

# City Council Agenda



**MAY 13, 2014**

**6:00 p.m.**

**City of Turlock Yosemite Room**

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



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**

**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. - Opening Reception for CSU Stanislaus Annual Literary and Art Publication Penumbra at City Hall**

**1. A. CALL TO ORDER**

**B. SALUTE TO THE FLAG**

**2. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS**

- A. Proclamation: Asthma Awareness Month, May 2014
- B. Proclamation: CSU Stanislaus Warriors Basketball, 2014 California Collegiate Athletic Association Tournament Champions
- C. Proclamation: Public Works Week, May 18-24, 2014
- D. Proclamation: Water Awareness Month, May 2014
- E. Presentation: CSU Stanislaus Annual Literary and Art Publication Penumbra, by Kayla Seabourn
- F. Presentation: Carnegie Arts Center Annual Report, Lisa McDermott

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

**B. STAFF UPDATES**

1. Capital Projects and Building Activity (*Pitcock*)
2. Turlock Irrigation District Update (*Wasden*)

**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. 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 4/3/14 in the amount of \$694,123.79; Demands of 4/10/14 in the amount of \$1,665,776.65; Demands of 4/17/14 in the amount of \$1,492,999.17
- B. Motion: Accepting Minutes of Regular Meeting of April 22, 2014
- C.
  1. Motion: Accepting the determination made by Caltrans that City Project No. 13-49, "Dianne Drive Realignment," is categorically exempt per Class 1, PRC 21084 and 14 CCR 15300
  2. Motion: Awarding bid and approving an agreement in the amount of \$839,647.40 (Fund 305) with Teichert Construction of Stockton, California, for City Project No. 13-49, "Dianne Drive Realignment"
  3. Resolution: Appropriating \$170,000 to account number 305-40-440.51270 "Construction Project" from Fund 305 "Capital Facilities Fees (Roadway – Reserve)" for City Project No. 13-49, "Dianne Drive Realignment," to complete the necessary funding required for the project
- D. Resolution: Supporting the application for grant funding under the Alternative Transportation Program (ATP), Cycle 1, and City Project No. 14-23, "ATP Grant Application FY 2014-15," for the specified pedestrian and bicycle related projects
- E. Motion: Approving Amendment No. 5 to the agreement with Carollo Engineers increasing the total compensation by \$75,000 to provide extended construction management services for City Project No. 6859, "Harding Drain Bypass Pump Station and Pipeline"

- F. **Motion:** Approving a reimbursement agreement with Brett A. Honore', Trustee of Brett Honore' Revocable Trust as to an undivided 25% interest, and Brett T. Tate and Karen C. Tate 2012 Trust as to an undivided 75% interest, for construction of frontage improvements along Fulkerth Road at the southwest corner of Dianne Drive and Fulkerth Road, associated with City Project No. 13-49, "Dianne Drive Realignment"
- G. **Resolution:** Accepting \$40,000 of additional Federal Sustainable Communities Regional Planning Grant Program funds for the Smart Valley Places COMPACT, and appropriating \$35,364 to account number 110-40-400.34172 "Smart Valley Places Grant"
- H. **Motion:** Approving an agreement with Sierra Chemical Company for Liquid Chlorine for the Turlock Regional Water Quality Control Facility for a period of twelve (12) months, in an amount not to exceed \$239,384
- I. **Resolution:** Rescinding Resolution Nos. 2013-075 and 2010-158 and adopting the amended powers, duties and procedures for conducting commission meetings and accepting the renaming of the commission to the Parks, Arts & Recreation Commission
- J. **Motion:** Approving the agreement with Stommel, Inc., dba Lehr Auto Electric of Sacramento, California, for the purchase of emergency vehicle equipment, supplies, repair and installation services through the County of Placer agreement, without compliance to the formal bid process
- K. **Resolution:** Authorizing a blanket agreement with Surplus Tree Leaf Beneficial Reuse for the beneficial reuse of tree leaves collected annually by the City of Turlock Leaf Pick Up Program for reuse on farmland as a soil amendment
- L. **Motion:** Authorizing the City Manager to execute an agreement between Dave Young and the City of Turlock for independent contractor administrative investigation services for the Police Department
- M. **Resolution:** Appropriating \$7,500 from account number 242-00-000-215.30000\_000 (Public Safety MDC – Opening Balance) to account number 242-00-000-215.51010 (Public Safety MDC - Computer) for the purchase of one (1) and the installation of two (2) laptop computers in fire apparatus
- N. **Resolution:** Appropriating \$2,700 to account number 227-40-135.51011 "Computer Software" from Fund 227 "Public Safety Tax" reserve balance for New World Systems to create a custom Animal License Renewal Form
- O. **Motion:** Authorizing approval to enter into a contract with Microbiz Security Company to approve the upgrade of City Administration Building Access Control ID Card System panels and renewal of Microbiz Software Services Agreement
- P. **Resolution:** Making certain findings and determinations in compliance with Section XIII.B of the California Constitution and Section 7910 of the California Government Code and setting the appropriation limit for the City of Turlock for Fiscal Year 2013-14
- Q. **Motion:** Rejecting Claim for Damages filed by Arturo Gaona

## **6. FINAL READINGS**

- A. **Recommended Action:**  
**Ordinance:** Amending the Zoning Map of the City of Turlock, attached to Title 9 of the Turlock Municipal Code [Rezone 2013-03 (Planned Development 270) Monte Verde Subdivision, Florsheim Land Company] as introduced at the April 22, 2014 meeting  
  
**Resolution:** Establishing Conditions of Approval for Planned Development District No. 270 (PD-270) [Rezone 2013-03, Monte Verde Subdivision, Florsheim Land Company]

## **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 adopt a revision to the City of Turlock's ADA Transition Plan as completed by Sally Swanson Architects, Inc., under City Project No. 11-27, "ADA Self-Evaluation and Transition Plan Update". (*Pitcock*)

***Recommended Action:***

**Resolution:** Adopting a revision to the City of Turlock's ADA Transition Plan as completed by Sally Swanson Architects, Inc., under City Project No. 11-27, "ADA Self-Evaluation and Transition Plan Update"

- B. Request to approve an updated Citizen Participation Plan for use in public outreach of federally-funded grant programs offered by the United States Department of Housing and Urban Development (HUD). (*Pitt*)

***Recommended Action:***

**Resolution:** Approving an updated Citizen Participation Plan for use in public outreach of federally-funded grant programs offered by the United States Department of Housing and Urban Development (HUD)

- C. Request to approve the Fiscal Year 2014-15 Annual Action Plan for the Community Development Block Grant Program (CDBG) and the HOME Investment Partnership Program (HOME); authorize submission of the Annual Action Plan to HUD; and authorize the City Manager or designee to execute all related and necessary documents. (*Pitt*)

***Recommended Action:***

**Resolution:** Approving the Fiscal Year 2014-15 Annual Action Plan for the Community Development Block Grant Program (CDBG) and the HOME Investment Partnership Program (HOME), authorizing submission of the Annual Action Plan to HUD, and authorizing the City Manager or designee to execute all related and necessary documents

## **8. SCHEDULED MATTERS**

- A. Request to approve the amended Parks, Recreation and Public Facilities Department's part-time employee wage scale for Fiscal Year 2014-15. (*Schulze*)

***Recommended Action:***

**Resolution:** Approving the amended Parks, Recreation and Public Facilities Department's part-time employee wage scale for Fiscal Year 2014-15

- B. Request to accept a report and information presented on City Council compensation and provide direction to staff for future consideration. (*Pitt*)

***Recommended Action:***

*Motion:* Accepting a report and information presented on City Council compensation and providing direction to staff for future consideration

- C. Request to review the City of Turlock Fiscal Year 2014-15 proposed General Fund Budget and receive direction from Council for budget adoption. (*Wasden*)

***Recommended Action:***

*Motion:* Reviewing the City of Turlock Fiscal Year 2014-15 proposed General Fund Budget and providing direction for budget adoption

- D. Request to accept information and provide direction to staff in preparation for the May 27, 2014 Council meeting where the Sales Tax Measure will be considered. (*Wasden*)

***Recommended Action:***

*Motion:* Accepting information and providing direction to staff in preparation for the May 27, 2014 Council meeting where the Sales Tax Measure will be considered

**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 Labor Negotiators*, Cal. Gov't Code §54957.6(a)  
*"Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation."*

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, 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**