

City Council Agenda



MARCH 27, 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 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: "Love Turlock," April 28, 2012, accepted by Pastor David Larson, New Life Christian Center
- B. Proclamation: American Red Cross Month, March 2012, accepted by Rebecca Ciszek
- C. Appointment: CDBG Committee (Community Members)
- D. Appointment: CDBG Committee (Council Representative)
- E. Presentation: Choose Civility, Tom Changnon, Stanislaus County Superintendent of Schools

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: None

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. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE

B. 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 2/23/12 in the amount of \$1,401,266.49; Demands of 3/8/12 in the amount of \$782,092.63
- B. Motion: Accepting Minutes of Special Joint Meeting of Turlock City Council/Development Collaborative Advisory Committee of March 13, 2012; Accepting Minutes of Regular Meeting of March 13, 2012
- C. Motion: Approving the exchange agreement with Joseph and Antonia Borba, for City Project No. 11-41, "Sewer Lift Stations on West Main/Clinton and West Main/Tegner"
- D. Motion: Awarding bid and approving an agreement in the amount of \$11,280 (Fund 228) with Bigler Construction of Turlock, California, for City Project No. 11-56, "Dale Pinkney Park Arbor"
- E.
 - 1. Motion: Awarding bid and approving an agreement in the amount of \$10,755 (Fund 240) with JDS Tile and Construction of Denair, California, for City Project No. 12-23, "City Hall Carpets to Tile Conversion – 2nd Floor"
 - 2. Resolution: Appropriating \$15,594 to account number 240-00-000-201.44030_13 "BCH Repairs and Improvements" to be funded via a transfer from Fund 240 "Small Equipment Replacement Reserve" for City Project No. 12-23, "City Hall Carpet to Tile Conversion-2nd Floor," to complete the necessary funding required for the project
- F. 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 to the formal competitive bidding procedure
- G. Motion: Accepting notification of Contract Change Order No. 1 in the amount of \$10,404.48 (Fund 305) for City Project No. 0745, "Traffic Signal at W Main and S Kilroy," bringing the contract total to \$270,842.48
- H. Motion: Awarding bid and approving an agreement in the amount of \$27,310 (Funds 241, 410, 420) with Harris Builders, Inc., of Hilmar, California, for City Project No. 0767, "Municipal Services Building Balcony Deck Renovation"

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- I. Motion: Approving an agreement with Pacific Gas & Electric (PG&E) of Sacramento, California, in the amount of \$7,371.88 (Fund 305) to pay a special facilities payment associated with the gas service for City Project No. 0804B, "Turlock Public Safety Facility"
- J. 1. Resolution: Approving the submittal of an application for a Caltrans Planning Grant to prepare a Bicycle Master Plan for the City of Turlock and authorizing the City Manager or his designee to execute and submit all documents necessary to complete the grant-funded project
2. Resolution: Approving the submittal of an application for a Caltrans Planning Grant to prepare a plan line for the Eastside Expressway for the City of Turlock and authorizing the City Manager or his designee to execute and submit all documents necessary to complete the grant-funded project
- K. Motion: Approving an agreement with Erler and Kalinowski, Inc. (EKI) to complete Phase 2 of the Salinity Study for the Regional Water Quality Control Facility in the amount of \$26,800
- L. Resolution: Authorizing the sole source procurement of Wemco hydrogritter equipment for Municipal Services in the amount of \$60,858 and allowing the sole source procurement of future purchases of Wemco hydrogritter equipment without compliance to the formal bid procedure
- M. Resolution: Authorizing the sole source procurement of two (2) Flygt brand sewer collections pumps from Shape, Inc. of Stockton, California, in an amount not to exceed \$38,527 from Fund 410, without compliance to the formal bid procedure, pursuant to City Council Resolution 2005-174
- N. Resolution: Authorizing the sole source procurement of two (2) Venturi Model No. VA-1400 from Venturi Aeration, Inc. of Pelham, New Hampshire, in an amount not to exceed \$25,840, without compliance to the formal bid procedure
- O. Resolution: Accepting donations received from January through March FY 2011/12, to be deposited as per the attached worksheet (Exhibit A), for a variety of Parks, Recreation & Public Facilities Division programs, scholarships, and activities
- P. Resolution: Authorizing the submittal of a San Joaquin Valley Air Pollution Control District (SJVAPCD) grant application in the amount of \$96,353.58 for the acquisition of four (4) fully funded 2012 Trikke Pon-e electric scooters at \$4,075 per vehicle and four (4) Ford Fusion hybrid vehicles with partial grant funding of up to \$20,000 per vehicle, with a per vehicle cost of \$28,600
- Q. Resolution: Reaffirming the emergency declaration of the City Manager that there is a need for the replacement and purchase of one (1) 6809 controller and two (2) ACB boards to be utilized by Turlock Public Safety Communications, from Scott Communications as the nearest available source of supply, and appropriating \$9,500 from Fund 116 "Outside Agencies Use of 800 MHz/H.T.E. and Equipment" reserve balance to account number 116-20-230.51005_005 "Communications-800 MHz Equipment"
- R. Resolution: Authorizing the acquisition of unclaimed or surrendered property for City use and the donation of twelve (12) bicycles to the 38th District Agricultural Association (Stanislaus County Fair Board) for their use in varied community/fair programs
- S. Resolution: Approving the amended job classification on one (1) vacant Public Safety Records Supervisor and obtaining authorization to fill this vacancy through an in-house recruitment of full-time, part-time and volunteer staff, and outside recruitment if needed

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- T. Resolution: Approving the amended job classification of Police Support Operations Division Manager to Public Safety Support Operations Division Manager and obtaining authorization to fill this vacancy through an in-house recruitment of full-time, part-time and volunteer staff, and outside recruitment if needed
 - U. Resolution: Accepting the second quarter of FY 2011/12 monetary donations valued at \$295 from various donors in support of Animal Control Services and accepting the second quarter of FY 2011/12 donations of assorted animal related products valued at \$4,363.06 utilized in support of Animal Control Services
 - V. Resolution: Accepting a monetary donation of \$1,300 from the Modesto Area Chapter Model A Club in support of the Volunteers in Police Service Program
 - W. Motion: Rejecting Claim for Damages filed by Eddie Dixon

6. FINAL READINGS:

- A. Request to amend Turlock Municipal Code Title 2, Chapter 9, entitled "Public Works Contracts" in order to update Section 03. (*Pitcock*)

Recommended Action

Ordinance: Amending Turlock Municipal Code Title 2, Chapter 9, entitled "Public Works Contracts" in order to update Section 03 as introduced at the March 13, 2012 meeting

7. PUBLIC HEARINGS:

- A. Request to approve the 2011 General Plan Implementation Report. (*Whitmore*)

Recommended Action

Resolution: Approving the 2011 General Plan Implementation Report

8. SCHEDULED MATTERS:

- A. Request to authorize the City Manager or his designee to execute the attached Municipal Agency Affiliate Participation Form and participate in the Southwest Solar Transformation Initiative. (*Whitmore*)

Recommended Action:

Motion: Authorizing the City Manager or his designee to execute the attached Municipal Agency Affiliate Participation Form and participate in the Southwest Solar Transformation Initiative

- B. Request to award bid and approve an agreement with Sierra Mountain Construction, Inc., San Francisco, California, for City Project No. 6859, "Harding Drain Bypass Pump Station and Pipeline." (*Pitcock*)

Recommended Action:

Motion: Awarding bid and approving an agreement in the amount of \$13,194,725 (Fund 415) with Sierra Mountain Construction, Inc., San Francisco, California, for City Project No. 6859, "Harding Drain Bypass Pump Station and Pipeline"

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- C. Request to evaluate the status of the Turlock City Arts Commission, pursuant to Council direction. (*Van Guilder*)

Recommended Action:

Informational item only. No action to be taken.

- D. Request to authorize the City Manager to take action in support of AB 1585 (Perez) and to express the support of the City of Turlock to the League of California Cities and members of the legislature. (*Pitt*)

Recommended Action:

Motion: Authorizing the City Manager to take action in support of AB 1585 (Perez) and expressing the support of the City of Turlock to the League of California Cities and members of the legislature

- E. Request to provide direction and authorize potential action on pending state legislation including SB 986, SB 1220 and SB 1498, as well as federal legislation including S 1813, HR 7 and HR 1433. (*Pitt*)

Recommended Action:

Motion: Providing direction and authorizing potential action on pending state legislation including SB 986, SB 1220 and SB 1498, as well as federal legislation including S 1813, HR 7 and HR 1433

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 Labor Negotiators, Cal. Gov't Code §54957.6

Agency Negotiators: Roy W. Wasden/Phil Lancaster

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: Accountant, Sr., Assistant to the City Manager for Economic

Development/Redevelopment, Community Housing Services Manager, Deputy Development Services

Director/Planning, Development Services Director/City Engineer, Development Services Supervisor/City

Surveyor, Executive Assistant to the City Manager/City Clerk, Finance Customer Service Supervisor, Fire

Chief, Human Resources Manager, Human Resources Technician, Legal Assistant, Municipal Services

Director, Office Assistant II, Payroll Coordinator, Principal Civil Engineer, Public Facilities Maintenance

Manager, Regulatory Affairs Manager, Secretary/Deputy City Clerk, Executive Administrative

Assistant/Public Safety, Technical Services Manager, Traffic/Transportation Engineering Supervisor,

Utilities Manager, Water Quality Control Division Manager

12. ADJOURNMENT