

City Council Agenda



NOVEMBER 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:* 2012 CSU Stanislaus Warriors Men's Soccer Team
 - B. *Presentation:* Central San Joaquin Valley Risk Management Authority 2011-2012 Safety Award by Brian White, Fire Division Chief
 - C. *Presentation:* Business Incentive Program and Check Presentation to Susan Baker, Rad Rags Scrubs
3. **A. SPECIAL BRIEFINGS:** None

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:

1. Turlock Police 2nd Quarter Report 2012 (*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. 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 10/25/12 in the amount of \$1,129,704.92; Demands of 11/1/12 in the amount of \$1,483,004.36; Demands of 11/8/12 in the amount of \$551,186.62
- B. Motion: Accepting Minutes of Regular Meeting of November 13, 2012
- C. Motion: Accepting improvements for City Project No. 12-37, "HVAC Replacement at the Senior Center," and authorizing the City Engineer to file a Notice of Completion
- D. Motion: Awarding bid and approving an agreement in the amount of \$10,250 (Fund 410 and 420) with Modesto Sand and Gravel, Modesto, California, for City Project No. 12-56, "Demolition of a Pole Barn at the Corporation Yard"
- E. Motion: Reaffirming the emergency declaration of the City Manager that there is a need to replace the roof at the Marty Yerby Center, without compliance to the formal competitive bid procedure
Motion: Awarding bid and approving an agreement in the amount of \$11,350 (Fund 301) with Econo-Roofing of Delhi, California, for City Project No. 12-51, "Re-roof of Marty Yerby Center "
- F. Motion: Accepting notification of Contract Change Order No. 1 in the credit amount of (\$71,000) from Fund 305 for City Project No. 0804B, "Turlock Public Safety Facility," Category 09 – Doors and Windows, bringing the contract total to \$1,132,203
- G. Motion: Approving the bid rejection from Republic ITS/Siemens as non-responsive and authorizing the City Manager to execute an agreement with Independent Electric, Inc., of Turlock, California, for the purchase of Cobra Head 85-watt induction streetlight fixtures, in an amount not to exceed \$30,000, for a period of twelve (12) months
- H. Resolution: Authorizing the acceptance of an allocation of funds, execution of a grant agreement and the commitments necessary to administer the "Distracted Driving High Visibility Enforcement Demonstration Project (DDHVEDP)" grant through the California Office of Traffic Safety (OTS), in an amount not to exceed \$12,070, and appropriating revenues and related expenditures in Fund 266 "Police Grants" for Fiscal Year 2012-13

- I. Resolution: Approving and supporting the request of the County of Stanislaus to expand the Stanislaus Enterprise Zone
- J. Motion: Rejecting Claim for Damages filed by Diana Chojczak

6. FINAL READINGS

- A. **Recommended Action:**
Ordinance: Amending Turlock Municipal Code Title 6, Chapter 4, Section 303(a)(14) regarding Prohibited Wastewater Discharges and Section 402 regarding Payment of Collection Charges as introduced at the November 13, 2012 meeting.
- B. **Recommended Action:**
Ordinance: Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2012-02 (Yosemite Farm Credit)] as introduced at the November 13, 2012 meeting.

7. PUBLIC HEARINGS: None

8. SCHEDULED MATTERS:

- A. Request to accept the Capital Facility Fee Program report for Fiscal Year 2011-12. (Pitcock)
Recommended Action:
Motion: Accepting the Capital Facility Fee Program report for Fiscal Year 2011-12
- B. Request to approve the Convention and Visitors Bureau 2012 Budget and authorize the execution of any and all documents relative to the Convention and Visitors Bureau (CVB) including but not limited to any amendments to the current agreement. (Wasden)
Recommended Action:
Motion: Accepting the Convention and Visitors Bureau (CVB) 2012 Budget
Resolution: Authorizing the execution of any and all documents relative to the Convention and Visitors Bureau (CVB) including but not limited to any amendments to the current agreement

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

12. ADJOURNMENT