

City Council Agenda



OCTOBER 8, 2013

6:00 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 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. Appointments: Mayor's Economic Development Task Force (Council Representatives – Member/Alternate Member)

3. A. SPECIAL BRIEFINGS: None

B. STAFF UPDATES

1. Capital Projects and Building Activity (*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. 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 9/12/13 in the amount of \$3,082,973.84; Demands of 9/19/13 in the amount of \$1,031,989.58
- B. Motion: Accepting Minutes of Regular Meeting of September 24, 2013
- C. Resolution: Declaring the intention to vacate that certain section of Dianne Drive right of way from Fulkerth Road approximately 250 feet south, adjacent to the property at 2618 Fulkerth Road and a portion of the property at 1525 Dianne Drive
- D. Resolution: Authorizing acceptance of an allocation of funds, execution of a grant agreement, and appropriation of funds for the Federal Fiscal Year 2012-13 Edward Byrne Memorial Justice Assistance Grant (JAG) funds from the United States Department of Justice, Office of Criminal Justice Programs, in the amount of \$31,542
- E. Resolution: Appropriating \$6,800 to 505-50-525.41002_000 "Part Time Help General," \$318 to 505-50-525.42007 "Workers Compensation," \$151 to 505-50-525.42008 "City Liability," \$99 to 505-50-525.42010 "Medicare," and \$422 to 505-50-525.42011 "Social Security," to be funded by revenue received in 505-50-525.35021 "Labor Charges" for part-time staffing to assist with transit maintenance and repairs
- F. Motion: Approving the Rehabilitation Forgivable Loan #2421-BC, in the amount of \$41,000, where the City of Turlock will be in third position as prescribed by the adopted Rehabilitation Loan Policies and Procedures
- G. Motion: Rejecting Claim for Damages filed by Deborah E. Pearson
- H. Motion: Rejecting Claim for Damages filed by Antonio Munoz

6. FINAL READINGS: None

7. PUBLIC HEARINGS: None

8. SCHEDULED MATTERS:

- A. Request to approve Contract Change Order No. 2 (final) for a credit of \$46,749.65 (Fund 215) for City Project No. 0872, "Landscape Golden State Boulevard From Monte Vista Avenue to the South," bringing the contract total to \$670,759.12. (*Pitcock*)

Recommended Action:

Motion: Approving Contract Change Order No. 2 (Final) for a credit of \$46,749.65 (Fund 215) for City Project No. 0872, "Landscape Golden State Boulevard from Monte Vista Avenue to the South," bringing the contract total to \$670,759.12

- B. Request to authorize the Fire Chief, or his designee, to apply for and execute all necessary documents related to a Staffing of Adequate Fire and Emergency Response (SAFER) Grant to fund three (3) Fire Fighters, awarded by the Federal Emergency Management Agency (FEMA), and to hire the number of Fire Fighters funded by an awarded grant. (*Lohman*)

Recommended Action:

Resolution: Authorizing the Fire Chief, or his designee, to apply for and execute all necessary documents related to a Staffing of Adequate Fire and Emergency Response (SAFER) Grant to fund three (3) Fire Fighters, awarded by the Federal Emergency Management Agency (FEMA), and to hire the number of Fire Fighters funded by an awarded grant

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 – Pending Litigation*, Cal. Gov't Code §54956.9(d)(4)
"For purposes of this section, litigation shall be considered pending when any of the following circumstances exist... Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation."
Potential Cases: (1 case related to Calculation of Property Tax Administration Fees)

12. ADJOURNMENT