

# City Council Agenda



**JULY 24, 2018**

**6:00 p.m.**

**City of Turlock Yosemite Room  
156 S. Broadway, Turlock, California**



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Mayor  
**Gary Soiseth**

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

City Manager  
**Robert C. Lawton**  
City Clerk  
**Jennifer Land**  
Interim City Attorney  
**Jose M. Sanchez**

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**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. Proclamation: National Night Out - August 7, 2018, accepted by Police Chief Ninus C. Amirfar
- B. Appointment: 2018 Special Event Policy Ad Hoc Committee
- C. Presentation: SEITY Health Program, presented by Romeo Medical Clinic Dr. Sam Romeo and Dr. Chris Hawley

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

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**B. PUBLIC PARTICIPATION**

Pursuant to California Government Code Section 54954.3(a), 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.

Pursuant to California Government Code Section 54954.2(a)(3), no action or discussion may be undertaken on any item not appearing on the posted agenda, except that the City Council, or its staff, may briefly respond to comments or questions from members of the public, provide a reference to staff or other resources for factual information, or direct staff to place the issue on a future agenda.

**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 TOP TEN/MAXIMUM CONTRIBUTORS****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 6/21/18 in the amount of \$703,194.87 and Weekly Demands of 6/28/18 in the amount of \$2,321,149.10
- B. Motion: Accepting Minutes of the Regular Meeting of April 10, 2018 and Minutes of the Special Meeting of April 20, 2018
- C. Motion: Accepting notification of Contract Change Order No. 3, for a credit of (\$29,121.44), for City Project No. 12-60C "Turlock Regional Transit Center Phase 2," bringing the contract total to \$5,204,135.91
- D. Motion: Approving Amendment No. 2 to an Agreement with Kleinfelder, Inc. of Modesto, California in the amount of \$4,000 (Fund 413) for materials testing and inspection services for City Project No. 15-39E "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification," bringing the contract total amount to \$118,500
- E. Motion: Approving a Memorandum of Understanding (MOU) between the Stanislaus County Office of Education, the City of Turlock, and the Turlock Unified School District authorizing the acceptance of an allocation of funds and execution of a grant agreement to implement the After School Education and Safety (ASES) Program
- F. Motion: Approving Amendment No. 1 to an Agreement with Crane & Hoist Services, Ltd. for additional hoist and crane services, increasing the annual not-to-exceed amount from \$8,470 to \$10,750
- G. Resolution: Re-appropriating unspent funds of \$73,062 from Fiscal Year 2017-18 to account number 506-00-000-222.51020 "Equipment Replacement" from Fund 506 "Vehicle/Equipment Replacement" unallocated reserves in Program 222 "WQC" and Program 223 "Water Enterprise" for the purchase of two (2) 2017 Ford F250 Regular Cab Pick Ups for the Municipal Services Department from Downtown Ford Sales of Sacramento, California

- H. Resolution: Approving the purchase of one (1) 2019 Ford Interceptor Utility AWD for the Fire Department from Downtown Ford Sales in Sacramento, California, through the City of Sacramento Contract No. C2016-0531 in a total amount not to exceed \$60,000 from account number 506-00-000-304.51020 "Fire Services Equipment Replacement", without compliance to the formal bid process in accordance with Turlock Municipal Code Sections 2-7-08 (b)(5) and 2-7-08 (b)(6) and declaring the replaced vehicle surplus
- I.
  - 1. Resolution: Appropriating \$33,247 to account number 506-00-000-213.51020 "Equipment Replacement" funded by an insurance payout received in account number 506-00-000-213.37100 "Reimb Damaged Vehicle"
  - 2. Resolution: Approving the purchase and delivery of one (1) replacement marked Police vehicle from Winner Chevrolet, Elk Grove, California, through the State of California contract number 1-18-23-23 in a total amount not to exceed \$60,000 from account number 506-00-000-213.51020 "Police Equipment Replacement" without compliance to the formal bid process in accordance with Turlock Municipal Code Sections 2-7-08(b)(5) and 2-7-08(b)(6) and declaring the replaced vehicle as damaged beyond repair
- J. Resolution: Rescinding Resolution No. 2016-295 and adopting a new Resolution designating the authorized signatures for the City of Turlock bank accounts with Westamerica Bank
- K. Motion: Approving an Agreement with SEITY, LLC (herein referred to as SEITY) to provide a Wellness Program for regular City of Turlock employees and their spouses/domestic partners, for the period covering July 1, 2018 to July 1, 2019, in an amount not to exceed \$96,660, for FY 18/19
- L. Motion: Rejecting Claim for Damages filed by Jorge Luis Alonso Tello and Humberto Santiago Tello
- M. Resolution: Appropriating \$229,615 to account number 110-30-300.41100\_028 Overtime FLSA Settlement, \$2,896 to account number 110-30-300.42010 Medicare, \$6,068 to account number 110-30-300.42008 City Liability Insurance, \$8,470 to account number 110-30-300.42007 Workers Comp Insurance, to the City of Turlock Fiscal Year 2018/2019 General Fund Budget from General Fund unallocated reserves to make payments as agreed to under the Settlement and Release of Claims between the City of Turlock and Turlock Firefighters Local 2434

**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 to confirm Diagrams, Assessments, the Engineer's Report, and the Levying and Collection of Assessments as originally proposed for Fiscal Year 2018-19 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock pursuant to Resolution No. 97-128. (*Bray*)

***Recommended Action:***

Resolution: Confirming Diagrams, Assessments, the Engineer's Report, and the Levying and Collection of Assessments as originally proposed for Fiscal Year 2018-19 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock pursuant to Resolution No. 97-128

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- B. Request to determine the approval of Rezone 2018-01, Planned Development 275 (Mission Ranch) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines AND amend the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2018-01, Planned Development 275 (Mission Ranch)] AND establish conditions of approval for Planned Development No. 275 (PD-275) [Rezone 2018-01, Mission Ranch]. (*Quintero*)

***Recommended Action:***

***Resolution:*** Determining the approval of Rezone 2018-01, Planned Development 275 (Mission Ranch) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines

***Introduce the Ordinance:***

***Ordinance:*** Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2018-01, Planned Development 275 (Mission Ranch)]

***To be considered at the next meeting:***

***Resolution:*** Establishing conditions of approval for Planned Development No. 275 (PD-275) [Rezone 2018-01, Mission Ranch]

- C. Request to amend Turlock Municipal Code Title 6, Chapter 3, Article 1, Section 01 regarding Collection Charges for Garbage, Rubbish, and Organic Refuse as related to Commercial Box Services. (*Cooke*)

***Recommended Action:***

***Ordinance:*** Amending Turlock Municipal Code Title 6, Chapter 3, Article 1, Section 01 regarding Collection Charges for Garbage, Rubbish, and Organic Refuse as related to Commercial Box Services

**8. SCHEDULED MATTERS**

- A. Request to determine the closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street), for the Feast of our Lady of Assumption Procession Celebration hosted by Sacred Heart Catholic Church, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND approve the Special Event Permit Application for the Feast of Our Lady of Assumption Procession Celebration hosted by Sacred Heart Catholic Church, authorizing the associated closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street) for pedestrian safety, on Wednesday, August 15, 2018 from 5:30 p.m. to 7:30 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure. (*Traini*)

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**Recommended Action:**

**Resolution:** Determining the closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street), for the Feast of our Lady of Assumption Procession Celebration hosted by Sacred Heart Catholic Church, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines

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**Resolution:** Approving the Special Event Permit Application for the Feast of Our Lady of Assumption Procession Celebration hosted by Sacred Heart Catholic Church, authorizing the associated closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street) for pedestrian safety, on Wednesday, August 15, 2018 from 5:30 p.m. to 7:30 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure

- B. Request to determine the closure of Oak Street (between Cooper Avenue and Lyons Avenue), Lyons Avenue (between Oak Street and North Rose Street), and North Rose Street (between Lyons Avenue and Cooper Avenue), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND approve the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorizing the associated closure of Oak Street (between Cooper Avenue and Lyons Avenue), Lyons Avenue (between Oak Street and North Rose Street), and North Rose Street (between Lyons Avenue and Cooper Avenue) for pedestrian safety, on Saturday, October 6, 2018 from 7:30 p.m. through 10:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure. (*Traini*)

**Recommended Action:**

**Resolution:** Determining the closure of Oak Street (between Cooper Avenue and Lyons Avenue), Lyons Avenue (between Oak Street and North Rose Street), and North Rose Street (between Lyons Avenue and Cooper Avenue), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines

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**Resolution:** Approving the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorizing the associated closure of Oak Street (between Cooper Avenue and Lyons Avenue), Lyons Avenue (between Oak Street and North Rose Street), and North Rose Street (between Lyons Avenue and Cooper Avenue) for pedestrian safety, on Saturday, October 6, 2018 from 7:30 p.m. through 10:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure

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- C. Request to determine the closure of Lyons Avenue (between North Rose Street and Colorado Avenue), Colorado Avenue (between Lyons Avenue and Cooper Avenue) and Cooper Avenue (between Colorado Avenue and Oak Street), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND approve the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorizing the associated closure of Lyons Avenue (between North Rose Street and Colorado Avenue), Colorado Avenue (between Lyons Avenue and Cooper Avenue) and Cooper Avenue (between Colorado Avenue and Oak Street) for pedestrian safety, on Sunday, October 7, 2018 from 9:30 a.m. through 12:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure. (*Traini*)

***Recommended Action:***

***Resolution:*** Determining the closure of Lyons Avenue (between North Rose Street and Colorado Avenue), Colorado Avenue (between Lyons Avenue and Cooper Avenue) and Cooper Avenue (between Colorado Avenue and Oak Street), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines

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***Resolution:*** Approving the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorizing the associated closure of Lyons Avenue (between North Rose Street and Colorado Avenue), Colorado Avenue (between Lyons Avenue and Cooper Avenue) and Cooper Avenue (between Colorado Avenue and Oak Street) for pedestrian safety, on Sunday, October 7, 2018 from 9:30 a.m. through 12:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure

- D. Request to determine the closure of North Rose Street (between Cooper Avenue and Lyons Avenue) and Lyons Avenue (between North Rose Street and Oak Street), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND approve the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorizing the associated closure of North Rose Street (between Cooper Avenue and Lyons Avenue), and Lyons Avenue (between North Rose Street and Oak Street) for pedestrian safety, on Sunday, October 7, 2018 from 7:15 p.m. through 9:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure. (*Traini*)

***Recommended Action:***

***Resolution:*** Determining the closure of North Rose Street (between Cooper Avenue and Lyons Avenue) and Lyons Avenue (between North Rose Street and Oak Street), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines

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**Resolution:** Approving the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorizing the associated closure of North Rose Street (between Cooper Avenue and Lyons Avenue), and Lyons Avenue (between North Rose Street and Oak Street) for pedestrian safety, on Sunday, October 7, 2018 from 7:15 p.m. through 9:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure

- E. Request to determine the closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and North Rose Street), for the Feast of Our Lady of Guadalupe Procession Celebration hosted by Sacred Heart Catholic Church, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND approve the Special Event Permit Application for the Feast of Our Lady of Guadalupe Procession Celebration hosted by Sacred Heart Catholic Church, authorizing the associated closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and North Rose Street) for pedestrian safety, on Wednesday, December 12, 2018 from 6:00 p.m. to 9:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure. (*Traini*)

***Recommended Action:***

**Resolution:** Determining the closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and North Rose Street), for the Feast of Our Lady of Guadalupe Procession Celebration hosted by Sacred Heart Catholic Church, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines

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**Resolution:** Approving the Special Event Permit Application for the Feast of Our Lady of Guadalupe Procession Celebration hosted by Sacred Heart Catholic Church, authorizing the associated closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and North Rose Street) for pedestrian safety, on Wednesday, December 12, 2018 from 6:00 p.m. to 9:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure

- F. Request to approve the advertisement of construction bids for City Project No. 0828 "SR-99/Fulkerth Road Interchange". (*Bray*)

***Recommended Action:***

**Motion:** Approving the advertisement of construction bids for City Project No. 0828 "SR-99/Fulkerth Road Interchange"

- G. Request to award bid and approve an agreement in the amount of \$27,547,208 (Fund 416) with Ranger Pipelines of San Francisco, California for construction of City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component" AND approve Amendment No. 3 to an Agreement with Carollo Engineers of Walnut Creek, California for professional design services for City Project No. 17-22 "North Valley

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Regional Recycled Water Program – Turlock Component” AND approve an Agreement with Carollo Engineers of Walnut Creek, California in the amount of \$865,895 for professional engineering services during construction of City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component” AND approve an Agreement with West Yost Associates of Davis, California in the amount of \$1,921,505 for construction management services for City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component” AND approve an Agreement with H.T. Harvey & Associates of Los Gatos, California in the amount of \$266,531 for biological monitoring during construction of City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component” AND amend the fiscal year 2018-19 budget in Fund 416 “Recycled Water Sales” to provide for the proper accounting of expenses and revenues associated with City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component”. (Bray)

***Recommended Action:***

***Motion:*** Awarding bid and approving an agreement in the amount of \$27,547,208 (Fund 416) with Ranger Pipelines of San Francisco, California for construction of City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component”

***Motion:*** Approving Amendment No. 3 to an Agreement with Carollo Engineers of Walnut Creek, California for professional design services for City Project No. 17-22 “North Valley Regional Recycled Water Program – Turlock Component”

***Motion:*** Approving an Agreement with Carollo Engineers of Walnut Creek, California in the amount of \$865,895 for professional engineering services during construction of City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component”

***Motion:*** Approving an Agreement with West Yost Associates of Davis, California in the amount of \$1,921,505 for construction management services for City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component”

***Motion:*** Approving an Agreement with H.T. Harvey & Associates of Los Gatos, California in the amount of \$266,531 for biological monitoring during construction of City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component”

***Resolution:*** Amending the fiscal year 2018-19 budget in Fund 416 “Recycled Water Sales” to provide for the proper accounting of expenses and revenues associated with City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component”

- H. Request to approve the amended Joint Powers Authority (JPA) Agreement for the Stanislaus Regional Water Authority (SRWA). (Cooke)

***Recommended Action:***

***Motion:*** Approving the amended Joint Powers Authority (JPA) Agreement for the Stanislaus Regional Water Authority (SRWA)



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- I. Request to approve a New Building and Ground Lease between the City of Turlock and the Turlock Chamber Foundation for the Building Located at 114 S. Golden State Blvd. AND approve a First Amendment to the Reimbursement Agreement between the City of Turlock and the Turlock Chamber Foundation related to the Convention and Visitors Bureau AND rescind Resolution No. 2008-141 and Closing Out Issues Regarding the Centennial Committee Loan/Appropriation and Regarding the Sales and Licensing From the Centennial DVD Between the City of Turlock, the Turlock Chamber of Commerce, and the Turlock Historical Society. (*Sanchez*)

***Recommended Action:***

***Motion:*** Approving a New Building and Ground Lease between the City of Turlock and the Turlock Chamber Foundation for the Building Located at 114 S. Golden State Blvd.

***Motion:*** Approving a First Amendment to the Reimbursement Agreement between the City of Turlock and the Turlock Chamber Foundation related to the Convention and Visitors Bureau

***Resolution:*** Rescinding Resolution No. 2008-141 and Closing Out Issues Regarding the Centennial Committee Loan/Appropriation and Regarding the Sales and Licensing From the Centennial DVD Between the City of Turlock, the Turlock Chamber of Commerce, and the Turlock Historical Society

- J. Request to modify park hours at Denair, Central, and GAR pocket parks from 6:00 AM to 10:00 PM, to 7:00 AM to dusk, on a trial basis to evaluate the impacts to crime in, and around, those locations. (*Van Guilder/Amirfar*)

***Recommended Action:***

***Resolution:*** Modifying park hours at Denair, Central, and GAR pocket parks from 6:00 AM to 10:00 PM, to 7:00 AM to dusk, on a trial basis to evaluate the impacts to crime in, and around, those locations

- K. Request to direct staff to re-lamp the streetlights and security lights at Broadway, Central, and GAR parks with energy-efficient LED technology at a total estimated cost of \$2,523.32 with funding from account number 110-60-600-44001\_000 "Parks Maintenance". (*Cooke*)

***Recommended Action:***

***Motion:*** Directing staff to re-lamp the streetlights and security lights at Broadway, Central, and GAR parks with energy-efficient LED technology at a total estimated cost of \$2,523.32 with funding from account number 110-60-600-44001\_000 "Parks Maintenance"

**9. STAFF UPDATES**

Staff updates are provided for informational purposes only and no action or discussion may be undertaken, except that Council may request the matter be placed on a future agenda.

1. Policy Goals and Implementation Plan (*Executive Staff*)
2. Administrative Services
3. Development Services Department

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4. Fire Department
    - a. Public Safety Briefing (*Talloni*)
  5. Municipal Services Department
  6. Parks, Recreation and Public Facilities
  7. Police Department
    - a. Public Safety Briefing (*Amirfar*)

**10. 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.

**11. 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 September 11, 2018, unless otherwise specified by the Mayor or a majority of the Council.

**12. 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.

**13. 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 Designated Representative: City Manager Robert C. Lawton

Employee Organization: Turlock Associated Police Officers

Employee Organization: Turlock City Employee Association

Employee Organization: Turlock Firefighters Association-Local 2434

Employee Organization: Turlock Management Association-Public Safety

Unrepresented Employees: Accountant, Sr., Administrative Analyst, Administrative Services Director, Assistant to the City Manager for Economic Development/Community Housing, Chief Building Official, City Clerk, Community Housing Program Supervisor, Deputy Director Development Services/Planning, Development Services Director, Development Services Supervisor/City Surveyor, Executive Administrative Assistant/Deputy City Clerk, Executive Administrative Assistant/Municipal Services, Executive Administrative Assistant/Public Safety, Fire Chief, Human Resources Analyst, Sr., Human Resources Manager, Human Resources Technician, Legal Assistant, Municipal Services Director, Office Assistant I, Parks, Recreation

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and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Payroll Coordinator, Police Business Unit Supervisor, Police Chief, Principal Civil Engineer, Regulatory Affairs Manager, Traffic Transportation Engineering Supervisor, Utilities Manager, and Water Quality Control Division Manager.

- B. Conference with Legal Counsel – Anticipated Litigation, Cal. Gov't Code §54956.9(d)(2)  
*"For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist... A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency."*  
Potential Cases: (2 cases)
- C. Conference with Legal Counsel – Anticipated Litigation, Cal. Gov't Code §54956.9(d)(4)  
*"For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist... Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation."*  
Potential Cases: (1 case)
- D. Public Employee Appointment, Cal. Gov't Code §54957(b)(1)  
*"Subject to paragraph (2), this chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session."*  
Title: City Attorney
- E. 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 Negotiator: Mayor Gary Soiseth  
Unrepresented Employee: City Attorney

**14. REPORTS FROM CLOSED SESSION**

**15. ADJOURNMENT**