

# City Council Agenda



APRIL 11, 2017

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



Mayor  
**Gary Soiseth**

Council Members  
**Matthew Jacob**  
**William DeHart, Jr.**  
Vice Mayor  
**Amy Bublak**  
**Gil Esquer**

City Manager  
**Gary R. Hampton**  
City Clerk  
**Jennifer Land**  
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](http://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. Recognition: Employee of the Month – March 2017
- B. Proclamation: Arbor Day – April 26, 2017, accepted by Parks, Recreation and Public Facilities Director Allison Van Guilder
- C. Proclamation: Stanislaus County National Library Week – April 9-15, 2017, accepted by Stanislaus County Librarian Diane Bartlett
- D. Presentation: Carnegie Arts Center Annual Report, presented by Carnegie Arts Center Director Lisa McDermott
- E. Presentation: NAKLAND Children's Carnival – April 22, 2017, presented by Nu Alpha Kappa Fraternity

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3. **A. SPECIAL BRIEFINGS**

1. **CALIFORNIA STATE UNIVERSITY STANISLAUS**  
Noriel Mostajo, Student Government Relations Coordinator

**B. STAFF UPDATES**

1. Policy Goals and Implementation Plan (*Executive Staff*)
2. Capital Projects and Building Activity (*Pitcock*)
3. Capital Improvement Program (CIP) (*Pitcock*)
4. Economic Development (*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 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 TOP TEN/MAXIMUM CONTRIBUTORS**

**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 Weekly Demands of 03/02/17 in the amount of \$1,771,822.92
- B. Motion: Accepting Minutes of the Special Meeting of March 28, 2017 and Minutes of the Regular Meeting of March 28, 2017
- C. Resolution: Re-appropriating \$55,080 to account number 420-52-550.43320 "Special Services/Projects" to be funded from Water Enterprise Fund 420 Operating Reserves to fully fund the Professional Services Agreement between the City of Turlock and Wood Rodgers, Inc. for the preparation of a Hydrogeological and Water Quality Assessment Study

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- D. 1. Resolution: Approving the purchase of one (1) 2017 Ford F250 Regular Cab with diamond open top service body for the Municipal Services Department from Downtown Ford Sales of Sacramento, California, through the State of California Contract No. 1-16-23-20A, in an amount not to exceed \$36,132.74, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5), and declaring the replaced vehicle as surplus
2. Resolution: Appropriating \$4,358 to account number 506-00-000-223.51020 "Equipment Replacement" from Fund 506 "Vehicle/Equipment Replacement – Water Enterprise" reserve balance for the purchase of one (1) 2017 Ford F250 Regular Cab with diamond open top service body for the Municipal Services Department from Downtown Ford Sales of Sacramento, California
- E. Resolution: Approving the purchase of a sewer lateral inspection system, GEN 2 Dual X-BOB, including three (3) types of cameras, six (6) wheel drive vehicle, controllers, cables, miscellaneous parts, and labor from 3T Equipment Company, Inc., in an amount not to exceed \$58,876.26, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(2)
- F. Motion: Approving Amendment No. 2 to an Agreement between the City of Turlock and Badger Meter, Inc. and National Meter & Automation, Inc. for the purchase of all positive displacement residential and turbine meters and parts for the City of Turlock's fixed network Automated Meter Reading system, changing the supplier's name
- G. Motion: Approving Amendment No. 2 to an Agreement between the City of Turlock and St. Francis Electric, LLC for traffic signal preventative maintenance and repair services, increasing the compensation to an annual amount of \$200,000 during the term of the existing contract
- H. Resolution: Authorizing the City Manager to offer vacation and sick leave incentives, up to 120 and 80 hours respectively, to Lateral Police Officers and Lateral Public Safety Dispatchers from comparable agencies
- I. 1. Motion: Approving an agreement with Terminix to provide pigeon exclusion, trapping services, and clean-up at the Public Safety Facility radio tower
2. Resolution: Appropriating \$9,000 to account number 240-00-000-213.44030\_054 "Minor Equipment PSF Repairs and Improvements" and \$1,560 to account number 110-20-200.43150 "Pest Control" from Fund 240 "Small Equipment" reserve balance for pigeon exclusion, trapping services, and clean-up at the Public Safety Facility radio tower
- J. 1. Motion: Approving an Agreement between the City of Turlock and California CAD Solutions, Inc., to implement a SD Utility Application for editing water, sewer, and storm infrastructure, in a total amount not to exceed \$22,500, for a period of twelve (12) months
2. Resolution: Appropriating \$11,250 to account number 410-51-530.43314 "Contract Help" from Fund 420 "Water Enterprise" reserve balance for necessary funding to implement the SD Utility Application
- K. 1. Resolution: Approving a modification to the job title for the position of Emergency Services Dispatcher Senior, changing it to Emergency Services Dispatcher Lead, effective April 11, 2017
2. Resolution: Approving modifications to the job description for the position of Police Records Technician Senior, effective April 11, 2017
- L. Motion: Rejecting Claims for Damages filed by Darrell Burnett, Sr.
- M. Motion: Rejecting Claims for Damages filed by Alfonso Ramirez Arevalo

6. **FINAL READINGS:** None

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**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 to receive, consider, and confirm the assessment of nuisance abatement costs and establishing a lien for payment for the property set forth in Exhibit A. (*Gomez*)

**Recommended Action:**

Resolution: Receiving, considering, and confirming the assessment of nuisance abatement costs and establishing a lien for payment for the property set forth in Exhibit A

**8. SCHEDULED MATTERS**

- A. Request to accept the updated five-year Capital Improvement Program (CIP) and the five-year Equipment Replacement Program (ERP) for the City of Turlock for Fiscal Years 2017-18 through 2021-22. (*Bray*)

**Recommended Action:**

Motion: Accepting the updated five-year Capital Improvement Program (CIP) and the five-year Equipment Replacement Program (ERP) for the City of Turlock for Fiscal Years 2017-18 through 2021-22

- B. Request to approve Amendment No.1 to an Agreement with Applied Development Economics (ADE) authorizing ADE access to examine the City of Turlock sales and use tax data maintained by the State of California Board of Equalization AND authorize examination of sales and use tax records. (*Pitt*)

**Recommended Action:**

Motion: Approving Amendment No.1 to an Agreement with Applied Development Economics (ADE) authorizing ADE access to examine the City of Turlock sales and use tax data maintained by the State of California Board of Equalization

Resolution: Authorizing examination of sales and use tax records

- C. Request to award RFP No. 16-377 and approve a Professional Services Agreement with North Star Destination Strategies of Nashville, Tennessee to develop branding and marketing strategies for the City of Turlock in the total amount of \$77,000 AND appropriate \$77,000 to account number 120-10-120.43289 "Marketing and Branding Services" to be funded from Fund 120 "Transient Occupancy Tax" unallocated reserves to fund marketing and branding strategies. (*Pitt*)

**Recommended Action:**

Motion: Awarding RFP No. 16-377 and approving a Professional Services Agreement with North Star Destination Strategies of Nashville, Tennessee to develop branding and marketing strategies for the City of Turlock in the total amount of \$77,000

Resolution: Appropriating \$77,000 to account number 120-10-120.43289 "Marketing and Branding Services" to be funded from Fund 120 "Transient Occupancy Tax" unallocated reserves to fund marketing and branding strategies

- D. Request to amend the existing policies, procedures and standards for administering the Residential Rehabilitation Program by the City of Turlock for all funding sources. (*Pitt*)

**Recommended Action:**

Motion: Amending the existing policies, procedures and standards for administering the Residential Rehabilitation Program by the City of Turlock for all funding sources

- E. Request to determine City Project 17-34 “Emergency Repair at Pedretti Park” is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Existing Facilities) and/or Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines AND reaffirm the declaration of emergency made by the City Manager and declaring there is a need to continue with the replacement of safety netting at Pedretti Park. (*Bray*)

**Recommended Action:**

Resolution: Determining City Project 17-34 “Emergency Repair at Pedretti Park” is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Existing Facilities) and/or Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines

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Motion: Reaffirming the declaration of emergency made by the City Manager and declaring there is a need to continue with the replacement of safety netting at Pedretti Park

**9. MATTERS TOO LATE FOR AGENDA/NON-AGENDA ITEMS**

The Brown Act generally prohibits any action or discussion of items not on the posted agenda. However, there are three specific situations in which a legislative body can act on an item not on the agenda:

- 1) When a majority decides there is an “emergency situation” (as defined for emergency meetings).
- 2) When two-thirds of the members present (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action “came to the attention of the local agency subsequent to the agenda being posted.” This exception requires a degree of urgency. Further, an item cannot be considered under this provision if the legislative body or the staff knew about the need to take immediate action before the agenda was posted. A “new” need does not arise because staff forgot to put an item on the agenda or because an applicant missed a deadline.
- 3) When an item appeared on the agenda of, and was continued from, a meeting held not more than five days earlier.

A legitimate immediate need can be acted upon even though not on the posted agenda by following a two-step process. First, make two determinations: (a) that there is an immediate need to take action and (b) that the need arose after the posting of the agenda. The matter is then “placed on the agenda.” Second, discuss and act on the added agenda item.

**10. COUNCIL ITEMS FOR FUTURE CONSIDERATION**

Requests for Council items for future consideration will be scheduled in accordance with Resolution No. 2008-019 and will be brought back to the City Council no earlier than May 23, 2017, unless otherwise specified by the Mayor or a majority of the Council.

**11. 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.

**12. CLOSED SESSION: None**

**13. ADJOURNMENT**