

# City Council Agenda



**MARCH 13, 2012**

**7:00 p.m.**

**City of Turlock Yosemite Room  
156 S. Broadway, Turlock, California**



Mayor  
**John S. Lazar**

Council Members  
**William DeHart, Jr.**  
**Forrest White**  
**Amy Bublak**  
**Mary Jackson**  
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.

**1. A. CALL TO ORDER**

**B. SALUTE TO THE FLAG**

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

- A. Presentation: "Love Turlock," April 28, 2012, by Pastor David Larson, New Life Christian Center
- B. Appointment: Successor Agency Oversight Board General
- C. Appointment: Successor Agency Oversight Board former RDA Employee

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and the Council does not endorse the religious beliefs or views of this, or any other, invocation speaker.

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**3. A. SPECIAL BRIEFINGS****1. CALIFORNIA STATE UNIVERSITY STANISLAUS:**

- Andrew LaFlamme, Director of Legislative Affairs
- Sabrina Dominguez, Governmental Affairs Administrator

**B. STAFF UPDATES**

1. Board, Commission, and Committee Vacancies (*Weaver*)
2. Legislative Update (*Pitt*)

**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 2/16/12 in the amount of \$1,238,706.44
- B. Motion: Accepting Minutes of Regular Meeting of February 28, 2012
- C. Resolution: Approving a Transportation Development Act (TDA) claim for Non-Transit expenses for Fiscal Year 2011-12 in the amount of \$403,792 and adjusting the projected Local Transportation Revenue in Fund 216 to current StanCOG estimates
- D. Motion: Approving an Underground Electric Service Installation Agreement with Turlock Irrigation District (TID) of Turlock, California, in the amount of \$66,362 (Fund 420) to provide electrical service in connection with City Project 10-24, "Well No. 40 Sitework"
- E. Motion: Awarding bid and approving an agreement in the amount of \$24,578 (Fund 420) with Masellis Drilling, Inc. of Modesto, California, for City Project 11-45, "Pilot Hole for Well No. 41"
- F. Motion: Approving an Underground Electric Service Installation Agreement with Turlock Irrigation District (TID) of Turlock, California, in the amount of \$8,047 (Fund 230) to provide electrical service for City Project No. 12-20, "Sewer Lift Station – Tuolumne/Countryside"
- G. Motion: Reaffirming the emergency declaration of the City Manager that there is a need to pursue the replacement of hot water circulation piping at the Turlock Regional Water Quality Control Facility without compliance to the formal competitive bidding procedure

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- H. 1. Resolution: Authorizing the City Manager to relinquish \$17,000 of the \$600,000 construction donation to the Carnegie Arts Center Foundation  
2. Resolution: Appropriating \$17,000 to 305-40-442.47251 "Carnegie Foundation-Release of Holding Funds" from Fund 305 "Capital Facilities Fees-General Administration" reserve balance
- I. Motion: Approving Contract Change Order No. 4 in the amount of \$33,080.51 (Fund 305) for City Project No. 0804A, "Turlock Public Safety Facility-Off-site Improvements," bringing the contract total to \$1,157,484.76
- J. Motion: Approving an Underground Electric Service Installation Agreement with Turlock Irrigation District (TID) of Turlock, California, in the amount of \$8,047 (Fund 306) to provide electrical service in connection with City Project No. 0939, "Storm Drain Pump Station at North Tegner Road and Sandstone Street"
- K. Motion: Rejecting all bids submitted for City Project 0945, "Washington and West Main Intersection Improvements"
- L. Motion: Approving an agreement in an amount not to exceed \$15,650 (Fund 405) with NBS Government Finance Group for a cost recovery based building fee study
- M. Motion: Approving a contract between Microbiz Security Company and the City of Turlock for the purchase and installation of software and hardware for the security card access system approved as sole source on February 14, 2012, in the amount of \$146,846
- N. 1. Motion: Authorizing the City Manager to execute an agreement for tree trimming and maintenance services for the Parks, Recreation and Public Facilities Division, on a piggy-back contract from the Turlock Irrigation District, Contract No. G090074, with Davey Tree Surgery Company of Modesto, California, without compliance to the formal bid process  
2. Motion: Approving the service agreement with Davey Tree Surgery Company of Modesto, California, for tree trimming and maintenance services for a period of fifteen (15) months, ending June 30, 2013, in an amount not to exceed \$15,000
- O. Resolution: Approving a fortune telling permit for Ms. Janet Adams operating Psychic & Taro Card Readings by Janet, located at 149 W. Canal Drive, owned and operated by Ms. Janet Adams
- P. Motion: Authorizing the approval and execution of the City of Turlock to enter into a thirty-six (36) month, minimum term, subscriber agreement with West/Thomson Reuters for the provision of CLEAR Services for the Police Department
- Q. Motion: Authorizing the approval of the City of Turlock to enter into the Stanislaus County Regional Apprehension Team Memorandum of Understanding
- R. Resolution: Rescinding Resolution No. 2011-110 and adopting the amended Personnel System Rules and Regulations regarding Probation
- S. Motion: Rejecting Claim for Damages filed by Jose Amparo Cruz

6. **FINAL READINGS:** None

**7. PUBLIC HEARINGS:**

- A. Request to amend Turlock Municipal Code Title 2, Chapter 9, entitled "Public Works Contracts" in order to update Section 03. (*Pitcock*)

***Recommended Action***

*Ordinance:* Amending Turlock Municipal Code Title 2, Chapter 9, entitled "Public Works Contracts" in order to update Section 03

**8. SCHEDULED MATTERS:**

- A. Request to support an Effective Sustainable Community Strategy for the Stanislaus Council of Governments as required by SB375 and committing to Leadership for Economically Viable Smart Growth Planning. (*Whitmore*)

***Recommended Action***

*Resolution:* Supporting an Effective Sustainable Community Strategy for the Stanislaus Council of Governments as required by SB375 and committing to Leadership for Economically Viable Smart Growth Planning

- B. Request to support the extension of a 1/8 cent sales tax which would fund the Stanislaus County Library (*Wasden*)

***Recommended Action***

*Resolution:* Supporting the extension of a 1/8 cent sales tax which would fund the Stanislaus County Library

**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**

**12. ADJOURNMENT**