

City Council Agenda



OCTOBER 22, 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.

1. A. CALL TO ORDER

B. SALUTE TO THE FLAG

2. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS

- A. Presentation:** Tuolumne River Regional Park Project by Pitman High School HYLK members Vicente Rosales, Felipe Laiton, and Enrique Diaz

3. A. SPECIAL BRIEFINGS

1. COMMISSION BRIEFINGS

- Arts Commission

B. STAFF UPDATES

1. Public Safety Facility 7th Annual Open House (*Jackson*)
2. Sports Facilities, Activities, and Promotion (*Van Guilder*)
3. Economic Development Department (*Pitt*)

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 9/26/13 in the amount of \$685,767.98; Demands of 10/3/13 in the amount of \$1,162,808.58
- B. Motion: Accepting Minutes of Regular Meeting of October 8, 2013
- C. Resolution: Readopting a Fee Deferral Program for the CFF, NWTSP and WISP Impact Fees for an additional twenty-four (24) months
- D. Motion: Approving a Lien Agreement for Deferred Payment of City of Turlock Development Impact Fees between the City of Turlock and Lydia Mitchell and Leong Tegner, LLC (Owner of 2901 N. Tegner Road, Turlock CA 95382)
- E.
 1. Motion: Making the determination that City Project No. 12-59, "CNG Slow Fill Station Upgrade - Design Build Project," is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304 (Minor Alterations of Land) of the CEQA Guidelines
 2. Motion: Awarding bid and approving an agreement in the amount of \$330,000 (Fund 426-40-415.51270) with EFS West, Valencia, California, for City Project No. 12-59, "CNG Slow Fill Station Upgrade - Design Build Project"
- F.
 1. Motion: Making the determination that City Project No. 13-54, "Chamber of Commerce HVAC Improvements," is exempt from the provisions of CEQA in accordance with Section 15301, "Existing Facilities"
 2. Motion: Awarding bid, bid alternate, and approving an agreement in the amount of \$5,482 (Fund 301) with Champion Industrial Contractors, Inc., of Modesto, California, for City Project No. 13-54, "Chamber of Commerce HVAC Improvements"

3. **Resolution:** Appropriating \$5,115 to account number 301-50-520.51301 "City Facilities Repair" to be funded via a transfer of General Fund monies from Fund 110 "General Fund" for City Project No. 13-54, "Chamber of Commerce HVAC Improvements," to complete the necessary funding required for the project
- G. **Motion:** Accepting notification of Contract Change Order No. 2 in the amount of \$30,204.84 (Fund 415) for City Project No. 6859, "Harding Drain Bypass Pump Station and Pipeline," bringing the contract total to \$13,339,929.84
- H. **Motion:** Approving the purchase of two (2) 2014 Ford 1/2 ton super cab 2-WD pickup trucks from Patchetts Motors, Inc., of Turlock, California, for Development Services Department Building & Safety Division, in an amount not to exceed \$50,903
- I. **Resolution:** Approving and supporting the request of the County of Stanislaus to expand the Stanislaus Enterprise Zone (Expansion #8)
- J. **Resolution:** Approving an amendment to the 2010-14 Consolidated Plan, authorizing the submission of a substantial amendment to HUD, which amends the former adopted strategy by incorporating the HUD required recapture and resale provision language
- K. 1. **Motion:** Authorizing the purchase of four (4) partially funded 2014 Ford Fusion plug-in hybrid vehicles with grant funding reimbursement of \$20,000 per vehicle, of the approximate \$41,321 total per vehicle cost
2. **Resolution:** Appropriating \$193,011.92 to account number 506-000-000-213.51020 "Vehicle Replacement-Police" for the purchase of scooters and vehicles, with grant funding of \$98,861.92 from the San Joaquin Valley Air Pollution Control District and a transfer of \$94,150 from Fund 112 "General Fund Reserve for Capital Purchases"
- L. **Motion:** Approving an agreement between Tuolumne County and the City of Turlock pertaining to assistance under the Law Enforcement Mutual Aid Plan, and authorizing the City Manager to execute any and all necessary documents relative to the agreement, to receive reimbursement for the City of Turlock related to emergencies including, but not limited to the Rim Fire
- M. **Resolution:** Authorizing the hiring of one (1) Fire/Neighborhood Code Compliance Technician for the Turlock Fire Department to fill a current vacancy in the Neighborhood Services Unit through an in-house recruitment of full-time, part-time and volunteer/intern staff (with no priority given), and outside recruitment if needed
- N. **Resolution:** Authorizing approval to enter into contracts to maintain Basic Life and Accidental Death & Dismemberment Insurance (Life/AD&D) and Long Term Disability (LTD) coverage for Fiscal Year 2013-14
- O. 1. **Resolution:** Rescinding Resolution No. 2013-016 and adopting a Memorandum of Understanding between the City of Turlock and Turlock Associated Police Officers (TAPO) covering the period December 1, 2013 through November 30, 2014
2. **Resolution:** Rescinding Resolution No. 2013-017 and adopting a Memorandum of Understanding between the City of Turlock and Turlock City Employees Association (TCEA) covering the period November 1, 2013 through October 31, 2014
3. **Resolution:** Rescinding Resolution No. 2013-018 and adopting a Memorandum of Understanding between the City of Turlock and Turlock Management Association – Public Safety (TMAPS) covering the period November 1, 2013 through October 31, 2014
4. **Resolution:** Rescinding Resolution No. 2013-019 and adopting a Schedule of Benefits for Confidential Employees of the City of Turlock covering the period November 1, 2013 through October 31, 2014

- 5. Resolution: Rescinding Resolution No. 2013-020 and adopting a Schedule of Benefits for Management Employees of the City of Turlock covering the period November 1, 2013 through October 31, 2014
- 6. Motion: Adopting a Side Letter Agreement amending the Schedule of Benefits for Management Employees of the City of Turlock dated November 1, 2013 through October 31, 2014
- 7. Resolution: Rescinding Resolution No. 2013-021 and adopting a Memorandum of Understanding between the City of Turlock and Turlock Firefighters Local #2434 covering the period November 1, 2013 through October 31, 2014
- 8. Motion: Adopting a Side Letter Agreement amending the Memorandum of Understanding between the City of Turlock and Turlock Firefighters Local #2434 dated November 1, 2013 through October 31, 2014
- P. Motion: Rejecting Claim for Damages filed by Turlock City Tow Service Inc.

6. FINAL READINGS: None

7. PUBLIC HEARINGS:

- A. Request to repeal Turlock Municipal Code Title 8, Chapter 11, regarding Capital Facilities Fees, and adopting a new Title 8, Chapter 11. (*Whitmore*)

Recommended Action:

Ordinance: Repealing Turlock Municipal Code Title 8, Chapter 11, regarding Capital Facilities Fees, and adopting a new Title 8, Chapter 11

- B. Request to amend Turlock Municipal Code Title 6, Chapter 4, Article 14, Section 01 regarding Director Responsible for Enforcement and adopt the Industrial Pretreatment Program Enforcement Response Plan. (*Cooke*)

Recommended Action:

Ordinance: Amending Turlock Municipal Code Title 6, Chapter 4, Article 14, Section 01, regarding Director Responsible for Enforcement

Resolution: Adopting the Industrial Pretreatment Program Enforcement Response Plan

- C. Request to add Turlock Municipal Code Title 5, Chapter 25, prohibiting Automated Secondhand Dealer Kiosk (ASDK) machines, or any similar devices or machines, which buy back personal electronic devices. (*Reid*)

Recommended Action:

Ordinance: Adding Turlock Municipal Code Title 5, Chapter 25, prohibiting Automated Secondhand Dealer Kiosk (ASDK) machines, or any similar devices or machines, which buy back personal electronic devices

8. SCHEDULED MATTERS:

- A. Request to accept the staff report on StanCOG's Proposed Regional Housing Needs Allocation (RHNA) Methodology. (*Whitmore*)

Recommended Action:

Motion: Accepting the staff report on StanCOG's Proposed Regional Housing Needs Allocation (RHNA) Methodology

- B. Request to direct the City Manager to write a letter to the Stanislaus County Board of Supervisors requesting that a stakeholder group is convened to consider groundwater pumping regulations in Stanislaus County and for the Stanislaus County Board of Supervisors to consider a moratorium on new agricultural production wells while such regulations are being developed. (*Cooke*)

Recommended Action:

Motion: Directing the City Manager to write a letter to the Stanislaus County Board of Supervisors requesting that a stakeholder group is convened to consider groundwater pumping regulations in Stanislaus County and for the Stanislaus County Board of Supervisors to consider a moratorium on new agricultural production wells while such regulations are being developed

- C. Request to authorize the recruitment and hiring of one (1) Fire Fighter for the Turlock Fire Department to fill a current vacancy and maintain line level staffing at forty-two (42) positions supported by the General Fund, with additional recruitments and hiring as necessary through the end of Fiscal Year 2013-14. (*Lohman*)

Recommended Action:

Resolution: Authorizing the recruitment and hiring of one (1) Fire Fighter for the Turlock Fire Department to fill a current vacancy and maintain line level staffing at forty-two (42) positions supported by the General Fund, with additional recruitments and hiring as necessary through the end of Fiscal Year 2013-14

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: None

12. ADJOURNMENT