

City Council Special Meeting Agenda



MARCH 1, 2016

6:00 p.m.

**City of Turlock Yosemite Room
156 S. Broadway, Turlock, California**

Mayor
Gary Soiseth

City Manager
Roy W. Wasden
City Clerk
Kellie E. Weaver
City Attorney
Phaedra A. Norton

Council Members
William DeHart, Jr. **Steven Nascimento**
Matthew Jacob **Amy Bublak**
 Vice Mayor

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 THE FLAG**

2. **PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS**
 - A. Proclamation: Turlock Quilt Guild, Threads of Beauty Quilt Show, Mayors Award Recipient, Wallace Albert Sanford
 - B. Presentation: Rosa Park, Executive Director, StanCOG, Transportation Expenditure Plan
 - C. Presentation: Turlock Gospel Mission by Chris Kiriakou

3. **A. SPECIAL BRIEFINGS**
 1. **CALIFORNIA STATE UNIVERSITY STANISLAUS**
Maggie White, Student Government Relations Coordinator

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2. **STANISLAUS COUNTY OFFICE OF EDUCATION**
Scott Kuykendall, Assistant Superintendent

B. STAFF UPDATES

1. Diversion Program (*Norton*)
2. Policy Goals and Implementation Plan (*Executive Staff*)
3. Capital Projects and Building Activity (*Pitcock*)

C. PUBLIC PARTICIPATION - LIMITED TO ITEMS DESCRIBED IN THE NOTICE FOR THIS MEETING

This is the time set aside for citizens to address the City Council concerning any item that has been described in the notice for the meeting, including Consent Calendar items, before or during consideration of that item. You will be allowed five (5) 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.

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: Weekly Demands of 1/21/16 in the amount of \$512,364.43; Weekly Demands of 1/28/16 in the amount of \$267,957.78; Accepting Monthly Demands of 11/30/15 in the amount of \$1,060,254.25
- B. Motion: Accepting Minutes of Special Meeting of February 9, 2016; Regular Meeting of February 9, 2016; Special Meeting of February 16, 2016
- C. Motion: Accepting notification of Contract Change Order No. 1 in the amount of \$1,770 (Fund 228) for City Project No. 15-28, "Brandon Koch Memorial Skatepark," bringing the contract total to \$260,770
- D.
 1. Motion: Making the determination that City Project No. 15-82, "Turlock Regional Sports Complex Fence Replacement" is exempt from the provisions of CEQA in accordance with Section 15303
 2. Motion: Awarding bid and approving an agreement in the amount of \$8,834.38 (Fund 205) with Titan Fence, Modesto, California, for City Project No. 15-82, "Turlock Regional Sports Complex Fence Replacement"
 3. Resolution: Appropriating \$15,000 to account number 205-60-602.51270 "Construction Project" to be funded from an anticipated insurance reimbursement to be accounted for in account number 205-60-602.37220 "Insurance Refund/Recovery"
- E. Resolution: Re-appropriating \$142,350 to account number 240-00-000-203.51005_001 "Communications Equipment Funded by PEG Fees" for City Project No. 14-26B, "Council Chambers Improvements," to complete the necessary funding required for this project

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- F. Motion: Approving a facility lease agreement with California State University Stanislaus in an amount not to exceed \$200 for a community meeting in support of the Active Transportation Program grant development process and authorizing the Mayor or City Manager to execute the agreement on behalf of the City of Turlock
- G. 1. Motion: Approving a professional services agreement with NBS, of Temecula, California, for professional consulting services to conduct a Fee Study for staff cost recovery in an amount not to exceed \$14,925
2. Resolution: Appropriating \$4,000 to account number 502-40-410.43754 "Engineering Fee Study" to be funded via transfer from Fund 216 "Local Transportation Fund (LTF) for Streets and Roads" unappropriated reserves to complete the necessary funding required for this study
- H. Motion: Approving an agreement for settlement of water rights protests between the City of Turlock, Del Puerto Water District and Banta Carbona Irrigation District
- I. Resolution: Approving an amendment to the Turlock Groundwater Basin Association Memorandum of Understanding (MOU) to allow the City of Waterford to join as a new party and revising the method of adding new parties in the future
- J. Resolution: Appropriating \$4,408 to 410-51-534.51184 "Municipal Services Office Remodel," \$2,204 to 420-52-551.48001_245 "Transfers Out-Municipal Services Office Remodel," and \$2,204 to 410-51-534.38001_245 "Transfers In-Municipal Services Office Remodel," from Fund 410 "Water Quality Control-Capital Repair/Replacement" and Fund 420 "Water Enterprise-Capital Repair/Replacement" reserve balances for the purchase and installation of data cables for the new office panel systems for Municipal Services approved on November 10, 2015
- K. Motion: Approving Amendment No. 1 to Contract No. 13-013 with Trees, Inc., for additional tree trimming and maintenance services
- L. Resolution: Accepting Supplemental Law Enforcement Services Fund (SLESF) grant monies from the State of California Citizen's Option for Public Safety (COPS) program projected to be a minimum of \$100,000 in Fiscal Year 2015-16; and Appropriating unexpended 2014-15 revenues in the amount of \$106,283 to also be used on matching funds for 2015 COPS grant
- M. Resolution: Appropriating \$15,096 to account numbers 110-20-210.48001_148 "Transfers out to Fund 266 Police Grants" and 266-20-255-353.38001_148 "Transfers in from Fund 110 Police/Patrol" to provide funding for 911 For Kids expenditures that were not reimbursable from CA State 911 Grant funds
- N. Motion: Authorizing the approval and execution of a Memorandum of Understanding among the City of Turlock, the Ceres Police Department, the Modesto Police Department, the Stanislaus County Sheriff's Department, the Oakdale Police Department, the Newman Police Department, the California State University Stanislaus Police Department, and the Stanislaus County Probation Department to work cooperatively to reduce alcohol related traffic collisions in Stanislaus County through the "Avoid the 12" Project # AL1635 MOU with the California Office of Traffic Safety
- O. Resolution: Approving modifications to the job description for the position of Administrative Assistant, Public Safety, effective March 1, 2016
- P. Resolution: Designating the Administrative Fee for Strike Team of Office of Emergency Services (OES) deployments paid by the State of California to be placed in revenue account number 240-00-000-312.34060_001 "FEMA/OES Reimb - Admin Fee" and appropriating \$2,734 to account number 240-00-000-312.44001_156 "Supplies-Strike Team" for the purchase of upgraded or replacement equipment used for Strike Team or OES deployments funded by the Admin Fee received in Fiscal Year 2015-16

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- Q. Motion: Authorizing the Mayor, City Manager or designee to execute an annual maintenance agreement with Konica Minolta Business Solutions, USA, for twelve (12) months on four (4) document scanners, in an amount not to exceed \$4,584
- R. Resolution: Appropriating \$5,383 to 308-40-457.38001_198 "Transfer In to Close Storm Component," \$5,383 to 411-51-536.48001_198 "Transfer Out to Close Storm Component," \$2,304 to 308-40-459.38001_199 "Transfer In to Close Recycled Water Component" and \$2,304 to 308-40-458.48001_199 "Transfer Out to Close Recycled Water Component" from Fund 308 "Turlock Regional Industrial Park" and Fund 411 "Storm Drainage Construction" reserve balances to consolidate components after the adoption of fee changes to the Westside Industrial Specific Plan
- S. 1. Resolution: Authorizing the overhire of two (2) Building Inspector positions in the Building Division due to the anticipated retirement of the incumbents on August 1, 2016 and October 1, 2016, respectively
2. Resolution: Appropriating \$56,800 to 110-30-300.41100_010 "Fire-Overtime Training," \$2,510 to 110-30-300.42007 "Workers Comp Insurance," \$1,726 to 110-30-300.42008 "City Liability Insurance," \$824 to 110-30-300.42010 "Medicare," \$20,000 to 110-30-300.46025 "Outside Contract Labor," \$5,000 to 110-30-300.46032 "Vehicle & Small Equipment Maintenance Parts," and \$9,500 to 110-30-300.47095 "Training General," from Fund 110 "General Fund" reserve balance to provide essential Fire services without interruption
- T. Motion: Rejecting Claim Filed for Damages by Sally Johnson

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS:** None

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.

8. **SCHEDULED MATTERS**

- A. Request to determine that the proposed action is not subject to the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) of the CEQA Guidelines and declare the intention to vacate that certain section of Cooper Avenue right-of-way between Rose Street and Oak Street (Abandonment 15-01).
(Pitcock)

Recommended Action:

Motion: Determining that the proposed action is not subject to the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) of the CEQA Guidelines having found that the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment

Resolution: Declaring the intention to vacate that certain section of Cooper Avenue right-of-way between Rose Street and Oak Street (Abandonment 15-01)

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- B. Request to adopt a multi-pronged, collision reduction strategy for public safety. (*Pitcock*)

Recommended Action:

Motion: Adopting a multi-pronged, collision reduction strategy for public safety

- C. Request to accept a report on accessibility compliance for calendar year 2015 within the City of Turlock. (*Pitcock*)

Recommended Action:

Motion: Accepting a report on accessibility compliance for calendar year 2015 within the City of Turlock

- D. Request to approve the purchase and sale agreement by and between The City of Turlock and Turlock Columbian Properties, Incorporated, also known as the Knights of Columbus, for the real property located at 1030 East Avenue, Turlock, California, more particularly described as Stanislaus County Assessor's Parcel No. 042-037-010; Authorize the Mayor or Interim City Manager to execute all necessary documents in connection with the sale; and Authorize the sale proceeds from the disposition of 1030 East Avenue to be deposited into the General Fund. (*Pitt*)

Recommended Action:

Resolution: Approving the purchase and sale agreement by and between The City of Turlock and Turlock Columbian Properties, Incorporated, also known as the Knights of Columbus, for the real property located at 1030 East Avenue, Turlock, California, more particularly described as Stanislaus County Assessor's Parcel No. 042-037-010 and authorizing the Mayor or Interim City Manager to execute all necessary documents in connection with the sale

Resolution: Authorizing the sale proceeds from the disposition of 1030 East Avenue to be deposited into fund 110 "General Fund"

- E. Request to affirm the City Manager's action of having signed and submitted an application to serve as the Administrative Entity and Statement of Certifications for the State of California Emergency Solutions Grant (ESG) Program. (*Pitt*)

Recommended Action:

Motion: Affirming the City Manager's action of having signed and submitted an application to serve as the Administrative Entity and Statement of Certifications for the State of California Emergency Solutions Grant (ESG) Program

- F. Request to approve a loan agreement, deed of trust with assignments of rents, security agreement and fixture filing, and a promissory note between the City of Turlock and Turlock Gospel Mission in the amount of \$120,000, plus escrow costs in an amount not to exceed \$3,000, for the purchase of 432 South Broadway, Turlock, California, to provide a permanent home for the Homeless Assistance Ministry (HAM Center), and authorizing the Mayor or Interim City Manager to execute all necessary documents. (*Pitt*)

Recommended Action:

Motion: Approving a loan agreement, deed of trust with assignments of rents, security agreement and fixture filing, and a promissory note between the City of Turlock and Turlock Gospel Mission in the amount of \$120,000, plus escrow costs in an amount not to exceed \$3,000, for the purchase of 432 South Broadway, Turlock, California, more particularly described as Stanislaus County Assessor's Parcel No. 043-049-022, to provide a permanent home for the Homeless Assistance Ministry (HAM Center), and authorizing the Mayor or Interim City Manager to execute all necessary documents

- G. Request to approve the Reimbursement Agreement between the Turlock Chamber of Commerce and the City of Turlock regarding the Convention and Visitor's Bureau.
(Norton)

Recommended Action:

Motion: Approving the Reimbursement Agreement between the Turlock Chamber of Commerce and the City of Turlock regarding the Convention and Visitor's Bureau

9. MATTERS TOO LATE FOR AGENDA/NON-AGENDA ITEMS

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION

11. 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.

12. CLOSED SESSION

- A. Public Employee Appointment, 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

13. ADJOURNMENT

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



GARY SOISETH, Mayor