

City Council Agenda



FEBRUARY 26, 2013

7:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



Mayor
John S. Lazar

Council Members
Amy Bublak
Forrest White
Steven Nascimento
William DeHart, Jr.
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: Retirement of Del Olson, Technical Services Supervisor
- B. Proclamation: Go Green Week, February 25, 2013 – March 1, 2013
- C. Appointments: CDBG Committee (Community Members)
- D. Appointments: CDBG Committee (Council Representative)

3. A. SPECIAL BRIEFINGS: None

B. STAFF UPDATES:

- 1. Quarterly Off-site Council Meetings (*Wasden*)

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 1/24/13 in the amount of \$1,285,791.76; Demands of 1/31/13 in the amount of 740,081.21; Demands of 2/7/13 \$1,134,896.84
- B. Motion: Accepting Minutes of Special Meeting of February 12, 2013; Accepting Minutes of Regular Meeting of February 12, 2013
- C. Motion: Approving Amendment No. 1 to the agreement with Carollo Engineers of Walnut Creek, California, for an additional ten (10) months of specialized engineering services with no change in the original costs
- D.
 - 1. Motion: Approving Amendment No. 3 for an additional one (1) year extension of the Special Services Contract No. 10-824 for Economic and Planning Systems, Inc., to provide professional economic and planning services for City Project No. 10-54, "Morgan Ranch Master Plan," in an amount not to exceed \$30,000 (Fund 305)
 - 2. Motion: Approving Amendment No. 3 for an additional one (1) year extension of the attached Special Services Contract No. 10-825 for Omni Means, Ltd., to provide professional transportation and traffic design services for City Project No. 10-54, "Morgan Ranch Master Plan," in an amount not to exceed \$37,850 (Fund 305)
 - 3. Resolution: Appropriating \$9,520 to account number 305-40-444.47086 "Morgan Ranch Master Plan" to be funded through a transfer from Fund 305 "Capital Facility Fees Contingency Reserve" to fund the increased costs associated with the additional work performed by Omni Means, Ltd., on City Project No. 10-54, "Morgan Ranch Master Plan"
- E.
 - 1. Motion: Awarding bid and approving an agreement in the amount of \$884,488 with Granite Construction Company of Watsonville, California, for City Project No.11-34, "Fulkerth Road Rehabilitation"
 - 2. Resolution: Appropriating \$192,800 to account number 215-40-420.51210 "Federal Street Projects" to be funded via a transfer of Section 2103 Gas Tax Monies from Fund 217 "Gas Tax Fund" for City Project No. 11-34, "Fulkerth Road Rehabilitation," to complete the necessary funding required for the project
- F. Motion: Accepting improvements for City Project No. 12-52, "Fire Station No. 4 Roof Replacement," and authorizing the City Engineer to file a Notice of Completion
- G. Motion: Awarding bid and approving an agreement in the amount of \$27,079 (Fund 410) with Champion Industrial Contractors, Modesto, California, for City Project No. 12-61, "HVAC Replacements at Turlock Regional Water Quality Control Facility"

- H. **Motion:** Approving Amendment No. 3 to an Agreement with Neil O. Anderson and Associates, Inc., of Lodi, California, for special services for City Project No. 0804B, "Turlock Public Safety Facility," in an amount not to exceed \$34,978 (Fund 305), bringing the contract total to \$356,153
- I. **Motion:** Accepting notification of Contract Change Order No. 2 in the amount of \$22,703.36 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 13 – Building and Site Electrical, bringing the contract total to \$4,155,558.36
- J. **Resolution:** Appropriating \$28,620 to account number 217-50-511.43270 "Pavement Management Program Update" from Fund 217 (2103) Reserve to fund the survey of local city streets as part of the Regional Pavement Management Program Update for FY 2012/13, as administered by StanCOG
- K. **Resolution:** Authorizing the submittal of an application to the California State Department of Housing and Community Development for grant funding under the CalHome program; execution of a standard agreement if selected for such funding and any amendments thereto; and the execution of any related documents necessary to participate in the CalHome program
- L. **Resolution:** Appropriating \$7,500 to account number 502-40-410.47252 "NWTSP Fee Program Update" from Fund 230 "Transportation Reserve" and \$7,500 to account number 502-40-410.47253 "WISP Fee Program Update" from Fund 308 "Transportation Reserve" to fund the Fee Nexus Study updates to the Northwest Triangle and Westside Industrial Specific Plans
- M. **Motion:** Approving an agreement with Carollo Engineers of Walnut Creek to provide professional engineering services for the testing of chloramination disinfection at the Regional Water Quality Control Facility (RWQCF) in the amount of Seventy-Nine thousand Nine hundred and Eight dollars and no/100ths (\$79,908.00)
- N. **Motion:** Rejecting Claim for Damages filed by Ramanjit Kaur Atwal
- O. **Motion:** Rejecting Claim for Damages filed by Angad Atwal
- P. **Motion:** Rejecting Claim for Damages filed by Surhdez Kaur Atwal
- Q. **Motion:** Rejecting Claim for Damages filed by Vernon R. Amaya

6. FINAL READINGS

- A. ***Recommended Action:***
Ordinance: Amending Turlock Municipal Code Title 2, Chapter 1, Article 02, to change the hour regular City Council meetings are held as introduced at the February 12, 2013 meeting.
- B. ***Recommended Action:***
Ordinance: Approving amendments to Turlock Municipal Code Title 4, Chapter 3, Article 4, entitled "Fireworks" as introduced at the February 12, 2013 meeting.

7. PUBLIC HEARINGS

- A. Request to Amend Turlock Municipal Code Title 6, Chapter 3, Article 1, Section 03 regarding Payment of Collection Charges. (*Martin*)

Recommended Action:

Ordinance: Amending Turlock Municipal Code Title 6, Chapter 3, Article 1, Section 03 regarding Payment of Collection Charges

8. SCHEDULED MATTERS

- A. Request to authorize the creation of an Assistant to the City Manager for Economic Development/Community Housing job classification. (*Pitcock*)

Recommended Action:

Resolution: Authorizing the creation of an Assistant to the City Manager for Economic Development/Community Housing job classification

- B. Request to amend the City of Turlock Fiscal Year 2012-2013 General and Non-General Fund budgets. (*Reid*)

Recommended Action:

Resolution: Amending the City of Turlock Fiscal Year 2012-2013 General and Non-General Fund Budgets

- C. Request to approve a Loan Agreement between the City of Turlock and Stanislaus County Affordable Housing Corporation (STANCO) in the total amount of \$270,025.25 for the acquisition and closing costs associated with a four-plex located at 1060 Alpha, Turlock, California, more particularly described as APN No. 043-029-024, as depicted in Attachment A. (*Pitt*)

Recommended Action:

Motion: Approving a Loan Agreement between the City of Turlock and Stanislaus County Affordable Housing Corporation (STANCO) in the total amount of \$270,025.25 for the acquisition and closing costs associated with a four-plex located at 1060 Alpha, Turlock, California, more particularly described as APN No. 043-029-024, as depicted in Attachment 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 – Existing Litigation, Cal. Gov't Code §54956.9(a)
Name of case: Daniel Mendonca v. City of Turlock
- B. Conference with Legal Counsel – Anticipated Litigation, Cal. Gov't Code §54956.9(b)
Potential Cases: (1case)

12. ADJOURNMENT