

Special Meeting Agenda

Joint Meeting of

Turlock City Council and

Development Collaborative Advisory Committee



MARCH 13, 2012

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



Mayor
John S. Lazar

Council Members
William DeHart, Jr. **Amy Bublak**
Forrest White **Mary Jackson**
 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. CALL TO ORDER:

- A. City Council
- B. Development Collaborative Advisory Committee

2. WELCOME AND INTRODUCTIONS:

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and the Council does not endorse the religious beliefs or views of this, or any other, invocation speaker.

3. 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. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:

5. SCHEDULED MATTERS:

- A. Request to establish the Development Collaborative Advisory Committee (DCAC) as a permanent committee and adopt bylaws. *(Pitcock)*

Recommended Action

Resolution: Establishing the Development Collaborative Advisory Committee (DCAC) as a permanent committee and adopting the accompanying bylaws

- B. Request to accept the Development Collaborative Advisory Committee Annual Report for 2011. *(Pitcock)*

Recommended Action

Motion: Accepting the Development Collaborative Advisory Committee Annual Report for 2011

6. COMMISSION FORUM:

- A. Development Collaborative Advisory Committee Comments
B. City Council Comments

7. ADJOURNMENT:

- A. Development Collaborative Advisory Committee
B. City Council

The foregoing meeting is hereby called by Mayor John S. Lazar at the above mentioned date and time pursuant to California Government Code §54956.



JOHN S. LAZAR, Mayor



Council Synopsis

March 13, 2012

6A

From: Development Collaborative Advisory Committee
Michael G. Pitcock, P.E.
Director of Development Services/ City Engineer

Prepared by: Michael G. Pitcock, P.E.
Director of Development Services/ City Engineer

Agendized by: Roy W. Wasden, City Manager

1. ACTION RECOMMENDED:

Resolution: Establishing the Development Collaborative Advisory Committee (DCAC) as a permanent committee and adopting the accompanying bylaws

2. DISCUSSION OF ISSUE:

In July 2007, DSD staff came to the City Council with a proposal for the formation of a Development Collaborative Advisory Committee in response to Council's Strategic Plan direction. The Council agreed to the concept and mission of such a group and directed staff to move forward in taking applications from different aspects of the development community to serve on this Committee. In December 2007, the Mayor appointed and the Council confirmed several individuals to serve on the Committee. The original life of the committee was for 2 years and has been extended multiple times. With the approval of the attached Resolution and accompanying bylaws, the committee will continue without an end date until such time the Mayor and Council determine that the committee is no longer needed.

The main points within the bylaws are:

- The DCAC will provide advice and recommendations to City Staff and the City Council for improving the business climate for the Turlock Community;
- The DCAC will primarily focus on advice and recommendations which improve customer service, improve policies/processes which will attract and retain businesses and promote economic development for the Turlock area;
- The DCAC will also perform other tasks deemed necessary by the City Council to promote business and economic development for the Turlock area;
- The Mayor with confirmation of the Council shall appoint nine (9) members to the DCAC;

- The Mayor with confirmation of the Council will appoint a Chairperson and Vice-Chairperson to serve in that capacity for 1 year;
- The term of office will be 3 years with 1/3 of the members to be selected annually;
- No person shall sit on this committee for more than 2 consecutive terms;
- Regularly scheduled meetings will be held 4 times per year;
- The Chairperson or staff may call a Special Meeting if a time sensitive item requires DCAC attention prior to the next regularly scheduled meeting.

3. BASIS FOR RECOMMENDATION:

- A) While there is a workload impact to City staff to support the DCAC's efforts, staff believes that the investment has been very worthwhile in assisting Development Services to provide higher levels of customer service and streamline the DSD processes.

Strategic Plan Initiative D. EFFECTIVE LEADERSHIP

Goal(s): b Internal Department Service Improvements

4. FISCAL IMPACT / BUDGET AMENDMENT:

Fiscal Impact: This places no burden on the current adopted budget.

Note: No General Fund money will be used for this project

5. CITY MANAGER'S COMMENTS:

Recommend approval

6. ENVIRONMENTAL DETERMINATION:

Not Required

7. ALTERNATIVES:

1. Not approve the bylaws and disband the DCAC. This is not recommended as the DCAC has proven to be a good body to discuss development related issues and ideas.
2. Modify the bylaws.

BEFORE THE CITY COUNCIL OF THE CITY OF TURLOCK

IN THE MATTER OF ESTABLISHING THE }
DEVELOPMENT COLLABORATIVE }
ADVISORY COMMITTEE (DCAC) AS A }
PERMANENT COMMITTEE AND }
ADOPTING THE ACCOMPANYING BYLAWS }
_____ }

RESOLUTION NO. 2012-

WHEREAS, the City Council of the City of Turlock hereby finds and declares that it is deemed desirable and proper to establish the Development Collaborative Advisory Committee (DCAC) as a permanent committee.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Turlock does hereby establish the Development Collaborative Advisory Committee (DCAC) as a permanent committee and adopt the accompanying bylaws attached as Exhibit A.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Turlock this 13th day of March, 2012, by the following vote:

AYES:
NOES:
NOT PARTICIPATING:
ABSENT:

ATTEST:

Kellie E. Weaver, City Clerk
City of Turlock, County of Stanislaus,
State of California

"EXHIBIT A"

DEVELOPMENT COLLABORATIVE ADVISORY COMMITTEE

BYLAWS

ARTICLE 1

Name

This committee shall be known as the Development Collaborative Advisory Committee (DCAC).

ARTICLE 2

Purpose

The DCAC will provide advice and recommendations to City Staff and the City Council for improving the business climate for the Turlock Community. The DCAC will primarily focus on advice and recommendations which improve customer service, improve policies/processes which will attract and retain businesses and promote economic development for the Turlock area. The DCAC will also perform other tasks deemed necessary by the City Council to promote business and economic development for the Turlock area.

ARTICLE 3

**Role and Responsibility of the
Development Collaborative Advisory Committee**

The DCAC will support and assist the City of Turlock Development Services Department (Department) in creating a formalized avenue for feedback regarding changes and enhancements to customer service processes and for attracting and retaining business, commerce, and economic development for the Turlock area. The DCAC will also perform other tasks deemed necessary by the City Council to promote business and economic development for the Turlock area.

The Department shall assign a staff person to assist the DCAC Chairperson in development of the meeting agenda. This staff person will also be the contact person for any questions DCAC members may have about policies and procedures. The Department will make sure that appropriate staff attends DCAC meetings, according to the agenda, in order to provide DCAC members with information and to receive advice from the DCAC. The Department will work with the DCAC to identify any Department sponsored workgroups or committees which would benefit from the participation of DCAC members.

Participation on Department sponsored workgroups and committees will be funded and coordinated by the Department.

**ARTICLE 4
Membership**

The DCAC shall be composed of nine (9) committee members. Membership on the DCAC is open to any person with a development related background who does business in or with the City of Turlock. A person may apply for a vacancy on the DCAC by obtaining an application for "Citizens Desiring to Serve Their City" from the City Clerk's office. Completed applications shall be submitted to the City Clerk and transmitted to the DCAC for their recommendation. Nomination and selection of new members shall occur no later than the last meeting date of the year. Appointments to the DCAC shall be made by the Mayor with the approval of the City Council.

**ARTICLE 5
Term of Office**

The term of each member shall be three (3) years. Terms beginning in 2012 will be staggered. Following completion of one term of membership, a member may be considered for a second term. In no event shall any member serve more than a total of two (2) consecutive terms of service. One-third (1/3) of members will be selected each year. A partial term shall be considered as a term of membership if there is a minimum of 18 months remaining on the term.

**ARTICLE 6
Officers and Elections**

The officers of the DCAC shall be a Chairperson and Vice-Chairperson.

The officers shall be appointed by the mayor with approval of the City Council for a term of one (1) year.

Duties of the Chairperson

1. Call and preside over all regular and special meetings;
2. Represent the DCAC at community and other functions designated by committee;
3. Consult with appropriate City of Turlock staff and prepare the agenda for all meetings;

4. Appoint sub-committees, including the chairperson of the sub-committee, and specify the activities, responsibilities and functions that the sub-committee is to carry out; and
5. Perform such other duties as decided by the committee and the City Council.

Duties of the Vice-Chairperson:

1. Assume the duties and exercise the powers of the Chairperson during his or her absence;
2. Perform such other duties as the Chairperson or the membership may designate.

**ARTICLE 7
Meetings**

Meetings of the DCAC shall be held four (4) times during each calendar year. A calendar of DCAC meeting dates for the coming year will be established by the DCAC in November of each year. All DCAC meetings will be held in Turlock. Meeting dates, times and locations shall be changed only upon approval by the committee. The Chairperson or Staff may call a Special Meeting if a time sensitive item requires DCAC attention prior to the next regularly scheduled meeting.

There will be two standing agenda items each meeting. The first agenda item will consist of issues upon which the Department seeks advice from the DCAC. The second agenda item will be issues upon which DCAC members wish to advise the Department. Each DCAC member will be responsible for informing the Chairperson and/or staff of items they want on the agenda. The agenda and background materials will be mailed at least three (3) weeks prior to each meeting. Each DCAC member is responsible for adequately reviewing the agenda and background materials prior to the meeting.

**ARTICLE 8
Voting and Quorum**

Each member of the DCAC shall be entitled to vote. A member who is unable to attend a meeting for any reason shall advise the Chairperson or staff.

A majority (51%) of the total membership of the DCAC shall be necessary to constitute a quorum for the transaction of business.

**ARTICLE 9
Qualifications and Requirements of Membership**

All members of the DCAC must be members in good standing who have been selected in accordance with Article 4 and who have not missed more than two (2) consecutive meetings without just cause.

A member missing more than two (2) consecutive meetings without just cause as determined by the DCAC may be removed. A member unable to attend any scheduled meeting of the Committee shall give prior notification to Chairperson with the reason(s) for his or her absence.

**ARTICLE 10
Vacancies**

Vacancies in membership shall occur in the event of resignation, death, expiration of the term, or removal by the Mayor. Resignations shall include an effective date and should be submitted to the Chairperson in writing.

The Committee will make a recommendation regarding the selection of a new member to fill the vacancy, in accordance with Article 4. Any person selected to fill a vacancy shall serve out the remainder of the term of the membership vacated.



Council Synopsis

LB

March 13, 2012

From: Development Collaborative Advisory Committee
Michael G. Pitcock, P.E.
Director of Development Services/ City Engineer

Prepared by: Michael G. Pitcock, P.E.
Director of Development Services/ City Engineer

Agendized by: Roy W. Wasden, City Manager

1. ACTION RECOMMENDED:

Motion: Accepting the Development Collaborative Advisory Committee Annual Report for 2011

2. DISCUSSION OF ISSUE:

In July 2007, DSD staff came to the City Council with a proposal for the formation of a Development Collaborative Advisory Committee in response to Council's Strategic Plan direction. The Council agreed to the concept and mission of such a group and directed staff to move forward in taking applications from different aspects of the development community to serve on this Committee. In December 2007, the Mayor appointed and the Council confirmed several individuals to serve on the Committee.

Each year, the DCAC prepares an annual report detailing the work that was accomplished. The attached report was prepared and approved by the DCAC members for Council's review.

3. BASIS FOR RECOMMENDATION:

A) While there is a workload impact to City staff to support the DCAC's efforts, staff believes that the investment has been very worthwhile in assisting Development Services to provide higher levels of customer service and to streamline the DSD processes.

Strategic Plan Initiative D. EFFECTIVE LEADERSHIP

Goal(s): b Internal Department Service Improvements

4. FISCAL IMPACT / BUDGET AMENDMENT:

Fiscal Impact: This places no burden on the current adopted budget.

Note: No General Fund money will be used for this project

5. CITY MANAGER'S COMMENTS:

Recommend approval

6. ENVIRONMENTAL DETERMINATION:

Not Required

7. ALTERNATIVES:

1. Not accept the DCAC annual report. This alternative is not recommended as this document is for information only and details the work accomplished by the DCAC and staff.

2011 Annual Report

**City of Turlock
Development Collaborative Advisory Committee**

Table of Contents

2011 Development Collaborative Advisory Committee Members	3
City Staff Liaisons to the DCAC	4
2011 Items of Information / Review	5
2012 Challenges	9

2011 Development Collaborative Advisory Committee Members

Sharon Silva, Chair
Turlock Chamber of Commerce

Ron Eivaz, Vice Chair
Pastor, Harvest Christian Center Downtown Development

Roger Gregg, PE
Licensed Civil Engineer

Alan Marchant
Turlock Scavenger Development Cooperator

Robert Fernandes
Builder, Commercial and Industrial Developer

Jerry Powell
Commercial Development, Real Estate

Jim Shade
Architect

Jim Theis (Resigned)
Real Estate

James Brenda
Builder, Developer, Alternate Energy

Buster Lucas
Electrical Contracting, Industrial and Commercial Developer

Axel Gomez (Resigned)
Attorney

Shawn Fitzpatrick (Resigned)
Builder, Developer

City Staff Liaisons to the Development Collaborative Advisory Committee

Michael Pitcock, PE
Director of Development Services/ City Engineer

Debbie Whitmore
Deputy Director Development Services/ Planning

Eric Picciano
Principal Civil Engineer & Chief Building Official

Rich Fultz
Development Supervisor & City Surveyor

Roy Wasden
City Manager

Heidi McNally-Dial
Economic Development & RDA

Tim Lohman
Fire Chief

Mark Gomez
Fire Marshal

Yolanda A. Gardini
Senior Secretary

2011 ITEMS OF INFORMATION / REVIEW

1. *Parking Requirements*

The DCAC committee reviewed and discussed the City of Turlock Parking Requirements, Standards ST-19 thru ST-22. The Zoning Ordinance establishes parking ratios and development standards but provides the flexibility to staff to modify the standards based on empirical evidence such as ITE parking generation rates as well as development standards. Staff proposed to move the parking lot design standards to the City's Standard Specifications and Drawings to allow the standards to be modified as necessary based on sound engineering principles. Staff also agreed to enlarge compact spaces slightly (by roughly ½ foot) to reflect the vehicle mix in Turlock. The Zoning Ordinance and Turlock Standards Specifications/Drawings updates are still under development but would include these modifications. The DCAC moved to accept the recommendations in the draft parking requirements report.

2. *Filling Vacant Positions of the DCAC*

The DCAC discussed the procedure for posting the vacant position and the deadline for submitting applications to the City Clerk for the appointment by the Mayor

- a. City posting Requirements
City Hall & Public Library
- b. Additional advertising?
No funding available.
- c. Closure Date
No Closure Date has been set for applications.
- d. Mayors Appointment date
No tentative date has been set.

3. *Discussed City of Modesto's Capital Facility Fee reduction strategy*

The DCAC was presented a hand out and report prepared by Mike Pitcock on "Modesto's Nexus for CF Reduction Strategy". The premise of Modesto's plan is to reduce capital facility projects to those that they thought could be realistically funded and built in 20 years and spread the costs over the entire General Plan area. "This reduces the CFF costs today at the expense of those who develop tomorrow" - no action taken

4. *Discussed the Turlock Fire Departments requirements for approved asphalt or concrete fire access road which are required to be installed and accepted before vertical construction may begin.*

The DCAC has had a continuing discussion with the Fire Department and staff on this item. Currently projects are reviewed on an individual basis and this requirement is based on site specific requirements.

5. *Discussed Public Education Outreach Programs.*

The DCAC discussed alternative approaches for engaging the community in public education programs. The recommendation was to work with local construction related businesses and professional organizations to provide educational opportunities at the “point of sale”. The traditional problem with formal workshops is that most people don’t have the time to attend workshops at City Hall or do not have an interest in attending a workshop until they have a project to work on. The Director agreed to contact local businesses and professional organizations to assess their interest in participating in these educational programs. The members thought it would be better to integrate City requirements into a more comprehensive “how to” class on common types of projects, rather than set up a separate course focusing only on City requirements.

6. *Discussion about Scheduling a workshop on Entitlements*

- a. Discussed various types of training methods. On-line, webinars, outside evening meetings.
- b. What time? What approach to take? Target which group? How do we get the word out?
- c. Meetings would target the first timer, beginner considering opening a business or expanding an existing one.
- d. Some ways to move meetings along: handouts, short webinars.

The consensus was to try to hold a night meeting on a Thursday around 6:00pm. Use free or low cost advertising using the utility billing, Chamber of Commerce, Rotary, post on the city’s website. Post on the City’s public bulletin boards. Possibly submit a small article to the Turlock Journal.

7. Reviewed the Building Divisions appeal process.

- a. *Eric Picciano presented how the appeal process is currently working, how much it is used, and what issues were brought for appeal.*
- b. *The Municipal Code Chapter 8 is currently being reviewed.*
- c. *Eric Picciano will return to DCAC with an update.*
- d. *Comments on Article 3 Board of Building Appeals and Article 4 Disabled Access Appeals Board is new. Eric Picciano will be seeking comments on the code from DCAC members before City Council action.*

8. Discussion on updates to the Water Code section, Chapter 6-5 of the TMC.

- a. Water Meters are now mandatory and all customers are billed based on actual water use.
- b. Sprinkler systems are required for all residences.
- c. Changes in State law have taken effect on how fees are collected.

Michael Cooke reviewed each of these provisions as it has been a very long time since a Code update has been done. These were not major changes, just minor “housekeeping changes. DCAC consensus agreed with his changes.

9. Review fees for a project at 3350 Liberty Square Parkway versus a similar project in Modesto

The Committee was presented with a presentation from Mr. Hemanta Agarwala, owner of Alpha Poultry. His dispute was that it would have been less to get a building permit in Modesto than Turlock. Mike Pitcock provided a written report that compared the actual permit fees between the cities. The DCAC was advised that no action could be taken by the Committee at that meeting. Staff advised as to differences, impacts, and benefits of the WISP area.

10. DCAC Informational update for Plan Review, Expedited Plan Review Process, and Customer Service Process at the Counter.

- a. *Eric Picciano provided time lines for various types of permits and staff process methods for certain types of jobs and permits.*
- b. *The "Triage" process was explained in which plans can be initially reviewed for completeness by each division and make a preliminary pre-check to facilitate the plan-check process. Not a final review.*
- c. *Discussions on what determines a plan check to be sent out to an outside consultant for review.*
- d. *Red line checking method was discussed versus a list of corrections. The red line method can be requested and is available.*
- e. *New policy created by the City Manager is an "end of permit" phone survey. Survey is to be completed after each predevelopment meeting and completed permit.*

2012 Challenges

1. Need to redefine DCAC Purpose

- To make recommendations to City Staff and City Council for improving the business climate for the Turlock Community; through improved customer service, through improved policy changes, etc. for attracting and retaining business and commerce for the Turlock area, and other tasks deemed necessary by the City Council to promote the business climate and economic development for the Turlock area.

2. Define number of board members and terms.

- Establish By-Laws to define the number of members and terms.

2. Provide draft concept By-Laws to city attorney for review.

- By-Laws reviewed by the City Attorney on 2/14/12.

4. Items to work-on

- Promote regulatory relief and reduced bureaucracy.
- Recommend that the city serve as an advocate for the individual business person, rather than as an advocate for a regulatory agency, while at the same time, ensuring state standards are met.
- Promote Economic Freedom
- Promote as a city where businesses enjoy freedom from unnecessary delays, freedom from capricious code enforcements, freedom from burdensome taxes and fees, and freedom from adversarial city staff.
- Reduce the need for CUP's by using standard code provisions to address the concerns where possible rather than requiring a CUP.
- Improve Permit timing.
- Improve plan check and process efficiencies and timing.
- Refund fees for missed deadline.
- Increase efficiencies for Inspections.
- Improve Online service or permitting
- Review taxes and fees-do a comprehensive review of all business taxes and fees. Examine impact fees, permit fees, licenses, home occupancy businesses, and other fees.
- Assess/review Turlock Regional Park fees or look for methods to fund portions of them with other sources or from area taxes in order to attract business to this location.
- Review consistency in building department's boundary survey requirement.
- Provide job specific conditions for parcel maps and subdivisions rather than generic "catchalls"

- Give planning staff more discretionary power in deviations from lot width, depth, etc. requirements.
- Require contractors to have a set of standards in lieu of requiring applicable standards to be on the plans.
- Approval of engineer's plans should not be based on getting a landscape plan, prepared by others, approved first.

5. Consider and review a Revenue/Cost Reallocation Initiative (general concept overview)

- Consider a city wide area fee for the benefit of the entire community and elimination of the existing special benefit assessment districts (current landscape, lighting, drainage, and street maintenance assessments or other benefit assessment districts).
- This new fee could include the same basic services of these benefit assessment districts plus critical economic development enhancements that would benefit the entire community as a whole securing our economic base.
- This fee could include street maintenance, landscape & storm drainage maintenance, street lighting maintenance, annexation of county islands within the city limits, annexed and blighted area street & infrastructure improvements, critical city wide beautification projects.
- Additionally, this program should provide off-sets for critical larger city wide infrastructure improvement projects and offsets to critical Turlock Regional Park (TRP) developer fees or Infrastructure upgrade projects to lure job producing projects to the TRP.
- Off-sets to some fundamental Turlock Regional Park developer fee costs to attract or lure long term business and industry to the community will enhance economic development and bring long term employment enhancements to our region.
- This necessary revenue could be raised by a city wide sales tax which is a broad based fee versus punishing property owners via a property tax.
- We need to re-think how the "pay your way" development fee philosophy negatively affects the economy for job growth and economic development. This old way of thinking raises project costs so much that it can prevent projects from happening thereby promoting a stagnate economy.
- If we can look at the bigger picture of this as improving the community and local economic development, the investment will compound into economic growth and jobs for decades going forward in our community.
- This may not be easy, but generally we need to be more creative, control our own destiny and reduce our State and Federal dependence and being a leader community for the central valley of California.