

City Council Agenda



APRIL 24, 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: Light of Christ Lutheran Church 100th Anniversary accepted by Sylvia Mueller
- B. Proclamation: Arbor Day 140th Anniversary, April 27, 2012 accepted by Allison Van Guilder
- C. Presentation: Meadowlark Lemon and the Harlem All Stars Charity Basketball Game, April 28, 2012 by Municipal Services Director Dan Madden

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. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS: None

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 3/29/12 in the amount of \$1,539,219.03; Demands of 4/5/12 in the amount of 473,039.25
- B. Motion: Accepting Minutes of Special Meeting of April 10, 2012; Minutes of Regular Meeting of April 10, 2012
- C. Motion: Accepting notification of Contract Change Order No. 1 in the decreased amount of (\$65,045) (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 1 – General Construction and Specialties, bringing the contract total to \$2,337,955
- D. Motion: Accepting notification of Contract Change Order No. 2 in the increased amount of \$518.15 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 4 - Landscaping, bringing the contract total to \$227,328.15
- E. Motion: Accepting notification of Contract Change Order No. 2 in the increased amount of \$6,399 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 08 – Roofing and Waterproofing, bringing the contract total to \$599,797
- F. Motion: Accepting notification of Contract Change Order No. 1 in the decreased amount of (\$6,100) (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 16 – Fire Protection, bringing the contract total to \$237,390
- G. Motion: Awarding bid and approving an agreement in the amount of \$177,623 (Fund 215) with Tim Paxin's Excavation of Elk Grove, California, for City Project No. 0945, "Washington and West Main Intersection Improvements"
- H. Motion: Approving Contract Change Order No. 4 in the amount of \$11,804.57 (Fund 426) for City Project No. 0952, "Turlock Regional Transit Center," bringing the contract total to \$1,669,773.95
- I. Motion: Approving an agreement in an amount not to exceed \$15,595 (Fund 420) with Kenneth D. Schmidt and Associates for groundwater quality consultation services for City Project 11-45, "Pilot Hole for Well No. 41"
- J. Motion: Awarding bid and approving an agreement in the amount of \$13,834.00 (Fund 112) with Barton Overhead Door, Inc., Modesto, California, for City Project No. 12-32, "Rollup Door Replacement at Fire Station No. 2 & No. 4"

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- K. 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
 - L. Motion: Approving Amendment No. 2 to City Contract No. 07- 448 with Carollo Engineers in the amount of \$42,510, to provide a comparison of Packed Tower technology for removal of Trihalomethanes (THM) with continued chlorine disinfection versus Ultra Violet Light (UV) technology for disinfection without the use of chlorine, in the Regional Water Quality Control Facility (RWQCF) effluent
 - M. Motion: Approving the Maintenance Agreement with Mo-Cal Office Solutions of Modesto for the Fire Department's Ricoh MP 3010 copier, for a period of twelve (12) months, in an annual amount not to exceed \$200, plus an overage rate of \$0.015 per page
 - N. Resolution: Authorizing the Purchasing Officer to dispose of surplus property by any means determined to be in the best interest of the City
 - O. Resolution: Authorizing the filling of one (1) vacant Police Records Technician position within the Turlock Police Department through an in-house recruitment of full-time, part-time and volunteer staff, and outside recruitment if needed
 - P. Resolution: Authorizing the Turlock Fire Department to establish a Working Agreement or Memorandum of Understanding with American Medical Response – West for the sole purpose of Continuing Education Records oversight under the direction of a Clinical Medical Director provided by American Medical Response – West
 - Q. Motion: Accepting the 2010-11 Audited Financial Statements for the City of Turlock
 - R. Resolution: Approving the 2012 Master Calendar and subsequent street closures for the Turlock Downtown Property Owners Association

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS:**

- A. Request to repeal Turlock Municipal Code Title 4, Chapter 7, Article 9, Section 03 entitled, "Solicitation of Motorists Prohibited." (*Norton*)

Recommended Action

Ordinance: Repealing Turlock Municipal Code Title 4, Chapter 7, Article 9, Section 03 entitled, "Solicitation of Motorists Prohibited"

8. **SCHEDULED MATTERS:**

- A. Request to accept the report regarding the status of the Turlock City Arts Commission and take potential action regarding the future of the commission, including maintaining the current role of the Commission, disbanding the Commission, and/or entering into a future Memorandum of Understanding with the Carnegie Arts Center. (*Van Guilder*)

Recommended Action - Option 1:

Resolution: Accepting the report regarding the status of the Turlock City Arts Commission, and effective June 1, 2012, disbanding the Commission and rescinding Resolution No. 97-112, which set forth the Turlock City Arts Commission bylaws, with the intent of entering into a Memorandum of Understanding between the City of Turlock and the Carnegie Arts Center to provide public art in the City Hall Gallery

OR

Recommended Action - Option 2:

Motion: Accepting the report regarding the status of the Turlock City Arts Commission and maintaining the current role of the Turlock City Arts Commission

- B. Request to provide direction to staff with regard to the feasibility of a transportation funding options local ballot measure. *(Pitcock)*

Recommended Action

Motion: Providing direction to staff with regard to the feasibility of a transportation funding options local ballot measure

- C. Request to support ACA 23, an amendment to the California Constitution, lowering the voter threshold to fifty-five (55) percent for local transportation sales tax. *(Pitt)*

Recommended Action:

Resolution: Supporting ACA 23, an amendment to the California Constitution, lowering the voter threshold to fifty-five (55) percent for local transportation sales tax

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, 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