

City Council Agenda



JULY 23, 2013

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



Mayor
John S. Lazar

Council Members
Amy Bublak
Forrest White
Steven Nascimento
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.

5:00 - 6:00 p.m. – Reception featuring artists of the Spring Juried Art Show

1. **A. CALL TO ORDER**
B. SALUTE TO THE FLAG
2. **PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS**
 - A. Proclamation: William "Bill" Bassitt, Community Retirement Recognition
 - B. Presentation: U.S. Conference of Mayors City Livability Award accepted by Carnegie Arts Center Executive Director and Curator Rebecca Phillips Abbot
 - C. Presentation: California State University Stanislaus Bike Survey, Anthony Fagundes
3. **A. SPECIAL BRIEFINGS:** None

B. STAFF UPDATES

1. National Night Out (*Backeroff*)

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

B. 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 6/20/13 in the amount of \$1,089,352.75; Demands of 6/27/13 in the amount of \$1,232,632.88
- B. Motion: Accepting Minutes of Regular Meeting of July 9, 2013
- C. Motion: Approving an amendment to City Contract No. 12-031 with Sally Swanson Architects, Inc., of San Francisco, California, for City Project No. 11-27, "ADA Self-Evaluation and Transition Plan Update," to extend the term of the agreement by six (6) months
- D. Motion: Accepting improvements for City Project No. 13-29, "Painting of Fire Station No. 4," and authorizing the City Engineer to file a Notice of Completion
- E. Resolution: Appropriating \$2,422 to account number 217-50-511.43270 "Pavement Management Program Update" from Fund 217 "2103 Reserve" to fund the survey of local city streets as part of City Project No. 13-30, "Pavement Management Program Update," and the Regional Pavement Management Program Update for Fiscal Year 2012-13, as administered by StanCOG
- F. Motion: Accepting notification of Contract Change Order No. 5 in the amount of \$6,152.73 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 08 – Roofing and Waterproofing, bringing the contract total to \$610,941
- G. Motion: Accepting notification of Contract Change Order No. 5 in the amount of \$13,492 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 13 – Building and Site Electrical, bringing the contract total to \$4,234,326
- H. Motion: Accepting notification of Contract Change Order No. 3 in the amount of \$5,358.83 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 14 – Building and Site Plumbing, bringing the contract total to \$888,691

- I. Resolution: Authorizing the City Manager, or his designee, to approve the temporary closure of public streets, alleys, or other public rights-of-way and waive all general liability insurance requirements listed in Turlock Municipal Code Title 1, Chapter 6, for approved, neighborhood block parties and events
- J. Resolution: Authorizing the filling of one (1) anticipated vacant Staff Services Assistant position within the Development Services Department (Engineering Division) through an in-house recruitment of full-time, part-time and volunteer staff (with no priority given), and outside recruitment if needed
- K. Motion: Authorizing a Professional Services Agreement between the City of Turlock and Carollo Engineers, Inc., for specialized work related to gathering data for the Regional Surface Water Supply Project, in an amount not to exceed \$16,018, from Fund 420-52-550.43515 "Stanislaus Regional Water Authority"
- L. Motion: Approving a Professional Services Agreement between the City of Turlock and Robertson-Bryan, Inc., for the preparation of a Toxicity Reduction Evaluation (TRE) for Ceriodaphnia dubia, in an amount not to exceed \$27,511, from Fund 410-51-530.43316 "NPDES Permit Studies"
- M. Motion: Authorizing staff to enter into an agreement with a lobbying firm, Townsend Public Affairs, for issues, concerns, and opportunities regarding sewer, storm, and recycled water treatment, or other legislative, regulatory, or financial prospects, that could be of benefit to the City of Turlock, for a total annual expense not to exceed \$60,000 from Enterprise Funds 410-51-530.43011 and 420-52-550.43011
- N. Motion: Approving a service agreement with Casey Moving Services for Turlock Police Department, in an amount not to exceed \$46,770, for a period of twelve (12) months
- O. Resolution: Appropriating \$37,000 to account numbers 266-20-255-353.35720 "911 Grant Revenue" and 266-20-255-353.47117 "911 Grant Expenses" to be funded via reimbursement from the California 9-1-1 Division of the Public Safety Communications Office with Customer Premise Equipment (CPE) funding
- P. Motion: Authorizing the City Manager to sign and mail a letter of opposition regarding the Gambling Control Act Card Player Fees initiative – Assembly Bill 820 (Gomez)
- Q. Motion: Authorizing the City Manager to sign and mail letters of support to the City's Congressman and Senators for continued federal funding of the Partnership for Sustainable Communities
- R. Motion: Approving a Professional Services Retainer Agreement for preparation and filing of 2013-14 claims for State Mandated Cost Reimbursement with MGT of America, Inc., in an amount not to exceed \$9,200
- S. Motion: Approving a Professional Services Agreement for preparation of a Cost Allocation Plan with MGT of America, Inc., in an amount not to exceed \$17,000
- T. Resolution: Authorizing the release of unclaimed checks pursuant to California Government Code Section 50055 to the City of Turlock
- U. Motion: Designating Vice Mayor Bill DeHart as the voting delegate and Councilmember Steven Nascimento as the alternate voting delegate at the League of California Cities' Annual Business meeting on Friday, September 20, 2013, in Sacramento, California
- V. Resolution: Authorizing approval to enter into contracts to maintain Health Insurance, including dental and vision coverage for Fiscal Year 2013-14
- W. Resolution: Authorizing approval to enter into contracts to maintain insurance coverage for Employment Practices Liability Insurance for Fiscal Year 2013-14 and appropriating \$4,786 to account number 512-10-152.43100_004 "Insurance Employment Practices Liability" from Fund 512 "Casualty Insurance" reserve balance

- X. Resolution: Authorizing approval to enter into contracts to maintain insurance coverage for Property Programs for Fiscal Year 2013-14
- Y. Resolution: Authorizing approval to enter into a contract to maintain insurance coverage for Crime Shield Coverage for Fiscal Year 2013-14
- Z. Motion: Rejecting Claim for Damage filed by Gevargiz Shansoff
- AA. Motion: Rejecting Claim for Damage filed by Roger Haney/River Bluff Ent. Inc.
- AB. Motion: Rejecting Claim for Damage filed by Kenneth Freeney
- AC. Motion: Rejecting Claim for Damage filed by Nancy Murillo

6. FINAL READINGS:

- A. **Recommended Action:**
Ordinance: Repealing Turlock Municipal Code Title 4, Chapter 6, Article 2, regarding Parking Meter Zones as introduced at the July 9, 2013 meeting

7. PUBLIC HEARINGS:

- A. Request to confirm diagrams, assessments and reports, and levying assessments for Fiscal Year 2013-14 for all Lighting, Landscaping and Street Maintenance Benefit areas within the City of Turlock. (*Pitcock*)

Recommended Action:

Resolution: Confirming diagrams, assessments and reports, and levying assessments for Fiscal Year 2013-14 for all Lighting, Landscaping and Street Maintenance Benefit areas within the City of Turlock

8. SCHEDULED MATTERS:

- A. Request to accept AB109 Realignment Funds in the amount of \$85,985.77 and appropriating said funds to the proper revenue and expenditure accounts in Fund 266 "Police Services Grants." (*Jackson*)

Recommended Action:

Resolution: Accepting AB109 Realignment Funds in the amount of \$85,985.77 and appropriating said funds to the proper revenue and expenditure accounts in Fund 266 "Police Services Grants"

- B. Request to establish a Mayor's Economic Development Task Force. (*Pitt*)

Recommended Action:

Resolution: Establishing a Mayor's Economic Development Task Force

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. Conference with Legal Counsel, Cal. Gov't Code §54956.9(c)
Initiation of Litigation (1 case)

12. ADJOURNMENT