

# City Council Agenda



**JULY 10, 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. Proclamation: Parks & Recreation Month - Parks Make Life Better!, July 2012, accepted by Barney Gordon, Chairman - Parks, Recreation and Community Programs Commission
- B. Proclamation: Retirement of City Employee Richard Berru, Electrical Mechanical Technician II, July 3, 2012
- C. Appointments: Turlock City Arts Commission

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.

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

**B. STAFF UPDATES:**

1. Board, Commission, and Committee Vacancies (*Weaver*)
2. Capital Projects (*Pitcock*)
3. National Night Out August 7, 2012 (*Backeroff*)

**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 6/7/12 in the amount of \$712,595.58; Demands of 6/14/12 in the amount of \$1,442,621.21
- B. Motion: Accepting Minutes of Special Joint Meeting of the Turlock City Council, Planning Commission and Development Collaborative Committee of June 26, 2012; Minutes of Regular Meeting of June 26, 2012
- C. Motion: Accepting improvements for City Project No. 12-34, "MV & GSB RR Crossing," and authorizing the City Engineer to file a Notice of Completion
- D. Motion: Approving Contract Change Order No. 1 in the amount of \$1,650 (Fund 228) for City Project No. 11-56, "Dale Pinkney Park Arbor," bringing the contract total to \$12,930
- E. Motion: Awarding bid and approving an agreement in the amount of \$179,762 from Fund 420-52-551.51127 "Water System Repair/ Replacement Expenses" with Rolfe Construction of Atwater, California, for City Project No. 12-19, "Angelus Street Waterline Replacement"
- F. Motion: Approving an agreement for materials testing and special inspection services in the amount of \$290,000 (Fund 415) with Kleinfelder West, Inc. of Merced, California, for City Project No. 0751, "Turlock Regional Water Quality Control Facility Headworks and Secondary Treatment Capacity Expansion - Phase 1"
- G. Motion: Accepting notification of Contract Change Order No. 2 in the amount of \$2,290.80 (Fund 306) for City Project No. 0939, "Storm Drain Pump Station at North Tegner Road and Sandstone Street," bringing the contract total to \$491,473.33

- H. Motion: Approving a Memorandum of Understanding between the law enforcement agencies of Stanislaus County to develop protocol to support multi-jurisdictional SWAT responses pursuant to the recommendations of the POST SWAT operational guidelines and standardized training recommendations and authorizing the Chief of Police to sign the Memorandum of Understanding on behalf of the City of Turlock Police Department
- I. Resolution: Appropriating unspent funds from Fiscal Year 2011/12 of \$8,424.84 to account number 110-20-210.44030\_001 "Minor Equipment Safety Equipment" from Fund 110 "General Fund" Reserve Balance, for replacement of police officer ballistic vests for twelve (12) Police Officers
- J. Resolution: Appropriating \$500 to Fund 110-10-112.47016 "Administrative Citation Expenses" from Fund 110 "General Fund" Reserve Balance, for the purchase of Administration Citation forms
- K. Motion: Rejecting Claim for Damages filed by Dennis A. Souza
- L. Motion: Rejecting Claim for Damages filed by Kenneth Ledbetter

**6. FINAL READINGS:**

- A. **Recommended Action:**  
Ordinance: Amending Turlock Municipal Code Title 4, Chapter 15 regarding Tow Car Regulations as introduced at the June 26, 2012 meeting
- B. **Recommended Action:**  
Ordinance: Amending Turlock Municipal Code Title 3, Chapter 1, Article 6, regarding Dance Hall Permits as introduced at the June 26, 2012 meeting
- C. **Recommended Action:**  
Ordinance: Amending Turlock Municipal Code Title 5, Chapter 3, regarding Fortune Telling Permits as introduced at the June 26, 2012 meeting
- D. **Recommended Action:**  
Ordinance: Amending Turlock Municipal Code Title 5, Chapter 18, regarding Introduction, Dating and Escort Services Permits as introduced at the June 26, 2012 meeting
- E. **Recommended Action:**  
Ordinance: Amending Turlock Municipal Code Title 7 (Public Works), Chapter 2, Article 6, Section 1 related to the maintenance of curbs, gutters, sidewalks, curb cuts, and driveway approaches and the liability of injuries to the Public as introduced at the June 26, 2012 meeting
- F. **Recommended Action:**  
Ordinance: Amending the Turlock Municipal Code Title 2, Chapter 7, Section 04, entitled, "Purchasing Officer: Powers and duties" as introduced at the June 26, 2012 meeting

**7. PUBLIC HEARINGS: None**

**8. SCHEDULED MATTERS:**

- A. Request to approve an agreement in the amount of \$162,020 with Sally Swanson Architects, Inc., of San Francisco, California, for City Project No. 11-27, "ADA Self-Evaluation and Transition Plan Update." (*Pitcock*)

***Recommended Action:***

***Motion:*** Approving an agreement in the amount of \$162,020 (Fund 301) with Sally Swanson Architects, Inc., of San Francisco, California, for City Project No. 11-27, "ADA Self-Evaluation and Transition Plan Update"

- B. Request to approve Contract Change Order No. 5 in the amount of \$6,572.87 for City Project No. 0952, "Turlock Regional Transit Center." (*Pitcock*)

***Recommended Action:***

***Motion:*** Approving Contract Change Order No. 5 in the amount of \$6,572.87 (Fund 426) for City Project No. 0952, "Turlock Regional Transit Center," bringing the contract total to \$1,676,346.82

- C. Request to approve an agreement between the Turlock Police Department, the Modesto Police Department, and the Stanislaus County Sheriff's Department to share mutual Records Management System (RMS) data and information through the introduction of the COPLINK crime analysis and records management software. (*Jackson*)

***Recommended Action:***

***Resolution:*** Approving an agreement between the Turlock Police Department, the Modesto Police Department, and the Stanislaus County Sheriff's Department to share mutual Records Management System (RMS) data and information through the introduction of the COPLINK crime analysis and records management software

- D. Request to ratify the action taken by the City Manager on behalf of the Turlock Fire Department, to apply for the "Assistance to Firefighters Grant" for the purchase of a new fire engine to replace Engine 31. (*Lohman*)

***Recommended Action:***

***Resolution:*** Ratifying the action taken by the City Manager on behalf of the Turlock Fire Department, to apply for the "Assistance to Firefighters Grant" for the purchase of a new fire engine to replace Engine 31

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

**12. ADJOURNMENT**