

City Council Special Meeting Agenda



MARCH 10, 2018

11:00 a.m.

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



Mayor
Gary Soiseth

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

Interim City Manager
Robert A. Talloni
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.

The items set forth in this meeting agenda were heard at the February 27, 2018 City Council meeting. Upon conclusion of that meeting, it was discovered that an inadvertent clerical error had been made related to the teleconference location listed on the agenda. Out of an abundance of caution, to cure any potential issues arising from the clerical error, the following action items are presented to the Council for discussion, deliberation, and decision. Items that did not require action by the Council such as the Proclamation, Disclosure of Top Ten/Maximum Contributors, Staff Updates, Council Items for Future Consideration, and Council Comments have not been included in this agenda.

1. A. CALL TO ORDER
- B. SALUTE TO THE FLAG

2. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS

- A. Appointment: Ad Hoc Committee – Campaign Disclosure Requirements and Campaign Statement Filing

3. PUBLIC PARTICIPATION – LIMITED TO ITEMS DESCRIBED IN THE NOTICE FOR THIS MEETING

Pursuant to California Government Code Section 54954.3(a), this is the time set aside for citizens to address the City Council concerning any item that has been described in the notice for this 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. 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: Accepting Weekly Demands of 2/1/18 in the amount of \$799,514.28; Weekly Demands of 2/8/18 in the amount of \$664,797.96
- B. Motion: Accepting Minutes of the Regular Meeting of January 9, 2018; Minutes of the Special Meeting of January 23, 2018
- C. Motion: Approving Amendment No. 2 to an Agreement with CTC, Inc. of Fort Worth, Texas, for engineering consulting services for railroad preemption for City Project No. 14-28 “Intersection Improvements at Golden State Blvd. and Fulkerth Rd” and increasing the total compensation in the amount of \$1,000
- D. Resolution: Adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for City Project No. 16-60 “Linwood Avenue ATP Improvements” based upon the evidence and analysis contained in the Initial Study and finding revisions have been made to the Project to avoid or mitigate potential new or significant effects to a point where clearly no significant effects would occur pursuant to Public Resources Code Sections 21080(c)(2) and California Environmental Quality Act Section 15168(c)(1)
- E. Resolution: Amending the Fiscal Year 2017-18 Municipal Budget and appropriating \$11,400 to account number 217-50-511.44001_136 “Supplies Signs” from Fund 217 “Parks, Recreation, and Public Facilities Department Street Maintenance (Gas Tax)” unappropriated reserves for the purchase of signs, delineators, and other traffic control devices
- F. 1. Resolution: Determining the purchase and installation of electronic farebox equipment in support of transit service, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Existing Facilities) of the CEQA Guidelines

- 2. Resolution: Approving future sole source procurements from SPX Genfare of Elk Grove Village, Illinois, for farebox related equipment, materials, and supplies, without compliance to bidding requirements in accordance with Section 2-7-08(b)(2) of the Turlock Municipal Code, contingent on availability of budgeted funds
- G. Motion: Approving an Agreement with Condor Earth to update the California Accidental Release Prevention Risk Management Program (CalARP/RMP) for the City of Turlock Regional Water Quality Control Facility (TRWQCF), in an amount not to exceed \$24,900
- H. Motion: Approving Amendment No. 1 to a Professional Services Agreement between the City of Turlock and Wood Rodgers, Inc. for On-Call Hydrogeological Engineering Services to modify the scope of work to include additional services for well rehabilitation, test holes, and monitoring wells as needed
- I. Resolution: Appropriating \$50,000 to account number 217-50-511.47322 "Street Light & Traffic Signal Repairs & Maintenance" funded by a transfer from Fund 217 "Streets – Gas Tax" unallocated reserves for the purchase of traffic signal parts
- J. Resolution: Approving the purchase and delivery of six (6) replacement marked Police vehicles, one (1) replacement CSO vehicle, one (1) replacement VIPS vehicle, one (1) replacement Cadet vehicle, one (1) replacement Animal Control vehicle caged, two (2) replacement Admin vehicles, and one (1) replacement Detective vehicle from Downtown Ford Sales, Sacramento, California, through the State of California Contract No. 1-16-23-10A, 1-16-23-20A, and 1-16-23-23A in a total amount not to exceed \$564,280.00 and approving the purchase and delivery of one (1) replacement Detective vehicle from Elk Grove Auto Group in Elk Grove, California, through the State of California Contract No. 1-16-23-10B, in a total amount not to exceed \$38,760.00, from account number 506-00-000-213.51020 "Police Equipment Replacement" without compliance to the formal bid process in accordance with Turlock Municipal Code Section 2-7-08(b)(6) and declaring replaced vehicles surplus once replaced
- K. Motion: Approving a Memorandum of Understanding (MOU) between the City of Turlock and the Stanislaus County Behavioral Health and Recovery Services Agency (BHRS) for the creation of a Homeless Engagement Multi-Disciplinary Team (HEMDT)
- L. Motion: Approving a Memorandum of Understanding (MOU) and Vehicle Use Agreement between the City of Turlock and the Federal Bureau of Investigations Stockton/Modesto Safe Street Task Force to delineate responsibilities, formalize relationships, and maximize inter-agency cooperation
- M. Resolution: Approving modifications to the job description for the position of City Clerk, effective February 27, 2018
- N. Motion: Rejecting Claim for Damages filed by John Eisavi

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS:**

- A. Public Hearing Item 7A will be brought back to the Council at a future meeting date.

8. SCHEDULED MATTERS:

- A. Request to approve Contract Change Order No. 1 in the amount of \$9,775 for City Project No. 17-28 "Building Demolition at 323 Columbia Street," bringing the contract total to \$107,575. (*Picciano*)

Recommended Action:

Motion: Approving Contract Change Order No. 1 in the amount of \$9,775 for City Project No. 17-28 "Building Demolition at 323 Columbia Street," bringing the contract total to \$107,575

- B. Scheduled Matters Item 8B was removed from the February 27, 2018 agenda during the meeting. This item will be heard by the Council at a future meeting date.
- C. Request to determine the closure of Johnson Road, between the Julien Elementary School parking lot and Charles Place, for the Turlock American Little League to host the 2018 Little League Opening Ceremonies, 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 2018 Little League Opening Ceremonies hosted by the Turlock American Little League, authorize the associated closure of Johnson Road, between the Julien Elementary School parking lot and Charles Place for pedestrian safety, on Saturday, March 3, 2018 from 7:30 a.m. to 11:00 a.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure. (*Van Guilder*)

Recommended Action:

Resolution: Determining the closure of Johnson Road, between the Julien Elementary School parking lot and Charles Place, for the Turlock American Little League to host the 2018 Little League Opening Ceremonies, 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 2018 Little League Opening Ceremonies hosted by the Turlock American Little League, authorizing the associated closure of Johnson Road, between the Julien Elementary School parking lot and Charles Place for pedestrian safety, on Saturday, March 3, 2018 from 7:30 a.m. to 11:00 a.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure

- D. Request to determine the closure of North First Street [between West Main Street and "A" Street], West Main Street [between the Union Pacific Railroad Tracks and Market Street], and North Broadway [between West Main Street and North Front Street], for the Assyrian American Civic Club of Turlock to host the Assyrian New Year Parade, 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 Assyrian New Year Parade hosted by the Assyrian American Civic Club of Turlock, authorize the associated closure of North

First Street [between West Main Street and "A" Street], West Main Street [between the Union Pacific Railroad Tracks and Market Street], and North Broadway [between West Main Street and North Front Street] for pedestrian safety, on Saturday, March 24, 2018 from 8:00 a.m. to 12:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure. (*Van Guilder*)

Recommended Action:

Resolution: Determining the closure of North First Street [between West Main Street and "A" Street], West Main Street [between the Union Pacific Railroad Tracks and Market Street], and North Broadway [between West Main Street and North Front Street], for the Assyrian American Civic Club of Turlock to host the Assyrian New Year Parade, 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 Assyrian New Year Parade hosted by the Assyrian American Civic Club of Turlock, authorizing the associated closure of North First Street [between West Main Street and "A" Street], West Main Street [between the Union Pacific Railroad Tracks and Market Street], and North Broadway [between West Main Street and North Front Street] for pedestrian safety, on Saturday, March 24, 2018 from 8:00 a.m. to 12:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure

9. CLOSED SESSION:

The Closed Session Items heard on February 27, 2018 related to Conference with Labor Negotiators will be brought back to the Council at the March 13, 2018 City Council meeting.

- A. Public Employee Appointment, Cal. Gov't Code §§54957 and 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 of a public employee.
Title: Interim City Attorney
- B. Conference with Legal Counsel – Anticipated Litigation, Cal. Gov't Code §54956.9(d)(2)
"For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist... A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency."
Potential Cases: (1 case)

10. 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