance of the fiscal year 2020-2021 Community Development Block Grant application funding from HUD and execution of an agreement with the City of Turlock on implementing the grant and monitoring requirements. Agency acknowledges that only an executed agreement with the City authorizes the initiation of project services or activates incurring expenditures for the project period.

Agency acknowledges that CDBG funds are provided on a reimbursement basis and supporting documentation must be approved by City staff prior to payment processing. Agency has sufficient funds available or will be available to complete the project as described. Agency does not have any unresolved audit findings for prior CDBG or other federal-funded project.


Agency understands that program documentation must be adequate to verify grant eligibility, comply with CDBG and City requirements and must be retained pursuant to program guidelines. If the City and or HUD are not able to verify that program requirements were met through this documentation, the agency will be required to return all grant funding to the City of Turlock.

I hereby certify as an authorized signer on behalf of the agency, I submit this application to the City of Turlock and verify that the information included herein is true, accurate, and complete. Furthermore, I understand that late or incomplete proposals will not be considered for funding.

PENALTY FOR FALSE OR FRAUDULENT STATEMENT:
U.S. Code Title 18, Section 1001, provides that a fine up to \$10,000 or imprisonment for a period not to exceed 5 years, or both, shall be the penalty for willful misrepresentation and the making of false, fictitious, or fraudulent statements, knowing the same to be false.

Name of Agency: Community Housing and Shelter Services of Stanislaus County

DBA of Agency: Community Housing and Shelter Services

Signature of Authorized Official: 

Date: 1.21.2021

Print Name & Title: Esther Rosas, Executive Director

Phone: (209)527-0444 ext. 302

E-mail Address: chssrosas@gmail.com

Mailing Address: P.O. Box 881

Modesto, CA 95354



City of Turlock
Housing Program Services Division
156 S. Broadway, Suite 140, Turlock, CA 95380
(209) 668-5610, TDD 1(800)735-2929
www.cityofturlock.ca.us

REQUIRED DOCUMENTATION - EXHIBIT CHECKLIST

All of the following exhibits must be included and clearly labeled (exhibit letter in top right corner of page) or the application will be disqualified. If an attachment does not apply to your agency please place a sheet labeled with the appropriate exhibit letter and the words "Not Applicable" clearly printed on the page, followed by a brief explanation of why this exhibit does not apply. All other attached narratives not specifically asked for in the exhibits page will be considered extraneous data and discarded. For application submittal requirements see the Application Guidelines.

Place an X on each of the following Exhibits that are included with this application.
Place an N/A on each item that is Not Applicable to your organization.

- | | | |
|-------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Exhibit A | <u>X</u> | Other Funding Sources: Identify all sources of funding for this project (see required Exhibit A Form). (Requested under section D-4). City supplied form must be used. |
| Exhibit B | <u>X</u> | Budget: Proposed Detailed Budget as requested under section D-5 of the application. Budget expenses should correspond with Exhibit A and Exhibit C. City supplied form must be used. |
| Exhibit C | <u>X</u> | Personnel Information List the positions for all program staff, volunteers, and contracted employees related to the project, funded or not with Turlock CDBG funds (as requested under section C-19.a). City supplied form must be used. |
| Exhibit C-1 | <u>X</u> | Job Descriptions: Copies of job descriptions of the individuals involved with the implementation of the project as listed in Exhibit C (as requested under section C-19.b). |
| Exhibit D | <u>X</u> | Authorization to submit application: Board of Directors minutes authorizing the action to submit an application for funds, for the City of Turlock CDBG Public Service Grant Project. (Requested under section E-2.b) |
| Exhibit E | <u>X</u> | Articles of Incorporation as a nonprofit corporation from the California Secretary of State. |
| Exhibit F | <u>X</u> | By-laws as registered with the California Secretary of State. |
| Exhibit G | <u>X</u> | Letter from the California Franchise Tax Board determining tax-exempt status under Section 23701d, Revenue and Taxation Code. Franchise Tax Board Exempt Organizations Unit (916) 845-4171. |
| Exhibit H | <u>X</u> | Internal Revenue Service letter determining the agency's tax-exempt status under Section 501(c)(3) of the Internal Revenue Code. Status letter copies can be obtained by calling the IRS at (877) 829-5500. https://www.irs.gov/charities-non-profits/about-irs-exempt-organizations |
| Exhibit I | <u>X</u> | Certified Audit and/or financial statement (most recent). |
| Exhibit J | <u>X</u> | City of Turlock Business License (as requested under section B-2 of the application). |
| Exhibit K | <u>X</u> | Board of Directors: Copy of names, addresses, phone numbers and title of current members of the Board of Directors and Officers of the agency or trustees (as requested under section E-2.a of the application). |
| Exhibit L | <u>N/A</u> | Certifications: Please provide copies of current applicable licenses, evidence that fingerprinting requirements of staff have been met, and certifications that pertain to the project or project component that will utilize CDBG funds (as requested under section B-1 of the application). |
| Exhibit M | <u>N/A</u> | Fee Schedule: Reasonable fees may be charged for project services. If fees are charged provide a copy or schedule. Failure to submit the fee schedule for a fee-based project will render your application as disqualified. (Requested under section D-2). |
| Exhibit N | <u>X</u> | Site Control: Please attach documentation regarding the status of or evidence of site control. (If applicable under section C-15 of the application). |
| Exhibit O | <u>N/A</u> | Map: Please attach a map showing the area to be served that includes census tracts. (Only applicable if Area-Based is selected under section C-6.3). |

Name of Organization: Community Housing and Shelter Services
 Project Name: City of Turlock Homeless Prevention

Exhibit A

Other Funding Sources

Identify all sources of funding by organization or donor and amount of funds that are anticipated to be utilized for this program. These funding sources should correspond with your proposed budget (Exhibit B). Leveraging and matching funds are not required but are highly encouraged as CDBG funds are not intended to provide ongoing support.

Source of Funds (organization/agency name)	Type of Funds: (i.e., CDBG, HOME, ESG, HOPWA, Other Federal Funds, State/Local, Private, fees, contributions, special events, volunteers, Other...)	Amount of Funds (list amount received or anticipated or value of in-kind commodities or services)	Funding Status (i.e., cash on hand, grant awarded, etc.) Committed, Pending, and Not yet requested
City of Turlock Public Service Grant funds	Federal CDBG funds	\$ 309,464.00	Pending
Total funding sources for this project should match detailed budget (Exhibit B)		\$ 309,464.00	This total should equal your program budget total.

Name of Organization: Community Housing and Shelter Services

Exhibit B

Project Name: City of Turlock Homeless Prevention

Budget

Please fill out the form below noting the total amount of funding requested for each line item. The amounts indicated should equal the funding requested. The total amount in the "Other Funding" column should equal the total funding required to carry out the program as listed under "Other Funding Sources" Exhibit A. Specific details of Project Costs are required. You will be required to follow each line item amount detailed in this budget in your draw requests.

Do not add or change any line items listed

Check one: Year round program or Seasonal program

Line Item	Turlock CDBG	Other Funding	Program Total
1. Personnel Costs:			
a. Salaries/Benefits/taxes (fringe) -List Positions below: Case Manager HMIS Data Entry Clerk Executive Director	43,736.42		43,736.42
b. Benefits and taxes (Fringe)	10,933.00		10,933.00
Subtotal	54,669.42	-	54,669.42
2. Non Personnel Costs:			
a. Rent/Lease of Space (for program only):	6,210.00		6,210.00
b. Janitorial: (Cleaning supplies, toilet paper, ...)	486.00		486.00
c. Utilities: (gas, electric, water)	540.00		540.00
d. Telephone/Internet Services:	950.00		950.00
e. Insurance-Specify types:	975.00		975.00
f. Supplies (office only):	2,250.00		2,250.00
g. Postage/Shipping:	125.00		125.00
h. Rental/Maintenance Equipment:	650.00		650.00
i. Audit:	-		-
j. Automobile/Transportation/Mileage:	900.00		900.00
k. Staff Training/Conferences:			-
l. Subcontracts (be specific):			-
m. Professional Fees: Accounting Services	2,880.00		2,880.00
n. Other (be specific): Human Resources	-		-
o. Other (be specific): IT Services, Alarm Costs, Shred Services, Printing	3,820.58		3,820.58
Subtotal	19,786.58	-	19,786.58
3. Project costs (not already listed above):			
a. Project costs description: Food			-
b. Project costs description: Supplies (non-office): Example: Paper plates/cups, paper napkins, plastic utensils, plastic servig gloves, ...			-
c. Project costs description (be specific): Rental/Mortgage Assistance to 32 Households (\$7,344 average per Household).	235,008.00		235,008.00
Subtotal	235,008.00	-	235,008.00
Totals	309,464.00	-	309,464.00

Name of Organization: **Community Housing and Shelter Services** Exhibit C
 Project Name: **City of Turlock Homeless Prevention**

Personnel Information

Complete the following personnel table. List the positions for all of the individuals that will be involved with the implementation of the project, funded or not with Turlock CDBG funds. This would include but is not limited to program staff, volunteers, and contracted employees. The expenses should correspond with the Budget (Exhibit B).

	Position Title	Position Type (direct service, admin support, etc.)	Pay Rate (Hourly with Fringe)	Hours Per Month (for the program)	Months per fiscal year	Total Yearly Cost to Program
1	Case Manager	Direct Client Support	\$22.69	86	18	\$35,124.12
2	HMIS Data Entry Clerk	HMIS Support	\$19.71	35	18	\$12,417.30
3	Exexutive Director	Admin Support	\$49.50	8	18	\$7,128.00
4						\$0.00
5						\$0.00
6						\$0.00
7						\$0.00
8						\$0.00
9						\$0.00
10						\$0.00
11						\$0.00
12						\$0.00
13						\$0.00
14						\$0.00
15						\$0.00
16						\$0.00
17						\$0.00
18						\$0.00
19						\$0.00
20						\$0.00
						\$0.00
	Totals:					\$54,669.42



City Council Staff Report

May 25, 2021



90

From: Maria Ramos, Housing Program Supervisor

Prepared by: Maryn Pitt, Assistant to City Manager for Economic Development/Housing

Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

Motion: Seeking direction from Council relative to funding priorities and possible changes to the proposed activities contained in the approved 2021-2022 Annual Action Plan that could either be included in the existing proposed activities or constitute a substantial amendment

2. SYNOPSIS:

Follow up discussion with Council on new or additional funding priorities and activities contained in the approved 2021-2022 Annual Action Plan for the CDBG and HOME programs.

3. DISCUSSION OF ISSUE:

In previous action, the City Council approved the City of Turlock Annual Action Plan on May 11, 2021. As part of the discussion on the plan, the Council indicated that they would like to see some changes and additional activities to be included as part of the Plan.

Staff has met with each Councilmember to further understand and seek desired outcomes, potential programs and activities. A meaningful discussion occurred in each meeting, however there was not a consensus or clear direction as to specific activities and projects. Staff is seeking clarification and further direction on desired outcomes and activities to be included in the Annual Action Plan. Based on the feedback, staff can draft an amendment to the 2021-2022 Annual Action Plan to reflect Council's funding priorities.

There was Council consensus that the goals, as outlined in the Consolidated Plan for 2020-2025 are in alignment with their interest and priorities.

With respect to alternative programs and activities, staff is seeking consensus on any, all or some combination of the following options:

Community Grant Funding

With respect to funding some of the youth activities and other public services, staff offers up the following options for Council consideration:

1. Under the Cannabis-Education (Fund 117-10-190-37105_003), there is currently a balance of approximately \$40,000 in this account. Council could direct the Parks, Recreation and Public Facilities to utilize the PARC commission to issue a NOFA for the grant funding for youth activities and programming. In speaking with Director Van Guilder, they would be happy to take on this grant process. Council could focus the grant to "at risk youth" or some other youth related descriptor. This funding could address youth programming and drug prevention program and other youth programs. This option would not require any type of Annual Action Plan amendment.

2. Up to 15% of the annual allocation plus 10% of the previous year's program income can be allocated to public services through a competitive Notice of Funding availability process, as described in the approved Consolidated Plan. With the payoff of Cherry Tree Village, the CDBG program realized some additional revenue that could be directed to offer a second round of public services grants. The program could offer an additional amount of \$100,000 that could be designated toward a specific group such as seniors. The CDBG Public Services Committee is in place to score and rank these applications. Council member Monez is the current Council designee to this group. This option would trigger an Annual Action Plan amendment.

3. In previous years, the Council utilized an amount of funding from the Tourism account for community grants. The Council could define some specific objective such as promoting tourism, funding another round of RAD cards, initiating the city's new branding efforts, etc. with an allocation of funds from this account as part of the 2021-2022 budget process. This funding could also be used for funding groups such as Helping Hands, Downtown Streets Team and others who serve a community benefit and do great work, but a less restrictive funding source (nonfederal) that has less arduous compliance and documentation requirements. Again, the Parks, Arts and Recreation Commission has handled these grant requests and recommendations in the past and can do so again. This option would not require any type of Annual Action Plan Amendment.

Other Potential Project Funding

1. Assistance to Small Business with Grants. Grant funds to small businesses such cosmetologists and other small businesses. This program can be added

via an Annual Action Plan amendment, using either CDBG funds or a portion of the third tranche of CDBG-CV funds. Once the amendment is adopted, program policies and procedures for the administration of the grant funding must be drafted to be compliant with HUD regulations and adopted by City Council. All recipients must be at or below 80% of the area median income and provide personal financial information and tax return documentation to qualify.

As an alternative, this grant program could be funded with a less restrictive funding source such as the CARES Act funding that the Council previously acted to award approximately \$900,000 to local businesses. There would be no income limits on these applicants and Council could create their own set of criteria for who receives funding. Opportunity Stanislaus assisted the city previously in vetting and screening applications for CARES funding and could do so again.

2. Development of new affordable housing. With California's median home price rising to \$813,980 in April, according to the California Association of Realtors, there is a large unfilled need for affordable housing units. Staff has suggested Council could identify a site or location for affordable housing and issue a Request for Proposals and Qualifications from affordable housing developers to begin the process of developing new affordable housing. The City has funds in Fund 625 Housing Successor Agency to pledge as part of the RFP process. In addition, the City using some of the HOME-ARP funds (which would require an amendment in the 2021-2022 Annual Action Plan) HOME funds would not be committed until all other financing was secured.

HOME Investment Partnerships Program (HOME) Funding

The City of Turlock is the Participating Jurisdiction (PJ) of the City of Turlock/Stanislaus County HOME Investment Partnerships (HOME) Consortium (referred to as the "HOME Consortium"). The City of Turlock is the "lead entity" with responsibility for implementing, monitoring, and administering the HUD funded HOME Investment Partnerships Program (HOME) funds for the HOME Consortium. HOME program funds are used by localities to provide the following activities:

- Affordable housing development;
- Low-income first-time homebuyer down payment assistance;
- Property acquisition;
- Owner-occupied housing rehabilitation assistance; and
- Program administration.

Staff will be bringing back an amendment to the Annual Action Plan relative to the HOME-ARP funding from the Recovery Act. The amount of approximately \$5.3 million can be allocated by formula among the member jurisdictions or by specific projects. Council can provide direction as to their preferences about funding allocations. HUD has instructed grantees to wait to commit funds until further guidance is provided. However, in general terms these HOME-ARP funds must be used to primarily benefit individuals or families from the following qualifying populations:

- Homeless, as defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a));
- At-risk of homelessness, as defined in section 401(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(1));
- Fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking, as defined by the Secretary;
- In other populations where providing supportive services or assistance under section 212(a) of the Act (42 U.S.C. 12742(a)) would prevent the family's homelessness or would serve those with the greatest risk of housing instability;
- Veterans and families that include a veteran family member that meet one of the preceding criteria.

These HOME-ARP funds, in general terms, can be used for the following four eligible activities:

- Production or Preservation of Affordable Housing
- Tenant-Based Rental Assistance (TBRA)
- Supportive Services, including services defined at 24 CFR 578.53(e), homeless prevention services, and housing counseling.
- Purchase and Development of Non-Congregate Shelter. These structures can remain in use as non-congregate shelter or can be converted to: 1) emergency shelter under the Emergency Solutions Grant program; 2) permanent housing under the Continuum of Care; or 3) affordable housing under the HOME Program.

4. BASIS FOR RECOMMENDATION:

- A. The City Council has approved the Annual Action Plan for Fiscal Year 2021-2022 and all documents and certifications have been submitted to HUD. Staff has met with and surveyed members of Council to identify funding priorities and receive feedback on the activities and programs.
- B. Once all feedback and direction are received from Council, staff will identify the actions needed to include in the Annual Action Plan for 2021-2022 and

begin the process of consultation, noticing and adoption, depending on the funding source.

5. FISCAL IMPACT / BUDGET AMENDMENT:

Fiscal Impact

Proposed Federal Fiscal Year 2021 activities will be funded with CDBG and HOME Consortium funds and will be included in the City's 2021-2022 budget in Funds 255-41-485 CDBG and 256-41-486 HOME Consortium.

6. CITY MANAGER'S COMMENTS

Recommend Approval.

7. ENVIRONMENTAL DETERMINATION:

The City is allocating proposed funding for programs and projects, subject to future approval from HUD and awarding of or entering into contracts for specific projects. The City is not committing funding to or undertaking any project in a manner that will have an adverse environmental impact or that forecloses reasonable alternatives or mitigation measures that would ordinarily be part of NEPA or CEQA review for any project. As part of the HUD process for releasing CDBG funds to the City, before the City commits to funding or awards or enters into a contract for a project and when more meaningful information for environmental assessment is available for certain of the anticipated projects, the City will comply with the applicable requirements of NEPA and/or CEQA for each project. [24 C.F.R. section 58.22(a) and 14 C.C.R. section 15004(b).]

8. ALTERNATIVES:

- A. City Council could choose other alternatives other than those articulated in this staff report. This alternative is also acceptable; however, staff may not be able to ascertain the viability and eligibility of the proposed activities or program from the public meeting without further research.
- B. The City Council could choose to modify the Annual Action Plan at the meeting. This alternative is not viable and in conflict with the Code of Federal Regulations. Plans can be modified, however there is a required process.

City Council Staff Report
May 25, 2021

9E



From: Gary R. Hampton, Acting City Manager
Prepared by: Jennifer Land, City Clerk
Agendized by: Gary R. Hampton, Acting City Manager

1. ACTION RECOMMENDED:

OPTION 1:

Motion: Calling a special meeting to review the applications received for the Measure A Citizens Oversight Committee, interview all applicants, and appoint members to serve on the Committee

OPTION 2:

Motion: Appointing a subcommittee comprised of two (2) members of Council to review the applications received for the Measure A Citizens Oversight Committee, provide a list of top-ranking applicants to be considered or interviewed by the City Council for appointment at a special meeting

OPTION 3:

Motion: Appointing a subcommittee comprised of two (2) members of City staff overseen by the Mayor to review the applications received for the Measure A Citizens Oversight Committee to identify and recommend for appointment the two (2) applicants with the greatest financial background and conduct a random draw of the remaining applicants for appointment by Council

OPTION 4:

Motion: Providing direction to staff regarding alternative review, interview and/or selection processes for the Measure A Citizens Oversight Committee

2. SYNOPSIS:

The City Council will provide direction to staff regarding the interview and selection process for the Measure A Citizens Oversight Committee.

3. DISCUSSION OF ISSUE:

At the November 3, 2020 General Municipal Election, Measure A, "City of Turlock, 911 Safety/Emergency Medical Response, Community Services Measure" was approved by a majority of the eligible voters in the City of Turlock.

Pursuant to City of Turlock Ordinance No. 1281-CS (Attachment A) the City Council has established a Citizens' Oversight Committee (Committee) which shall have the duty and responsibility to review the annual accountability performance report and report its findings to the City Council and the citizens of the City.

The Committee shall consist of five (5) members appointed by the City Council. To the extent possible at least two (2) members of the Committee should be certified public accountants, or have significant background and experience in accounting or a finance related field. Additional information regarding the qualifications and term limits of Committee members as well as the purpose and operations of the Committee can be found within the Ordinance.

On January 12, 2021 the City Council began accepting applications for the Committee. The original filing period for the application process was February 12, 2021; however, due to the limited number of applications received, the filing period was extended through March 31, 2021. The total number of applications received throughout this time period is 33.

The next step of this process will include review of the applications and selection of Committee members. Staff has provided various options to assist the Council in outlining this portion of the process:

OPTION 1: Calling a special meeting to review the applications received for the Measure A Citizens Oversight Committee, interview all applicants, and appoint members to serve on the Committee

OPTION 2: Appointing a subcommittee comprised of two (2) members of Council to review the applications received for the Measure A Citizens Oversight Committee, provide a list of top-ranking applicants to be considered or interviewed by the City Council for appointment at a special meeting

OPTION 3: Appointing a subcommittee comprised of two (2) members of City staff overseen by the Mayor to review the applications received for the Measure A

Citizens Oversight Committee to identify and recommend for appointment the two (2) applicants with the greatest financial background and conduct a random draw of the remaining applicants for appointment by Council

OPTION 4: Providing direction to staff regarding alternative review, interview and/or selection processes for the Measure A Citizens Oversight Committee

Applications received for the Measure A Citizens Oversight Committee will be retained for twenty-four (24) months from the date the committee members are appointed for future consideration should there be an unforeseen vacancy.

4. BASIS FOR RECOMMENDATION:

- A. Pursuant to Ordinance No. 1281-CS the City Council has established a Citizens' Oversight Committee which shall have the duty and responsibility to review the annual accountability performance report and report its findings to the City Council and the citizens of the City.

5. FISCAL IMPACT / BUDGET AMENDMENT:

None by this action.

6. CITY MANAGER'S COMMENTS:

Based upon the direction received from Council, the City Manager's Office will assist with the review, interview, and/or selection processes.

7. ENVIRONMENTAL DETERMINATION:

N/A

8. ALTERNATIVES:

- A. The City Council may provide alternative direction regarding the interview and selection processes for the Measure A Citizens Oversight Committee.

Finance Department

Updated to 5/20/2021

**General Fund Overview FY 2020-2021
Through April 30, 2021**



	10 months ended 4/30/2021	Legal / Attorney Expenses*	2020-2021 Amended Budget	2020-2021 Remaining Budget	% of Budget Received/ Expended (Benchmark 83%)
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Revenues

\$	31,114,186	\$ -	\$ 44,118,995	\$ 13,004,809	71%
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Expenditures

*Legal Included in Total Expenditures

Administration	4,291,573	433,298	5,930,563	1,638,990	72%
COVID-19	2,272,125	23,329	2,633,463	361,338	86%
UHEC	17,855		498,417	480,562	4%
Police	17,142,414		21,895,608	4,753,194	78%
Fire	8,153,945		9,962,684	1,808,739	82%
Development Services	576,764		793,689	216,925	73%
Public Facilities	185,185		289,199	104,014	64%
Parks	671,954		899,338	227,384	75%
Recreation	621,035		1,004,431	383,396	62%
Special Public Safety (F116)	629,182		857,845	228,663	73%
Tourism (F120)	215,301		354,808	139,507	61%
Total Expenditures	\$ 34,777,333	\$ 456,627	\$ 45,120,045	\$ 10,342,712	77%

Budgeted Revenue Over / (Under) Expenses			\$ (1,001,050)		
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Salaries and Benefits Only:

Police	15,487,257		19,714,494	4,227,237	79%
Fire	7,455,967		9,011,091	1,555,124	83%
All Other General Fund (GF)	4,798,987		6,439,329	1,640,342	75%
Total Salaries and Benefits	\$ 27,742,211		\$ 35,164,914	\$ 7,422,703	79%
Salaries and Benefits % of GF	80%		78%		

CANNABIS - Fund 117

Revenues	\$ 941,967	\$ -	\$ 1,070,000	\$ 128,033	88%
Expenditures	200,501	9,675	201,984	1,483	99%
Budgeted Revenue Over / (Under) Expenses			\$ 868,016		

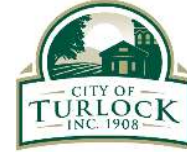
Measure A - Fund 118

Revenues	\$ -	\$ -	\$ 2,700,000	\$ 2,700,000	0%
Expenditures	-	-	-	-	
Budgeted Revenue Over / (Under) Expenses			\$ 2,700,000		

Finance Department

Updated to 5/20/2021

General Fund Overview FY 2020-2021 Through April 30, 2021



REVENUES

The year-to-date numbers for the General Fund show eight (8) months of sales tax revenue totaling \$11 million (as sales tax lags about seven (7) weeks), one-time CARES revenue of \$3.4 million, TOT revenue of \$1.1 million through 3/31/2021, Business License revenue of \$808,000, Garbage Collection Franchise revenue of \$1.42 million, and current secured property tax revenue of \$2.9 million for the first payment of the fiscal year. The second payment will be received in May 2021. Other General Fund revenues lag slightly behind due to accruals at year-end and timing of the payments. Of special note, following the Council meeting adopting the FY 20/21 mid year adjustments, separate funds were established for Cannabis (Fund 117) and Measure A (Fund 118) where \$1.07 million (Cannabis) and \$2.7 million (Measure A) revenues have been budgeted. Cannabis revenues total \$941,967 through 4/30/21 which is on target with projections. Measure A revenues should start coming into the City at the end of June 2021. Finance has no indication that General Fund revenues, as budgeted, will not meet expectations.

EXPENDITURES

The year to date expenditures are at 77% of the budget, which is trailing at 6% below the benchmark based on the ten (10) month mark. As salaries and benefits make up such a large portion of the General Fund, the detail is provided in a separate section for review. These expenditures are at 79% for the ten (10) months ended April 30, 2021 with all departments trending at or slightly below the benchmark of 83%. Overtime related to COVID-19 is at \$864,000 through April 2021. Recreation expenditures are below the benchmark due to the County-wide restrictions limiting the City's ability to provide many of our recreation programs. Legal/attorney expenses detailed above are for fees paid through services rendered up to February 2021. Council recently approved the use of General Fund Reserves to address the Unsheltered Homeless Encampment Crisis (UHEC) the City is faced with. To date, expenses have been minimal.

FINANCE UPDATE

The first ten (10) months of the fiscal year appear to be on target with the adopted budget for Fiscal Year 2020/2021 with sales tax coming in slightly higher than originally anticipated. Currently, the largest uncertainties surround the COVID-19 pandemic and its long-term implications for the City, especially as it relates to Recreation. Staff adjusted revenues and expenses during the FY 2020/2021 mid-year budget process and feel confident about these adjustments. Staff will continue to monitor the City's finances and provide updates to Council.

City Council Staff Update
May 25, 2021

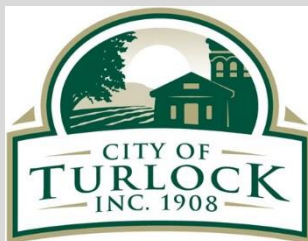


To: Mayor and Councilmembers
From: Gary Carlson, Interim Fire Chief
Prepared by: Gary Carlson, Interim Fire Chief
Subject: Monthly Public Safety Update- Fire

Please see attached report.



**Incident Summary
Report
May 25, 2021**



Operations Highlights Page 2

Incident Summary by Type.....Page 4

Calls by District Page 5

Fire Prevention Highlights Page 6

Neighborhood Services HighlightsPage 7



Operations

Turlock Fire responded 679 emergency calls for service between April 17th and May 17th. This included five structure fires, six vehicle fires, 17 trash/grass fires, 25 injury vehicle collisions, and three hazardous materials calls.

Call volume and significant calls continue to rise year over year. Again, this month the department responded to significant building fires which caused major damage to property. With the hotter, dryer months approaching we expect vegetation fires to rise. The Prevention Division along with Neighborhood Services are actively engaging property owners who have dry grass and brush near their homes urging them to take action which can prevent a catastrophic fire event.

A fire engineer promotional test was conducted this month which resulted in two promotions. Nick Grillo and Justin Rossiter were promoted to engineer on May 1st, filling budgeted vacancies in the department. A promotional ceremony is being held on May 21st.

Wildland season is expected to begin earlier this year due to dry conditions throughout the state. Turlock Fire will continue to partner with the State Office of Emergency Services to assist with large campaign fires. The city is fully reimbursed for all state mutual aid requests.

COVID19 cases continue to fall throughout the state and region. With ample vaccines available and low hospital rates, the governor has announced that the tier system will cease on June 15th and all restrictions will be relaxed allowing for the reopening of the state. I expect further guidance to come out with in the next few weeks.

Training

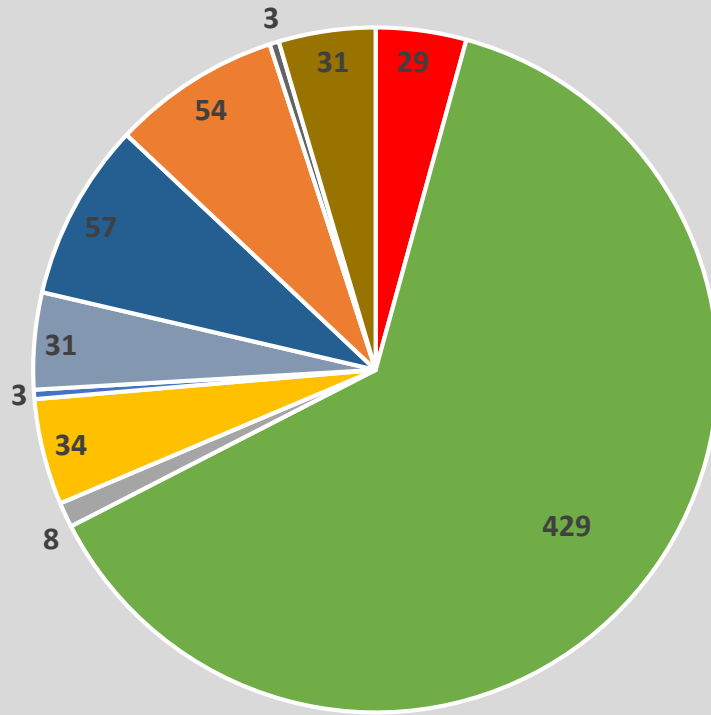
Training this past month focused on engine company and shift operations, specifically training the new firefighters on their roles within the system. Crews are building cohesion which will be a main theme for the next several months as the probationary firefighters gain confidence within the system.

The department continues to work with our MCST partners on standardization of operating procedures and responses. We are currently reviewing rapid intervention crew tactics, accountability and garage fire deployments.

Captain candidates are job shadowing this month, preparing themselves for the upcoming promotional test. Currently the department has two budgeted Captain's vacancies which will be filled on July 1st. The assessment test is being held on June 17th.

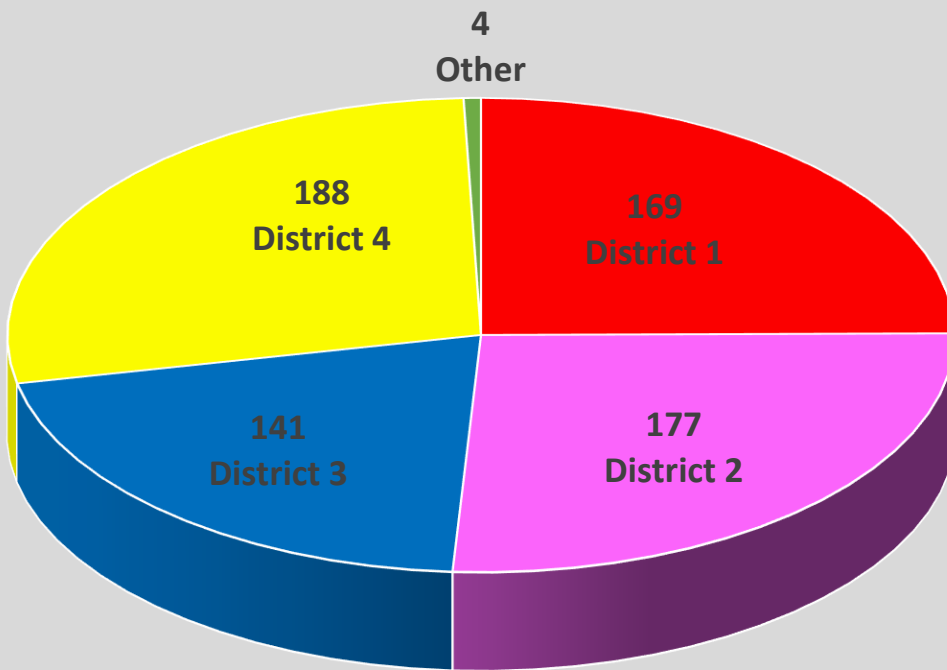
Operations Highlights





- Fires 29
- EMS 429
- Rescue 8
- MVA 34
- Hazmat 3
- Check Outs 31
- Service Calls/Assists 57
- Cancelled/Non-Emergency 54
- Other 3
- False Alarms 31

4/17/2021 – 5/17/2021



Calls by Council District

Fire prevention was able to complete numerous fire life safety plan reviews. Along with providing construction projects with inspections and assisted on an encampment clean up this period.

26	Plan reviews for life safety	15	Residential solar inspections
12	Misc. inspections for projects with assistance	1	New underground fire supply systems flush test
10	Re-inspections for businesses	16	New business occupancy inspections
3	Fire alarm final testing and acceptance	4	State licensing day care or adult facilities fire clearances
7	Fire sprinkler system hydrostatic testing	2	Requested fire flows for new fire systems
9	Final inspections	14	Zoom Pre-development meetings for potential businesses
20	Miscellaneous meeting attended		

Neighborhood Services Code Enforcement Officers completed 473 inspections from April 17, 2021 through May 17, 2021. These inspections included refuse, tall weeds, inoperable vehicles, graffiti, and vehicles parked on the grass. Neighborhood Services Staff Services Assistant received 389 phone calls, 130 emails and mailed 176 TMC violation letters.

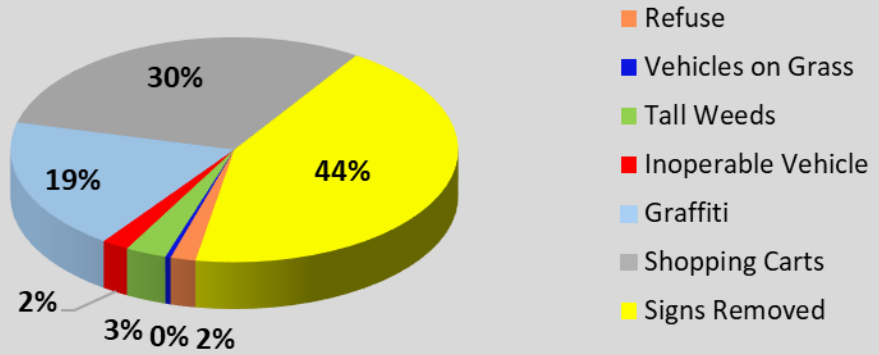
Neighborhood Services removed 163 abandoned shopping carts, abated graffiti from 72 locations and removed 388 illegal signs (i.e. lost dogs, yard sales, business promotions) none were offensive. Public and private, abandoned or inoperable vehicles, were addressed resulting in 188 cars orange-tagged or sent a letter to remove the vehicle.

A total of 6,740 pounds of debris and trash was taken to Scavenger, through the combined effort of Neighborhood Services personnel and City of Turlock staff.

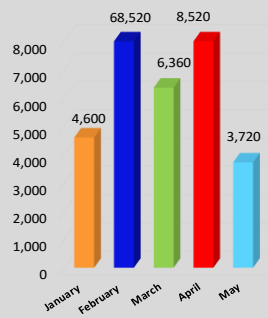
On May 1st, 340 pounds of refuse was removed from First Street.



Code Violation Inspections and Abatements



Pounds of Refuse Taken to Scavenger by Month



City Council Staff Update
May 25, 2021



To: Mayor and Councilmembers

From: Steven Williams, Interim Chief of Police

Prepared by: Deandra Wiley, Crime and Community Information Analyst

Subject: Turlock Police Department Staff Update – April 2021

See attached report.

TURLOCK POLICE DEPARTMENT

STAFF UPDATE APRIL 2021

PRESENTED TO COUNCIL: MAY 25, 2021

TPD Tip Line • 668-5550 ext. 6780 • TPDtipline@turlock.ca.us

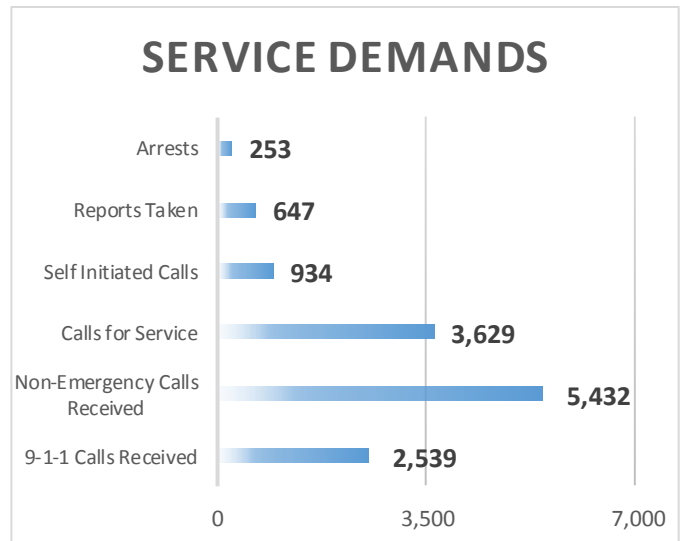
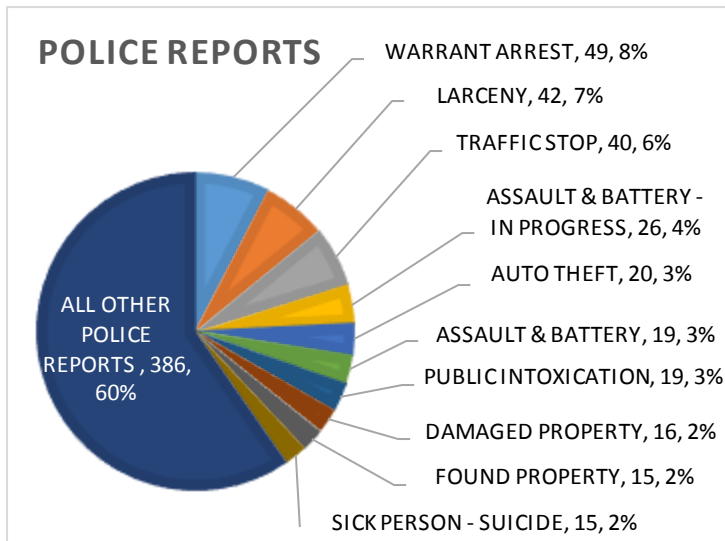


SPECIAL NOTE

The COVID-19 pandemic greatly impacted the Turlock Police Department's reductions shown in this report. COVID-19 forced businesses to close and social gatherings to stop beginning in March 2020, resulting in reductions of monthly calls for service, police reports, officers' self initiated activity, traffic collisions, arrests, crime rate, etc., for the majority of the 2020 year and beginning of 2021.

DEPARTMENT STATISTICS

Current information as of 5/19/21



MONTHLY TOP 5 CALLS FOR SERVICE

Extra Patrol	505
Traffic Stop	426
Code 6 / Investigation	229
Suspicious Person	178
Security Check	136

STAFFING

	Population	Authorized Sworn Staff	Operational Sworn Staff	Authorized Officers per Capita
Apr. 2020	74,297	81	66	1.09
Apr. 2021	74,820	82	66	1.10

SOCIAL MEDIA:

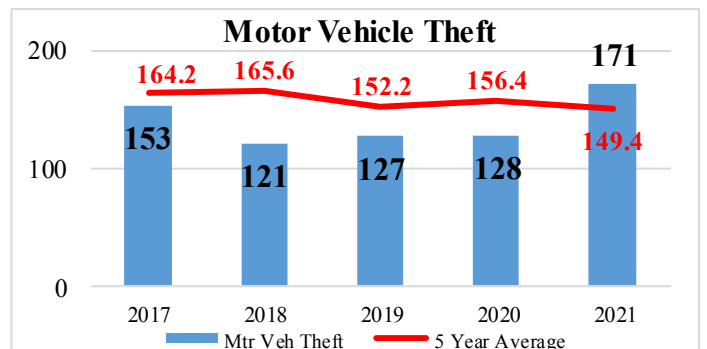
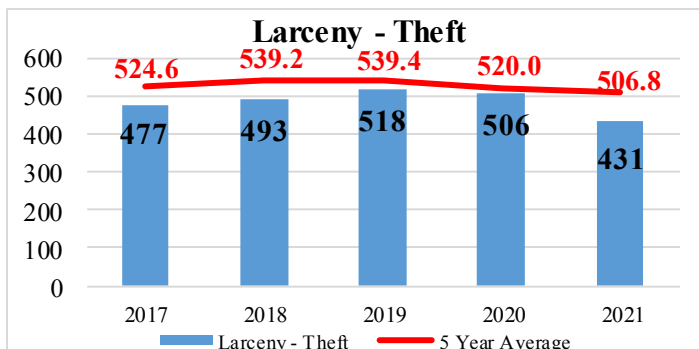
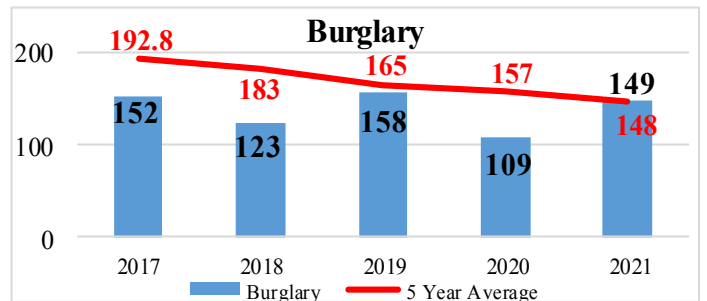
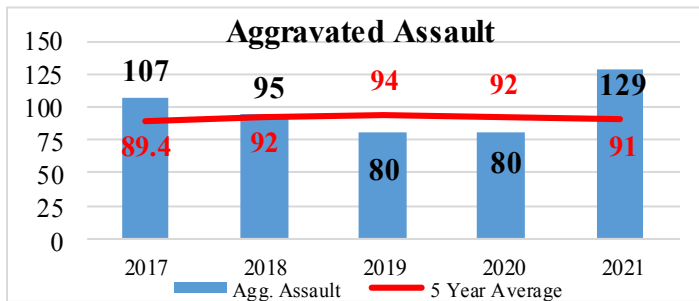
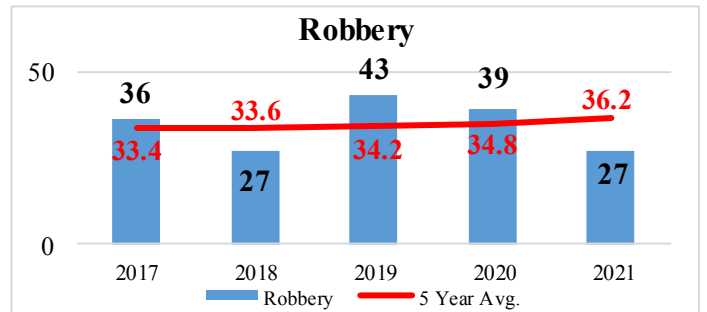
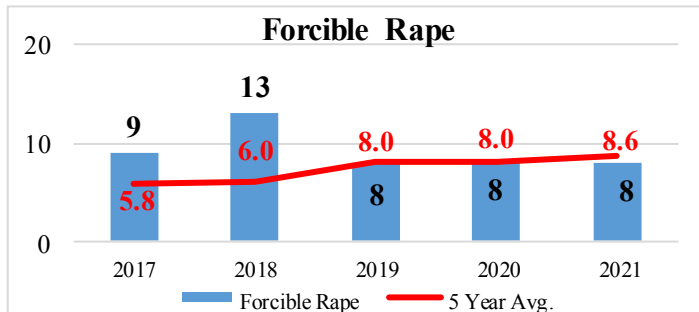
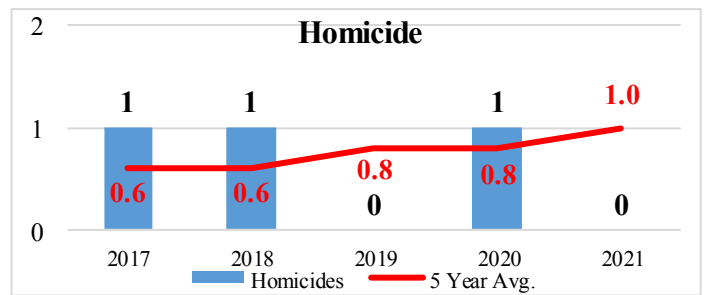
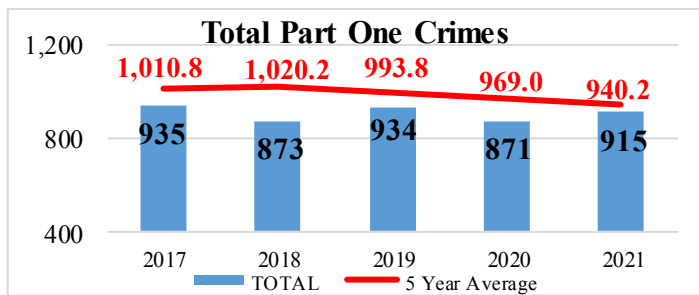


Facebook @TurlockPD			Instagram @TurlockPolice		Twitter @TurlockPolice		YouTube		NextDoor		
Followers	Likes	+/- from Prev. Month	Followers	+/- from Prev. Month	Followers	+/- from Prev. Month	Followers	+/- from Prev. Month	Members	Neighborhoods	+/- from Prev. Month
16,126	15,221	+169	13.1k	+200	6,953	-15	172	+0	10,129	64	+114

PART ONE CRIMES (UCR) YTD as of 5/19/21



2021	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	2021 YTD Crime Rate	YTD 2020	YTD 2021	% Diff. '21 vs '20	5 Year Avg	% Diff. 2021 vs 5 Yr Avg
Homicide	0	0	0	0									0.00	1	0	-100%	1	-100%
Forcible Rape	1	1	1	5									0.11	8	8	0%	8.6	-7%
Robbery	9	5	4	9									0.36	39	27	-31%	36.2	-25%
Agg. Assault	33	22	40	34									1.72	80	129	61%	91	42%
Burglary	55	32	31	31									1.99	109	149	37%	148	1%
Larceny	72	81	138	140									5.76	506	431	-15%	506.8	-15%
Veh. Theft	39	44	56	32									2.29	128	171	34%	149.4	14%
TOTAL	209	185	270	251									12.23	871	915	5%	940.2	-3%

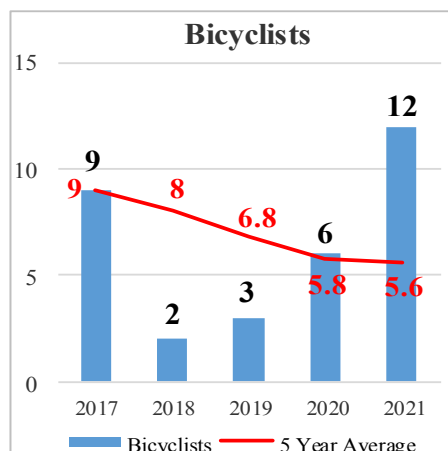
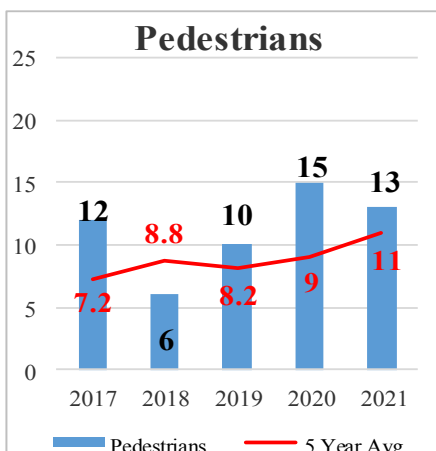
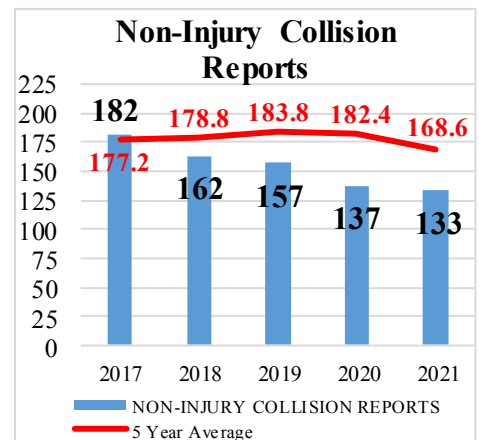
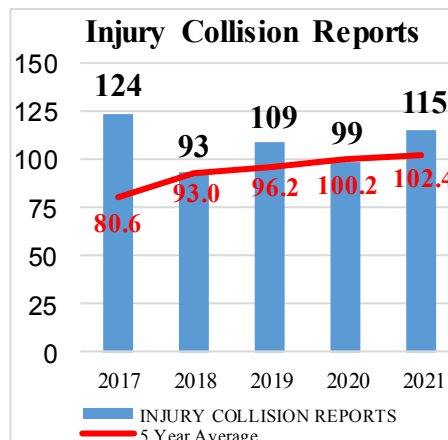
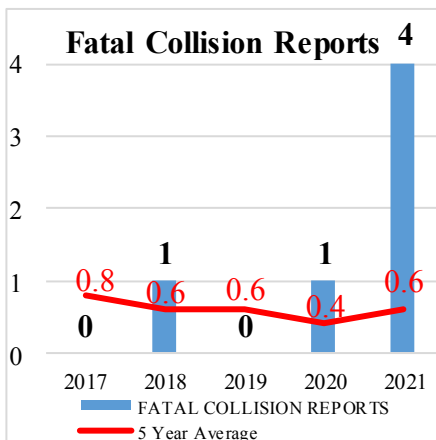
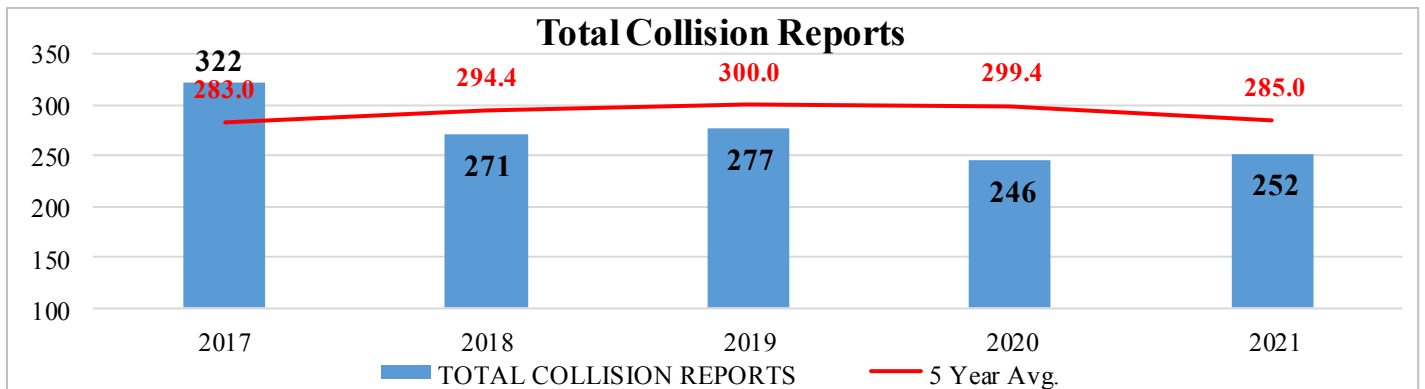


TRAFFIC COLLISIONS: YTD as of 4/15/2021



	Pedestrian Collisions	Bicyclist Collisions	Fatal Collisions	Injury Collisions	Non-Injury Collisions	Private Prop. Collisions	TOTAL ACC
April 2020	2	1	0	25	19	2	46
April 2021	2	6	0	36	47	*	83
% Chg.	0	+500%	0%	44%	147.4%	*	80.4%
2021 YTD	13	12	4	115	133	*	252
5 Year Avg.	11	5.6	0.6	102.4	168.6	*	285
% Chg. vs. 5 Yr. Avg.	18%	114%	567%	12%	-21%	*	-12%

*Private Property Collisions are no longer a report classification (beginning in July 2020 – Current). Moving forward, this will phase out but the category will be kept on this report to show past years' counts contributing towards each year's totals.



PRIMARY COLLISION FACTORS	
APR. 2020	APR. 2021
DUI (5)	Unsafe Lane Change (16)
Unsafe lane Change (4)	Speeding (11)
	Red Light Violation (8)
	Failure to Yield Right of Way (6)
	DUI (6)
	Unsafe Backing (4)
	Unsafe Starting and Backing (3)

PCF's listed of only 3 or more