

City Council Agenda



OCTOBER 23, 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:** None
3. **A. SPECIAL BRIEFINGS**
 1. **TEEN ADVISORY COUNCIL**
 2. **CALIFORNIA STATE UNIVERSITY STANISLAUS:**
Tomara Hall, Associated Students, Inc. Governmental Affairs Administrator

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.

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 9/20/12 in the amount of \$2,324,991.50; Demands of 9/27/12 in the amount of \$647,319.06
- B. Motion: Accepting Minutes of Regular Meeting of October 9, 2012
- C.
 - 1. Motion: Approving Contract Change Order No. 5 (Final) in the decreased amount of (\$13,556.80) (Fund 305) for City Project No. 0804A, "Turlock Public Safety Facility – Off-site Improvements," bringing the contract total to \$1,143,927.96
 - 2. Motion: Accepting improvements for City Project No. 0804A, "Turlock Public Safety Facility – Off-site Improvements," and authorizing the City Engineer to file a Notice of Completion
- D. Motion: Authorizing the City Manager to sign an agreement between the City of Turlock and Transit Capital Support Services for Federal Transit Administration and California Department of Transportation, Financial Status Reports and Milestone Status Reports, in an amount not to exceed \$60,548
- E. Resolution: Approving a High Efficiency Toilet and Clothes Washer Replacement Rebate Program
- F. Motion: Approving an agreement between the City of Turlock and the 38th District Agricultural Association for the purpose of parking and turn around for the participants in the Annual Christmas Parade on Friday, December 7, 2012
- G. Motion: Approving an agreement between California State University Stanislaus and the City of Turlock for utilizing college interns within the Turlock Police Department
- H. Motion: Approving a facilities management agreement between the City of Turlock and the Turlock Regional Aviation Association for facilities management of the Turlock Municipal Airport and authorizing the City Manager to execute agreement and all related documents

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- I. Resolution: Appropriating \$6,711 to account number 240-00-000-201.44030_013 "Minor Equipment-BCH Repairs & Improvements" from Fund 240 "Small Equipment Replacement-BCH Repairs & Improvements" reserve balance for the replacement of a security card printer and security cards compatible with the Public Safety Facility security system
 - J. Resolution: Approving a one (1) year agreement with Marcum LLP in an amount not to exceed \$62,500 to provide professional, external auditing services and appropriating \$12,500 to account number 110-10-106.43055_002 "Consultant – Audit" to supplement amounts previously budgeted for services

6. FINAL READINGS:

- A. **Recommended Action**
Ordinance: Amending Turlock Municipal Code Title 4, Chapter 7, Article 14 regarding speed limits as introduced at the October 9, 2012 meeting

7. PUBLIC HEARINGS:

- A. Request to rescind Resolution No. 2010-192 and adopting an amended Conflict of Interest Code for the City of Turlock and the list of "Designated Employees" and their reporting categories for filing their Conflict of Interest Statement (Form 700). (*Weaver*)

Recommended Action

Resolution: Rescinding Resolution No. 2010-192 and adopting an amended Conflict of Interest Code for the City of Turlock and the list of "Designated Employees" and their reporting categories for filing their Conflict of Interest Statement (Form 700)

8. SCHEDULED MATTERS:

- A. Request to approve a five (5) year Lease Agreement between the City of Turlock as the Housing Successor Agency and Haven Women's Center of Stanislaus for the Housing Successor Agency owned building located at 301 Starr Avenue, Turlock for the purposes of Haven Women's Center to provide services to the Turlock Community as depicted in Exhibit A. (*Pitt*)

Recommended Action

Motion: Approving a five (5) year Lease Agreement between the City of Turlock as the Housing Successor Agency and Haven Women's Center of Stanislaus for the Housing Successor Agency owned building located at 301 Starr Avenue, Turlock for the purposes of Haven Women's Center to provide services to the Turlock Community as depicted in Exhibit A

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

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

B. 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