City Council Agenda

JUNE 25, 2013
6:00 p.m.
City of Turlock Yosemite Room
156 S. Broadway, Turlock, California

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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 agendized topic 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. Appointment: Arts Commission (3 regular members, 1 alternate member)

3. A. SPECIAL BRIEFINGS: None

B. STAFF UPDATES:

1. Commissary Business "Catering Support Services" *(Whitmore)*

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. 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 5/23/13 in the amount of $1,966,251.71; Demands of 5/30/13 in the amount of $216,483.66

B. *Motion*: Accepting Minutes of Special Meeting of May 30, 2013; Accepting Regular Meeting of June 11, 2013

C. *Motion*: Making the determination that City Project No. 11-47, "Taylor Road Bikepath" is exempt from the provisions of CEQA in accordance with Section 15304, "Minor Alterations to Land" and awarding base bid and approving an agreement in the amount of $183,209 with MCI Engineering of Stockton, California for City Project No.11-47, "Taylor Road Bikepath"

D. *Motion*: Rejecting all bids submitted for City Project No. 11-54, "Traffic Signal Enhancements on E. Olive Ave."

E. *Motion*: Accepting notification of Contract Change Order No. 1 (Final) in the reduced amount of $58,666.55 (Fund 246) for City Project No. 12-28, "Slurry Seals 2012," bringing the contract total to $594,730.80
Motion: Accepting improvements for City Project No. 12-28, "Slurry Seals 2012," and authorizing the City Engineer to file a Notice of Completion

F. *Motion*: Accepting notification of Contract Change Order No. 1 in the amount of $5,962.70 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 5 - Masonry, bringing the contract total to $1,322,074.70

G. *Motion*: Accepting notification of Contract Change Order No. 4 in the amount of $4,391 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 08 – Roofing and Waterproofing, bringing the contract total to $599,797

H. *Motion*: Accepting notification of Contract Change Order No. 3 in the amount of $14,471.42 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 9 – Doors and Windows, bringing the contract total to $1,132,174

I. *Motion*: Accepting notification of Contract Change Order No. 1 in the amount of $238 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 10 – Fireproofing, bringing the contract total to $170,648

J. *Motion*: Accepting notification of Contract Change Order No. 5 in the amount of $32,078 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 12 – Mechanical and HVAC, bringing the contract total to $2,569,754

K. *Motion*: Accepting notification of Contract Change Order No. 4 in the amount of $16,889 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 13 – Building and Site Electrical, bringing the contract total to $4,220,834

L. *Resolution*: Considering intention to levy and collect assessments for Fiscal Year 2013-14 for Assessment Districts in the City of Turlock

M. *Resolution*: Authorizing the release of $10,900 from the Police Department's General Fund Account 110.24003 (Asset Seizures – Police), to be deposited in General Fund Revenue account 110.20.200.35050 "Police Services-Misc" and appropriating $2,011 of that deposit to 110-20-205.44001_024 "Supplies Property/Evidence" for the purchase of UPC bar code labels

N. *Resolution*: Accepting a donation in the amount of $1,300 from the Modesto Area A's in support of the Volunteers in Police Service Program

O. *Resolution*: Accepting a donation in the amount of $500 from E&J Gallo Winery in support of the Turlock Police Explorer Program

P. *Resolution*: Accepting the third quarter donations for Fiscal Year 2012-13 of $656 from various donors and assorted animal related products valued at $3,031.90, in support of the City's Animal Services Unit

Q. 1. *Resolution*: Adopting the City of Turlock General Fund Budget covering Fiscal Year 2013-14
2. *Resolution*: Adopting the City of Turlock Non-General Fund Budget covering Fiscal Year 2013-14

R. *Motion*: Rejecting Claims filed for Damage by CCMSI as subrogee for Mid Valley Agriculture

S. *Motion*: Rejecting Claims filed for Damage by Joe M. Gomes

T. *Motion*: Rejecting Claims filed for Damage by David A. Talamante

U. *Motion*: Rejecting Claims filed for Damage by Gary Hodnot

V. *Resolution*: Authorizing the signing of the funding contract, acceptance of an allocation of funds, and execution of a grant agreement with the San Joaquin Valley Air Pollution Control District (SJVAPCD) for $98,961.92 to be received in account number 506-00-000-213.37235 "San Joaquin Valley Air Pollution Control District Grant" and appropriating $98,962 to account number 506-00-000-213.51020 "Equipment Replacement"

6. FINAL READINGS: None

7. PUBLIC HEARINGS

A. Request to supersede and replace Council Resolution Nos. 2010-126, 2011-186, and 2012-112 and adopting updated cost recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq. *(Reid)*

Recommended Action:
Resolution: Superseding and replacing Council Resolution Nos. 2010-126, 2011-186, and 2012-112 and adopting updated cost recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq

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

12. ADJOURNMENT