

City Council Agenda



NOVEMBER 8, 2016

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
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. Recognition: Central San Joaquin Valley Risk Management Authority 2015-16 Safety Award Stretching Program Recipient, Public Maintenance Supervisor Ray Garcia

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

 B. STAFF UPDATES
 1. Public Transit Bus System Update (*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 9/29/16 in the amount of \$1,577,395.63; Demands of 10/6/16 in the amount of \$622,731.92; Demands of 7/31/16 in the amount of \$921,854.45
- B. Motion: Accepting Minutes of Regular Meeting of October 25, 2016
- C.
 - 1. Resolution: Determining City Project No. 16-72 "Blower Building No. 1 Re-roof" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Existing Facilities) of the CEQA Guidelines
 - 2. Motion: Awarding bid and approving an Agreement in the amount of \$43,727 (Fund 410), with Pacific Valley Roofing Inc. of Ceres, California, for City Project No. 16-72 "Blower Building No. 1 Re-roof"
 - 3. Resolution: Appropriating \$7,000 to account number 410-51-534.44159 "Blower Bldg #1 Reroof" to be funded from Fund 410 Water Quality Control reserves for City Project No. 16-72 "Blower Building No. 1 Re-roof" to complete the necessary funding required for this project
- D. Motion: Accepting the Development Fee Annual Report for Fiscal Year 2015-16 in accordance with Section 66006 of the Government Code
- E. Resolution: Appropriating \$54,003 to account number 401-10-125.51000 "Capital Improvements" from Fund 401 "Airport" reserve balance to provide funds to complete the Turlock Municipal Airport Widen Runway 12/30 to 60' and Airfield Electrical Upgrades design project
- F. Motion: Approving an Agreement between the City of Turlock and Turlock Unified School District to offer youth basketball programs for the City of Turlock, in an annual amount not to exceed \$9,500 and a total amount of \$28,500 for a period of thirty-six (36) months
- G. Motion: Approving an Agreement between the City of Turlock and Larry Walker Associates for Delta Mendota Canal nutrient and algae sample collection and analysis services, in an amount not to exceed \$158,673 during the term of the contract, from account number 410-51-530.43316 "NPDES Permit Studies"

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- H. Motion: Approving the purchase of a 2016 McLaughlin VX50-500 vacuum excavator with hydraulic jack through the National Joint Powers Alliance (NJPA) cooperative contract purchasing of which the City of Turlock is a member (Member #101769), without compliance to the formal bid procedure in accordance with Turlock Municipal Code Section 2-7-08(b)(5), in the total amount of \$65,012.50
 - I. Motion: Approving an Addendum to an Agreement between the City of Turlock and Delta Wireless, Inc., adding insurance requirements for City Contract No. 16-146 and Service Provider's Contract No. S02000128

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: None

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 December 13, 2016, 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