

City Council Agenda



OCTOBER 14, 2014

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

****and via teleconference:
4100 Wailea Alanui Drive
Maui, Hawaii 96753
Telephone No. (808-875-4100)**

**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. SALUTE TO THE FLAG

2. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS:

A. Proclamation: Red Ribbon Week, Students of Julien Elementary School

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

B. STAFF UPDATES

1. Capital Projects and Building Activity (*Pitcock*)

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: None

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 9/4/14 in the amount of \$824,563.58; Demands of 9/11/14 in the amount of \$907,364.01; Demands of 9/18/14 in the amount of \$733,619.14
- B. Motion: Accepting Minutes of Regular Meeting of September 23, 2014
- C.
 1. Motion: Making the determination that City Project No. 13-34, "Intersection Improvements at Christoffersen Pkwy. and Fosberg Rd. CML-5165 (073)" is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15303 (New Construction or Conversion of Small Structures) or 15304 (Minor Alterations of Land) or 15332 (Infill Development Projects) of the CEQA Guidelines
 2. Motion: Awarding bid and approving an agreement in the amount of \$340,644 (Fund 215) with St. Francis Electric, Inc., of San Leandro, California, for City Project No. 13-34, "Intersection Improvements at Christoffersen Pkwy. and Fosberg Rd. CML-5165 (073)"
 3. Resolution: Designating E. Zeering Rd., between Fosberg Rd. and N. Olive Ave., with the new one-way street designation for eastbound traffic only and authorizing the City Engineer to make the necessary changes to signs and striping to reflect the change
- D.
 1. Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$439.44 (Fund 426) for City Project No. 13-51, "Fulkerth Bus Stop Improvements," bringing the contract total to \$15,039.44
 2. Motion: Accepting improvements for City Project No. 13-51, "Fulkerth Bus Stop Improvements," and authorizing the City Engineer to file a Notice of Completion
- E.
 1. Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$781.22 (Fund 269) for City Project No. 14-20, "Swanson-Centennial Dog Park," bringing the contract total to \$51,970.22
 2. Motion: Accepting improvements for City Project No. 14-20, "Swanson-Centennial Dog Park," and authorizing the City Engineer to file a Notice of Completion

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- F. 1. Motion: Making the determination that City Project No. 14-51, "901 Hedstrom Road Curb Return Repair," is exempt from the provisions of Section 14 CCR §15301(c) of the California Environmental Quality Act (CEQA), "Repair or Maintenance of Existing Highways and Streets"
2. Motion: Awarding bid and approving an agreement in the amount of \$16,362.90 (Fund 217) with Haney Concrete of Turlock, California, for City Project No. 14-51, "901 Hedstrom Road Curb Return Repair"
3. Resolution: Appropriating \$26,595 to account number 217-50-511.51270 "Construction Projects" to be funded via a transfer of funds from account number 410-51-534.51300 "Construction Repair/Improvements" and unappropriated reserves in Fund 217 "Streets Gas Tax – Section 2103" for City Project No. 14-51, "901 Hedstrom Road Curb Return Repair," to complete the necessary funding for this project
- G. Motion: Approving Amendment No. 1 to the Professional Services Agreement between the City of Turlock and RMC Water and Environment, in the amount of \$4,983, for the preparation of an Environmental Assessment and Initial Study associated with the City's water rights application to convey recycled water to the Delta Mendota Canal via the Patterson Irrigation District
- H. Motion: Authorizing the City Manager, or his designee, to approve the Intent to Participate renewal with the State of California's Franchise Tax Board Interagency Intercept Collections (IIC) program
- I. Motion: Approving an agreement with VMware for the purchase of software licenses and support of City of Turlock servers in the amount of \$29,982.64 and authorizing the City Manager to sign this agreement and any future renewal agreement(s)
- J. Resolution: Accepting monetary donations from Fiscal Year 2013-14 in the amount of \$1,390 and property donations of blankets valued at \$50 from various donors, utilized in support of the City's Crime Prevention Unit and Volunteers in Police Services (VIPS)
- K. Resolution: Authorizing the acceptance of an allocation of funds, execution of a grant agreement, and appropriation of funds for the Federal FY 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) funds from the United States Department of Justice, Office of Criminal Justice Programs, in the amount of \$34,946
- L. Resolution: Appropriating \$3,500 to account number 240-00-000-306.43125_026 "Fire Station Maintenance" through an appropriation from available reserves in Fund 240, Program 306 "Fire Equipment Replacement," and authorizing the City Manager to sign all documents necessary for Ray's Radio to reestablish network connection between Fire Station 3 and the Public Safety Facility
- M. Motion: Approving a renewal agreement under a state contract between the State of California and AT&T for CALNET 3 telecommunication services through June 30, 2018, without compliance to the formal bid procedure
- N. Resolution: Authorizing the release of unclaimed checks pursuant to California Government Code Section 50050 and 50053 to the City of Turlock
- O. Motion: Rejecting Claim for Damages filed by Norma Partida
- P. Motion: Rejecting Claim for Damages filed by John Martinez

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 amend the Turlock Municipal Code Title 4, Chapter 7, Article 14, Section 02, regarding speed limits. (*Pitcock*)

Recommended Action:

Ordinance: Amending Turlock Municipal Code Title 4, Chapter 7, Article 14, Section 02, regarding speed limits

- B. Request to add to the Turlock Municipal Code Title 5, Chapter 27, Prescription Medication Disposal Program. (*Crawford/Amirfar*)

Recommended Action:

Ordinance: Adding Turlock Municipal Code Title 5, Chapter 27, Prescription Medication Disposal Program

8. SCHEDULED MATTERS:

- A. Request to approve the purchase of six (6) replacement marked black and white police vehicles for Turlock Police Department from Patchetts Ford in Turlock, California, with all emergency equipment and aftermarket installation provided by LEHR Auto Electric & Emergency Equipment of Sacramento, California, from account number 506-00-000-213.51020 "Equipment Replacement" in an amount not to exceed \$276,000, or \$46,000 per vehicle. (*Reid*)

Recommended Action:

Resolution: Approving the purchase of six (6) replacement marked black and white police vehicles for Turlock Police Department from Patchetts Ford in Turlock, California, with all emergency equipment and aftermarket installation provided by LEHR Auto Electric & Emergency Equipment of Sacramento, California, from account number 506-00-000-213.51020 "Equipment Replacement," in an amount not to exceed \$276,000, or \$46,000 per vehicle

- B. Request to authorize the Turlock Police Department to trade-in firearms that the department is taking out of service, to an authorized firearms dealer, in order to obtain a trade-in value, resulting in a reduced cost of replacement firearms. (*Jackson/Pacheco*)

Recommended Action:

Resolution: Authorizing the Turlock Police Department to trade-in firearms that the department is taking out of service, to an authorized firearms dealer, in order to obtain a trade-in value which will result in a reduced cost of replacement firearms

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- C. Request to approve an agreement with SEITY, LLC (herein referred to as SEITY) effective January 1, 2015 for the remainder of Fiscal Year 2014/15 to provide a Wellness Program for regular City of Turlock employees at a cost not to exceed \$35,000. (*Eddy*)

Recommended Action:

Motion: Approving an agreement with SEITY, LLC (herein referred to as SEITY) effective January 1, 2015 for the remainder of Fiscal Year 2014/15 to provide a Wellness Program for regular City of Turlock employees at a cost not to exceed \$35,000

Resolution: Appropriating \$10,000 to account number 511-10-151.47073 "Wellness Program" from Fund 511 "Health Care" reserve balance for a Wellness Program for regular City of Turlock employees

- D. Request to affirm staff's submission of a U.S. Department of Justice (DOJ) Community Oriented Policing Services (COPS) grant application for a projected amount of \$1,193,327.44 for the hiring of four (4) police officers, for three (3) years each, with the COPS grant funding amount of \$125,000 per officer (a total COPS grant funding of \$500,000 over the three (3) year grant term), with the projected City match funds of \$693,327.44 (over the three (3) year grant term); and accept the \$500,000 grant award from the COPS Office that was announced/offered on September 29, 2014. (*Jackson/Reid*)

Recommended Action:

Resolution: Affirming staff's submission of a U.S. Department of Justice (DOJ) Community Oriented Policing Services (COPS) grant application for a projected amount of \$1,193,327.44 for the hiring of four (4) police officers, for three (3) years each, with the COPS grant funding amount of \$125,000 per officer (a total COPS grant funding of \$500,000 over the three (3) year grant term), with the projected City match funds of \$693,327.44 (over the three (3) year grant term); and accepting the \$500,000 grant award from the COPS Office that was announced/offered on September 29, 2014

- E. Request to rescind the following resolutions and adopt the following Memorandums of Understanding. (*Wasden*)

Recommended Action:

Resolution: Rescinding Resolution No. 2013-186 and adopting a Memorandum of Understanding between the City of Turlock and Turlock Associated Police Officers (TAPO) covering the period August 1, 2014 through July 31, 2017

Resolution: Rescinding Resolution No. 2013-187 and adopting a Memorandum of Understanding between the City of Turlock and Turlock City Employees Association (TCEA) covering the period July 1, 2014 through October 31, 2017

Resolution: Rescinding Resolution No. 2013-188 and adopting a Memorandum of Understanding between the City of Turlock and Turlock Management Association – Public Safety (TMAPS) covering the period July 1, 2014 through June 30, 2017

Resolution: Rescinding Resolution No. 2013-189 and adopting a Schedule of Benefits for Confidential Employees of the City of Turlock covering the period July 1, 2014 through June 30, 2017

Resolution: Rescinding Resolution No. 2013-190 and adopting a Schedule of Benefits for Management Employees of the City of Turlock covering the period July 1, 2014 through June 30, 2017

Resolution: Rescinding Resolution No. 2013-191 and adopting a Memorandum of Understanding between the City of Turlock and Turlock Firefighters Local #2434 covering the period July 1, 2014 through June 30, 2019

Resolution: Rescinding Resolution Nos. 2007-289 and 2007-298 paying the value of Employer Paid Member Contributions (EPMC) to CALPERS between the City of Turlock and the Turlock Firefighter Local #2434 and Fire Management Safety Members of the City of Turlock thereby eliminating this benefit

- F. Request to approve an employment agreement between the City of Turlock and Phaedra Norton and an employment agreement between the City of Turlock and Roy W. Wasden. (*Lazar*)

Recommended Action:

Motion: Approving an employment agreement between the City of Turlock and City Attorney Phaedra Norton covering the period July 1, 2014 through June 30, 2019

Motion: Approving an employment agreement between the City of Turlock and City Manager Roy W. Wasden covering the period July 1, 2014 through June 30, 2017

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

12. ADJOURNMENT