

# City Council Agenda



FEBRUARY 14, 2017

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



Mayor  
**Gary Soiseth**

Council Members  
**Matthew Jacob**  
**William DeHart, Jr.**  
Vice Mayor  
**Amy Bublak**  
**Gil Esquer**

City Manager  
**Gary R. Hampton**  
City Clerk  
**Jennifer Land**  
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](http://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: Mar Addai Church 70<sup>th</sup> Anniversary, accepted by His Grace Bishop Mar Awa Royel
- B. Recognition: Mayor's Public Policy Award 2016, recipients Nathan Straubinger and Logan Martinez
- C. Recognition: Employee of the Month – January 2016
- D. Recognition: Public Safety Employee Awards
- E. Appointment: City of Turlock Marketing and Branding Evaluation Panel – Panel Member and Alternate Panel Member (Council Representatives)

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**3. A. SPECIAL BRIEFINGS****1. CALIFORNIA STATE UNIVERSITY STANISLAUS**

Noriel Mostajo, Student Government Relations Coordinator

**B. STAFF UPDATES**

1. Policy Goals and Implementation Plan (*Executive Staff*)
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 TOP TEN/MAXIMUM CONTRIBUTORS****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 01/12/17 in the amount of \$707,470.41
- B. Motion: Accepting Minutes of Special Meeting of January 24, 2017 and Minutes of Regular Meeting of January 24, 2017
- C.
  1. Motion: Awarding bid and approving an Agreement in the amount of \$1,166,617 (Fund 215) with George Reed, Inc. of Modesto, California for City Project No. 14-28 "Intersection Improvements at North Golden State Boulevard and Fulkerth Road"
  2. Resolution: Adjusting the local matching fund (Gas Tax Section 2103 and CFF Transportation) appropriations for City Project No. 14-28 "Intersection Improvements at North Golden State Boulevard and Fulkerth Road" as delineated in the table provided to complete the necessary funding required for this project
- D. Motion: Approving a Lien Agreement between the City of Turlock and New Life Christian Center of Turlock for deferred payment of Development Impact Fees, deferring collection of City of Turlock Master Storm, Capital Facility and Northwest Triangle Specific Plan development impact fees over a 5 year period
- E. Motion: Approving the Aspire Fitness Challenge-Celebration 5K Walk/Run event utilizing the public right-of-way (sidewalks), hosted by Aspire Home Real Estate, on Saturday, March 11, 2017 from 8:30 a.m. to 10:30 a.m., and authorizing the City Manager to apply appropriate conditions and restrictions to the event

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- F. Motion: Approving a private baby shower event utilizing the public right-of-way (sidewalks) and four (4) public parking spaces on Center Street, hosted by Bistro 234, on Saturday, April 23, 2017 from 11:00 a.m. to 3:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions to the event
  - G. Motion: Approving an Agreement with Falany Fence Co. of Turlock for fence repair and installation services, for a period of twelve (12) months, in an annual amount of \$20,000
  - H. Motion: Approving Amendment No. 3 to a Professional Services Agreement between the City of Turlock and Wood Rodgers, Inc., for the preparation of a Hydrogeological and Water Quality Assessment Study to include rehabilitation services at Well 31
  - I. Resolution: Authorizing the overhire of one (1) Electrical Mechanical Technician in the City of Turlock Municipal Services Department due to anticipated retirement of the incumbent on July 1, 2017
  - J. Motion: Approving an Agreement between the City of Turlock and Blue Collar Training Network, LLC to provide specialized rescue training to the Turlock Fire Department, in an amount not to exceed \$23,851, through September 30, 2017
  - K. Motion: Rejecting Claim for Damages filed by Crystal Lynn Synstad
  - L. Motion: Rejecting Claim for Damages filed by Jason D. Tosta
  - M. Motion: Rejecting Claim for Damages filed by Lorraine Mello Jones
  - N. Motion: Rejecting Claim for Damages filed by Salomon Alvizo

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS:** None

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.

8. **SCHEDULED MATTERS**

- A. Request to determine the closure of sections of Broadway, between West Olive Avenue and North Front Street, for the Salvation Army to host the 2017 Kettle Dash, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND authorize the closure of sections of Broadway, between West Olive Avenue and North Front Street for pedestrian safety, for the Salvation Army to host the 2017 Kettle Dash, on Saturday, February 25, 2017 at specified times, and authorize the City Manager to apply appropriate conditions and restrictions on the street closure. (*Van Guilder*)

**Recommended Action:**

Resolution: Determining the closure of sections of Broadway, between West Olive Avenue and North Front Street, for the Salvation Army to host the 2017 Kettle Dash, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines

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Resolution: Authorizing the closure of sections of Broadway, between West Olive Avenue and North Front Street for pedestrian safety, for the Salvation Army to host the 2017 Kettle Dash, on Saturday, February 25, 2017 at specified times, and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure

- B. Request to determine the closure of Johnson Road, from the Julien Elementary School parking lot to Charles Place, for the Turlock American Little League to host the 2017 Opening Ceremonies, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND authorize the closure of Johnson Road, from the Julien Elementary School parking lot to Charles Place for pedestrian safety, for the Turlock American Little League to host the 2017 Opening Ceremonies, on Saturday, March 4, 2017 from 7:30 a.m. to 2:30 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure. (*Van Guilder*)

**Recommended Action:**

Resolution: Determining the closure of Johnson Road, from the Julien Elementary School parking lot to Charles Place, for the Turlock American Little League to host the 2017 Opening Ceremonies, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines

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Resolution: Authorizing the closure of Johnson Road, from the Julien Elementary School parking lot to Charles Place for pedestrian safety, for the Turlock American Little League to host the 2017 Opening Ceremonies, on Saturday, March 4, 2017 from 7:30 a.m. to 2:30 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure

- C. Request to accept the Citywide Total Compensation Study from Cooperative Personnel Services (CPS) HR Consulting that includes all unrepresented employees and all bargaining groups. (*Norton*)

**Recommended Action:**

Resolution: Accepting the Citywide Total Compensation Study from Cooperative Personnel Services (CPS) HR Consulting that includes all unrepresented employees and all bargaining groups

**9. MATTERS TOO LATE FOR AGENDA/NON-AGENDA ITEMS**

The Brown Act generally prohibits any action or discussion of items not on the posted agenda. However, there are three specific situations in which a legislative body can act on an item not on the agenda:

- 1) When a majority decides there is an "emergency situation" (as defined for emergency meetings).
- 2) When two-thirds of the members present (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action "came to the attention of the local agency subsequent to the agenda being posted." This exception requires a degree of urgency. Further, an item cannot be considered under this provision if the legislative body or the staff knew about the need to take immediate action before the agenda was posted. A "new" need does not arise because staff forgot to put an item on the agenda or because an applicant missed a deadline.
- 3) When an item appeared on the agenda of, and was continued from, a meeting held not more than five days earlier.

A legitimate immediate need can be acted upon even though not on the posted agenda by following a two-step process. First, make two determinations: (a) that there is an immediate need to take action and (b) that the need arose after the posting of the agenda. The matter is then "placed on the agenda." Second, discuss and act on the added agenda item.

**10. COUNCIL ITEMS FOR FUTURE CONSIDERATION**

Requests for Council items for future consideration will be scheduled in accordance with Resolution No. 2008-019 and will be brought back to the City Council no earlier than March 14, 2017, unless otherwise specified by the Mayor or a majority of the Council.

**11. 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.

**12. CLOSED SESSION:** None

**13. ADJOURNMENT**