

City Council Agenda



JULY 9, 2013

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



Mayor
John S. Lazar

Council Members
Amy Bublak **Steven Nascimento**
Forrest White **William DeHart, Jr.**
Vice Mayor

City Manager
Roy W. Wasden
City Clerk
Kellie E. Weaver
City Attorney
Phaedra A. Norton

SPEAKER CARDS: To accommodate those wishing to address the Council and allow for staff follow-up, speaker cards are available for any agenda item or any other topic delivered under Public Comment. Please fill out and provide the Comment Card to the City Clerk or Police Officer.

NOTICE REGARDING NON-ENGLISH SPEAKERS: The Turlock City Council meetings are conducted in English and translation to other languages is not provided. Please make arrangements for an interpreter if necessary.

EQUAL ACCESS POLICY: If you have a disability which affects your access to public facilities or services, please contact the City Clerk's Office at (209) 668-5540. The City is committed to taking all reasonable measures to provide access to its facilities and services. Please allow sufficient time for the City to process and respond to your request.

NOTICE: Pursuant to California Government Code Section 54954.3, any member of the public may directly address the City Council on any item appearing on the agenda, including Consent Calendar and Public Hearing items, before or during the City Council's consideration of the item.

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.

1. **A. CALL TO ORDER**
B. SALUTE TO THE FLAG

2. **PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS**
 - A. Proclamation: Dr. Joseph Sheley, newly appointed President, California State University, Stanislaus
 - B. Proclamation: Parks & Recreation Month, July 2014, accepted by Allison Van Guilder

3. **A. SPECIAL BRIEFINGS:** None
B. STAFF UPDATES
 1. Capital Projects and Building Activity (*Pitcock*)

C. PUBLIC PARTICIPATION

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, before or during the City Council's consideration of the item, that is within the subject matter jurisdiction of the City Council. You will be allowed three (3) minutes for your comments. If you wish to speak regarding an item on the agenda, you may be asked to defer your remarks until the Council addresses the matter.

No action or discussion may be undertaken on any item not appearing on the posted agenda, except that Council may refer the matter to staff or request it be placed on a future agenda.

4. A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

5. CONSENT CALENDAR

Information concerning the consent items listed hereinbelow has been forwarded to each Councilmember prior to this meeting for study. Unless the Mayor, a Councilmember or member of the audience has questions concerning the Consent Calendar, the items are approved at one time by the Council. The action taken by the Council in approving the consent items is set forth in the explanation of the individual items.

- A. Resolution: Accepting Demands of 6/6/13 in the amount of \$2,894,653.19; Demands of 6/13/13 in the amount of \$3,025,458.96
- B. Motion: Accepting Minutes of Special Meeting of June 13, 2013; Minutes of Regular Meeting of June 25, 2013
- C.
 1. Resolution: Appropriating \$15,900 to account number 215-40-420.51210 "Federal Street Projects" to be funded via a transfer of Capital Facility Fees from Fund 305-40-440.51270 for City Project No. 0740, "Landscape Golden State Boulevard from Christoffersen Parkway to Roberts Road," to complete the necessary funding required for the project
 2. Motion: Approving Contract Change Order No. 2 (Final) for a credit of \$13,955.90 (Fund 215) for City Project No. 0740, "Landscape Golden State Boulevard from Christoffersen Parkway to Roberts Road," bringing the contract total to \$404,758.39, and authorizing the City Engineer to file a Notice of Completion
- D.
 1. Resolution: Appropriating \$31,700 to account number 215-40-420.51210 "Federal Street Projects" to be funded via a transfer of Capital Facility Fees from Fund 305-40-440.51270 for City Project No. 0870, "Landscape Golden State Boulevard from Roberts Road to Monte Vista Avenue," to complete the necessary funding required for the project
 2. Motion: Approving Contract Change Order No. 2 (Final) for a credit in the amount of \$4,791.50 (Fund 215) for City Project 0870, "Landscape Golden State Boulevard from Roberts Road to Monte Vista Avenue," bringing the contract total to \$361,972.80, and authorizing the City Engineer to file a Notice of Completion
- E. Motion: Approving Contract Change Order No. 2 in the amount of \$11,620 (Fund 420) for City Project 10-24, "Well #40 Sitework," bringing the contract total to \$222,486.35
- F. Motion: Accepting improvements for City Project No. 12-61, "HVAC Replacements at Turlock Regional Water Quality Control Facility," and authorizing the City Engineer to file a Notice of Completion
- G. Motion: Approving the advertisement for construction proposals for City Project No. 13-21, "Slurry Seals 2013"
- H.
 1. Motion: Approving a Retainer Agreement for Fiscal Years 2013-2015 in an amount not to exceed \$100,000 with ENGEO, Inc., of Ripon, CA, for City Project No. 13-31, "RFQ for Materials Testing and Inspection Retainer Agreement"

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2. Motion: Approving a Retainer Agreement for Fiscal Years 2013-2015 in an amount not to exceed \$100,000 with Kleinfelder West, Inc., of Modesto, CA, for City Project No. 13-31, "RFQ for Materials Testing and Inspection Retainer Agreement"
- I. 1. Motion: Approving a Retainer Agreement for Fiscal Years 2013-2015 in an amount not to exceed \$50,000 with Associated Right of Way Services, Inc., of Pleasant Hill, CA, for City Project No. 13-32, "RFQ for Property Appraisal Services Retainer Agreement"
2. Motion: Approving a Retainer Agreement for Fiscal Years 2013-2015 in an amount not to exceed \$50,000 with Bender Rosenthal, Inc., of Sacramento, CA, for City Project No. 13-32, "RFQ for Property Appraisal Services Retainer Agreement"
- J. Motion: Approving the contract between the City of Turlock and United States Judo Federation to offer judo classes
- K. Motion: Approving the contract between the City of Turlock and Kid Time Fitness to offer youth gymnastic classes
- L. Motion: Approving an Agreement between the City of Turlock Police Department and Jocelyn E. Roland, PH.D., to provide counseling/psychotherapy services to all sworn officers, dispatchers, and community service officers of the Turlock Police Department at no cost to the covered employee, for the period of July 1, 2013, through June 30, 2014
- M. Resolution: Authorizing the overhiring of one (1) Evidence and Property Specialist within the Special Operations Division of the Police Department through an interdepartmental recruitment of full-time, part-time, and volunteer staff, and outside recruitment if necessary in compliance with City of Turlock Personnel System Rules and Regulations Section 16:01 (Rule of Five) and the potential recruitment of a position vacated by the appointment to the position of Evidence and Property Specialist through an in-house recruitment of full-time, part-time, and volunteer/intern staff, and outside recruitment if needed
- N. Motion: Authorizing the City Manager to sign and mail a letter of support for the Fire Sprinkler Incentive Act – Senate Bill S.1163 (Carper – 2013)

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS**

- A. Request to repeal Turlock Municipal Code Title 4, Chapter 6, Article 2, regarding Parking Meter Zones. (*Nielsen*)

Recommended Action:

Ordinance: Repealing Turlock Municipal Code Title 4, Chapter 6, Article 2, regarding Parking Meter Zones

- B. Request to establish the Turlock Downtown Property Owners Association's Property and Business Improvement District #3. (*Wasden*)

Recommended Action:

Resolution: Establishing the Turlock Downtown Property Owners Association's Property and Business Improvement District #3

8. SCHEDULED MATTERS

- A. Request for guidance and direction from Council regarding residential street closures, particularly as it relates to fees and insurance requirements. (*York*)

Recommended Action: None – Informational Item Only

- B. Request to direct Turlock Scavenger to deliver to Merced County Regional Waste Management Authority a minimum of ninety (90%) percent of the non-diverted refuse/solid waste collected by Turlock Scavenger for a period not to exceed one hundred and twenty (120) calendar days. (*Madden*)

Recommended Action:

Resolution: Directing Turlock Scavenger to deliver to Merced County Regional Waste Management Authority a minimum of ninety (90%) percent of the non-diverted refuse/solid waste collected by Turlock Scavenger for a period not to exceed one hundred and twenty (120) calendar days

- C. Request to approve the City of Turlock Safety Program and authorize the implementation of the procedures and general safety orders. (*White*)

Recommended Action:

Resolution: Approving the City of Turlock Safety Program and authorizing the implementation of the procedures and general safety orders outlined within, effective immediately

- D. Request to provide direction to staff regarding possible implementation of a special or general tax increase through the use of sales or parcel tax monies for funding sources for critical infrastructure and service related issues. (*Wasden*)

Recommended Action:

Motion: Providing direction to staff regarding possible implementation of a special or general tax increase through the use of sales or parcel tax monies for funding sources for critical infrastructure and service related issues

9. COUNCIL ITEMS FOR FUTURE CONSIDERATION

10. COUNCIL COMMENTS

Councilmembers may provide a brief report on notable topics of interest. The Brown Act does not allow discussion or action by the legislative body.

11. CLOSED SESSION

- A. *Public Employee Performance Evaluation*, Cal. Gov't Code §54957
Title: City Attorney

- B. Conference with Labor Negotiators, Cal. Gov't Code §54957.6
Agency Negotiators: Roy W. Wasden/Dave Young
Employee Organization: Turlock Associated Police Officers
Employee Organization: Turlock City Employee Association
Employee Organization: Turlock Firefighters Association. Local 2434
Employee Organization: Turlock Management Association-Public Safety
Unrepresented Employees: Accountant, Sr., Assistant to the City Manager for Economic Development/Community Housing, Community Housing Program Supervisor, Deputy Development Services Director/Planning, Development Services Director/City Engineer, Development Services Supervisor/City Surveyor, Executive Assistant to the City Manager/City Clerk, Finance Customer Service Supervisor, Fire Chief, Human Resources Manager, Human Resources Technician, Legal Assistant, Municipal Services Director, Municipal Services Deputy Director, Payroll Coordinator, Principal Civil Engineer, Regulatory Affairs Manager, Secretary/Deputy City Clerk, Executive Administrative Assistant/Public Safety, Technical Services Manager, Traffic/Transportation Engineering Supervisor, Utilities Manager, Water Quality Control Division Manager

12. ADJOURNMENT