

City Council Agenda



JANUARY 22, 2013

7:00 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.

1. **A. CALL TO ORDER**
B. SALUTE TO THE FLAG

2. **PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS**
 - A. Proclamation: Major Debi Shrum, Salvation Army - Turlock
 - B. Presentation: United Cerebral Palsy of Stanislaus and Tuolumne Counties, Steve Webb, President & CEO

3. **A. SPECIAL BRIEFINGS:** None
B. STAFF UPDATES
 1. Property Assessed Clean Energy Program (PACE) (*Reid*)

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 12/13/12 in the amount of \$1,924,382.31; Demands of 12/20/12 in the amount of \$3,992,510.91; Demands of 1/4/13 in the amount of \$126,453.65
- B. Motion: Accepting Minutes of Regular Meeting of January 8, 2013
- C. 1. Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$2,662.50 (Fund 413) for City Project No. 12-22, "Pedretti Park Sewer Line," bringing the contract total to \$35,600.50
2. Motion: Accepting improvements for City Project No. 12-22, "Pedretti Park Sewer Line," and authorizing the City Engineer to file a Notice of Completion
- D. Motion: Accepting notification of Contract Change Order No. 4 in the amount of \$49,489 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 06 – Structural Steel, bringing the contract total to \$3,489,458
- E. Motion: Accepting notification of Contract Change Order No. 2 in the amount of \$19,884 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 07 – Framing, Drywall, and Plaster, bringing the contract total to \$2,476,517
- F. Motion: Accepting notification of Contract Change Order No. 2 in the decreased amount of (\$14,500) (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 9 – Doors and Windows, bringing the contract total to \$1,217,703
- G. 1. Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$4,177.66 (Fund 215) for City Project No. 0945, "Washington and West Main Intersection Improvements," bringing the contract total to \$181,800.66
2. Motion: Accepting improvements for City Project No. 0945, "Washington and West Main Intersection Improvements," and authorizing the City Engineer to file a Notice of Completion
- H. Resolution: Authorizing the creation of a Capital Improvements Coordinator job classification
- I. Resolution: Authorizing the submittal of an application to the California State Department of Housing and Community Development (HCD) for funding under the Emergency Solutions Grant (ESG) program; authorizing the City Manager to execute a standard HCD agreement, if selected, to receive such funding and any amendments thereto and all related documents necessary to participate in the ESG program
- J. Motion: Approving a retainer agreement for Fiscal Years 2012/13 and 2013/14 in an amount not to exceed \$50,000 with Economic & Planning Systems of Sacramento, California, for economic planning and development fee services

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- K. Motion: Approving Amendment No. 2 to the agreement for special services with Dyett and Bhatia (Urban and Regional Planners) to extend the current termination date from December 31, 2012 to June 30, 2013 for the Turlock General Plan Update
- L. 1. Resolution: Authorizing the City of Turlock's membership in the Bay Area Recycled Water Coalition for the purpose of obtaining federal and state financial assistance for the construction of the North Valley Recycled Water Program, a project to provide recycled water to farmland and wildlife refuges on the west side of the San Joaquin Valley
2. Motion: Authorizing the expenditure of funds in an amount not to exceed \$20,000 for the purpose of the City of Turlock's annual membership in the Bay Area Recycled Water Coalition from account number 410-51-530.43340 "North Valley Regional Recycled Water Project"
- M. Motion: Approving an agreement with URS Corporation for groundwater monitoring as part of the continued investigation and remediation of PCE contamination in the Downtown area, in an amount not to exceed \$15,790
- N. Motion: Approving an agreement between Siemens Fire Safety and the Turlock Police Department for testing and inspection services related to the fire alarm system at Turlock Police and Fire Department, 900 N. Palm Street
- O. Resolution: Approving the purchase of two (2) replacement unmarked police vehicles for Turlock Police Department from Patchett's Ford of Turlock, California, from account number 112-10-116.51115 "Unmarked Police Vehicles" in an amount not to exceed \$47,803
- P. 1. Resolution: Rescinding Resolution No. 2011-151 and adopting a Memorandum of Understanding between the City of Turlock and Turlock Associated Police Officers (TAPO) covering the period December 1, 2012 through November 30, 2013
2. Resolution: Rescinding Resolution No. 2011-153 and adopting a Memorandum of Understanding between the City of Turlock and Turlock City Employees Association (TCEA) covering the period November 1, 2012 through October 31, 2013
3. Resolution: Rescinding Resolution No. 2011-152 and adopting a Memorandum of Understanding between the City of Turlock and Turlock Management Association – Public Safety (TMAPS) covering the period November 1, 2012 through October 31, 2013
4. Resolution: Rescinding Resolution No. 2011-155 and adopting a Schedule of Benefits for Confidential Employees of the City of Turlock covering the period November 1, 2012 through October 31, 2013
5. Resolution: Rescinding Resolution No. 2011-154 and adopting a Schedule of Benefits for Unrepresented Management Employees of the City of Turlock covering the period November 1, 2012 through October 31, 2013
6. Resolution: Rescinding Resolution No. 2007-259 and adopting a Memorandum of Understanding between the City of Turlock and Turlock Firefighters, Local #2434 covering the period November 1, 2012 through October 31, 2013
7. Motion: Adopting a Side Letter Agreement amending the Memorandum of Understanding between the City of Turlock and Turlock Firefighters, Local #2434 dated November 1, 2012 through October 31, 2013
- Q. Motion: Rejecting Claim for Damages filed by Ruben Prusso
- R. Motion: Rejecting Claim for Damages filed by Hugo Ticas
- S. Resolution: Rescinding Resolution No. 2012-039 and adopting the amended Personnel System Rules and Regulations regarding Reclassification

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS**

- A. Request to add to the Turlock Municipal Code, Title 6, Chapter 1, Article 1, Section 17, regarding the permitting of Rescue Groups. (*Reid*)

Recommended Action:

Ordinance: Adding Turlock Municipal Code Title 6, Chapter 1, Article 1, Section 17, regarding the permitting of Rescue Groups

8. **SCHEDULED MATTERS**

- A. Request to accept the Carnegie Arts Center's annual report as presented to Council. (*Reid*)

Recommended Action:

Motion: Accepting the Carnegie Arts Center's annual report as presented to Council

- B. Request to authorize staff to issue a request for proposal for an update to the Northwest Triangle Specific Plan, Environmental Impact Report, and Infrastructure Financing Plan; and return to council at a future date to consider a Budget Amendment and Contract Proposal. (*Whitmore*)

Recommended Action:

Motion: Authorizing staff to issue a request for proposal for an update to the Northwest Triangle Specific Plan, Environmental Impact Report, and Infrastructure Financing Plan; and bring back a Budget Amendment and Contract Proposal for consideration by the City Council at a future date

- C. Request to authorize the creation of the position of Deputy Director of Municipal Services funded by Enterprise Funds 410 and 420 and authorize the hiring and filling of such position through an in-house recruitment of full-time, part-time and volunteer/intern staff, and outside recruitment if needed. (*Madden*)

Recommended Action:

Resolution: Authorizing the creation of the position of Deputy Director of Municipal Services Funded by Enterprise Funds 410 and 420

Resolution: Authorizing the hiring of one (1) currently vacant Deputy Director position within Municipal Services through an in-house recruitment of full-time, part-time and volunteer/intern staff, and outside recruitment if needed

- D. Request to accept the project status update on construction activities for City Project Nos. 0804A, "Turlock Public Safety Facility – Off-Site Improvements," and 0804B, "Turlock Public Safety Facility" and authorize the transfer of \$170,000 from Fund 216 (Prop 1B) Reserve to Fund 305 CFF (Police) for City Project 0804A, "Turlock Public Safety Facility-Off-Site Improvements". (*Pitcock*)

Recommended Action:

Motion: Accepting the project status update on construction activities for City Project Nos. 0804A, "Turlock Public Safety Facility – Off-Site Improvements," and 0804B, "Turlock Public Safety Facility"

Resolution: Authorizing the transfer of \$170,000 from Fund 216 (Prop 1B) Reserve to Fund 305 CFF (Police) for City Project No. 0804A, "Turlock Public Safety Facility-Off-Site Improvements"

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

Public Employee Performance Evaluation, Cal. Gov't Code §54957
Title: City Manager

12. ADJOURNMENT