

# City Council Agenda



**FEBRUARY 28, 2012**

**7:00 p.m.**

**City of Turlock Yosemite Room**

**156 S. Broadway, Turlock, California**



Mayor  
**John S. Lazar**

Council Members  
**William DeHart, Jr.**  
**Forrest White**  
**Amy Bublak**  
**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](http://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: Go Green Week, March 5 – 9, 2012
  - B. Proclamation: Lemonade Day, May 19, 2012
  - C. Appointment: Successor Agency Oversight Board General
  - D. Appointment: Successor Agency Oversight Board former RDA Employee

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. A. SPECIAL BRIEFINGS: None**

**B. STAFF UPDATES**

1. Avena Bella (*Pitt*)
2. Police Records Department Counter Hours (*Jackson*)

**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**

**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 1/26/12 in the amount of \$2,782,179.26; Demands of 2/2/12 in the amount of \$638,801.40
- B. Motion: Accepting Minutes of Special Meeting of January 12, 2012; Minutes of Regular Meeting of February 14, 2012
- C. Motion: Awarding bid and approving an agreement in the amount of \$192,666.35 (Fund 420) with Peterson Excavation of Tuolumne, California, for City Project 10-24, "Well No. 40 Sitework"
- D.
  1. Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$450 (Fund 216) for City Project No. 10-70, "906 & 930 North Olive Avenue Sidewalk Improvements," bringing the contract total to \$31,020
  2. Motion: Accepting improvements for City Project No. 10-70, "906 & 930 North Olive Avenue Sidewalk Improvements," and authorizing the City Engineer to file a Notice of Completion
- E. Motion: Reaffirming the emergency declaration of the City Manager that there is a need to pursue the replacement of hot water circulation piping at the Turlock Regional Water Quality Control Facility without compliance with the formal competitive bidding procedure for City Project No. 12-24, "TRWQCF Emergency Hot Water Circulation Piping Replacement"
- F.
  1. Motion: Approving Contract Change Order No. 5 (Final) in the amount of \$180,853 (Fund 305) for City Project No. 0704, "Carnegie Facility Reconstruction," bringing the contract total to \$5,337,315
  2. Motion: Accepting improvements for City Project No. 0704, "Carnegie Facility Reconstruction," and authorizing the City Engineer to file a Notice of Completion
  3. Motion: Approving Amendment No. 3 to the Agreement with WMB Architects (City Contract No. 08-511) increasing the total compensation under the contract by \$15,690 for additional design and project administration services

- G. Motion: Awarding bid and approving an agreement in the amount of \$482,602.60 (Fund 306) with Floyd Johnston Construction Co., Inc., of Clovis, California, for City Project No. 0939, "Storm Drain Pump Station at North Tegner Road and Sandstone Street"
- H. Resolution: Rescinding Resolution No. 68-42 and adopting a new policy authorizing the City Clerk to sign documents conveying interest in real estate to the City of Turlock for public use
- I. Resolution: Appropriating \$124,344 to account number 302-40-420.51200 "EECBG Grant Expenses" funded by an increase of revenue of \$124,344 in account number 302-40-420-34302 "EECBG Grant Revenue" for City Project No. 10-30, "Streetlight Induction Lamp Replacement/Retrofit Project"
- J. Resolution: Appropriating \$25,000 to account number 410-51-531.44001\_000 "Supplies General" from Fund 410 "Water Quality Control" reserve balance for the purchase of sewer distribution and service materials
- K. Resolution: Authorizing the filling of one (1) vacant Wastewater Plant Operator II position within the Municipal Services Division through an in-house recruitment of full-time, part-time and volunteer staff, and outside recruitment if needed
- L. Resolution: Authorizing the Purchasing Officer to dispose of surplus property by any means determined to be in the best interest of the City
- M. Motion: Approving the Lease Agreement for nine (9) new Kyocera multifunctional copiers for various City offices through the Association of Education of Purchasing Agencies (AEPA) Contract No. AEPA009.D from Kyocera Mita American, Inc., as the lesser and the maintenance through MoCal Office of Modesto, at a monthly cost of \$563 for a period of sixty-three (63) months for a total of \$35,469, without compliance to the formal bid process
- N. Motion: Approving the Memorandum of Understanding between the City of Turlock and the Turlock National Little League for the use of Pedretti Park for youth baseball programs within the community
- O. Motion: Approving the Memorandum of Understanding between the City of Turlock and Stanislaus Men's Senior Baseball League for the use of Pedretti Park for adult baseball programs with the community
- P. Motion: Approving the Memorandum of Understanding between the City of Turlock and the Turlock American Little League for the use of Pedretti Park for youth baseball programs with the community

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS:**

- A. Request to supersede Resolution No. 2009-023 and adopt the amended schedule of maximum fees and charges for tow cars and towing services for the Turlock Police Department tow rotation list, pursuant to Turlock Municipal Code section 4-15-206. (*Jackson*)

**Recommended Action:**

Resolution: Superseding Resolution No. 2009-023 and adopting the amended schedule of maximum fees and charges for tow cars and towing services for the Turlock Police Department tow rotation list, pursuant to Turlock Municipal Code section 4-15-206

**8. SCHEDULED MATTERS:**

- A. Request to authorize the creation and filling of one (1) new job classification of Executive Administrative Assistant within Municipal Services through an in-house recruitment of full-time, part-time and volunteer staff, and outside recruitment if needed. (*Madden*)

***Recommended Action:***

*Resolution:* Authorizing the creation and filling of one (1) new job classification of Executive Administrative Assistant within Municipal Services through an in-house recruitment of full-time, part-time and volunteer staff, and outside recruitment if needed

- B. Request to receive the 2011 League of California Cities Legislature Voting Records Summary regarding local control. (*Wasden*)

***Recommended Action:***

*Motion:* Receiving the 2011 League of California Cities Legislature Voting Records Summary regarding local control

- C. Request to accept the 2011-12 Legislative Platform for the City of Turlock. (*Pitt*)

***Recommended Action:***

*Motion:* Accepting the 2011-12 Legislative Platform for the City of Turlock

**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**

*Conference with Legal Counsel – Anticipated Litigation*, Cal. Gov't Code §54956.9(b)  
Potential Cases: (1case)

**12. ADJOURNMENT**