

City Council Agenda



SEPTEMBER 10, 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 honoring Michael Cooke, new Municipal Services Director

1. **A. CALL TO ORDER**
 - B. SALUTE TO THE FLAG**
 - C. SWEARING IN OF MICHAEL COOKE, MUNICIPAL SERVICES DIRECTOR**

2. **PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS:**
 - A. Appointment: Mayor's Economic Development Task Force
 - B. Proclamation: AT&T "Drive 4 Pledges Day" - September 19, 2013

3. **A. SPECIAL BRIEFINGS:**
 1. California State University Stanislaus Associated Students (*Mariam Salameh, President, Amber Deming, Governmental Affairs Administrator*)

B. STAFF UPDATES

1. Capital Projects and Building Activity (*Pitcock*)
2. Tow Contract Updates (*Nielsen*)
3. Park Activity (*Nielsen*)
4. Summer Recreation Program Highlights (*Van Guilder*)

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 8/15/13 in the amount of \$2,513,836.22; Demands of 8/22/13 in the amount of \$2,315,161.48
- B. Motion: Accepting Minutes of Regular Meeting of August 27, 2013; Minutes of Special Meeting of August 27, 2013
- C.
 1. Motion: Making the determination that City Project No. 11-48, "Intersection Improvements at Golden State Boulevard and Del's Lane," is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15303 (New Construction or Conversion of Small Structures) or 15304 (Minor Alterations of Land) or 15332 (Infill Development Projects) of the CEQA Guidelines and
 2. Motion: Awarding bid and approving an agreement in the amount of \$368,324 (Fund 215) with George Reed Inc., of Modesto, California, for City Project No. 11-48, "Intersection Improvements at Golden State Boulevard and Del's Lane"
 3. Resolution: Appropriating \$10,000 to account number 215-40-420.38001_189 "Transfer from Fund 217 – GSB/Del's TS" to be funded via a transfer of Section 2103 Gas Tax Monies from Fund 217 "Gas Tax Fund" for City Project No. 11-48, "Intersection Improvements at Golden State Boulevard and Del's Lane"
- D. Resolution: Authorizing the City Manager to sign all documents related to merging APN Nos. 042-010-003, 021, 022 & 023, City Project No. 12-60A, "Turlock Public Transit Center Phase 2"
- E. Motion: Approving Amendment No. 4 to the agreement with Carollo Engineers increasing the total compensation by \$26,208 to provide pipeline video inspection services for City Project No. 6859, "Harding Drain Bypass Pump Station and Pipeline"

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- F. Resolution: Approving an amendment to the Fiscal Year 2013-14 Budget to appropriate \$9,840 to account number 305-40-442.43270 "General Plan Update" from Capital Facility Fee Administrative Reserves to prepare Final Cost Estimates for Roadway Projects for the update to the City's Capital Facility Fee Program
- G. Resolution: Approving an amendment to the Fiscal Year 2013-14 Budget to re-appropriate \$72,700 to account number 305-40-444.47086 "Morgan Ranch Master Plan" from unspent funds from the prior Fiscal Year (2012-13) Budget to cover the consultant costs associated with preparation of the Morgan Ranch Master Plan
- H. 1. Resolution: Approving an amendment to appropriate Grant revenues and expenses to revenue account number 110-40-400.34400 "Proposition 84 Fiscal Tool Grant" and expenditure account number 110-40-400.43055_004 "Consultant Proposition 84 Fiscal Tool Grant," in the amount of \$20,000 in Fiscal Year 2013-14
2. Motion: Approving Amendment No. 3 to extend the term of the Professional Services Agreement between the City of Turlock and AECOM Technical Services, Inc., from June 30, 2013 to October 30, 2013, to develop a countywide financial model for the ten jurisdictions in Stanislaus County and the financial evaluation of the Turlock General Plan Update Scenarios
- I. 1. Motion: Approving a Professional Services Agreement between the City of Turlock and Provost & Pritchard Professional Services for PCE Remediation System Optimization and Groundwater Monitoring and Reporting in Downtown Turlock, in an amount not to exceed \$172,810 from Fund 420-52-550-43504 "PCE Monitoring and Remediation" (Water Enterprise)
2. Resolution: Appropriating \$252,070 to account number 420-52-550-43504 "PCE Monitoring and Remediation" to be funded by revenue received in account number 420-52-550-35507 "PCE Recovery" from an award of funds from the Cleanup and Abatement Account by the State Water Resources Control Board for the purpose of PCE Remediation System Optimization and Groundwater Monitoring and Reporting in Downtown Turlock
- J. Resolution: Approving the amended Parks, Recreation and Public Facilities part-time employee wage scale for Fiscal Year 2013-14
- K. Resolution: Authorizing the release of property from Police Property and Evidence for City acquisition and auction through PropertyRoom.com
- L. Resolution: Approving the donation of three (3) police canine vehicle backseat inserts to the Lindsay (California) Department of Public Safety
- M. Resolution: Appropriating \$6,666 to account number 240-00-000-200.44010_006 "Computer-New World Software Licenses" from Fund 240 "Small Equipment Replacement-General Administration" reserve balance for the purchase of additional Financial Management and Utility Management software licenses
- N. Resolution: Appropriating \$46,726 to account number 110-10-112.43100_001 "Insurance Property" from Fund 110 "General Fund" reserve balance for coverage for the Public Safety Facility
- O. Resolution: Re-appropriating unspent funds from Fiscal Year 2012-13 of \$55,668 to account number 506-00-000-231.48001_091 "Transfers Out to Fund 215 Sweep/Maintenance Vac Vehicle" from Fund 506 "Vehicle/Equipment Replacement Fund-Streets" reserve balance for the local match required to fully fund the purchase associated with City Project No. 11-18 "Purchase of CNG Street Sweeper CML-5165(063)"
- P. Resolution: Cancelling the City Council meeting scheduled for Tuesday, November 26, 2013
- Q. Motion: Rejecting Claim for Damages filed by Roni Roberts
- R. Motion: Rejecting Claim for Damages filed by Nicholas and Elizabeth Schuller

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS:** None

8. **SCHEDULED MATTERS:**

- A. Request to affirm the City Manager's action of having mailed a letter in opposition to SB 594 which would prohibit local government organizations to take positions on ballot measures that affect their members. *(Pitt)*

Recommended Action:

Resolution: Affirming the City Manager's action of having mailed a letter in opposition to SB 594 which would prohibit local government organizations to take positions on ballot measures that affect their members

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 Real Property Negotiators, Cal. Gov't Code §54956.8

Property: 1525 Dianne Drive, APN 089-019-005

Agency Negotiators: Roy Wasden

Negotiating Parties: Turlock Real Estate Investors, LLC

Under Negotiation: Price and Terms of Payment

- 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, Utilities Manager, Water Quality Control Division Manager

12. **ADJOURNMENT**