

# AMENDMENT NO. 1

*Dated: February 19, 2015*

## City Council Agenda



**FEBRUARY 24, 2015**

**6:00 p.m.**

**City of Turlock Yosemite Room**

**156 S. Broadway, Turlock, California**

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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](http://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.

**5:00 – 6:00 p.m. – Reception welcoming Kellie Jacobs-Hunter, Administrative Services Director**

**1. A. CALL TO ORDER**

**B. SALUTE TO THE FLAG**

**2. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS**

A. Appointments: CDBG Grant Selection Committee (Community Members)

B. Appointment: CDBG Grant Selection Committee (Council Representative)

3. **A. SPECIAL BRIEFINGS:** None

**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 1/15/15 in the amount of \$1,261,902.53; Demands of 1/22/15 in the amount of \$997,479.35; Demands of 1/29/15 in the amount of \$316,100.84
- B. Motion: Accepting Minutes of Special Meeting of February 3, 2015; Minutes of Regular Meeting of February 10, 2015
- C. Motion: Approving Amendment No. 1 to the agreement with Pires, Lipomi + Navarro Architects and increasing the total compensation in the amount of \$14,780 (Fund 426-40-415.51260) for City Project No. 12-60B, "Turlock Regional Transit Center Phase 2 Design and Master Plan"
- D. Resolution: Authorizing the refund of \$1,265 to the State of California Department of Housing and Community Development for program income funds as agreed to in the Neighborhood Stabilization Program and Program Income Reuse Plan and appropriating \$1,265 to account number 258-41-496.47312 "Reimbursement to HCD"
- E. Resolution: Appropriating \$27,200 from account number 256-41-486.47225\_001 "Affordable Housing Development -Current" to account number 256-41-486.43060\_000 "Contract Services" to provide funding for the City of Turlock's obligation with regard to the MOU with the County of Stanislaus for the Development of the 2015-2020 Consolidated Plan and 2015 Annual Action Plan
- F.
  1. Motion: Approving an agreement with CNC Environmental, LLC, for a Granular Activated Adsorption System for the Municipal Services Department for a period of thirty six (36) months, in an amount not to exceed \$50,000, from Water Fund 420-52-550-435040 "PCE Monitoring & Remediation"
  2. Resolution: Appropriating \$20,000 to account 420-52-550-43504 "PCE Monitoring and Remediation" to be funded by revenue received in account 420-52-550-35507 "PCE Recovery" from an award of funds from the Cleanup and Abatement Account by the State Water Resources Control Board for the purpose of PCE Remediation System Optimization and Groundwater Monitoring and Reporting in Downtown Turlock
- G. Motion: Approving an amendment to Contract No. 11-929, regarding a name change from Terra Renewal West, LLC to Denali Water Solutions of Russellville, AR

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- H. Motion: Approving an agreement with Condor Earth Technologies, Inc. to provide Environmental Consulting Services to assist with a three (3) Year Compliance Audit for the California Accidental Release Prevention (CalARP) Program for the Chlorine Facility at the City of Turlock Regional Water Quality Control Facility in an amount not to exceed \$6,820 from Fund 410-51-530.43336 “CalARP Compliance Audit”
  - I. Motion: Approving the Memorandum of Understanding between the City of Turlock and Stanislaus Men’s Senior Baseball League for the use of Pedretti Park for adult baseball programs within the community
  - J. Motion: Approving the Memorandum of Understanding between the City of Turlock and the Turlock American Little League for the use of Pedretti Park for youth baseball programs within the community
  - K. Motion: Authorizing the City Manager or his designee to execute an agreement between Turlock Police Department and California State University Stanislaus Police Department agreeing to conform to all the California Law Enforcement Telecommunication Systems (CLETS) policies
  - L. Motion: Rejecting Claim for Damages filed by Brandon Lee Wilson

## 6. FINAL READINGS

- A. **Recommended Action:**  
Ordinance: Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2014-02 (Potter’s Landing)] as introduced at the February 10, 2015 meeting  
  
Resolution: Establishing Conditions of Approval for Planned Development District No. 271 (PD 271), Rezone 2014-02 [Potter’s Landing]

## 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 to authorize the Issuance by the Colorado Health Facilities Authority of its Revenue Refunding Bonds, Series 2015 (Covenant Retirement Communities, Inc.) in one or more series in an aggregate principal amount not to exceed \$125,000,000 (the “Series 2015 Bonds”), of which not more than \$23,000,000 shall be for the benefit of Covenant Village of Turlock, Covenant Village Care Center, Sequoia Place and Covenant Village of Turlock Care Center; and Related Matters. (Lorenzi)

**Recommended Action:**

Resolution: Authorizing the Issuance by the Colorado Health Facilities Authority of its Revenue Refunding Bonds, Series 2015 (Covenant Retirement Communities, Inc.) in one or more series in an aggregate principal amount not to exceed \$125,000,000 (the “Series 2015 Bonds”), of which not more than \$23,000,000 shall be for the benefit of Covenant Village of Turlock, Covenant Village Care Center, Sequoia Place and Covenant Village of Turlock Care Center; and Related Matters

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8. SCHEDULED MATTERS

- A. Request to accept and endorse the City Manager's appointment of Kellie Jacobs-Hunter to the position of Administrative Services Director effective March 2, 2015. (Eddy)

***Recommended Action:***

Resolution: Accepting and endorsing the City Manager's appointment of Kellie Jacobs-Hunter to the position of Administrative Services Director effective March 2, 2015

- B. Request to approve an agreement with Stott Outdoor Advertising of Chico, California, to sell and maintain advertising on the exteriors of Turlock's "Blast" and "Dart" urban services and remit a portion of the sales revenue to the City in the form of purchased transit tickets to be distributed to recognized charitable organizations and the Turlock Unified School District. (Pitcock)

***Recommended Action:***

Motion: Approving an agreement with Stott Outdoor Advertising of Chico, California, to sell and maintain advertising on the exteriors of Turlock's "Blast" and "Dart" urban services and remit a portion of the sales revenue to the City in the form of purchased transit tickets to be distributed to recognized charitable organizations and the Turlock Unified School District

- C. Request to authorize the City Manager to enter into a sole source professional services agreement with Dyett & Bhatia Urban and Regional Planners without following formal bidding procedures; approve the award of a professional services agreement to Dyett & Bhatia Urban and Regional Planners for the 5<sup>th</sup> Cycle update to the City of Turlock Housing Element for an amount not to exceed \$48,840; and appropriate \$48,840 to account number 110-40-400.43753 "Contract Services Housing Element Update" to be funded from Fund 110 "General Fund" reserve balances to prepare the State-mandated update to the City of Turlock Housing Element. (Whitmore)

***Recommended Action:***

Motion: Authorizing the City Manager to enter into a sole source professional services agreement with Dyett & Bhatia Urban and Regional Planners without following formal bidding procedures, having found that the circumstances listed in Turlock Municipal Code, Title 2, Chapter 7, Section 2-7-08(b)(2), (b)(3), and (b)(4) have been satisfied

Motion: Approving the award of a professional services agreement to Dyett & Bhatia Urban and Regional Planners for the 5<sup>th</sup> Cycle update to the City of Turlock Housing Element for an amount not to exceed \$48,840

Resolution: Appropriating \$48,840 to account number 110-40-400.43753 "Contract Services Housing Element Update" to be funded from Fund 110 "General Fund" reserve balances to prepare the State-mandated update to the City of Turlock Housing Element

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- D. Request to accept the Carnegie Arts Foundation Annual Report 2014 and approve a new fee schedule for the Carnegie Arts Center and amendment number 3 to the lease agreement between the City of Turlock and The Carnegie Arts Center Foundation, a California non-profit corporation, for the City owned area and building located at 250 North Broadway, Turlock, California. (*Van Guilder*)

***Recommended Action:***

*Motion:* Accepting the Carnegie Arts Foundation Annual Report 2014

*Motion:* Approving a new fee schedule (“Exhibit A”) for the Carnegie Arts Center and amendment number 3 (“Exhibit B”) to the lease agreement between the City of Turlock and The Carnegie Arts Center Foundation, a California non-profit corporation, for the City owned area and building located at 250 North Broadway, Turlock, California (Carnegie Arts Center)

- E. Request to approve a multifamily rehabilitation loan and any necessary tenant relocation of the property located at 1480 Lambert Way, Turlock, California, in the amount of \$270,000 and approve the sale of the property located at 1480 Lambert Way, Turlock, California (APN 061-040-004-000), to be sold to We Care, a non-profit organization, in the amount of \$350,000, subject to the terms and conditions. (*Pitt*)

***Recommended Action:***

*Motion:* Approving a multifamily rehabilitation loan and any necessary tenant relocation of the property located at 1480 Lambert Way, Turlock, California, in the amount of \$270,000 as outlined in Attachment A

*Motion:* Approving the sale of the property located at 1480 Lambert Way, Turlock, California (APN 061-040-004-000), to be sold to We Care, a non-profit organization, in the amount of \$350,000, subject to the terms and conditions as outlined in Attachment B

- F. Request to approve a Loan Agreement for Avena Bella Phase II project costs between the Successor Agency to the Turlock Redevelopment Agency and the City of Turlock; approve a Loan Agreement for Public Safety Facility’s contracts costs between the Successor Agency to the Turlock Redevelopment Agency and the City of Turlock; and approve a Loan Agreement for City advance for ROPS 14-15A Enforceable Obligations between the Successor Agency to the Turlock Redevelopment Agency and the City of Turlock. (*Lorenzi*)

***Recommended Action:***

*Resolution:* Approving a Loan Agreement for Avena Bella Phase II project costs between the Successor Agency to the Turlock Redevelopment Agency and the City of Turlock

*Resolution:* Approving a Loan Agreement for Public Safety Facility’s contracts costs between the Successor Agency to the Turlock Redevelopment Agency and the City of Turlock

*Resolution:* Approving a Loan Agreement for City advance for ROPS 14-15A Enforceable Obligations between the Successor Agency to the Turlock Redevelopment Agency and the City of Turlock

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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 – Pending Litigation, Cal. Gov't Code §54956.9(d)(4)**

*“For purposes of this section, litigation shall be considered pending when any of the following circumstances exist... Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.”*

Potential Case: (1 case)

B. **Conference with Labor Negotiators, Cal. Gov't Code §54957.6(a)**

*“Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation.”*

Agency Negotiators: Roy W. Wasden/Dave Young

Employee Organization: Turlock Associated Police Officers

12. **ADJOURNMENT**