

AMENDMENT NO. 1

Dated: October 23, 2014

City Council Agenda

OCTOBER 28, 2014

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



****and via teleconference:**

4401 Floridian Way

Lake Buena Vista, FL 32830-8451

Telephone No. (407) 824-3000

Mayor
John S. Lazar

Council Members
Amy Bublak **Steven Nascimento**
William DeHart, Jr. **Forrest White**
 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.

5:00 - 6:00 p.m. – Reception featuring artists of the Turlock Senior Citizens Art Show

1. **A. CALL TO ORDER**
- B. SALUTE TO THE FLAG**

2. **PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS:**

A. Announcements: Turlock Senior Citizens Art Show, announcement by Gerald Nightingale

3. **A. SPECIAL BRIEFINGS:**

1. Parks, Arts and Recreation Commission Update

B. STAFF UPDATES: None

4. **A. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE**

B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS

C. DISCLOSURE OF EX PARTE COMMUNICATIONS

1. Public Hearing Item 7A is a quasi-judicial proceeding. Council should disclose the following information if applicable

- a. State for the public record the nature of the communication; and
- b. With whom the ex parte communication was made; and
- c. A brief statement as to the substance of the communication.

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 9/25/14 in the amount of \$805,315.77
- B. Motion: Accepting Minutes of Regular Meeting of October 14, 2014
- C.
 1. Motion: Accepting notification of Contract Change Order No. 1 (Final) in the decreased amount of (\$800) (Fund 420) for City Project No. 11-42, "Fulkerth Tank and Pump Station," bringing the contract total to \$3,529,200
 2. Motion: Accepting improvements for City Project No. 11-42, "Fulkerth Tank and Pump Station," and authorizing the City Engineer to file a Notice of Completion
- D. Motion: Accepting notification of Contract Change Order No. 1 in the amount of \$1,300 (Fund 305) for City Project No. 13-49, "Dianne Drive Realignment," bringing the contract total to \$840,947.40
- E. Motion: Approving Amendment No. 1 to City Contract No. 13-120 with Alta Planning + Design of Sacramento, California, to provide an additional six (6) months for the completion of project specifications with City Project No. 13-64, "Develop an Active Transportation Plan
- F.
 1. Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$3,060.54 (Fund 217) for City Project No. 14-22, "Pedestrian Striping Upgrade Project, Various Locations," bringing the contract total to \$56,118.04

- 2. Motion: Accepting improvements for City Project No. 14-22, "Pedestrian Striping Upgrade Project, Various Locations," and authorizing the City Engineer to file a Notice of Completion
- G. Resolution: Initiating proceedings for the Parcel Map 14-02 (Doo) Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Subdivision Project No. 14-47
- H. Motion: Approving Contract Change Order No. 4 in the amount of \$13,409 (Fund 415) for City Project No. 0751, "Turlock Regional Water Quality Control Facility Headworks and Secondary Treatment Capacity Expansion - Phase 1," bringing the contract total to \$23,255,863.58.
- I. Motion: Approving Contract Change Order No. 1 in the amount of \$13,307.93 (Fund 215) for City Project No. 0763, "Intersection Improvements at Monte Vista and Colorado," bringing the contract total to \$545,638.53
- J. Resolution: Supporting the renewal of the Stanislaus County Recycling Market Development Zone
- K. Resolution: Accepting Supplemental Law Enforcement Services Fund (SLESF) grant monies from the State of California Citizen's Option for Public Safety (COPS) program projected to be a minimum of \$100,000 in Fiscal Year 2014/15; Appropriating Fiscal Year 2014/15 revenues as they are received to supplement the matching fund requirements for the 2014 COPS Hiring Grant; and Appropriating unexpended Fiscal Year 2013/14 revenues in the amount of \$31,147 to also be used as matching funds for the 2014 COPS grant
- L. Resolution: Appropriating unspent funds from Fiscal Year 2013/14 in the amount of \$12,839 to account number 112-10-116.51150 "Police Services-Mobile Radios" in Fiscal Year 2014/15 to complete the installation of mobile radios in emergency service vehicles
- M. Motion: Approving the purchase of advanced authentication hardware and related services from SunGard Public Sector in the amount of \$17,296 and authorizing the City Manager to sign all documents to modify an existing maintenance agreement with SunGard Public Sector to include three (3) years of maintenance for advanced authentication

6. FINAL READINGS

- A. **Recommended Action:**
Ordinance: Amending Turlock Municipal Code Title 4, Chapter 7, Article 14, Section 02, regarding speed limits, as introduced at the October 14, 2014 meeting.
- B. **Recommended Action:**
Ordinance: Adding Turlock Municipal Code Title 5, Chapter 27, Prescription Medication Disposal Program, as introduced at the October 14, 2014 meeting.

7. PUBLIC HEARINGS

Challenges in court to any of the items listed below, may be limited to only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Turlock City Council at, or prior to, the public hearing.

- 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. (*Gomez*)

Recommended Action:

Resolution: Assessing properties for abatement costs and establishing a lien for payment

- B. Request to confirm the annexation of 2920 Sandstone, more particularly described as Stanislaus County APN No. 087-026-003, Traditions No. 6 Subdivision, to the Claremont Meadows Landscaping, Lighting, and Street Maintenance Benefit Assessment District, City Project No. 6589. *(Pitcock)*

Recommended Action:

Resolution: Confirming the Annexation of 2920 Sandstone, more particularly described as Stanislaus County APN No. 087-026-003, Traditions No. 6 Subdivision, to the Claremont Meadows Landscaping, Lighting, and Street Maintenance Benefit Assessment District, City Project No. 6589

- C. Request to call a special mailed ballot election, declare the results, and order the Annexation No. 21 to Community Facilities District No. 2 (Services Mitigation). *(Werner)*

Process:

1. City Clerk confirms: a) Proof of Publication of Notice of Public Hearing; b) Signed Waiver and Consent; c) Completed and Signed Ballot and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and Ballot Declaring Election Results (Project Planner to prompt and facilitate these steps).
2. Mayor and City Council conduct public hearing confirming that no protests have been received – close hearing and adopt the two resolutions below.

Recommended Action:

Resolution: Calling a Special, Mailed-Ballot Election respecting Proposed Annexation No. 21 to existing Community Facilities District No. 2 (Services Mitigation)

Resolution: Declaring the results of Mailed-Ballot Election respecting Proposed Annexation No. 21 to Community Facilities District No. 2 (Services Mitigation) and ordering annexation

8. SCHEDULED MATTERS

- A. Request to adopt the Economic Development Strategic Plan. *(Pitt)*

Recommended Action:

Motion: Adopting the Economic Development Strategic Plan

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

Conference with Real Property Negotiators, Cal. Gov't Code §54956.8

"Notwithstanding any other provisions of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease."

Property: 2618 Fulkerth Road, Turlock, CA (APN Nos. 089-019-027-000, 089-019-028-000 & 089-019-029-111)

Agency Negotiator: Roy W. Wasden

Negotiating Parties: Turlock Real State Investors 1, LLC

Under Negotiation: Price and terms of payment

Conference with Labor Negotiators, Cal. Gov't Code §54957.6(a)

"Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation."

Agency Negotiators: Roy W. Wasden/Dave Young

Employee Organization: Turlock Associated Police Officers

12. ADJOURNMENT