

City Council Agenda



FEBRUARY 25, 2014

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



Mayor
John S. Lazar

Council Members
Amy Bublak
William DeHart, Jr.
Steven Nascimento
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.

1. A. CALL TO ORDER

B. SALUTE TO THE FLAG

2. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS

- A. Proclamation: Go Green Week, February 24 - 28, 2014
- B. Recognition: City of Turlock Staff (Hilmar Cheese Processing Plant efforts)
- C. Appointments: CDBG Committee (Community Members)
- D. Appointment: CDBG Committee (Council Representative)
- E. Presentation: PG&E Activity/Findings

3. A. SPECIAL BRIEFINGS: None

B. STAFF UPDATES:

1. Vida Vital Update (*Whitmore*)
2. Campaign Contributions (*Bublak/Nascimento*)
3. Off-site Meetings and Election Process (*Wasden*)
4. Bicycle/Pedestrian Safety and Enforcement (*Jackson*)

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 1/23/14 in the amount of \$512,191.84; Demands of 1/30/14 in the amount of \$499,918.60
- B. Motion: Accepting Minutes of Regular Meeting of February 11, 2014
- C.
 1. Motion: Making the determination that City Project No. 13-25B, "Public Safety Training Facility Utilities and Site Improvements," is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines
 2. Motion: Awarding bid and approving an agreement in the amount of \$107,218.80 (Fund 305) with Marko Construction Group, Inc., Fresno, California, for City Project No. 13-25B, "Public Safety Training Facility Utilities and Site Improvements"
 3. Resolution: Authorizing the transfer of \$129,841 from Fund 305 CFF (Police) reserve to account number 305-40-441.51270 for Project No. 13-25 "Public Safety Training Facility"
- D.
 1. Motion: Making the determination that City Project No. 0763, "Intersection Improvements at Monte Vista and Colorado," is exempt from the provisions of CEQA in accordance with Section 15332
 2. Motion: Awarding bid and approving an agreement in the amount of \$523,330.60 with MCI Engineering of Stockton, California, for City Project No. 0763, "Intersection Improvements at Monte Vista and Colorado"
 3. Resolution: Appropriating \$95,000 to account number 215-40-420.51210 "Federal Street Projects" to be funded via a transfer of Developer Fees from Fund 307 "Northeast Master Plan Area Fees" for City Project No. 0763, "Intersection Improvements at Monte Vista and Colorado," to complete the necessary funding required for the project

- E. 1. Resolution: Approving the “Patterning the Future of Turlock’s Downtown” application for grant funds for the Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River And Coastal Protection Bond Act of 2006 (Proposition 84)
2. Motion: Authorizing the City Manager to enter into a sole source professional services agreement with the Local Government Commission without compliance to the formal bid procedure in accordance with the Turlock Municipal Code, Title 2, Chapter 7, Section 2-7-08(b)(2), (b)(3), and (b)(4) upon award of the Sustainable Communities Planning Grant and approval of a future budget amendment
- F. Motion: Approving a Memorandum of Understanding between the City of Turlock Police Department and Sacramento Valley Hi-Tech Crimes Task Force and authorizing the City Manager to sign such agreement
- G. Resolution: Utilizing the services of Jeffery Lopes on a temporary basis for the purpose of serving as the Acting Chief of Police for a period of three (3) days beginning March 12, 2014, and ending March 14, 2014
- H. Motion: Authorizing the City Manager to execute an agreement with Communication Strategies, LLC related to assisting the City of Turlock procure a citywide phone system in an amount not to exceed \$9,360
- I. Resolution: Appropriating \$3,000 to account number 227-40-135.51011 “Computer Software” from Fund 227 “Public Safety Tax” reserve balance for full mapping of historical Animal Licensing data to be performed by New World Systems

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 the Benefit Assessment Report and levy assessments for the Sutter Gould Medical Foundation (PM 13-01) Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Development Project No. 13-45. (*Pitcock*)

Recommended Action:

Resolution: Confirming the Benefit Assessment Report and levying assessments for the Sutter Gould Medical Foundation (PM 13-01) Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Development Project No. 13-45

8. SCHEDULED MATTERS

- A. Request to authorize the support of the City of Turlock for the Stanislaus County 2014 Regional Transportation Tax Measure Financial Expenditure Plan (Expenditure Plan). (*Wasden*)

Recommended Action:

Resolution: Authorizing the support of the City of Turlock for the Stanislaus County 2014 Regional Transportation Tax Measure Financial Expenditure Plan (Expenditure Plan)

- B. Request to approve an agreement with the San Jose Earthquakes, LLC for practice field use; authorizing the City to be a designated ticket distribution point and marketing source for Premiere Development League (PDL) soccer games in Turlock; and authorizing the City Manager to sign the agreement and all related documents. (*Van Guilder*)

Recommended Action:

Motion: Approving an agreement with the San Jose Earthquakes, LLC for practice field use; authorizing the City to be a designated ticket distribution point and marketing source for Premiere Development League (PDL) soccer games in Turlock for a period of fourteen (14) months, ending May 5, 2015; and authorizing the City Manager to sign the agreement and all related documents

- C. Request to authorize the City Manager to sign the tentative agreement between American Medical Response and Turlock Fire Department for reimbursement costs associated with emergency medical response. (*Lohman*)

Recommended Action:

Motion: Authorizing the City Manager to sign the tentative agreement between American Medical Response and Turlock Fire Department for reimbursement costs associated with emergency medical response

- D. Request to amend the City of Turlock Fiscal Year 2013-14 General and Non-General Fund Budgets. (*Wasden*)

Recommended Action:

Resolution: Amending the City of Turlock Fiscal Year 2013-14 General and Non-General Fund Budgets

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 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: (1 case)

Construction claim dispute with Sierra Mountain Construction, Inc. regarding delay claim associated City Project No. 11-41 "Sewer Lift Stations on West Main/Clinton and West Main/Tegner."

12. ADJOURNMENT