

City Council Agenda



JULY 11, 2017

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



Mayor
Gary Soiseth

Council Members
Matthew Jacob
William DeHart, Jr.
Vice Mayor
Amy Bublak
Gil Esquer

City Manager
Gary R. Hampton
City Clerk
Jennifer Land
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. Appointments: Measure L Citizens Oversight Subcommittee – Two Councilmembers

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

B. STAFF UPDATES

1. Policy Goals and Implementation Plan (*Executive Staff*)

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2. Capital Projects, Building Activity, and Transit (*Whitmore*)
 3. Council Initiated Annual Roadway Improvement Project for FY 2017-18 (*Hampton*)

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 that is within the subject matter jurisdiction of the City Council and to address the Council on any item on tonight's agenda, including Consent Calendar items. 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.

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 TOP TEN/MAXIMUM CONTRIBUTORS

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 06/01/17 in the amount of \$1,095,864.37; Demands of 06/08/17 in the amount of \$656,424.95; Demands of 01/31/17 in the amount of \$1,231,366.45
- B. Motion: Accepting Minutes of Regular Meeting of June 13, 2017
- C.
 1. Resolution: Determining City Project No. 15-76 "Transit Shelter Upgrades," the replacement and relocation of bus stop equipment, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Existing Facilities) and/or Section 15311 (Accessory Structures) of the CEQA Guidelines
 2. Resolution: Approving the purchase and delivery of twenty (20) bus shelters with advertising panels and twenty (20) transit stop solar-powered lights (PV stops) from Tolar Manufacturing Company, Inc., of Corona, California, through the California Association for Coordinated Transportation (CalACT) and the Morongo Basin Transit Authority (MBTA) Purchasing Cooperative, to which the City of Turlock is a cooperative member, in an amount not to exceed \$215,062 (Fund 426), as part of City Project No. 15-76 "Transit Shelter Upgrades," without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(5)
 3. Resolution: Approving the sole source, non-federally funded, future purchase of bus shelters, PV stops, and related equipment from Tolar Manufacturing Company, Inc., of Corona, California, through the California Association for Coordinated Transportation (CalACT) and the Morongo Basin Transit Authority (MBTA) Purchasing Cooperative, to which the City of Turlock is a cooperative member, contingent on the availability of budgeted funds, without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(6)
- D. Motion: Approving the Final Map and Subdivision Improvement Agreement with First Free Methodist Church of Turlock conditioned upon construction of improvements for The Classics subdivision (Development Project No. 16-78), developed by Fitzpatrick Homes

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- E. *Motion*: Approving a Retainer Agreement with Nelson\Nygaard Consulting Associates, Inc., of San Francisco, California for transit support services, under City Project No. 17-48 "Transit Support Services," in a total amount not to exceed \$50,000 for three (3) years
 - F. *Motion*: Approving a Parking Agreement between the City of Turlock and the Harvest Christian Center for City employees to park on private property owned by Harvest Christian Center
 - G. *Motion*: Reaffirming the declaration of emergency made by the City Manager and declaring there is a need to continue with the replacement of safety netting at Pedretti Park
 - H. *Motion*: Approving a Special Event Permit Application for the Turlock Stands Behind the Line dedication utilizing the public right-of-way (roadway lane & sidewalks), hosted by the City of Turlock, on Friday, July 28, 2017 from 8:00 a.m. to 11:00 a.m., and authorizing the City Manager to apply appropriate conditions and restrictions to the event
 - I. *Motion*: Approving a Special Event Permit Application for the Freedom 5K Walk/Run utilizing the public right-of-way (sidewalks), hosted by Turlock Free Methodist Church, on Saturday, October 7, 2017 from 9:30 a.m. to 12:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions to the event
 - J.
 1. *Resolution*: Approving modifications to the job description for the position of Utilities Manager, effective July 11, 2017
 2. *Resolution*: Approving a new job description for the position of Electrical/Mechanical Maintenance Supervisor, Assistant, effective July 11, 2017
 - K. *Motion*: Approving an Agreement with SEITY, LLC (herein referred to as SEITY) to provide a Wellness Program for regular City of Turlock employees and their spouses/domestic partners, for the period covering July 1, 2017 to July 1, 2018, in an amount not to exceed \$76,896
 - L. *Motion*: Designating Councilmember DeHart as the voting delegate and Councilmember Jacob as the alternate voting delegate at the League of California Cities' Annual Business meeting on Friday, September 15, 2017, in Sacramento, California

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS:** None

8. **SCHEDULED MATTERS**

- A. Request to determine the closure of Sandstone Street, between Mountain View Road and Tegner Road and Tegner Road, between Sandstone Street and Golden Oak Court, for the Pitman Preview of Champions Band Review hosted by Pitman High School Band Boosters, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND approve a Special Event Permit Application for the Pitman Preview of Champions Band Review hosted by Pitman High School Band Boosters, authorize the associated closure of Sandstone Street, between Mountain View Road and Tegner Road and Tegner Road, between Sandstone Street and Golden Oak Court for pedestrian safety, on Saturday, September 30, 2017 from 9:00 a.m. to 1:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure. (*Traini*)

Action Recommended:

Resolution: Determining the closure of Sandstone Street, between Mountain View Road and Tegner Road and Tegner Road, between Sandstone Street and Golden Oak Court, for the Pitman Preview of Champions Band Review hosted by Pitman High School Band Boosters, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines

Resolution: Approving a Special Event Permit Application for the Pitman Preview of Champions Band Review hosted by Pitman High School Band Boosters, authorizing the associated closure of Sandstone Street, between Mountain View Road and Tegner Road and Tegner Road, between Sandstone Street and Golden Oak Court for pedestrian safety, on Saturday, September 30, 2017 from 9:00 a.m. to 1:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure

- B. Request to approve the purchase and delivery of four (4) Champion Low-Floor (LF) Transport buses for use by Turlock Transit from Creative Bus Sales, Inc., of Chino, California, in an amount not to exceed \$501,248 (Fund 426), without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(6), for City Project No. 17-35 "Purchase of Midsize Fixed Route Buses". (York)

Action Recommended:

Resolution: Approving the purchase and delivery of four (4) Champion Low-Floor (LF) Transport buses for use by Turlock Transit from Creative Bus Sales, Inc., of Chino, California, in an amount not to exceed \$501,248 (Fund 426), without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(6), for City Project No. 17-35 "Purchase of Midsize Fixed Route Buses"

- C. Request to authorize the formation of an Economic Development Work Group for the purpose of prioritizing, coordinating and implementing strategies as outlined in the 2017 updated Economic Development Strategic Plan and appoint the members recommended. (Pitt)

Action Recommended:

Motion: Authorizing the formation of an Economic Development Work Group for the purpose of prioritizing, coordinating and implementing strategies as outlined in the 2017 updated Economic Development Strategic Plan and appointing the members recommended

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

The Brown Act generally prohibits any action or discussion of items not on the posted agenda. However, there are three specific situations in which a legislative body can act on an item not on the agenda:

- 1) When a majority decides there is an "emergency situation" (as defined for emergency meetings).
- 2) When two-thirds of the members present (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action "came to the attention of the local agency subsequent to the agenda being posted." This exception requires a degree of urgency. Further, an item cannot be considered under this provision if the legislative body or the staff knew about the need to take immediate action before the agenda was posted. A "new" need does not arise because staff forgot to put an item on the agenda or because an applicant missed a deadline.
- 3) When an item appeared on the agenda of, and was continued from, a meeting held not more than five days earlier.

A legitimate immediate need can be acted upon even though not on the posted agenda by following a two-step process. First, make two determinations: (a) that there is an immediate need to take action and (b) that the need arose after the posting of the agenda. The matter is then "placed on the agenda." Second, discuss and act on the added agenda item.

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Requests for Council items for future consideration will be scheduled in accordance with Resolution No. 2008-019 and will be brought back to the City Council no earlier than September 12, 2017, unless otherwise specified by the Mayor or a majority of the Council.

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. 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: Gary R. Hampton

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: Administrative Analyst, Administrative Services Director, Assistant to the City Manager for Economic Development/Community Housing, Chief Building Official, City Clerk, Community Housing Program Supervisor, Deputy Director Development Services/Planning, Development Services Director, Development Services Supervisor/City Surveyor, Executive Administrative Assistant/Deputy City Clerk, Executive Administrative Assistant/Public Safety, Fire Chief, Human Resources Analyst, Sr., Human Resources Manager, Human Resources Technician, Legal Assistant, Municipal Services Director, Office Assistant I, Parks, Recreation and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Payroll Coordinator, Police Chief, Principal Civil Engineer, Regulatory Affairs Manager, Traffic Transportation Engineering Supervisor, Utilities Manager, and Water Quality Control Division Manager.

B. 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: Interim City Manager [To serve as Interim City Manager upon the retirement of City Manager Gary R. Hampton, effective July 15, 2017]

C. 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 Gary Soiseth

Unrepresented Employees: Interim City Manager

13. ADJOURNMENT