

City Council Agenda



SEPTEMBER 11, 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 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. Recognition: Turlock Irrigation District's continued support for the Swim Pass Program
 - B. Presentation: Pitman High School Band, 2012 Washington DC Independence Day Parade Performance
3. **A. SPECIAL BRIEFINGS: None**

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.

B. STAFF UPDATES

1. Board, Commission, and Committee vacancies. (*Weaver*)
2. ASA Softball Western National Tournament update. (*Van Guilder*)
3. Aquatics season update. (*Packwood*)
4. Capital projects update. (*Pitcock*)

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 8/16/12 in the amount of \$1,195,095.23; Demands of 8/23/12 in the amount of \$1,187,359.12
- B. Motion: Accepting Minutes of Regular Meeting of August 28, 2012
- C.
 1. Motion: Approving the advertisement for construction proposals for City Project No. 11-42, "Fulkerth Water Tank and Pump Station"
 2. Resolution: Authorizing the sole source specification of various equipment for City Project No. 11-42, "Fulkerth Water Tank and Pump Station"
- D. Motion: Awarding bid and approving an agreement in the amount of \$32,938 (Fund 413) with Swan Engineering of Roseville, California, for City Project No. 12-22, "Pedretti Park Sewer Line"
- E.
 1. Motion: Notification of Contract Change Order No. 3 (Final) in the amount of \$2,130 (Fund 306) for City Project No. 0939, "Storm Drain Pump Station at North Tegner Road and Sandstone Street," bringing the contract total to \$493,603.33.
 2. Resolution: Appropriating \$77,000 from Fund 306 "North Turlock Master Plan" Reserves to account number 306-40-457.51270 "Construction Project" for City Project No. 0939, "Storm Drain Pump Station at North Tegner Road and Sandstone Street"
 3. Motion: Accepting improvements for City Project No. 0939, "Storm Drain Pump Station at North Tegner Road and Sandstone Street," and authorizing the City Engineer to file a Notice of Completion
- F. Resolution: Amending the adopted policies and procedures for administering the First Time Home Buyers (FTHB) Program by the City of Turlock for the CalHome funding source

- G. Resolution: Appropriating \$30,000 to Fund 410-51-531-44001.005 "Piping Supplies (Sewer)" and \$10,000 to Fund 410-51-531-44001.001 "Supplies General" from the Water Quality Control Fund 410 reserve for anticipated supply expenses associated with various sewer line improvement projects in Fiscal Year 2012-13
- H.
 - 1. Resolution: Authorizing the filling of one (1) current vacant Utility Worker I position within the Utilities Division of Municipal Services through an in-house recruitment of full-time, part-time, and volunteer staff and outside recruitment if needed
 - 2. Motion: Authorizing the promotion of one (1) eligible staff person to the Utility Worker II classification through standard personnel practices
- I. Resolution: Authorizing the filling of one (1) vacant Office Assistant I position within the Neighborhood Services Division of the Police Department through an in-house recruitment of full-time, part-time, and volunteer staff, and outside recruitment if needed
- J. Resolution: Accepting an allotment of Customer Premise Equipment (CPE) funding from California 9-1-1 Emergency Communications Division in the amount of \$378,000 and appropriating \$35,284.20 for the purchase of a voice recording system from Capture Technologies
- K. Motion: Approving an agreement between Stanislaus Regional 911 and the City of Turlock allowing Stanislaus Regional 911 to locate communications equipment at 900 N. Palm Street which will facilitate countywide emergency radio communications and authorizing the City Manager to sign all related documents

6. FINAL READINGS:

- A. Request to amend the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2012-01 (O'Reilly Auto Parts)] and Establishing Conditions of Approval for Minor Discretionary Permit 2012-09 (O'Reilly Auto Parts).
(Whitmore)

Recommended Action:

Ordinance: Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2012-01 (O'Reilly Auto Parts)] as introduced at the August 28, 2012 meeting

Resolution: Establishing Conditions of Approval for Minor Discretionary Permit 2012-09 (O'Reilly Auto Parts)

7. PUBLIC HEARINGS: None

8. SCHEDULED MATTERS: None

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

Conference with Real Property Negotiators, Cal. Gov't Code §54956.8

Property: 301 Starr Ave., Turlock, APN 042-022-083-000

Agency Negotiators: Roy Wasden

Negotiating Parties: Havens Women's Center

Under Negotiation: Price and Terms of Payment

Conference with Labor Negotiators, Cal. Gov't Code §54957.6

Agency Negotiators: Roy W. Wasden/Phil Lancaster

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/Redevelopment, Community Housing Services Manager, 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, Public Facilities Maintenance Manager, Regulatory

Affairs Manager, Secretary/Deputy City Clerk, Executive Administrative Assistant/Public Safety,

Technical Services Manager, Traffic/Transportation Engineering Supervisor, Utilities Manager, Water

Quality Control Division Manager

12. ADJOURNMENT