

City Council Agenda

MARCH 10, 2015

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



Mayor
Gary Soiseth

Council Members

William DeHart, Jr. **Steven Nascimento**
Matthew Jacob **Amy Bublak**
 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 Go Green Week, March 16-20, 2015
- B. Appointment CDBG Grant Selection Committee (Community Members)
- C. Appointment CDBG Grant Selection Committee (Council Representative)
- D. Proclamation: CSU Stanislaus Warriors Women's Soccer – 2014 NCAA West Region Champions

3. **A. SPECIAL BRIEFINGS: None**

B. STAFF UPDATES

- 1. Capital Projects and Building Activity (*Pitcock*)
- 2. Bakken Crude Oil Transportation (*Lohman*)
- 3. Economic Development Update (*Pitt*)

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 2/12/15 in the amount of \$1,013,617.85; Demands of 2/19/15 in the amount of \$633,664.91
- B. Motion: Accepting Minutes of Special Meeting of February 12, 2015; Special Meeting of February 17, 2015; Regular Meeting of February 24, 2015
- C.
 1. Motion: Accepting notification of Contract Change Order No. 1 (Final) in the amount of \$8,612.07 (Fund 215) for City Project No. 12-49, "Walnut Rd. Median Improvements," bringing the contract total to \$298,705.07
 2. Motion: Accepting improvements for City Project No. 12-49, "Walnut Rd. Median Improvements," and authorizing the City Engineer to file a Notice of Completion
- D.
 1. Motion: Accepting notification of Contract Change Order No. 3 (Final) for a credit in the amount of \$9,873.92 (Fund 426) for City Project No. 12-59, "CNG Slow Fill Station Upgrade," bringing the contract total to \$333,657.62
 2. Motion: Accepting improvements for City Project No. 12-59, "CNG Slow Fill Station Upgrade," and authorizing the City Engineer to file a Notice of Completion
- E.
 1. Motion: Making the determination that City Project No. 15-29, "Turlock Municipal Airport Pole Barn Demolition," is exempt from the provisions of CEQA in accordance with Section 15301
 2. Motion: Awarding bid and approving an agreement in the amount of \$3,000 with Modesto Sand and Gravel of Modesto, California, for City Project No. 15-29, "Turlock Municipal Airport Pole Barn Demolition"
- F.
 1. Motion: Approving Contract Change Order No. 1 (Final) for a credit in the amount of \$1,388.96 (Fund 410) for City Project No. 14-33, "Storm Drain Improvements on Dianne Drive," bringing the contract total to \$13,871.04
 2. Motion: Accepting improvements for City Project No. 14-33, "Storm Drain Improvements on Dianne Drive," and authorizing the City Engineer to file a Notice of Completion
- G. Resolution: Authorizing the filing of an application, acceptance of an allocation of funds, and execution of a grant agreement for Land and Water Conservation Fund, Swanson Centennial Park Development Project
- H. Motion: Approving a maintenance agreement with XC2 Software, LLC to provide software maintenance and support on a Backflow Prevention Program for the Municipal Services Department, for a period of twelve (12) months, in an amount not to exceed \$2,000 annually

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- I. Resolution: Affirming the City Manager's action of having signed and submitted a letter authorizing the Stanislaus County Department of Environmental Resources to submit a regional application for a Waste Tire Amnesty Grant to the California Department of Resources Recycling and Recovery (CalRecycle) on behalf of the City of Turlock, and authorizing the City Manager to submit future letters of authorization without annual reauthorization
 - J. Resolution: Authorizing the Turlock Fire Department to accept a grant from the United States Department of Homeland Security to pay for two (2) Fire Captains to attend Hazardous Materials Specialist training, in an amount not to exceed \$21,000
 - K. Motion: Rejecting Claim for Damages filed by Veber A. Caetano

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS:** None

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.

8. **SCHEDULED MATTERS**

- A. Request to make the determination that City Project No.15-30, "Emergency Repair of Golf Road," is exempt from the provisions of CEQA in accordance with Section 15301; reaffirm the declaration of emergency made by the City Manager and declare that there is a need to continue with the repair of the embankment, roadway and installation of drainage facilities; award bid and approve an agreement in the amount of \$28,300 with Ross F Carroll, Inc. of Oakdale, CA, for City Project No.15-30, "Emergency Repair of Golf Road"; and appropriate \$38,130 to account number 217-50-511.51270 "Construction Project" to be funded from unappropriated Section 2103 Gas Tax reserves in Fund 217 "Gas Tax" for City Project No. 15-30, "Emergency Repair of Golf Road," to complete the necessary funding required for the project. (*Pitcock*)

Recommended Action:

Motion: Making the determination that City Project No.15-30, "Emergency Repair of Golf Road," is exempt from the provisions of CEQA in accordance with Section 15301

Motion: Reaffirming the declaration of emergency made by the City Manager and declaring that there is a need to continue with the repair of the embankment, roadway and installation of drainage facilities

Motion: Awarding bid and approving an agreement in the amount of \$28,300 with Ross F Carroll, Inc. of Oakdale, CA, for City Project No.15-30, "Emergency Repair of Golf Road"

Resolution: Appropriating \$38,130 to account number 217-50-511.51270 "Construction Project" to be funded from unappropriated Section 2103 Gas Tax reserves in Fund 217 "Gas Tax" for City Project No. 15-30, "Emergency Repair of Golf Road," to complete the necessary funding required for the project

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- B. Request to make the determination that City Project No. 12-53, "Crowell Road Pedestrian Improvements," is exempt from the provisions of CEQA in accordance with Section 15301, and to award bid and approve an agreement with FBD Vanguard Construction in the amount of \$60,014.11 for the project. (*Pitcock*)

Recommended Action:

Motion: Making the determination that City Project No.12-53, "Crowell Road Pedestrian Improvements," is exempt from the provisions of CEQA in accordance with Section 15301

Motion: Awarding bid and approving an agreement in the amount of \$60,014.11 (Fund 217) with FBD Vanguard Construction of Livermore, California, for City Project No.12-53, "Crowell Road Pedestrian Improvements"

- C. Request to authorize Turlock Fire Department to submit a grant application with the United States Department of Homeland Security for staffing for the Adequate Fire and Emergency Response (SAFER) grant to hire line firefighter positions in the amount of \$585,627.16. (*Lohman*)

Recommended Action:

Resolution: Authorizing the Turlock Fire Department to submit a grant application with the United States Department of Homeland Security for staffing for the Adequate Fire and Emergency Response (SAFER) grant to hire line firefighter positions in the amount of \$585,627.16

- D. Request to appoint an existing City of Turlock Committee, from either the CDBG Grants Committee or the Parks, Arts & Recreation Commission, to administer the 2015 Community Grants Program formerly administered by the Convention and Visitors Bureau. (*Pitt*)

Recommended Action:

Option 1

Motion: Appointing the Parks, Arts & Recreation Commission, to administer the 2015 Community Grants Program formerly administered by the Convention and Visitors Bureau

OR

Option 2

Motion: Appointing the CDBG Grants Committee to administer the 2015 Community Grants Program formerly administered by the Convention and Visitors Bureau

- E. Request to authorize the creation and recruitment of a Staff Services Assistant position within the Development Services Department - Building Division through an in-house recruitment of full-time, part-time and volunteer/intern staff, and outside recruitment if needed. (*Pitcock*)

Resolution: Authorizing the creation and recruitment of a Staff Services Assistant position within the Development Services Department - Building Division through an in-house recruitment of full-time, part-time and volunteer/intern staff, and outside recruitment if needed

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 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**