

# City Council Agenda



**MARCH 26, 2013**

**7:00 p.m.**

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



Mayor  
**John S. Lazar**

Council Members

**Amy Bublak**  
**Forrest White**

**Steven Nascimento**  
**William DeHart, Jr.**  
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: "Love Turlock," April 27, 2013, accepted by Pastor David Larson, New Life Christian Center
  - B. Appointment: Planning Commission Alternate Members
  
3. **A. SPECIAL BRIEFINGS:** None
  - B. STAFF UPDATES:** None

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**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 2/28/13 in the amount of \$2,683,457.40
- B. Motion: Accepting Minutes of Special Meeting of March 12, 2013; Minutes of Regular Meeting of March 12, 2013
- C.
  - 1. Motion: Awarding bid and approving an agreement in the amount of \$356,157 (Fund 215) with George Reed Inc., of Modesto, California, for City Project No. 11-20, "Golden State Boulevard and F Street Intersection Improvements"
  - 2. Motion: Approving a Signal Interconnect Agreement with Union Pacific Railroad Company (UPRR) of Omaha, Nebraska, in the amount of \$275,877 (Fund 215) to provide interconnection and coordination of the railroad grade crossing protection devices with the operation of a future traffic signal to be installed as part of City Project No. 11-20, "Golden State Boulevard and F Street Intersection Improvements"
- D. Motion: Approving an agreement for materials testing and special inspection services in the amount of \$98,500 (Fund 420) with Kleinfelder West, Inc., of Modesto, California, for City Project No. 11-42, "Fulkerth Tank and Pump Station"
- E. Motion: Approving Amendment No. 1 to the reimbursement agreement between the City of Turlock and NUCP Turlock, LLC, in the amount of \$21,980, for the City's share of added costs due to change orders during construction, bringing the total agreement to an amount not to exceed \$1,798,695.60 for construction of a storm drain pipe associated with the Master Storm Drain Plan and its associated Master Storm Drain Fee Nexus
- F. Motion: Approving a communications lease between the Board of Trustees of the California State University Stanislaus and the City of Turlock for the purpose of allowing the City of Turlock to install, maintain, and operate telecommunications equipment related to the City of Turlock's automatic water meter reading system at California State University Stanislaus and authorizing the City Manager to sign all documents pertaining thereto
- G. Resolution: Accepting donations received from January through March of Fiscal Year 2012/13, to be deposited as per Exhibit A, for a variety of Parks, Recreation & Public Facilities Division programs, scholarships, and activities

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- H. Resolution: Accepting the donation of the Brandon Koch Memorial Skate Park sign donated by Judith Suliman
  - I. Resolution: Accepting monetary donations in the amount of \$609.88 from various donors and assorted animal related products valued at \$3,902.98 in support of the City's Animal Control Services for the second quarter of Fiscal Year 2012/13
  - J. Motion: Approving a revised contract with Charter Business Internet, reducing the monthly price from \$1,000 to \$399 and approving a new contract with Utility Telephone Company for Internet back up in the amount of \$588.25 per month
  - K. Resolution: Approving an Industrial Hauler Business License for Central Valley Clean Up, Inc., in accordance with Section 6-3-209 of the Turlock Municipal Code
  - L. Motion: Authorizing the City of Turlock to cast affirmative votes on two (2) amendments to the League of California Cities Bylaws as submitted by the LCC Board of Directors
  - M. Resolution: Approving the execution of a Cooperative Agreement for advance and reimbursement of administrative, overhead and other expenses by and between the City of Turlock and the Successor Agency to the Turlock Redevelopment Agency and taking certain actions in connection therewith
  - N. Motion: Rejecting Claim for Damages filed by Griselda Jimenez
  - O. Motion: Rejecting Claim for Damages filed by Jennifer Sweet

## 6. FINAL READINGS

- A. **Recommended Action:**  
Ordinance: Amending Turlock Municipal Code Title 4, Chapter 7, Article 1, Section 04 regarding Traffic Definitions and adding Turlock Municipal Code Title 4, Chapter 7, Article 9, Section 04 regarding Pedestrians Prohibited on Median Islands as introduced at the March 12, 2013 meeting
- B. **Recommended Action:**  
Ordinance: Amending Turlock Municipal Code Title 4, Chapter 6, Article 3, Section 02, regarding Tow-Away Zones as introduced at the March 12, 2013 meeting

## 7. PUBLIC HEARINGS

- A. Request for approval establishing a lien for payment for the abatement of certain weeds, obnoxious growth and other debris on property and abandoned vehicles that are a nuisance to the public. (*Boyd*)  
  
**Recommended Action:**  
Resolution: Assessing properties for abatement costs and establishing a lien for payment

**8. SCHEDULED MATTERS:**

- A. Request to support the efforts of the Healthy Eating Active Living (HEAL) Cities Campaign to help combat the epidemic of obesity within our City while promoting health and wellness among our community and employees. (*Reid*)

***Recommended Action:***

***Resolution:*** Supporting the efforts of the Healthy Eating Active Living (HEAL) Cities Campaign to help combat the epidemic of obesity within our City while promoting health and wellness among our community and employees

**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. Conference with Legal Counsel – Anticipated Litigation, Cal. Gov't Code §54956.9(b)  
Potential Cases: (1case)

**12. ADJOURNMENT**