

# AMENDMENT NO. 1

*Dated: December 5, 2014*

## City Council Agenda



**DECEMBER 9, 2014**

**6:00 p.m.**

**City of Turlock Yosemite Room**

**156 S. Broadway, Turlock, California**

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Mayor  
**John S. Lazar**

Council Members  
**Amy Bublak**  
**William DeHart, Jr.**  
**Steven Nascimento**  
**Forrest White**  
Vice Mayor

City Manager  
**Roy W. Wasden**  
City Clerk  
**Kellie E. Weaver**  
City Attorney  
**Phaedra A. Norton**

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**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.

**5:00 – 6:00 p.m. – Reception honoring incoming and outgoing Councilmembers**

**1. A. CALL TO ORDER**

**B. SALUTE TO THE FLAG**

**C. RECOGNITION OF OUTGOING MAYOR AND COUNCILMEMBER**

**2. ELECTION RESULTS**

- A. Resolution: Reciting the facts of the General Municipal Election held in said City of Turlock on the 4<sup>th</sup> day of November, 2014, declaring the results thereof and such other matters as are provided by law
- B. Oath of Office for Mayor
- C. Oath of Office for Councilmembers
- D. New Council Seated

3. A. **PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS:**

1. Appointment: City/County Liaison Committee (*Council Representatives*)
2. Appointment: Stanislaus Council of Governments (StanCOG) (*Member/Alt. Member*)

B. **SPECIAL BRIEFINGS:** None

C. **STAFF UPDATES**

1. Capital Projects and Building Activity (*Pitcock*)

D. **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 10/23/14 in the amount of \$484,846.55; Demands of 10/30/14 in the amount of \$389,930.36; Demands of 11/6/14 in the amount of \$481,160.51
- B. Motion: Accepting Minutes of Regular Meeting of November 18, 2014
- C.
  1. Motion: Making the determination that City Project No. 13-62, "Hawkeye Avenue Rehabilitation," is exempt from the provisions of CEQA in accordance with Section 15301
  2. Motion: Awarding bid and approving an agreement in the amount of \$1,260,034.50 with Teichert Construction, Inc. of Stockton, California, for City Project No. 13-62, "Hawkeye Avenue Rehabilitation"
  3. Resolution: Appropriating \$520,000 to account number 215-40-420.51210 "Federal Street Projects" to be funded via a transfer of Section 2103 Gas Tax Monies from Fund 217 "Gas Tax Fund" for City Project No. 13-62, "Hawkeye Avenue Rehabilitation," to complete the necessary funding required for the project
- D.
  1. Motion: Making the determination that City Project No. 13-63, "Geer Road Rehabilitation" is exempt from the provisions of CEQA in accordance with Section 15301
  2. Motion: Awarding bid and approving an agreement in the amount of \$1,036,478 with Teichert Construction, Inc. of Stockton, California, for City Project No. 13-63, "Geer Road Rehabilitation"

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3. Resolution: Appropriating \$205,000 to account number 215-40-420.51210 "Federal Street Projects" to be funded via a transfer of Section 2103 Gas Tax Monies from Fund 217 "Gas Tax Fund" for City Project No. 13-63, "Geer Road Rehabilitation," to complete the necessary funding required for the project
- E. Motion: Approving the final map and agreement conditioned upon construction of improvements of Traditions No. 6, Subdivision Project No. 14-32, developed by Fitzpatrick Homes-Traditions, LLC
- F. Resolution: Considering Intention to Levy and Collect Assessments for the Parcel Map 14-02 (Doo) Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Subdivision Project No. 14-47
- G. Motion: Accepting improvements for City Project No. 14-51, "901 Hedstrom Road Curb Return Repair," and authorizing the City Engineer to file a Notice of Completion
- H. Motion: Approving a Professional Services Agreement between the City of Turlock and Larry Walker and Associates for National Pollutant Discharge Elimination System Permit Renewal and Compliance Support Services for the Turlock Regional Water Quality Control Facility, in an amount not to exceed \$50,000, from Fund 410-51-530.43316 "NPDES Permit Studies"
- I. Motion: Approving a Professional Services Agreement between the City of Turlock and WGR Southwest, Inc., for Support Services with Phase II Small MS4 NPDES Permit Compliance for Year 2 as required by the State Water Resources Control Board, in an amount not to exceed \$20,000 from Fund 410-51-532.47500 "NPDES Phase II MS4 Storm Compliance"
- J. Resolution: Authorizing the City Manager to enter into standard Non-Disclosure Agreements with potential new industry representative(s)
- K. Motion: Approving an agreement between the City of Turlock and the Turlock Downtown Property Owners Association (TDPOA) for the implementation of a Management District Plan and authorizing the City Manager to execute the agreement for a term of ten (10) years, expiring on December 31, 2023
- L. Resolution: Accepting donations received from July through October Fiscal Year 2014/15 to be deposited for a variety of Parks, Recreation & Public Facilities Department programs, scholarships, and activities
- M. Motion: Approving the renewal of a Memorandum of Understanding between the City of Turlock and the Turlock Unified School District to offer youth basketball programs within the community
- N. Resolution: Approving a Memorandum of Understanding between the Turlock Police Department and the Sacramento Internet Crimes Against Children Task Force and authorizing the City Manager to sign the agreement
- O. Motion: Approving a sole source agreement with IBM Credit LLC, for the lease/purchase of an IBM Power S814, associated equipment, and installation to be paid on a sixty (60) month payment schedule of \$999.10 per month, in an amount not to exceed \$59,946
- P. Motion: Authorizing the approval and execution of an agreement between the City of Turlock and Utility Telephone Company for internet service for the police department, in an amount not to exceed \$772.40 per month, and authorizing the City Manager or his designee to execute renewal agreements as necessary
- Q. 1. Motion: Approving the purchase of new firearms and related equipment, including the trade-in of existing firearms and awarding the bid to LC Action Police Supply of San Jose, California, in an amount not to exceed \$36,254  
2. Resolution: Appropriating an additional \$6,254 to account number 240-00-000-213.51153 "Police Services – Weapons" from Fund 240 "Small Equipment Replacement-Police Services" reserve balance for the purchase of new firearms and related equipment

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- R. Resolution: Accepting monetary donations of \$3,125 and various property donations valued at \$3,455, received July through September of Fiscal Year 2014/15 from various donors, to be utilized in support of the City's Crime Prevention Unit, Volunteers in Police Services (VIPS), and Public Safety Open House
- S. 1. Resolution: Authorizing the sole source procurement of Holmatro tools and equipment from Fire Service Specifications & Supply (FS3) of Santa Ana, California, in an amount not to exceed \$57,000, without compliance to the formal bid procedure in accordance with Section 2-7-08(b)(2) of the Turlock Municipal Code, and appropriating \$6,300 to account number 240-00-000-306.44030\_000 "Minor Equipment Maintenance" from Fund 240 "Small Equipment Replacement-Fire Equipment Replacement" reserve balance for the purchase of two (2) rescue tool systems  
2. Resolution: Approving the sole source procurement of Holmatro rescue tools and equipment for future purchases from Fire Service Specifications & Supply (FS3) of Santa Ana, California, for the Turlock Fire Department, without compliance to the formal bid procedure in accordance with Section 2-7-08(b)(2) of the Turlock Municipal Code
- T. Resolution: Authorizing the City Manager to enter into an agreement with US Bank and to sign State of California Participating Addendum No. 7-14-99-22 for continued use of the Cal Card program
- U. Resolution: Conducting a Citywide Total Compensation Study that will be completed on or about January 2017 and will include all unrepresented employees and all bargaining groups wishing to participate
- V. Resolution: Designating Council Member Matthew Jacob as the Council representative for District 1 and Council Member Bill DeHart, Jr. as the Council representative for District 3 pursuant to City of Turlock Ordinance 1197-CS [Turlock Municipal Code §2-1-06(c)]
- W. Motion: Rejecting Claim for Damages filed by Albert Souza

## 6. FINAL READINGS

- A. **Recommended Action:**  
Ordinance: Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2014-01 (East Tuolumne Master Plan Amendment)] as introduced at the November 18, 2014 meeting  
Resolution: Establishing Conditions of Approval for Rezone 2014-01 (East Tuolumne Master Plan Amendment)

## 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: None

## 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**