

# City Council Agenda



APRIL 9, 2013

6:00 p.m.

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



Mayor  
John S. Lazar

Council Members  
Amy Bublak                      Steven Nascimento  
Forrest White                 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: National Library Week, April 14-20, 2013
  - B.     Presentation: Lemonade Day, Assistant Director Darla Nelson
  - C.     Presentation: Sunnyside Farms Turlock Dairy Division recipient of the 2012 Northern California Large Facility of the Year, awarded by Super Stores Industries
  
3.     **A. SPECIAL BRIEFINGS:** None
  - B. STAFF UPDATES**
    1. Capital Projects and Building Activity (*Pitcock*)

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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. 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 3/7/13 in the amount of \$805,489.03; Demands of 3/14/13 in the amount of \$2,202,545.01; Demands of 3/21/13 in the amount of \$1,950,195.76
- B. Motion: Accepting Minutes of Regular Meeting of March 26, 2013
- C. Motion: Rejecting all bids submitted for City Project No. 11-42, "Fulkerth Water Tank and Pump Station"
- D.
  - 1. Motion: Approving Contract Change Order No. 1 (Final) for the credit of \$19,230 (Fund 420) for City Project No. 12-19, "Angelus Street Waterline Replacement," bringing the contract total to \$160,532
  - 2. Motion: Accepting improvements for City Project No. 12-19, "Angelus Street Waterline Replacement," and authorizing the City Engineer to file a Notice of Completion
- E.
  - 1. Motion: Directing the City Engineer to reimburse Genesis Family Enterprises for park land fees paid for the recordation of Subdivision Map 2005-05 (Turlock Village Subdivision) in the amount of \$267,197 in Neighborhood Park Land Fees and \$133,599 in Community Park Land Fees
  - 2. Resolution: Appropriating \$267,197 from reserves in Fund 228 "Park Development Tax – Neighborhood Park" to account number 228-60-606.47060 "Prior Year Reimbursements" and \$133,599 from reserves in Fund 228 "Park Development Tax – Community Park" to account number 228-60-608.47060 "Prior Year Reimbursements"
- F. Motion: Awarding bid and approving an agreement in the amount of \$90,837 with Hensley's Paving & General Engineering, Inc., of Hickman, California, for City Project No.12-57, "Soderquist Sidewalk Improvements Phase 2"
- G. Motion: Accepting notification of Contract Change Order No. 4 in the amount of \$31,322 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 7 – Framing, Drywall, and Plaster, bringing the contract total to \$2,516,657
- H. Resolution: Approving the 2012 General Plan Implementation Report
- I. Resolution: Authorizing the retention and release of property from Police Property and Evidence for City acquisition and auction through PropertyRoom.com
- J. Resolution: Appropriating \$15,000 from the Reserve Balance in Fund 152 "Casualty Insurance" to account number 512-10-152.47078 "Litigation" for the payment of attorney's fees regarding the settlement of Clean Energy Committee vs. City of Turlock, Stanislaus County Superior Court Case No. 679369
- K. Motion: Rejecting Claim for Damages filed by Pamela Bills

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6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS:** None

8. **SCHEDULED MATTERS:**

- A. Request to approve the purchase of five (5) 2013 Chevrolet 2500 HD Regular Silverado pickup trucks with utility body from Smith Chevrolet Cadillac, Inc., of Turlock, California for the Parks, Recreation, and Public Facilities Division and the Municipal Services Department. (*VanGuilder*)

***Recommended Action:***

***Motion:*** Approving the purchase of five (5) 2013 Chevrolet 2500 HD Regular Silverado pickup trucks with utility body from Smith Chevrolet Cadillac, Inc., of Turlock, California, for the Parks, Recreation, and Public Facilities Division and the Municipal Services Department, in an amount not to exceed \$132,265

- B. Request to authorize staff to submit an amended San Joaquin Valley Air Pollution Control District (SJVAPCD) grant application in the amount of \$98,861.92 for the acquisition of four (4) fully funded 2013 Trikke Tribred Patrol electric scooter vehicles and four (4) partially funded 2013 Ford Fusion plug-in hybrid vehicles. (*Reid*)

***Recommended Action:***

***Resolution:*** Authorizing staff to submit an amended San Joaquin Valley Air Pollution Control District (SJVAPCD) grant application in the amount of \$98,861.92 for the acquisition of four (4) fully funded 2013 Trikke Tribred Patrol electric scooter vehicles at \$3,449 per vehicle (\$4,715.48 per vehicle including accessories and shipping) and four (4) partially funded 2013 Ford Fusion plug-in hybrid vehicles with grant funding of up to \$20,000 per vehicle, of the \$31,188 total per vehicle cost

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: (1 case)
- B. Conference with Labor Negotiators, Cal. Gov't Code §54957.6  
Agency Negotiators: Roy W. Wasden/Dave Young  
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/Community Housing, 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**