

City Council Agenda



AUGUST 12, 2014

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



Mayor
John S. Lazar

Council Members
Amy Bublak **Steven Nascimento**
William DeHart, Jr. **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. PRESENTATION OF COLORS AND SALUTE TO THE FLAG:**
Turlock Fire Department Honor Guard

2. **PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS:**
 - A. Proclamation: Retirement of City Employee, Jeri Gilley, Finance Customer Service Supervisor
 - B. Recognition: Employee Recognition

3. **A. SPECIAL BRIEFINGS:** None
 - B. STAFF UPDATES**
 1. Capital Projects and Building Activity (*Pitcock*)
 2. Landscape Water Conservation (*VanGuilder*)

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

B. DISCLOSURE OF EX PARTE COMMUNICATIONS

1. Scheduled Matter 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 7/3/14 in the amount of \$1,375,357.02; Demands of 7/10/14 in the amount of \$1,294,675.85
- B. Motion: Accepting Minutes of Regular Meeting of July 22, 2014
- C.
 1. Motion: Making the determination that City Project No. 13-51, "Fulkerth Bus Stop Improvements," is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures)
 2. Motion: Awarding bid and approving an agreement in the amount of \$14,600 (Fund 426) with Taylor Backhoe Service, Inc., of Merced, California, for City Project No. 13-51, "Fulkerth Bus Stop Improvements"
- D. Motion: Approving a service agreement with Joe Gomes & Sons, Inc., for a 24-hour offsite card lock system for gasoline and diesel fuel services for a period of thirty-six (36) months, in an amount not to exceed \$600,000 annually
- E. Resolution: Re-appropriating \$3,552 of unspent funds from Fiscal Year 2013-14 to account number 269-60-614-380.47124 "Parks Donation Expenses" from Fund 269 "Parks Donation-General" reserve balance for the purchase of the "Quaile Rand Norton Park" sign
- F.
 1. Motion: Approving an agreement with Collicutt Energy Services, Inc., for annual maintenance and inspection and service repairs for Kohler generator for the Public Safety Facility for a period of twelve (12) months, in an annual amount not to exceed \$2,100 for preventive maintenance and up to an additional \$2,900 for unexpected service repairs
 2. Resolution: Appropriating \$5,000 to account number 110-20-200.43125_025 "Maintenance Generator Repair & Maintenance" from Fund 110 "General Fund" reserve balance for the annual preventive maintenance and inspection and service repairs for the Kohler generator at the Turlock Public Safety Facility

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- G. Resolution: Appropriating funds in the amount of \$42,527 to Fund 266-20-255-341.51107 "JAG Expenses" for the purchase of front line police equipment authorized by the 2012 and 2013 JAG Grants previously awarded and accepted
- H. Resolution: Adopting the response letter provided by Turlock Police Chief Robert Jackson to the Civil Grand Jury regarding Case 14-25GJ and authorizing the City Clerk to provide verification of such adoption to the Civil Grand Jury

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 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

8. **SCHEDULED MATTERS:**

- A. Request to approve a Memorandum of Understanding among Stanislaus County Office of Education, City of Turlock and Turlock Unified School District; Authorizing the acceptance of an allocation of funds and execution of a grant agreement to implement the ASES Program (Supporting After School for Everyone). (*Packwood*)

Recommended Action:

Motion: Approving a Memorandum of Understanding among Stanislaus County Office of Education, City of Turlock and Turlock Unified School District; Authorizing the acceptance of an allocation of funds and execution of a grant agreement to implement the ASES Program (Supporting After School for Everyone)

- B. Request to approve a Memorandum of Understanding (MOU) between the City of Turlock and the Stanislaus County Regional Apprehension Team (RAT) to locate noncompliant offenders within Stanislaus County through proactive enforcement, and authorizing the City Manager and the Chief of Police to execute the MOU. (*Jackson*)

Recommended Action:

Motion: Approving a Memorandum of Understanding (MOU) between the City of Turlock and the Stanislaus County Regional Apprehension Team (RAT) to locate noncompliant offenders within Stanislaus County through proactive enforcement, and authorizing the City Manager and the Chief of Police to execute the MOU

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 Real Property Negotiators, Cal. Gov't Code §54956.8
"Notwithstanding any other provisions of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease."
Property: 153 S. Broadway, Turlock, CA (APN No. 061-016-046-000)
Agency Negotiator: Roy W. Wasden
Negotiating Parties: Bonander Properties (c/o FMT Marilyn Bessey)
Under Negotiation: Price and terms of payment
- B. Public Employee Performance Evaluation, 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 Manager
- C. Public Employee Performance Evaluation, 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
- D. Conference with Labor Negotiators, Cal. Gov't Code §54957.6
"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 John Lazar
Unrepresented Employees: City Manager, 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 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 Analyst, Human Resources Manager, Human Resources Technician, Legal Assistant, Municipal Services Director, Parks, Recreation & Public Facilities Director, Parks, Recreation & Public Facilities Superintendent, 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