

City Council Agenda



APRIL 10, 2012

7:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

Mayor
John S. Lazar

City Manager
Roy W. Wasden
City Clerk
Kellie E. Weaver
City Attorney
Phaedra A. Norton

Council Members

William DeHart, Jr.

Amy Bublak

Forrest White

Mary Jackson

Vice Mayor

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:** None
3. **A. SPECIAL BRIEFINGS:** None
 - B. STAFF UPDATES**
 1. Board, Commission, and Committee Vacancies (*Weaver*)

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.

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 3/22/12 in the amount of \$942,035.94
- B. Motion: Accepting Minutes of Regular Meeting of March 27, 2012
- C. 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 bid process
- D. Motion: Awarding bid and approving an agreement in the amount of \$22,764 (Fund 301) with G. Ramirez Concrete, Inc., of Merced, California, for City Project No. 12-27, "ADA Improvements at the Southwest Corner of Monte Vista Avenue and Geer Road"
- E.
 1. Motion: Approving Contract Change Order No. 2 (Final) in the amount of \$16,704.60 (Fund 305) for City Project No. 0745, "Traffic Signal at W Main and S Kilroy," bringing the contract total to \$287,547.08
 2. Resolution: Appropriating \$20,750 to account number 305-40-440.51270 "Traffic Signal at W Main and S Kilroy" to be funded via a transfer of Section 2103 Gas Tax monies from Fund 217 "Gas Tax Fund" for City Project No. 0745, "Traffic Signal at W Main and S Kilroy," to complete the necessary funding required for the project
 3. Motion: Accepting improvements for City Project No. 0745, "Traffic Signal at W Main and S Kilroy," and authorizing the City Engineer to file a Notice of Completion
- F. Motion: Approving Amendment No. 2 with Neil O. Anderson and Associates, Inc., of Lodi, California, for City Project No. 0804B, "Turlock Public Safety Facility," for special services, in an amount not to exceed \$66,995 (Fund 305), bringing the total contract to \$321,175
- G. Motion: Approving Amendment No. 1 to the Retainer Agreement (Contract No. 09-656) with Cogdill & Giomi Real Estate Appraisers & Consultants of Modesto, California, for professional appraisal services, in an amount not to exceed \$50,000
- H. Resolution: Authorizing the City Manager or his designee to submit an application for a California Local Groundwater Assistance (LGA) grant on behalf of the Turlock Groundwater Basin Association (TGBA), to execute a grant agreement with the Department of Water Resources, and to execute all related documents pertaining to the grant and its administration

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- I.
 - 1. Motion: Authorizing the City Manager to execute an agreement for tree trimming and maintenance services on a piggy-back contract from the Turlock Irrigation District, Contract No. G090074, with Davey Tree Surgery Company of Modesto, California, for Parks, Recreation and Public Facilities Division, without compliance to the formal bid process
 - 2. Motion: Approving a 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
 - J.
 - 1. Motion: Approving the purchase of two (2) 2012 Ford F250 4x2 regular cab ¾ ton pickup trucks through the State of California, Contract No. 1-11-23-20, from Downtown Ford Sales of Sacramento, California, for the Parks, Recreation and Public Facilities Division, without compliance to the formal bid process, in an amount not to exceed \$52,134
 - 2. Resolution: Appropriating \$26,067 to account number 506-00-000-221.51020 "Pick Up Truck/Parks" from Fund 506 "Equipment Pool Replacement" reserve balances for Parks, Public Facilities, Streets, Storm and Landscape Assessments for the purchase of a vehicle to be utilized for all standby calls
 - K. Resolution: Approving a Public Dance Hall Renewal Permit for Wellington's Pub and Restaurant, located at 10 E. Main Street, Turlock, California, owned and operated by Mr. Anthony T. Walker and Dorothy L. Walker
 - L. Resolution: Authorizing the release of property from Police Property and Evidence of nine (9) bicycles for donation to the 38th District Agricultural Association (Stanislaus County Fair Board) for their use in varied community/fair programs and hydroponic/lighting equipment for auction through PropertyRoom.com
 - M. Resolution: Approving the Conflict of Interest Code for the Successor Agency to the Turlock Redevelopment Agency; Designating the Code Reviewing Body (City Council) as the entity with which Statements of Economic Interest are to be filed; and Designating the City Clerk of the City of Turlock as the filing officer for reports required to be filed by each member of the Successor Agency
 - N. Motion: Approving a Professional Services Agreement for the preparation of 2011-12 Actuarial Reports for the City's Other Post Employment Benefit (OPEB) Plans with each of the City's Bargaining Units
 - O. Motion: Rejecting Claim for Damages filed by Michael and Sharon Butler

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS:** None

8. **SCHEDULED MATTERS:**

- A. Request to accept a portion of preliminary Fiscal Year 2012-13 Non-General Fund Budget, with the final budget to be adopted in whole on June 12, 2012. (*Wasden*)

Recommended Action:

Motion: Accepting a portion of preliminary Fiscal Year 2012-13 Non-General Fund Budget, with the final budget to be adopted in whole on June 12, 2012

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