

City Council Agenda



JANUARY 27, 2015

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

Mayor
Gary Soiseth

Council Members
William DeHart, Jr. **Steven Nascimento**
Matthew Jacob **Amy Bublak**
 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**

 B. STAFF UPDATES
 1. 2014 Water Use Report (Cooke)

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

B. DISCLOSURE OF EX PARTE COMMUNICATIONS

1. Public Hearings Item 7A is a quasi-judicial proceeding. Council should disclose the following information if applicable
 - a. State for the public record the nature of the communication; and
 - b. With whom the ex parte communication was made; and
 - c. A brief statement as to the substance of the communication.

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 12/4/14 in the amount of \$978,504.89; Demands of 12/11/14 in the amount of \$784,263.70; Demands of 12/18/14 in the amount of \$1,697,478.65
- B. Motion: Accepting Minutes of Regular Meeting of January 13, 2015
- C.
 1. Motion: Approving Contract Change Order No. 3 (Final) in the amount of \$3,613.67 (Fund 217) for City Project No. 12-45, "Monte Vista Avenue Rehabilitation," bringing the contract total to \$1,144,890.23
 2. Motion: Accepting improvements for City Project No. 10-65, "Rehabilitation of Golden State Boulevard and West Main Street," and authorizing the City Engineer to file a Notice of Completion
- D. Motion: Accepting improvements for City Project No. 14-41, "Rube Boesch Center HVAC Improvements," and authorizing the City Engineer to file a Notice of Completion
- E. Resolution: Approving a Transportation Development Act (TDA) claim for Non-Transit expenses for Fiscal Year 2014-15 in the amount of \$989,167 and adjusting the Projected Local Transportation Revenue in Fund 216 to current StanCOG estimates
- F. Motion: Approving a Professional Services Agreement between the City of Turlock and Erler and Kalinowski, Inc. (EKI), for the preparation of a Treatment or Alternative Salinity Reduction Workplan for the Turlock Regional Water Quality Control Facility, in an amount not to exceed \$42,900, from Fund 410-51-530.43316 "NPDES Permit Studies"
- G.
 1. Motion: Authorizing the City Manager to execute a software license agreement with Nitro Software, Inc., to renew an existing thirty-two (32) licenses in the amount of \$778.56 and purchasing sixteen (16) new user licenses in the amount of \$1,981.04
 2. Resolution: Authorizing the City Manager to initiate renewals annually with Nitro Software, Inc.

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- H. Resolution: Appropriating \$1,500 to account number 266-20-255-350.44001_000 "Supplies-General" from Fund 266 "Police Services Grants-OTS Vehicle Impound" reserve balance for a software upgrade, equipment, radar calibration and supplies
 - I.
 - 1. Motion: Authorizing the City Manager to execute a maintenance agreement with NetMotion Wireless, to provide wireless connectivity maintenance on one hundred and two (102) devices for a period of three (3) years, effective June 27, 2014 to June 26, 2017, in an amount not to exceed \$9,168
 - 2. Resolution: Authorizing the City Manager to initiate renewals as necessary with NetMotion Wireless
 - J.
 - 1. Motion: Authorizing the City Manager to execute a maintenance agreement with Advanced Public Safety, to provide support and maintenance on thirteen (13) PocketCitation devices, used by the Turlock Police Department, in the amount of \$4,249.20
 - 2. Resolution: Authorizing the City Manager to initiate renewals annually with Advanced Public Safety
 - K. Resolution: Rescinding Resolution No. 2007-242 and approving the use of facsimile signatures on specific accounts at Westamerica Bank
 - L. Resolution: Rescinding Resolution No. 2011-108 and designating the authorized signatures for the City of Turlock bank accounts with Westamerica Bank
 - M. Resolution: Approving an agreement appointing U.S. Bank National Association Dissemination Agent for the City of Turlock in connection with the Turlock Public Financing Authority, Sewer Revenue Bonds Series 2012
 - N. Motion: Authorizing the City Manager to correct page 8 of the TMAPS Memorandum of Understanding Resolution No. 2014-165 adopted on 10/14/14
 - O. Resolution: Rescinding Resolution No. 2014-164 and adopting a revised Memorandum of Understanding between the City of Turlock and Turlock City Employees Association (TCEA) covering the period July 1, 2014 through October 31, 2017 and adding Master's Degree Pay language to Section 10:05
 - P. Motion: Rejecting Claim for Damages filed by Steven Singh

6. FINAL READINGS: None

7. PUBLIC HEARINGS

Challenges in court to any of the items listed below, may be limited to only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Turlock City Council at, or prior to, the public hearing.

- A. Request for approval establishing a lien for payment for the abatement of certain weeds, obnoxious growth and other debris on property and abandoned vehicles that are a nuisance to the public. (*Gomez*)

Recommended Action:

Resolution: Assessing properties for abatement costs and establishing a lien for payment

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- B. *This item was continued from the November 18, 2014 City Council Meeting.*
Request to establishing a Trench Restoration Fund and Trench Restoration Fees in accordance with Turlock Municipal Code Title 7, Chapter 4, Article 2 and amend Turlock Municipal Code Title 7, Chapter 4, by adding Article 2 regarding excavations

Recommended Action:

Ordinance: Amending Turlock Municipal Code Title 7, Chapter 4, by adding Article 2 regarding Excavations

Resolution: Establishing a Trench Restoration Fund and Trench Restoration Fees in accordance with Turlock Municipal Code Title 7, Chapter 4, Article 2

8. SCHEDULED MATTERS

- A. Request to authorize the City Manager to enter into a contract for banking services with West America Bank for three (3) years through January 31, 2018, in an amount not to exceed \$216,000 per year. (*Silva*)

Recommended Action:

Motion: Authorizing the City Manager to enter into a contract for banking services with West America Bank for three (3) years through January 31, 2018, in an amount not to exceed \$216,000 per year

- B. Request to adopt a policy prohibiting the use of tobacco, including vapor related products and electronic cigarettes in all public parks, facilities and adjacent public parking lots in the City of Turlock. (*Van Guilder*)

Recommended Action:

Resolution: Adopting a policy prohibiting the use of tobacco, including vapor related products and electronic cigarettes in all public parks, facilities and adjacent public parking lots in the City of Turlock

- C. Request to approve the transfer of \$24,000 from account number 110-61-630.38001_004 "Transfer in from Fund 116 (PD) for Prevention Services" to account number 270-61-635-391.38001_004 "Transfer in from Fund 116 (PD) for Youth Prevention Programs" funded by the budgeted transfer of funds from Fund 116 "Special Public Safety" reserve balance for PAL youth prevention programs and activities. (*Van Guilder*)

Recommended Action:

Resolution: Approving the transfer of \$24,000 from account number 110-61-630.38001_004 "Transfer in from Fund 116 (PD) for Prevention Services" to account number 270-61-635-391.38001_004 "Transfer in from Fund 116 (PD) for Youth Prevention Programs" funded by the budgeted transfer of funds from Fund 116 "Special Public Safety" reserve balance for PAL youth prevention programs and activities

- D. Request to receive the 2014-15 Mid-Year Budget Review. (*Burke*)

Recommended Action:

Motion: Receive the 2014-15 Mid-Year Budget Review

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

12. ADJOURNMENT