

City Council Agenda



DECEMBER 11, 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.

6:00 – 7:00 p.m. – Reception honoring incoming and outgoing Councilmembers

1. A. CALL TO ORDER

B. SALUTE TO THE FLAG

C. RECOGNITION OF OUTGOING COUNCILMEMBER

2. ELECTION RESULTS

- A. Resolution: Reciting the facts of the General Municipal Election held in said City of Turlock on the 6th day of November, 2012, declaring the results thereof and such other matters as are provided by law
- B. Oath of Office for Councilmembers
- C. Oath of Office for Treasurer
- D. Special Oath
- E. New Council Seated

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. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS

1. Presentation: California State University, Stanislaus Business Technical Writing Class regarding Turlock Farmers Market
2. Presentation: Turlock Together

B. SPECIAL BRIEFINGS: None

C. STAFF UPDATES

1. Board, Commission, and Committee Vacancies (*Weaver*)
2. Capital Projects and Building Activity (*Pitcock*)

D. 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 11/15/12 in the amount of \$1,342,925.14
- B. Motion: Accepting Minutes of Special Meeting of November 27, 2012; Minutes of Regular Meeting of November 27, 2012
- C.
 1. Motion: Authorizing the filing of a Notice of Exemption per CEQA Section 15302 (c) (Replacement or Reconstruction), as staff has found this project not to have a significant effect on the environment
 2. Motion: Awarding bid and approving an agreement in the amount of \$1,186,495 (Fund 410 and 420) with Mid Cal Pipeline & Utilities, Inc., of Merced, California, for City Project No. 10-53, "Water and Sewerline Replacement in the Alleys"
 3. Resolution: Transferring \$160,000 to account number 420-52-551.51129 "C-900 Alley Between Berkeley & East Main to Yosemite" from account number 420-52-551.51270 "Construction Project" for City Project No. 10-53, "Water and Sewerline Replacement in the Alleys"
- D. 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
- E. Motion: Approving a retainer agreement for Fiscal Years 2012-13 and 2013-14, in an amount not to exceed \$100,000, with Omni-Means Ltd., of Roseville, California, for professional traffic engineering services

- F. Resolution: Approving a Transportation Development Act (TDA) claim for Non-Transit expenses for Fiscal Year 2011-12 and Fiscal Year 2012-13 in the amount of \$719,761 and adjusting the projected Local Transportation Revenue in Fund 216 to current StanCOG estimates
- G. Motion: Approving the renewal for the Memorandum of Understanding between the City of Turlock and the Turlock Unified School District to offer youth basketball programs within the community
- H. Resolution: Accepting donations received from July through December Fiscal Year 2012-13, to be deposited as per Exhibit A, for a variety of Parks, Recreation & Public Facilities Division programs, scholarships, and activities
- I. Resolution: Authorizing the acceptance of an allocation of funds, execution of a grant agreement and the commitments necessary to administer the "DUI/Drivers License Checkpoint" mini-grant through the California Office of Traffic Safety (OTS), in an amount not to exceed \$34,400, and Appropriating revenues and related expenditures in Fund 266 "Police Grants" for Fiscal Year 2012-13
- J. Resolution: Authorizing the acceptance of an allocation of funds and execution of an equitable sharing agreement through the United States Department of Justice, in an amount not to exceed \$5,000, and appropriating revenues and related expenditures in Fund 201 "Asset Forfeiture" for Fiscal Year 2012-13
- K. Resolution: Authorizing the filling of one (1) vacant Emergency Services Dispatcher within the Support Operations Division of the Police Department through an in-house recruitment of full-time, part-time and volunteer/intern staff, and outside recruitment if needed
- L. Resolution: Adopting the 2013 City Council Meeting Schedule
- M. Motion: Rejecting Claim for Damages filed by Pamela Bills
- N. Motion: Approving the exchange agreement with Richard Mello et al., for City Project No. 11-41, "Sewer Lift Stations on West Main/Clinton and West Main/Tegner"

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS:** None

8. **SCHEDULED MATTERS:** None

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 – Existing Litigation, Cal. Gov't Code §54956.9(a)
Name of case: California Clean Energy Committee vs. City of Turlock

- B. 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