

City Council Agenda



APRIL 26, 2016
6:00 p.m.
City of Turlock Yosemite Room
156 S. Broadway, Turlock, California



****and via teleconference:**
Le Meridien Arlington
1121 19th Street North
Arlington, VA 22209
Telephone No. (703) 351-9170

Mayor
Gary Soiseth

Council Members
William DeHart, Jr. **Steven Nascimento**
Matthew Jacob **Amy Bublak**
 Vice Mayor

City Manager
Gary R. Hampton
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: Older Americans Month, May 2016, accepted by Lillian Castigliano
 - B. Proclamation: Water Awareness Month, May 2016, and Drinking Water Week, May 1-7, 2016, accepted by Toni Cordell

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- C. Appointment: Oversight Board to the Successor Agency to the Former Turlock Redevelopment Agency (Former RDA Employee) - Member

3. A. **SPECIAL BRIEFINGS**: None

B. **STAFF UPDATES**

1. Policy Goals and Implementation Plan (*Executive Staff*)

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**

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 3/24/16 in the amount of \$673,967.12; Demands of 4/7/16 in the amount of \$347,735.57
- B. Motion: Accepting Minutes of Regular Meeting of April 12, 2016
- C. Motion: Accepting improvements and authorizing the City Engineer to file a Notice of Completion with the Stanislaus County Recorder's Office for Summerfield Phase 2, Subdivision Project No. 0734
- D. Motion: Approving a Purchase and Sale Agreement with Vicente and Jackie Fuentes for conveyance of an easement for road purposes at 1101 Fulkerth Road, more particularly described as Stanislaus County Assessor's Parcel No. 071-014-004, in the amount of \$10,000 (Fund 215), for City Project No. 14-28, "Intersection Improvements at Golden State Boulevard and Fulkerth Road"
- E. Motion: Authorizing the Mayor to sign and execute a funding agreement with the San Joaquin Valley Air Pollution Control District (SJVAPCD) in the amount of \$100,000 (Fund 241 and 506) for the purchase of five (5) Compressed Natural Gas (CNG) Ford F250 pick-up trucks under City Project No. 14-66, "Purchase of CNG Pick-up Trucks"
- F. Motion: Approving Amendment No. 1 to Contract No. 15-114 with Nelson\Nygaard Consulting Associates, Inc., of San Francisco, California, to provide implementation support services, including, but not limited to fare media, route schedules, general marketing, Try Transit marketing, and ridership evaluation, in an amount not to exceed \$45,205 (Fund 426); an extension to the term of the agreement of six (6) months for City Project No. 14-75, "Short Range Transit Plan"; and authorizing (retroactively) funding work completed prior to the Amendment

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- G. Resolution: Appropriating \$22,300 to account number 410-51-534.51186 "Recycled Water Projects and Facilities" to be funded by \$11,150 from the Water Enterprise Fund 420-52-550.44001-000 "Supplies General" and \$11,150 from the Sewer Enterprise Fund 410-51-530.44001-000 "Supplies General" to fully fund the Recycled Water Filling Station Project
- H. Resolution: Authorizing the submittal of an application to CalRecycle for the Beverage Container Recycling City/County Payment Program and authorizing the City Manager to sign any and all necessary documents
- I. Motion: Approving an Agreement between the City of Turlock and Jocelyn E. Roland, PH.D., to provide counseling/psychotherapy services to all sworn officers, dispatchers, and community service officers of the Turlock Police Department at no cost to the covered employee, for the period of July 1, 2016, through June 30, 2017, in the amount of \$12,000, from account number 110-20-200.43155 "Physicals, Shots & Psychological"
- J. Resolution: Accepting monetary donations in the amount of \$7,540.02 and assorted animal related products valued at \$34,504.59 from the fourth quarter Fiscal Year 2012-13, all quarters of Fiscal Years 2013-14 and 2014-15, and the first and second quarters of Fiscal Year 2015-16, from various donors to be utilized in support of the City's Animal Services Unit
- K. Resolution: Approving the purchase of one (1) Fire Command vehicle from Winner Chevrolet in Elk Grove, California, through the Department of General Services State Bid System for fleet SUVs under Contract #1-16-23-23D, pursuant to the Turlock Municipal Code, Title 2, Chapter 7, Section 08(b)(5), without compliance to the formal bid procedure, with the purchase and installation of emergency and aftermarket equipment being handled by staff, in an amount not to exceed \$86,000; and appropriating \$86,000 to account number 506-00-000-304.51020 "Equipment Replacement" from Fund 506 "Vehicle/Equipment Replacement-Fire Services" reserve balance to complete the purchase of the Fire Command vehicle from Winner Chevrolet
- L. 1. Motion: Authorizing the renewal of a contract with Target Solutions for a subscription of online training services for continuing education in Emergency Medical Service (EMS) and other various mandated training to Turlock Fire Department personnel, in an amount not to exceed \$4,235, from Fund 265-30-310.302_47140 "California Firefighters Joint Apprenticeship Committee (JAC)"
2. Resolution: Authorizing the Mayor or the City Manager to initiate renewals as necessary with Target Solutions, as long as the California Firefighters Joint Apprenticeship Committee (JAC) funding is available
- M. Resolution: Affirming the City of Turlock's use of CalHOME funds for down payment assistance in accordance with program regulations and authorizing the Mayor, City Manager and/or his designee to execute all agreements, extensions, amendments and other documents required by the State of California Housing and Community Development (HCD) for participation in the CalHOME program
- N. Motion: Accepting the 2014-15 Audited Financial Statements for the City of Turlock as prepared by City staff and audited by Maze & Associates in accordance with Generally Accepted Accounting Principles (GAAP)
- O. Motion: Rejecting Claim for Damages filed by David B. Arruda
- P. Motion: Rejecting Claim for Damages filed by Andrew G. Cota
- Q. Motion: Rejecting Claim for Damages filed by Gerardo Rodriguez Jr.

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 to approve the Fiscal Year 2016-17 Annual Action Plan for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME), authorize submission of the Annual Action Plan to HUD, and authorize the Mayor, City Manager or designee to execute all related and necessary documents. (*Pitt*)

Recommended Action:

Resolution: Approving the Fiscal Year 2016-17 Annual Action Plan for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME), authorizing submission of the Annual Action Plan to HUD, and authorizing the Mayor, City Manager or designee to execute all related and necessary documents

8. SCHEDULED MATTERS

- A. Request to determine the airport monument sign is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures) and approve the Turlock Regional Aviation Association's airport monument sign project at the Turlock Municipal Airport contingent upon receiving the formal approval from Merced County and the Federal Aviation Administration. (*Van Guilder*)

Recommended Action:

Resolution: Determining the airport monument sign located at the Turlock Municipal Airport is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures)

Resolution: Approving the Turlock Regional Aviation Association's airport monument sign project at the Turlock Municipal Airport contingent upon receiving the formal approval from Merced County and the Federal Aviation Administration

- B. Request to affirm or modify the Community Events and Activities Grants Funding as submitted by the Parks, Arts and Recreation Commission. (*Schulze*)

Recommended Action:

Motion: Affirming or modifying the Community Events and Activities Grants Funding as submitted by the Parks, Arts and Recreation Commission

- C. Request to provide direction to staff on the revised City of Turlock Special Event Permit application, proposed fees and policies. (*Van Guilder*)

Recommended Action:

Motion: Providing direction to staff on the revised City of Turlock Special Event Permit application, proposed fees and policies

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- D. Request to authorize the closure of East Main Street, between Center Street and Thor Street, on Thursday, June 30, 2016, from 2:00 p.m. to 11:00 p.m., for the Downtown Dish event hosted by the Turlock Downtown Property Owners' Association and the Kiwanis Club of Turlock. (*Van Guilder*)

Recommended Action:

Resolution: Authorizing the closure of East Main Street, between Center Street and Thor Street, on Thursday, June 30, 2016, from 2:00 p.m. to 11:00 p.m., for the Downtown Dish event hosted by the Turlock Downtown Property Owners' Association and the Kiwanis Club of Turlock

- E. Request to affirm the City Manager's action of having signed and filed, for and on behalf of the City of Turlock, a financial assistance application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the City of Turlock component of the North Valley Regional Recycled Water Program; designate the Mayor, City Manager, or designee as the authorized representative for the City of Turlock; Dedicate net revenues from the Water Quality Control Fund 410 to the payment of any and all Clean Water State Revolving Fund and/or Water Recycling Funding for the financing of the City of Turlock component of the North Valley Regional Recycled Water Program during the term of the financing by the State Water Resources Control Board; and Authorize the reimbursement of certain expenditures for the City of Turlock component of the North Valley Regional Recycled Water Program paid prior to the issuance of obligations or approval of the City's application for financial assistance for the project by the State Water Resources Control Board. (*Cooke*)

Recommended Action:

Resolution: Affirming the City Manager's action of having signed and filed, for and on behalf of the City of Turlock, a financial assistance application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the City of Turlock component of the North Valley Regional Recycled Water Program and designating the Mayor, City Manager, or designee as the authorized representative for the City of Turlock

Resolution: Dedicating net revenues from the Water Quality Control Fund 410 to the payment of any and all Clean Water State Revolving Fund and/or Water Recycling Funding for the financing of the City of Turlock component of the North Valley Regional Recycled Water Program during the term of the financing by the State Water Resources Control Board

Resolution: Authorizing the reimbursement of certain expenditures for the City of Turlock component of the North Valley Regional Recycled Water Program paid prior to the issuance of obligations or approval of the City's application for financial assistance for the project by the State Water Resources Control Board

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

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION

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

A. Conference with Legal Counsel – Anticipated Litigation, Cal. Gov't Code §54956.9(d)(2)

“For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist... A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.”

Potential Cases: (2 cases)

13. ADJOURNMENT