

City Council Agenda



MAY 24, 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. Proclamation: Disability Awareness Month, June 2016, accepted by Carolyn Teixeira Gomes
 - B. Recognition: Pitman High School Art Club
 - C. Appointment: Parks, Arts and Recreation Commission
 - D. Announcement: Campaign Finance Workshops

3. **A. SPECIAL BRIEFINGS**

B. STAFF UPDATES

1. Policy Goals and Implementation Plan (*Executive Staff*)
2. Million Acts of Kindness Initiative (*Packwood*)
3. Water Resources (*Cooke*)

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 4/14/16 in the amount of \$2,040,487.01; Demands of 4/21/16 in the amount of \$633,884.64; Demands of 4/28/16 in the amount of \$382,572.71; Demands of 2/29/16 in the amount of \$1,008,263.12
- B. Motion: Accepting Minutes of Regular Meeting of May 10, 2016
- C.
 1. Motion: Accepting notification of Contract Change Order No. 1 (Final) in the amount of \$3,250 (Fund 420) for City Project 11-58, "East Main Street Water Line Replacement" bringing the contract total to \$625,747
 2. Motion: Accepting improvements for City Project No. 11-58, "East Main Street Water Line Replacement" and authorizing the City Engineer to file a Notice of Completion
 3. Resolution: Re-appropriating \$80,000 to account number 420-52-551.51126 "East Main Waterline Replacement" to be funded from unappropriated Fund 420 Water Enterprise Reserves for City Project No. 11-58, "East Main Street Water Line Replacement" to complete the necessary funding required for this project
- D.
 1. Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$19,071 (Fund 413) for City Project 13-44, "Wet Utility Improvements around Fourth Street and A Street" bringing the contract total to \$344,519
 2. Motion: Accepting improvements for City Project No. 13-44, "Wet Utility Improvements around Fourth Street and A Street" and authorizing the City Engineer to file a Notice of Completion
- E.
 1. Resolution: Making the determination that City Project No. 14-29, "Water Line Replacement on Palm Street and Mitchell Avenue" is exempt from the provisions of California Environmental Quality Act (CEQA) in accordance with Section 15302(c) (Replacement or Reconstruction) of the CEQA Guidelines
 2. Motion: Awarding bid and approving an agreement in the amount of \$689,412.28 (Fund 420) with Taylor Backhoe Service, Inc. of Merced, California for City Project No. 14-29, "Water Line Replacement on Palm Street and Mitchell Avenue"

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3. Resolution: Appropriating \$668,965 to account number 420-52-551.51303 "Palm & Mitchell-Replace Steel with C-900" to be funded from unappropriated Fund 420 Water Enterprise reserves for City Project No.14-29, "Water Line Replacement on Palm Street and Mitchell Avenue" to complete the necessary funding required for this project
- F. Motion: Approving a supplier agreement with Safe-T-Lite of Modesto, Inc., of Modesto, California, in an amount not to exceed \$60,000 from account number 110-10-112.43187 "Tourism – Misc.", for the rental of temporary traffic control devices on an as-needed basis related to City projects and special events
- G. 1. Resolution: Determining acceptance of the 2015 General Plan Annual Report is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) of the CEQA Guidelines
2. Resolution: Accepting the 2015 General Plan Annual Report pursuant to California Government Code Section 65400(a)(2) to be submitted to the Governor's Office of Planning and Research and the California Department of Housing and Community Development
- H. Motion: Approving the renewal of the Memorandum of Understanding between the City of Turlock and the Turlock Unified School District to offer youth volleyball programs within the community
- I. Motion: Awarding RFQ 16-351 and Contract No. 16-030 to All Valley Smog, Inc. of Turlock, having met all the specifications of RFQ 16-351 and being the lowest responsive and responsible bidder, for auto smog services for all City fleet vehicles for a period of twelve (12) months, in an amount not to exceed \$5,000
- J. 1. Motion: Awarding Request for Quotation 15-325 and Contract No. 16-021 to Websoft Developers, Inc. having met all of the specifications of Request for Quotation 15-325 and being the lowest responsive and responsible bidder for a Mobile Work Order Management Software System
2. Motion: Approving an agreement for services with Websoft Developers, Inc. for a Mobile Work Order Management Software System for the Municipal Services Department and the Parks, Recreation and Public Facilities Department for a period of five (5) years, in an amount not to exceed \$136,749.81, from account numbers 410-51-534.51170 "Electronic Work Order System" and 110-50-500.41013 "Maintenance Services Software"
- K. 1. Motion: Approving Amendment No. 1 to the Professional Services Agreement between the City of Turlock and Wood Rodgers, Inc., for the preparation of a Hydrogeological and Water Quality Assessment Study to include additional work for the Rehabilitation/Modification Services of Well 32, in an amount not to exceed \$212,096 from account number 420-52-550.43320 "Special Services/Projects"
2. Resolution: Appropriating \$212,096 to account number 420-52-530.43320 "Special Services/Projects" to be funded from Water Enterprise Fund 420 Operating Reserves to fully fund Amendment No. 1 to the Professional Services Agreement between the City of Turlock and Wood Rodgers, Inc. for the preparation of a Hydrogeological and Water Quality Assessment Study to include additional work for the Rehabilitation/Modification Services of Well 32
- L. 1. Resolution: Calling for the holding of a General Municipal Election to be held on Tuesday, November 8, 2016, for the election of certain officers as required by the provisions of the laws of the State of California relating to general law cities
2. Resolution: Requesting the Board of Supervisors of the County of Stanislaus to consolidate a General Municipal Election to be held on Tuesday, November 8, 2016, with the Statewide General Election to be held on the same date pursuant to §10403 of the Elections Code

3. Resolution: Adopting regulations for candidates for elective office pertaining to candidate's statements submitted to the voters at a General Municipal Election to be held on Tuesday, November 8, 2016

4. Resolution: Setting the deposit fee which will be required of candidates who elect to have a candidate's Statement of Qualifications printed in the ballot pamphlet for the City of Turlock General Municipal Election to be held on Tuesday, November 8, 2016

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 supersede and replace Council Resolution No. 2016-026 and adopt updated cost recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq. (*Hampton*)

Recommended Action:

Resolution: Superseding and replacing Council Resolution No. 2016-026 and adopting updated cost recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq.

8. **SCHEDULED MATTERS**

- A. Request to determine the Turlock Municipal Airport Widen Runway 12/30 to 60' and Airfield Electrical Upgrades design project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities), determine the project is categorically excluded from the provisions of the National Environmental Policy Act (NEPA) pursuant to Federal Aviation Administration (FAA) Order 1050.1E Chapter 3. 310 for Facility Siting, Construction and Maintenance, (310e), and authorize submittal of an application, acceptance of an allocation of funds, and execution of a grant agreement with the Federal Aviation Administration for the Turlock Municipal Airport Widen Runway 12/30 to 60' and Airfield Electrical Upgrades design project. (*Van Guilder*)

Recommended Action:

Resolution: Determining the Turlock Municipal Airport Widen Runway 12/30 to 60' and Airfield Electrical Upgrades design project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and determining the project is categorically excluded from the provisions of the National Environmental Policy Act (NEPA) pursuant to Federal Aviation Administration (FAA) Order 1050.1E Chapter 3. 310 for Facility Siting, Construction and Maintenance, (310e)

Resolution: Authorizing submittal of an application, acceptance of an allocation of funds, and execution of a grant agreement with the Federal Aviation Administration for the Turlock Municipal Airport Widen Runway 12/30 to 60' and Airfield Electrical Upgrades design project

- B. Request to appropriate \$75,000 to 305-40-442.43731 "Recreation Facilities Prioritization & Feasibility Study" from Fund 305 "Capital Facility Fees General Government" reserve balance to provide funds for a Sports & Recreation Facilities Prioritization and Feasibility Study. (*Schulze*)

Recommended Action:

Resolution: Appropriating \$75,000 to 305-40-442.43731 "Recreation Facilities Prioritization & Feasibility Study" from Fund 305 "Capital Facility Fees General Government" reserve balance to provide funds for a Sports & Recreation Facilities Prioritization and Feasibility Study

- C. Request to accept the post event report for the Carnegie Centennial Celebration funded in part by the City through the Community Events and Activities Grant Program. (*Traini*)

Recommended Action:

Motion: Accepting the post event report for the Carnegie Centennial Celebration funded in part by the City through the Community Events and Activities Grant Program

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

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