

City Council Agenda



May 12, 2015

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

Mayor
Gary Soiseth

Council Members
William DeHart, Jr. **Steven Nascimento**
Matthew Jacob **Amy Bublak**
 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: Water Awareness Month, May 2015, accepted by Garner Reynolds
- B. Proclamation: Public Works Week, May 17-23, 2015, accepted by Michael Cooke
- C. Appointment: Planning Commission

3. **A. SPECIAL BRIEFINGS**

B. STAFF UPDATES

- 1. Board, Commission, and Committee Vacancies (*Weaver*)
- 2. 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 that is within the subject matter jurisdiction of the City Council and to address the Council on any item on tonight's agenda, including Consent Calendar items. You will be allowed five (5) minutes for your comments. If you wish to speak regarding an item on the agenda, you may be asked to defer your remarks until the Council addresses the matter.

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

B. DISCLOSURE OF EX PARTE COMMUNICATIONS

1. Public Hearing Item 7A is a quasi-judicial proceeding. Council should disclose the following information if applicable
 - a. State for the public record the nature of the communication; and
 - b. With whom the ex parte communication was made; and
 - c. A brief statement as to the substance of the communication.

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 4/9/15 in the amount of \$1,216,979.66; Demands of 4/16/15 in the amount of \$643,445.35
- B. Motion: Accepting Minutes of Special Meeting of March 18, 2015; Minutes of Special Meeting of April 21, 2015; Minutes of Regular Meeting of April 28, 2015
- C. Motion: Approving utility agreements with TID Electrical, TID Irrigation, AT&T, Charter Communications and the City of Turlock associated with the Fulkerth Interchange Improvement project and authorizing the City Manager or Director of Development Services to execute the agreements
- D. Motion: Approving Amendment No. 2 to the agreement with Pires, Lipomi + Navarro Architects and increasing the total compensation in the amount of \$49,280 (Fund 426-40-415.51260) for City Project No. 12-60B, "Turlock Regional Transit Center Phase 2 Design and Master Plan"
- E. Motion: Approving Amendment No. 2 to City Contract No. 13-120 with Alta Planning + Design of Sacramento, California, to provide an additional three (3) months for the completion of project specifications with City Project No. 13-64, "Develop an Active Transportation Plan"
- F.
 1. Motion: Making the determination that City Project No. 14-26B, "Council Chambers Improvements," is exempt from the provisions of CEQA in accordance with Section 15301, "Existing Facilities"
 2. Motion: Awarding bid and approving an agreement in the amount of \$497,807 (Fund 240) with Simile Construction Service, Inc., Modesto, California, for City Project No. 14-26B, "Council Chambers Improvements"
- G. Resolution: Initiating proceedings for the Hilmar Cheese Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Development Project No. 15-33

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- H. Resolution: Initiating proceedings for the Taco Bell Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Development Project No. 15-34
- I. Resolution: Initiating proceedings for the Dust Bowl Brewery Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Development Project No. 15-35
- J. 1. Motion: Making the determination that City Project No.15-42, "Public Safety Training Center Dry Utilities," is exempt from the provisions of CEQA in accordance with Section 15301
2. Motion: Awarding bid and approving an agreement in the amount of \$4,524 (Fund 305) with ZAMComm, Turlock, California, for City Project No.15-42, "Public Safety Training Center Dry Utilities"
- K. Resolution: Authorizing the closure of Crowell Road, between Bittern Way and the southern edge of 3791 Crowell Road, for the "Keep the Spirit of '45 Alive" event on Saturday, August 15, 2015, from 8:00 a.m. to 4:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions
- L. Resolution: Approving the Transportation Development Act (TDA) Claim for Funding of Transit Activities for Fiscal Year 2015-16
- M. Motion: Approving the agreements between the City of Turlock and each of the nine (9) funded nonprofit public service agencies funded with Community Development Block Grant funds (CDBG) in the amount of \$90,000
- N. Resolution: Appropriating \$10,531 to account number 227-40-135.51179 "Evidence Drying Cabinet" from Fund 227 "Public Safety Tax" reserve balance for an evidence drying cabinet
- O. Motion: Approving a Professional Services Agreement for preparation of a Cost Allocation Plan for Fiscal Year 2015-16 with MGT of America, Inc. in an amount not to exceed \$17,000
- P. Resolution: Appropriating \$4,200 to account number 110-10-112.43166_001 "Actuarial Report – GASB 68" from unappropriated reserves for operating funds delineated below to fund GASB 68 compliant Actuarial Reports from CalPERS
- Q. Motion: Approving the lease agreement for the property located at 247 E. Canal Drive, Turlock, California (War Memorial) by and between the City of Turlock and Turlock Irrigation District and authorizing the City Manager to execute all necessary documents

6. FINAL READINGS: None

7. PUBLIC HEARINGS

Challenges in court to any of the items listed below, may be limited to only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Turlock City Council at, or prior to, the public hearing.

- A. Request for approval establishing a lien for payment for the abatement of certain weeds, obnoxious growth and other debris on property and abandoned vehicles that are a nuisance to the public. (*Gomez*)

Recommended Action:

Resolution: Assessing properties for abatement costs and establishing a lien for payment

- B. Request to amend Turlock Municipal Code Title 6, Chapter 7, regarding Water Conservation and Education; Title 6, Chapter 5, Sections 105(f), 114, 117(e), 701, and 702(a) regarding Water Conservation Measures and Construction Water; and Title 6, Chapter 6, Section 02(r) regarding Cross-Connection Control and Backflow Prevention Devices. (*Reynolds*)

Recommended Action:

Ordinance: Amending Turlock Municipal Code Title 6, Chapter 7, regarding Water Conservation and Education; Title 6, Chapter 5, Sections 105(f), 114, 117(e), 701, and 702(a) regarding Water Conservation Measures and Construction Water; and Title 6, Chapter 6, Section 02(r) regarding Cross-Connection Control and Backflow Prevention Devices

8. SCHEDULED MATTERS:

- A. Request to review the preliminary informal accounting of the Convention and Visitors Bureau "Tourism Fund" for calendar years 2009 through 2014 and provide direction to staff regarding accepting or rejecting the preliminary informal accounting, entering into a professional services agreement with an outside firm to conduct a formal accounting/audit, and establishing a City Council ad hoc subcommittee to oversee the formal accounting/audit with technical assistance provided from the City Attorney and Administrative Services Director. (*Jacobs-Hunter*)

Recommended Action:

Option 1

Motion: Accepting the preliminary informal accounting of the Convention and Visitors Bureau "Tourism Fund" for calendar years 2009-2014

Option 2

Motion: Rejecting the preliminary informal accounting of the Convention and Visitors Bureau "Tourism Fund" for calendar years 2009-2014

Option 3

Motion: Accepting the preliminary informal accounting of the Convention and Visitors Bureau "Tourism Fund" for calendar years 2009-2014; Accepting the City Manager's recommendation to enter into a Professional Services Agreement with an outside accounting/auditing firm to conduct a formal accounting/audit of the Convention and Visitors Bureau "Tourism Fund" for the period January 1, 2009 through May 3, 2015; and Establishing a City Council ad hoc subcommittee to oversee the formal audit/accounting with technical assistance from the City Attorney and the Administrative Services Director

Option 4

Motion: Rejecting the preliminary informal accounting of the Convention and Visitors Bureau "Tourism Fund" for calendar years 2009-2014; Accepting the City Manager's recommendation to enter into a Professional Services Agreement with an outside accounting/auditing firm to conduct a formal accounting/audit of the Convention and Visitors Bureau "Tourism Fund" for the period January 1, 2009 through May 3, 2015; and Establishing a City Council Ad Hoc Subcommittee to oversee the formal audit/accounting with technical assistance from the City Attorney and the Administrative Services Director

- B. Request to review the City of Turlock Fiscal Year 2015-16 and 2016-17 proposed General Fund Budget and Municipal Services Budget and provide direction in preparation for budget adoption. (*Jacobs-Hunter*)

Recommended Action:

Motion: Reviewing the City of Turlock Fiscal Year 2015-16 and 2016-17 proposed General Fund Budget and Municipal Services Budget and providing direction in preparation for budget adoption

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

12. ADJOURNMENT