

City Council Agenda

JANUARY 14, 2014

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. Proclamation: Retirement of City Employee – Patricia Panos, Police Evidence & Property Specialist II
- B. Proclamation: Retirement of City Employee – Joel Carter, Building Inspector II
- C. Appointment: Vice Mayor
- D. Appointment: The Alliance
- E. Appointment: Planning Commission
- F. Appointment: Stanislaus County Local Task Force on Solid Waste (LTF) – Alt. Member
- G. Appointment: Stanislaus County Regional Solid Waste Planning Agency (Regional Agency) – Member/Alt. Member
- H. Appointment: East Stanislaus Regional Water Management Partnership (Steering Committee) – Member/ Alternate Member
- I. Presentation: Unmet Transit Needs Assessment Public Hearing Announcement by Mike Costa, StanCOG

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 11/14/13 in the amount of \$4,200,807.12; Demands of 11/21/13 in the amount of \$884,000.62; Demands of 12/5/13 in the amount of \$1,111,596.87
- B. Motion: Accepting Minutes of Regular Meeting of December 10, 2013
- C. Motion: Approving an Underground Electric Service Installation Agreement with Turlock Irrigation District (TID) of Turlock, CA, in the amount of \$13,528 (Fund 420) to provide electrical service in connection with City Project No. 11-42, "Fulkerth Tank and Pump Station"
- D. Motion: Approving Contract Change Order No. 1 in the amount of \$4,000 (Fund 426) for City Project No. 12-59, "CNG Slow Fill Station Upgrade," bringing the contract total to \$334,000
- E. Motion: Approving an amendment to the Retainer Agreement with ENGEQ, Inc., dated July 9, 2013 (Contract No. 13-048) to increase the maximum allowable compensation under the agreement from \$100,000 to \$150,000 to provide additional reporting requirements and implement utilization of Virtual Project Manager
- F. 1. Motion: Making the determination that City Project No. 13-43, "Demolition of Buildings on N. Olive and S. Walnut" is exempt from the provisions of CEQA in accordance with Section 15301 (I) (Existing Facilities)
2. Motion: Awarding bid and approving an agreement in the amount of \$21,551 (Fund 305) for 1129 N. Olive Avenue and (Fund 411) for 1801 S. Walnut Road with Lea's Demolition & Excavation, Denair, California, for City Project No. 13-43, "Demolition of Buildings on N. Olive and S. Walnut"
- G. 1. Motion: Making the determination that City Project No. 13-55, "HVAC Unit Replacements and Roofing at TRWQCF Operations Building," is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines

-
2. *Motion*: Awarding bid and approving an agreement in the amount of \$100,000 (Fund 410) with Air Solutions Inc., of Sacramento, California, for City Project No. 13-55, "HVAC Unit Replacements and Roofing at TRWQCF Operations Building"
3. *Resolution*: Appropriating \$15,000 to account number 410-51-534_43353 "RWQCF-OPS Building Repairs" from account number 410-51-534_44027 "Digester Building Roof Repairs" for City Project No. 13-55, "HVAC Unit Replacements and Roofing at TRWQCF Operations Building"
- H. *Resolution*: Rescinding Resolution No. 2004-214 and authorizing the City Manager, with the recommendation of the City Engineer, to execute an Encroachment Agreement for minor easement encroachments
- I. *Resolution*: Ordering the Vacation Abandonment (AB 13-02) of that certain section of alley south of and adjacent to 855 N. Olive, also known as Assessor's Parcel No. 042-024-051
- J. *Resolution*: Approving a Transportation Development Act (TDA) claim for Non-Transit expenses for Fiscal Year 2013-14 in the amount of \$896,568 and adjusting the projected Local Transportation Revenue in Fund 216 to current StanCOG estimates
- K. *Motion*: Approving Amendment No. 1 to the agreement between the City of Turlock and Transit Capital Support Services for Federal Transit Administration and California Department of Transportation Financial Status Reports and Milestone Status Reports to increase the initial term in an amount not to exceed \$181,644
- L. 1. *Resolution*: Authorizing the submission of an application to the State of California Housing and Community Development for Housing Related Parks Grant and authorizing the City Manager to sign all grant related documents
2. *Resolution*: Describing the basis of conformity between the Turlock General Plan and the San Joaquin Valley Blueprint
- M. 1. *Resolution*: Amending the existing policies, procedures and standards for administering the Residential Rehabilitation Program by the City of Turlock for the CalHOME funding source
2. *Resolution*: Amending the existing policies, procedures and standards for administering the First Time Home Buyer Program by the City of Turlock for the CalHOME funding source
- N. *Motion*: Approving an agreement with Univar USA, Inc., of Kent, Washington, for the purchase of Sodium Bisulfite for a period of twenty-four (24) months, in an amount not to exceed \$185,987 annually, for a total contract amount of \$371,974
- O. *Motion*: Approving multiple agreements with TBA Auto Parts, Napa Auto Parts, and Next Level Parts, Inc. (Dba Turlock Auto Parts) for the purchase of auto parts and supplies for Municipal Services Fleet Maintenance Division for the term of twelve (12) months each, with an aggregate value of \$75,000, in accordance with the terms and conditions set within each agreement
- P. *Motion*: Approving multiple agreements with Central Sanitary Supply and Randik Paper Company for janitorial paper and cleaning supplies for the term of twelve (12) months each, with an aggregate value of \$26,000, in accordance with the terms and conditions set within each agreement
- Q. *Resolution*: Approving the service agreement between Delta Wireless and the City of Turlock for the maintenance and service of the radio system including all portable and mobile radios, and authorizing the City Manager to sign all agreement related documents

-
- R. Resolution: Authorizing the Turlock Fire Department to apply for the Assistance to Firefighters Grant (AFG) administered through the Federal Emergency Management Agency (FEMA), in the amount of \$212,177, for the purchase of auto extrication equipment and diesel exhaust removal systems for the four (4) fire stations
 - S. Motion: Authorizing an agreement between Turlock Fire Department and Merced County Fire Department to provide automatic aid to each other on Highway 99 between Lander Avenue and Bradbury Road
 - T. Motion: Rejecting Claim for Damages filed by Jorge Luis Escobedo
 - U. Motion: Rejecting Claim for Damages filed by Jorge Sho Escobedo
 - V. Motion: Rejecting Claim for Damages filed by Michiko Escobedo
 - W. Motion: Rejecting Claim for Damages filed by Heather Gentry
 - X. Motion: Rejecting Claim for Damages filed by Olson's Repair, a California Corporation
 - Y. Motion: Rejecting Claim for Damages filed by Jimmy Williamson

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS**

- A. Request to amend Turlock Municipal Code Title 1, Chapter 6, Section 1, regarding minimum insurance requirements. *(York)*

Recommended Action:

Ordinance: Amending Turlock Municipal Code Title 1, Chapter 6, Section 1, regarding minimum insurance requirements

- B. Request to add Turlock Municipal Code Title 5, Chapter 26, prohibiting Aggressive Solicitation within the City of Turlock. *(Nielsen)*

Recommended Action:

Ordinance: Adding Turlock Municipal Code Title 5, Chapter 26, prohibiting Aggressive Solicitation within the City of Turlock

- C. Request to amend Turlock Municipal Code Title 2, Chapter 1, Article 02, regarding regular City Council Meeting dates coinciding with City holidays and adopting the 2014 City Council Meeting Schedule. *(Wasden)*

Recommended Action:

Ordinance: Amending Turlock Municipal Code Title 2, Chapter 1, Article 02, regarding regular City Council Meeting dates coinciding with City holidays

Resolution: Adopting the 2014 City Council Meeting Schedule

8. **SCHEDULED MATTERS:**

- A. Request to approve a Water Transfer Agreement between the City of Turlock and Del Puerto Water District for the transfer of up to 13,000 acre-feet annually. *(Cooke)*

Recommended Action:

Motion: Approving a Water Transfer Agreement between the City of Turlock and Del Puerto Water District for the transfer of up to 13,000 acre-feet annually

- B. Request to authorize staff to conduct a Request for Proposal (RFP) for nuisance abatement services, including a landscape service agreement, for the Neighborhood Services Unit of the Turlock Fire Department. *(Lohman)*

Recommended Action:

Resolution: Authorizing staff to conduct a Request for Proposal (RFP) for nuisance abatement services, including a landscape service agreement, for the Neighborhood Services Unit of the Turlock Fire Department

- C. Request to accept AB109 Realignment Funds in the amount of \$98,525.34 and appropriating said funds to the proper revenue and expenditure accounts in Fund 266 "Police Services Grants." *(Williams)*

Recommended Action:

Resolution: Accepting AB109 Realignment Funds in the amount of \$98,525.34 and appropriating said funds to the proper revenue and expenditure accounts in Fund 266 "Police Services Grants"

- D. Request to authorize the reclassification of Allison Van Guilder to Parks, Recreation, and Public Facilities Director and the transfer of Erik Schulze, Parks, Recreation, and Public Facilities Superintendent from the TCEA bargaining group to the Management group effective January 16, 2014, and appropriating \$5,711 to Fund 110 "General Fund," \$1,708 to Fund 205 "Sports Facilities," \$854 to Fund 217 "Streets-Gas Tax," \$854 to Fund 246 "Landscape Assessment," and \$854 to Fund 410 "Water Quality Control". *(Eddy)*

Recommended Action:

Resolution: Authorizing the reclassification of Allison Van Guilder to Parks, Recreation, and Public Facilities Director and the transfer of Erik Schulze, Parks, Recreation, and Public Facilities Superintendent from the TCEA bargaining group to the Management group effective January 16, 2014, and appropriating \$5,711 to Fund 110 "General Fund," \$1,708 to Fund 205 "Sports Facilities," \$854 to Fund 217 "Streets-Gas Tax," \$854 to Fund 246 "Landscape Assessment," and \$854 to Fund 410 "Water Quality Control"

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