

City Council Agenda



JUNE 9, 2015

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

****and via teleconference:
Hyatt Regency
1300 Nicollet Mall
Minneapolis, MN 55403
(612) 370-1234**

**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:** None

3. **A. SPECIAL BRIEFINGS**

B. STAFF UPDATES

1. Capital Projects and Building Activity (*Pitcock*)
2. Illegal Activity in and around Broadway Park and within the City of Turlock (*Jackson*)
3. Water Conservation Efforts at Turlock Spray Parks (*Van Guilder*)
4. TID Drop Box Removal (*Morgan*)

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 that is within the subject matter jurisdiction of the City Council and to address the Council on any item on tonight's agenda, including Consent Calendar items. You will be allowed five (5) 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**

B. 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 5/7/15 in the amount of \$542,708.78; Demands of 5/14/15 in the amount of \$1,043,510.26
- B. Motion: Accepting Minutes of Special Meeting of May 15, 2015; Minutes of Special Meeting of May 26, 2015; Minutes of Regular Meeting of May 26, 2015
- C.
 1. Motion: Accepting notification of Contract Change Order No. 2 (Final) for a credit of \$15,738 (Fund 215) for City Project No. 13-34, "Intersection Improvements at Christoffersen Pkwy. and Fosberg Rd. CML-5165 (073)" bringing the contract total to \$325,706
 2. Motion: Accepting improvements for City Project No. 13-34, "Intersection Improvements at Christoffersen Pkwy. and Fosberg Rd. CML-5165 (073)," and authorizing the City Engineer to file a Notice of Completion
- D. Motion: Approving an Agreement for Preliminary Engineering Services in the amount of \$25,000 (Fund 215) with Union Pacific Railroad for City Project No. 14-28, "Intersection Improvements at N. Golden State Boulevard and Fulkerth Road"

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- E. Motion: Accepting improvements for City Project No. 14-69, "Public Safety Facility - Door Replacement," and authorizing the City Engineer to file a Notice of Completion
- F. 1. Motion: Making the determination that City Project No. 15-32, "Public Safety Facility Bollards Repair and Miscellaneous Improvements," is exempt from the provisions of Section 14 CCR §15301, of the California Environmental Quality Act (CEQA), "Existing Facilities"
2. Motion: Awarding bid and approving an agreement in the amount of \$8,599.38 (Fund 301) with Darrale Patrias Electrical Contractor, Inc., of Turlock, California, for City Project No. 15-32, "Public Safety Facility Bollards Repair and Miscellaneous Improvements"
- G. Resolution: Authorizing the restructured Building Department staffing through the creation and staffing of a Permit Technician; the reclassification of a Staff Services Assistant to a Staff Services Technician; and the reclassification of a Plans Examiner II to a Senior Plans Examiner
- H. Motion: Approving a retainer agreement with Bureau Veritas North America, Inc., for the remainder of Fiscal Year 2014-15 and Fiscal Years 2015-16 and 2016-17, in an amount not to exceed \$390,000 (Fund 405), for plan check services related to various building permit applications throughout the City of Turlock
- I. Resolution: Considering intention to levy and collect assessments for Fiscal Year 2015-16 for Assessment Districts in the City of Turlock
- J. Motion: Approving the Agreements between the City of Turlock and each of the seven (7) HOME Consortium sub-recipients for the purpose of undertaking HOME eligible housing assistance activities pursuant to Title II of the Cranston-Gonzales National Affordable Housing Act of 1990 for Fiscal Year 2015-16, in the amount of \$911,823
- K. Motion: Authorizing the rejection of all bids submitted by RFP(s) 15-292 for Portable Fire Extinguishers Inspection and Services, pursuant to the Turlock Municipal Code §2-7-09(c)(4) and authorizing the re-solicitation of bids
- L. Resolution: Accepting the Fiscal Year 2014-15 monetary donations of \$3,153 and property donations valued at \$5,728.83 from various donors in support of the City's Crime Prevention Unit, Volunteers in Police Services (VIPS), and Public Safety Open House
- M. Motion: Approving an Agreement between the City of Turlock Police Department and Jocelyn E. Roland, PH.D., to provide counseling/psychotherapy services to all sworn officers, dispatchers, and community service officers of the Turlock Police Department at no cost to the covered employee, for the period of July 1, 2015, through June 30, 2016
- N. Motion: Authorizing the City Manager or designee to execute the Software Services Agreement (SSA) and attached addendum with Microbiz Security Company to provide renewed software licenses for Prowatch Security Software, inclusive of software support for City of Turlock security systems, in an amount not to exceed \$6,551.82, beginning July 1, 2015 through June 30, 2016 with the option to extend the agreement for up to three (3) additional one (1) year terms
- O. 1. Resolution: Appropriating \$4,355 to account number 242-00-000-215.51117 "Public Safety MDC" for the purchase of one (1) replacement MDC to be funded from unappropriated Fire reserves in Fund 242 "Computer Replacement" and \$1,830 to account number 116-30-305.51117 "Public Safety MDC" for the purchase of hardware for one (1) new MDC to be funded from unappropriated Fire reserves in Fund 116 "Special Public Safety"

2. Resolution: Appropriating \$14,780 to account number 110-30-220.51117 "Public Safety MDC" to be funded from a transfer of \$7,390 from account number 110-30-220.41001 "Neighborhood Services Full Time Salaries" and \$7,390 from available unappropriated AVA revenues for the purchase of MDCs

- P. Motion: Accepting the Turlock Downtown Property Owners Association (TDPOA) annual report related to Contract #13-061, Agreement between the City of Turlock and the Turlock Downtown Property Owners Association, for Implementation of Management District Plan (Downtown Property and Business Improvement District 2013)
- Q. Motion: Authorizing approval to enter into a business associate agreement (BAA) with Zywave, Inc., effective June 9, 2015
- R. Motion: Authorizing approval to enter into a contract to maintain insurance coverage for Crime Shield Coverage for Fiscal Year 2015-16

6. **FINAL READINGS:** None

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 amend Turlock Municipal Code Title 4, Chapter 6, Article 1 regarding Residential Permit Parking Zones. (*Pitcock*)

Recommended Action:

Ordinance: Amending Turlock Municipal Code Title 4, Chapter 6, Article 1 regarding Residential Permit Parking Zones

- C. Request to call a special mailed ballot election, declare the results, and order the Annexation No. 22 to Community Facilities District No. 2 (Services Mitigation). (*Werner*)

Process:

Confirmation: 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)

Public Hearing: 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. 22 (Potter's Landing) to existing Community Facilities District No. 2 (Services Mitigation)

Resolution: Declaring the results of Mailed-Ballot Election respecting Proposed Annexation No. 22 (Potter's Landing) to Community Facilities District No. 2 (Services Mitigation) and ordering annexation

- D. **THIS ITEM WILL BE REMOVED FROM THE AGENDA TO BE BROUGHT FORWARD AT A FUTURE MEETING.** Request to confirm Benefit Assessment Report and levy assessments for the Taco Bell Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Development Project No. 15-34. (*Pitcock*)

Recommended Action:

Resolution: Confirming Benefit Assessment Report and levy assessments for the Taco Bell Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Development Project No. 15-34

8. SCHEDULED MATTERS

- A. Request to authorize the closure of various street sections within the City of Turlock on Saturday, August 8, 2015 for the Turlock Criterium bicycle race and authorize the City Manager to apply appropriate conditions and restrictions. (*Pitcock/Van Guilder*)

Recommended Action:

Resolution: Authorizing the closure of various street sections within the City of Turlock on Saturday, August 8, 2015, from 1:00 p.m. to 10:00 p.m., for the Turlock Criterium bicycle race and authorizing the City Manager to apply appropriate conditions and restrictions

- B. Request to allocate unspent funds in the FY 2014-15 Community Grants and Activities program in the amount of \$9,000 for the purpose of covering the associated event costs of promoting and hosting the 4th of July Stars & Stripes Fireworks Show at California State University Stanislaus and the Turlock Downtown Fourth of July Parade and Street Faire. (*Van Guilder*)

Recommended Action:

Resolution: Allocating unspent funds in the FY 2014-15 Community Grants and Activities program in the amount of \$9,000 for the purpose of covering the associated event costs of promoting and hosting the 4th of July Stars & Stripes Fireworks Show at California State University Stanislaus and the Turlock Downtown Fourth of July Parade and Street Faire

- C. Request to adopt a City of Turlock General and Non-General Fund Budget covering Fiscal Years 2015-16 and 2016-17. (*Jacobs-Hunter*)

Recommended Action:

Option 1

Resolution: Adopting the Mayor's recommended City of Turlock General Fund Two-Year Budget covering Fiscal Years 2015-16 and 2016-17

Resolution: Adopting the Mayor's recommended City of Turlock Non-General Fund Two-Year Budget covering Fiscal Years 2015-16 and 2016-17

Resolution: Temporarily suspending Paragraph 4 of Resolution No. 2011-123 setting the General Fund Emergency/Contingency Reserve at \$6.5 million

Option 2

Resolution: Adopting a status quo City of Turlock General Fund Two-Year Budget covering Fiscal Years 2015-16 and 2016-17

Resolution: Adopting a status quo City of Turlock Non-General Fund Two-Year Budget covering Fiscal Years 2015-16 and 2016-17

Option 3

Resolution: Adopting a City of Turlock General Fund Budget as directed by a majority of the City Council covering Fiscal Years 2015-16 and 2016-17

Resolution: Adopting a City of Turlock Non-General Fund Budget as directed by a majority of the City Council covering Fiscal Years 2015-16 and 2016-17

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