

# City Council Agenda



**JULY 24, 2012**

**7:00 p.m.**

**City of Turlock Yosemite Room**

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

Mayor  
**John S. Lazar**

City Manager  
**Roy W. Wasden**  
City Clerk  
**Kellie E. Weaver**  
City Attorney  
**Phaedra A. Norton**

Council Members

**William DeHart, Jr.**

**Amy Bublak**

**Forrest White**

**Mary Jackson**

Vice Mayor

**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:** None
3. **A. SPECIAL BRIEFINGS**
  1. **CALIFORNIA STATE UNIVERSITY STANISLAUS:**
    - Joseph Sheley, Ph.D., Interim President
- B. STAFF UPDATES:**
  1. ASA Softball B Western National Tournament 16 & 18 Under (*Van Guilder*)

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.

**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 6/21/12 in the amount of \$3,162,723.04; Demands of 6/28/12 in the amount of \$746,236.99
- B. Motion: Accepting Minutes of Regular Meeting of July 10, 2012
- C. Motion: Accepting improvements for City Project No. 11-56, "Dale Pinkney Park Arbor," and authorizing the City Engineer to file a Notice of Completion
- D. Resolution: Considering Intention to Levy and Collect Assessments for the Blue Diamond Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Project No. 12-21
- E. Motion: Accepting improvements for City Project No. 12-23, "City Hall Carpet to Tile Conversion-2nd Floor," and authorizing the City Engineer to file a Notice of Completion
- F. Motion: Accepting improvements for City Project No. 12-32, "Rollup Door Replacement at Fire Station No. 2 & No. 4," and authorizing the City Engineer to file a Notice of Completion
- G. Motion: Approving Amendment No. 1 to the reimbursement agreement between City of Turlock and Turlock DB, LLC, in the amount of \$33,700, for the construction of a sewer lift station associated with the Northwest Triangle Specific Plan and its associated Fee Nexus Study, bringing the total to \$287,636
- H. Resolution: Directing the City Manager or Director of Development Services/City Engineer to sign all right-of-way certifications, assurances and statements in regard to any and all Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) projects for the Federal Fiscal Year 2012-13
- I. Resolution: Considering Intention to Levy and Collect Assessments for the Parcel Map 11-04 (Avena Bella) Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Development Project No. 11-32
- J. Resolution: Considering Intention to Levy and Collect Assessments for the Parcel Map 12-01 (Moline) Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Development Project No. 12-33
- K. Motion: Approving Contract Change Order No. 1 in the amount of \$324,475 (Fund 415) for City Project No. 0751, "Turlock Regional Water Quality Control Facility Headworks and Secondary Treatment Capacity Expansion - Phase 1," bringing the contract total to \$23,414,475

- L. Resolution: Authorizing the City Manager to sign the ITRON Statement of Work, as well as any future documents related to the endpoint replacement, project infrastructure, and software support for the "AMR Water Meter Warranty Project"
- M. Motion: Authorizing the sole source repairs to uplifted sidewalks in various locations of the City, in an amount not to exceed \$30,000, with Precision Concrete Cutting (PCC) for the Parks, Recreation and Public Facilities Division, without compliance to the formal bid procedure
- N. Resolution: Appropriating unspent funds from Fiscal Year 2011-12 in the total amount of \$52,134 to account numbers 506-00-000-221.51020 "Parks Equipment Replacement," 506-00-000-220.51020 "Public Facilities Equipment Replacement," 506-00-000-232.51020 "Storm Equipment Replacement," 506-00-000-231.51020 "Streets Equipment Replacement," and 506-00-000-234.51020 "Landscape Assessments Equipment Replacement" from Fund 506 "Equipment Pool Replacement's" respective reserve balances for the purchase of two (2) Ford F250 4x2 regular cab ¾ ton pickup trucks
- O. Motion: Authorizing the approval and execution of an agreement between the City of Turlock and City of Modesto to provide law enforcement services in and around the X-Fest venue scheduled for August 4, 2012 in Modesto, California
- P. Motion: Rejecting Claim for Damages filed by Jesse Lewis Hassler, Jr.

**6. FINAL READINGS:** None

**7. PUBLIC HEARINGS:**

- A. Request to confirm diagrams, assessments and reports and levying assessments for Fiscal Year 2012/13 for all Lighting, Landscaping and Street Maintenance Benefit areas with the City of Turlock. (*Whitmore*)

***Recommended Action***

Resolution: Confirming diagrams, assessments and reports and levying assessments for Fiscal Year 2012/13 for all Lighting, Landscaping and Street Maintenance Benefit areas within the City of Turlock

**8. SCHEDULED MATTERS:**

- A. Request to authorize the Form of and authorize the Execution and Delivery of an Indenture, a Master Installment Purchase Agreement, a 2012 Supplement thereto, a Bond Purchase Contract, a Continuing Disclosure Agreement and an Official Statement relating to an Installment Purchase Financing and Approving certain actions in connection therewith. (*Lorenzi*)

***Recommended Action:***

Resolution: Authorizing the Form of and Authorizing the Execution and Delivery of an Indenture, a Master Installment Purchase Agreement, a 2012 Supplement thereto, a Bond Purchase Contract, a Continuing Disclosure Agreement and an Official Statement relating to an Installment Purchase Financing and Approving certain actions in connection therewith

**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**