

# City Council Agenda



**APRIL 8, 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](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 Library Week, April 13-19, 2014, accepted by Anne-Marie Montgomery, Stanislaus County Library, Turlock Branch
- B. Proclamation: Love Turlock, May 3, 2014, accepted by Pastor David Larson, New Life Christian Center
- C. Proclamation: City of Turlock Volunteers, accepted by Jessie Dhami
- D. Proclamation: National Telecommunicators Week, April 13-19, 2014, accepted by Kathleen Keller

---

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

**B. STAFF UPDATES**

1. Capital Projects and Building Activity (*Pitcock*)
2. Precision Concrete Sidewalk Repairs (*Van Guilder*)

**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. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE**

**B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS**

**C. DISCLOSURE OF EX PARTE COMMUNICATIONS**

1. Public Hearing Items 7A and 7B are quasi-judicial proceedings. 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 3/6/14 in the amount of \$1,175,931.42; Demands of 3/13/14 in the amount of \$1,408,502.70
- B. Motion: Accepting Minutes of Regular Meeting of March 25, 2014
- C. Motion: Approving Contract Change Order No. 4 (Final) in the amount of \$1,000 (Fund 420) for City Project No. 10-24, "Well No. 40 Sitework," bringing the contract total to \$238,335.01
- D.
  1. Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$40,183.90 (Fund 410 and 420) for City Project No. 10-53, "Water and Sewerline Replacement in the Alleys," bringing the contract total to \$1,226,678.90
  2. Motion: Accepting improvements for City Project No. 10-53, "Water and Sewerline Replacement in the Alleys," and authorizing the City Engineer to file a Notice of Completion

- 
- E. 1. Motion: Approving Contract Change Order No. 1 (Final) in the decreased amount of (\$191.41) (Fund 305) for North Olive Avenue, for City Project No. 13-43, "Demolition of Buildings on N. Olive and S. Walnut," bringing the contract total to \$21,359.59
  - E. 2. Motion: Accepting improvements for City Project No. 13-43, "Demolition of Buildings on N. Olive and S. Walnut," and authorizing the City Engineer to file a Notice of Completion
  - F. Resolution: Directing the City Manager or Director of Development Services/City Engineer to sign all documents, assurances, and statements in regard to any and all Federal Highway Administration (FHWA), Federal Transit Administration (FTA), or state-funded projects for Federal Fiscal Year 2014-15
  - G. Resolution: Authorizing the federal funding under FTA Section 5339 with the California Department of Transportation
  - H. Motion: Approving the rehabilitation forgivable loan #3587-VS, in the amount of \$25,000, where the City of Turlock will be in third position, as prescribed by the adopted Rehabilitation Loan Policies and Procedures
  - I. Motion: Approving an agreement with Clark Pest Control of Modesto, California, for weed control services for the City of Turlock's Regional Water Quality Control Facility and the Parks, Recreation, and Public Facilities Department, in an amount not to exceed \$46,812 annually and \$96,624 for a period of twenty-four (24) months
  - J. 1. Motion: Approving an agreement with the State of California's Franchise Tax Board for participation in the Interagency Intercept Collections (IIC) program
  - J. 2. Motion: Approving an agreement with LexisNexis for skip tracing services required to participate in the Interagency Intercept Collections (IIC) program, in an annual amount not to exceed \$1,000
  - J. 3. Resolution: Appropriating \$1,000 from Fund 110 "General Fund" to account number 110-10-112.43013 "Interagency Intercept Program Software Services" for participation in the Interagency Intercept Collections (IIC) program and associated skip tracing services
  - K. Motion: Authorizing the Turlock Fire Department to establish a Working Agreement or Memorandum of Understanding with American Medical Response – West for the sole purpose of Continuing Education Records oversight under the direction of a Clinical Medical Director provided by American Medical Response – West

## 6. FINAL READINGS

- A. **Recommended Action:**  
Ordinance: Amending Turlock Municipal Code Title 6, Chapter 5, Article 5, Section 01 and Title 6, Chapter 5, Article 7, Section 01(b) to implement updated fees and charges for property related water services as introduced at the March 25, 2014 meeting

## 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. **Quasi-judicial proceeding:**  
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. (*Boyd*)

**Recommended Action:**

Resolution: Assessing properties for abatement costs and establishing a lien for payment

- B. **Quasi-judicial proceeding:**  
Request for approval establishing a lien for payment for repair cost of certain maintenance of curbs, gutters, sidewalks, curb cuts, and driveway approaches that are out of repair. (*Van Guilder*)

**Recommended Action:**

Resolution: Assessing properties for sidewalk repair costs and establishing a lien for payment

- C. Request to add Turlock Municipal Code Title 2, Chapter 12, regarding Campaign Contributions. (*Norton*)

**Recommended Action:**

Ordinance: Adding Turlock Municipal Code Title 2, Chapter 12, regarding Campaign Contributions

**8. SCHEDULED MATTERS**

- A. Request to authorize the Police Department to recruit for the classification of Police Officer Trainee and sponsor successful applicants through a police academy. (*Jackson*)

**Recommended Action:**

Resolution: Authorizing the Police Department to recruit for the classification of Police Officer Trainee and sponsor successful applicants through a police academy

**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  
Employee Organization: Turlock City Employee Association  
Employee Organization: Turlock Firefighters Association. Local 2434  
Employee Organization: Turlock Management Association-Public Safety  
Unrepresented Employees: Accountant, Sr., Assistant to the City Manager for Economic Development/Community Housing, Community Housing Program Supervisor, Deputy Development Services Director/Planning, Development Services Director/City Engineer, Development Services Supervisor/City Surveyor, Executive Assistant to the City Manager/City Clerk, Finance Customer Service Supervisor, Fire Chief, Human Resources Manager, Human Resources Technician, Legal Assistant, Municipal Services Director, Payroll Coordinator, Principal Civil Engineer, Regulatory Affairs Manager, Secretary/Deputy City Clerk, Executive Administrative Assistant/Public Safety, Technical Services Manager, Utilities Manager, Water Quality Control Division Manager

**12. ADJOURNMENT**