

City Council Agenda



SEPTEMBER 12, 2017

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



**and via teleconference:
Courtyard Washington Embassy Row
1600 Rhode Island Avenue NW
Washington, DC 20036
Telephone No. 202-293-8000

Mayor
Gary Soiseth

Council Members
Matthew Jacob
William DeHart, Jr.
Vice Mayor
Amy Bublak
Gil Esquer

Interim City Manager
Robert A. Talloni
City Clerk
Jennifer Land
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 agendized topic 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.

**5:00 – 6:00 P.M. – Reception for the Abstract Landscapes Art Gallery
(Non-Agendized Event)**

1. **A. CALL TO ORDER**
- B. SALUTE TO THE FLAG**

2. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS

- A. Recognition: Employee of the Month - August 2017, Accountant II Nadine Silva
- B. Recognition: Medal of Meritorious Service, received by Police Officer Adam Neep and Certificate of Valor, received by Citizen Jose Mendoza
- C. Presentation: Abstract Landscapes, presented by Artist Morgan Andre

3. A. SPECIAL BRIEFINGS

1. TURLOCK REGIONAL AVIATION ASSOCIATION

Todd Smith, President

B. STAFF UPDATES

- 1. Policy Goals and Implementation Plan (*Executive Staff*)
- 2. Administrative Services
- 3. Development Services Department
 - a. Capital Projects, Building Activity, and Transit (*Pitcock*)
 - b. Measure L Planning (*Pitcock*)
- 4. Fire Department
- 5. Municipal Services Department
- 6. Parks, Recreation and Public Facilities
- 7. Police Department
 - a. School Safety-Education and Enforcement

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 that is within the subject matter jurisdiction of the City Council and to address the Council on any item on tonight's agenda, including Consent Calendar items. You will be allowed five (5) 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

C. DISCLOSURE OF TOP TEN/MAXIMUM CONTRIBUTORS

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 7/13/17 in the amount of \$683,170.17; Demands of 7/20/17 in the amount of \$1,783,808.77; Demands of 7/27/17 in the amount of \$256,693.50; Demands of 8/03/17 in the amount of \$655,864.53; Demands of 8/10/17 in the amount of \$1,124,116.53; Demands of 4/30/17 in the amount of \$576,808.27
- B. Motion: Accepting Minutes of Special and Regular Meeting of July 25, 2017; Special and Regular Meetings of August 8, 2017; Special Meeting of August 11, 2017; Special Meeting of Aug 21, 2017
- C.
 1. Motion: Accepting notification of Contract Change Order No. 1 in the amount of \$3,724 for City Project No. 16-37A "Fire Department Live Fire Training Facility," bringing the contract total to \$191,724
 2. Resolution: Appropriating \$110,000 to account number 305-40-443.51270 "Construction Project" to be funded from unallocated reserves in Fund 305 "CFF-Fire" for City Project No. 16-37A "Fire Department Live Fire Training Facility" and future projects to improve the facility
- D.
 1. Resolution: Determining City Project No. 17-24 "Loyola Way Electrolier" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines
 2. Motion: Awarding bid and approving an Agreement in the amount of \$24,994 (Fund 302) with Tim Paxin's Pacific Excavation, Inc. of Elk Grove, California, for City Project No. 17-24 "Loyola Way Electrolier"
- E. Resolution: Approving the purchase and delivery of one (1) 2018 Ford Explorer from Elk Grove Ford of Elk Grove, California, to be used solely as a transit service management vehicle by City transit staff, through the State of California Contract No. 1-16-23-23F, in an amount not to exceed \$31,865, without compliance to formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5)
- F. Motion: Approving an Agreement between the City of Turlock and Turlock Community Theatre, Inc. for the purpose of utilizing the Turlock Community Theatre for recreation dance classes and the end of session recital, from September 13, 2017 to December 8, 2017, in the amount of \$100 per day not to exceed twenty five (25) uses
- G. Motion: Accepting the post event reports for the Community Events and Activities Grants funding as set forth in "Exhibit A"
- H.
 1. Resolution: Determining the closure of Central Park located at 115 South Golden State Boulevard, for the Warriors Explore Downtown event hosted by California State University Stanislaus in partnership with the Turlock Downtown Property Owners Association and the City of Turlock, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines
 2. Resolution: Approving a Special Event Permit Application for Warriors Explore Downtown hosted by California State University Stanislaus in partnership with the Turlock Downtown Property Owners Association and the City of Turlock, authorizing the associated closure of Central Park located at 115 South Golden State Boulevard, for event purposes, on Wednesday, September 20, 2017 from 1:00 p.m. to 11:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the park closure
- I. Motion: Authorizing issuance of Request for Proposal (RFP) No. 17-531 for removal, recovering and reinstallation of the City Hall awnings

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- J. Resolution: Authorizing the rental of the Chamber of Commerce facility located at 115 South Golden State Boulevard by the Turlock Downtown Property Owners Association and other organizations
- K. Resolution: Approving the purchase of three (3) Ford F150 Regular Cab Pick Ups and two (2) 2017 Ford F250 Regular Cab Pick Ups for the Municipal Services Department from Downtown Ford Sales of Sacramento, California, through the State of California Contract No. 1-16-23-20A, in an amount not to exceed \$168,500, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5), and declaring the replaced vehicles as surplus
- L. Motion: Approving an Agreement between the City of Turlock and Townsend Public Affairs for lobbying services, in an annual amount not to exceed \$60,000
- M. 1. Resolution: Approving the transfer of unused property [two (2) bike racks] to the We Care Program – Turlock for use at their facility located at 221 South Broadway, Turlock
2. Resolution: Authorizing the City Manager, or his/her designee, to transfer unused property that can be used by another Government, Quasi Government, or Non-Profit Agency
- N. Motion: Approving an Agreement between the City of Turlock and PAXXO (USA), INC. for headworks debris disposal bags at the Turlock Regional Water Quality Control Facility, in an annual amount of \$15,000, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(2)
- O. Motion: Approving Amendment No. 1 to an Agreement between the City of Turlock and Roadrunner Drilling & Pump Company, Inc. for Well Rehabilitation Services of Wells 28, 31, and 38, to modify the scope of work to include additional well sites
- P. Motion: Approving a Right of Entry Agreement between the City of Turlock and Evangelical Lutheran Church of the Good Shepherd of Turlock at 3500 North Quincy Road for the installation of an exploratory test hole for a new municipal water supply well
- Q. Motion: Approving an Agreement between Stommel, Inc., Dba Lehr Auto Electric of Sacramento, and the City of Turlock for the purchase of emergency vehicle equipment, supplies, repair, and installation services
- R. Resolution: Authorizing the acceptance of an allocation of funds, execution of a grant agreement, and the commitments necessary to administer the Selective Traffic Enforcement Program grant through the California Office of Traffic Safety, in an amount not to exceed \$85,000, appropriating said funds into the appropriate revenue and expenditure accounts in Fund 266 “Police Grants” Program 352 “OTS Step Grant” for FY 2017-18, and authorizing the City Manager to sign all documents associated with this grant on behalf of the City of Turlock
- S. 1. Motion: Approving the purchase and delivery of ten (10) PocketCitation handheld ticket writer devices for the Turlock Police Department from Apteon, formerly Advanced Public Safety, Inc. (APS), in an amount not to exceed \$55,526.71 from account number 240-00-000-213.51152 “Police Services Hand Held Ticket Writers”
2. Resolution: Re-appropriating unspent funds of \$60,000 from Fiscal Year 2016-17 to account number 240-00-000-213.51152 “Police Services Hand Held Ticket Writers” from Fund 240 “Small Equipment Replacement Reserves” for the purchase of PocketCitation handheld ticket writer devices
- T. 1. Motion: Approving an Agreement with Clark Pest Control to provide immediate pigeon exclusion and clean-up, as well as annual trapping services at the Public Safety Facility radio tower
2. Resolution: Re-appropriating unspent funds of \$9,000 from Fiscal Year 2016-17 and an additional \$2,100 from Fund 240 “Small Equipment Replacement-Police” unallocated reserves to account number 240-00-000-213.44030_054 “Minor Equipment PSF Repairs and Improvements” for pigeon exclusion and clean-up and appropriating \$5,640 from Fund 110 “General Fund” unallocated reserves to account number 110-20-200.43150 “Pest Control” for on-going trapping services at the Public Safety Facility radio tower

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- U. Resolution: Re-appropriating unspent funds of \$14,000 from Fiscal Year 2016-17 to account number 110-20-210.44030_001 "Minor Equipment Safety Equipment" from Fund 110 "General Fund" Unallocated Reserves for the purchase of necessary safety equipment for Police Officers
 - V. Resolution: Re-appropriating unspent funds of \$5,200 from Fiscal Year 2016-17 to account number 110-20-210.47119 "Police Academy" from Fund 110 "General Fund" Unallocated Reserves for the purchase of ammunition for Police Officer Trainees
 - W. Motion: Approving an Agreement between the City of Turlock and the United States Secret Service (USSS) allowing staff to utilize equipment issued by USSS and authorizing the City Manager to sign the Agreement
 - X.
 1. Motion: Correcting Amendment No. 2 to an Agreement with Tyler Technologies, Inc (approved on August 8, 2017) for Standard Software License and Services to include Executime Time & Attendance Software and Executime Advanced Scheduling Software, correcting the not to exceed compensation amount
 2. Motion: Approving the Payment and Warranty Terms and Conditions Amendment provided by Tyler Technologies, Inc for Executime Time and Attendance Software and Executime Advanced Scheduling Software
 - Y. Motion: Approving Amendment No. 1 to an Agreement between the City of Turlock and GovernmentJobs.com, Inc. a California corporation (DBA "NEOGOV"), to provide annual on-line employment application services utilizing the Insight Enterprise Software License, correcting the compensation from a total amount to an annual amount during the term of the existing contract
 - Z. Motion: Rejecting Claim for Damages filed by Justino Garza
 - AA. Motion: Rejecting Claim for Damages filed by Kevin William Mayhew

6. FINAL READINGS

- A. **Recommended Action:**
Ordinance: Amending Turlock Municipal Code Title 6, Chapter 1, Article 7, Section 05 regarding retail sale of dogs and cats to replace the word "chapter" with the word "article" as introduced at the August 8, 2017 City Council meeting

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 supersede and replace Resolution No. 2016-108 and adopt updated cost recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq. (*Jacobs-Hunter*)

Recommended Action:

Resolution: Superseding and replacing Resolution No. 2016-108 and adopting updated cost recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq.

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- B. Request to order the improvements and formation of the Potters Landing subdivision (Development Project No. 14-57) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirm the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Potters Landing subdivision (Development Project No. 14-57) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128. (*Pitcock*)

Recommended Action:

Resolution: Ordering the improvements and formation of the Potters Landing subdivision (Development Project No. 14-57) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Potters Landing subdivision (Development Project No. 14-57) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

- C. Request to order the improvements and formation of the Hilmar Cheese (Development Project No. 15-33) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirm the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Hilmar Cheese (Development Project No. 15-33) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

Recommended Action:

Resolution: Ordering the improvements and formation of the Hilmar Cheese (Development Project No. 15-33) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Hilmar Cheese (Development Project No. 15-33) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

- D. Request to order the improvements and formation of the Taco Bell (Development Project No. 15-34) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirm the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Taco Bell (Development Project No. 15-34) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

Recommended Action:

Resolution: Ordering the improvements and formation of the Taco Bell (Development Project No. 15-34) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Taco Bell (Development Project No. 15-34) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

- E. Request to order the improvements and formation of the Dust Bowl Brewery (Development Project No. 15-35) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirm the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Dust Bowl Brewery (Development Project No. 15-35) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

Recommended Action:

Resolution: Ordering the improvements and formation of the Dust Bowl Brewery (Development Project No. 15-35) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Dust Bowl Brewery (Development Project No. 15-35) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

- F. Request to order the improvements and formation of the Valley Milk (Development Project No. 17-37) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirm the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Valley Milk (Development Project No. 17-37) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

Recommended Action:

Resolution: Ordering the improvements and formation of the Valley Milk (Development Project No. 17-37) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Valley Milk (Development Project No. 17-37) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

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- G. Request to order the improvements and formation of the Blue Diamond (Development Project No. 17-38) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirm the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Blue Diamond (Development Project No. 17-38) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

Recommended Action:

Resolution: Ordering the improvements and formation of the Blue Diamond (Development Project No. 17-38) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Blue Diamond (Development Project No. 17-38) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

- H. Request to order the Improvements and formation of the Turlock Walnut Company (Development Project No. 17-39) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirm the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Turlock Walnut Company (Development Project No. 17-39) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

Recommended Action:

Resolution: Ordering the Improvements and formation of the Turlock Walnut Company (Development Project No. 17-39) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Turlock Walnut Company (Development Project No. 17-39) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

- I. Request to order the improvements and formation of the Fulkerth Chevron (Development Project No. 17-40) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirm the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Fulkerth Chevron (Development Project No. 17-40) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

Recommended Action:

Resolution: Ordering the improvements and formation of the Fulkerth Chevron (Development Project No. 17-40) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Fulkerth Chevron (Development Project No. 17-40) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

8. SCHEDULED MATTERS

- A. Request to determine the closure of Oak Street (between Cooper Avenue and Lyons Avenue), Lyons Avenue (between Oak Street and North Rose Street), and North Rose Street (between Lyons Avenue and Cooper Avenue), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND approve the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorize the associated closure of Oak Street (between Cooper Avenue and Lyons Avenue), Lyons Avenue (between Oak Street and North Rose Street), and North Rose Street (between Lyons Avenue and Cooper Avenue) for pedestrian safety, on Saturday, September 30, 2017 from 7:00 p.m. through 10:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure. (*Traini*)

Recommended Action:

Resolution: Determining the closure of Oak Street (between Cooper Avenue and Lyons Avenue), Lyons Avenue (between Oak Street and North Rose Street), and North Rose Street (between Lyons Avenue and Cooper Avenue), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines

Resolution: Approving the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorizing the associated closure of Oak Street (between Cooper Avenue and Lyons Avenue), Lyons Avenue (between Oak Street and North Rose Street), and North Rose Street (between Lyons Avenue and Cooper Avenue) for pedestrian safety, on Saturday, September 30, 2017 from 7:00 p.m. through 10:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure

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- B. Request to determine the closure of Lyons Avenue (between North Rose Street and Colorado Avenue), Colorado Avenue (between Lyons Avenue and Cooper Avenue) and Cooper Avenue (between Colorado Avenue and Oak Street), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND approve the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorize the associated closure of Lyons Avenue (between North Rose Street and Colorado Avenue), Colorado Avenue (between Lyons Avenue and Cooper Avenue) and Cooper Avenue (between Colorado Avenue and Oak Street) for pedestrian safety, on Sunday, October 1, 2017 from 9:30 a.m. through 12:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure. (*Traini*)

Recommended Action:

Resolution: Determining the closure of Lyons Avenue (between North Rose Street and Colorado Avenue), Colorado Avenue (between Lyons Avenue and Cooper Avenue) and Cooper Avenue (between Colorado Avenue and Oak Street), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines

Resolution: Approving the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorizing the associated closure of Lyons Avenue (between North Rose Street and Colorado Avenue), Colorado Avenue (between Lyons Avenue and Cooper Avenue) and Cooper Avenue (between Colorado Avenue and Oak Street) for pedestrian safety, on Sunday, October 1, 2017 from 9:30 a.m. through 12:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure

- C. Request to determine the closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street), for the Feast of Our Lady of Guadalupe Procession Celebration hosted by Sacred Heart Catholic Church, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND approve the Special Event Permit Application for the Feast of Our Lady of Guadalupe Procession Celebration hosted by Sacred Heart Catholic Church, authorize the associated closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street) for pedestrian safety, on Tuesday, December 12, 2017 from 5:00 p.m. to 8:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure. (*Traini*)

Recommended Action:

Resolution: Determining the closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street), for the Feast of Our Lady of Guadalupe Procession Celebration hosted by Sacred Heart Catholic Church, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines

Resolution: Approving the Special Event Permit Application for the Feast of Our Lady of Guadalupe Procession Celebration hosted by Sacred Heart Catholic Church, authorizing the associated closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street) for pedestrian safety, on Tuesday, December 12, 2017 from 5:00 p.m. to 8:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure

- D. Request to adopt the City of Turlock Active Military Banner Program and designate Countryside Drive between Fulkerth Road and Monte Vista Avenue as the inaugural installation corridor (*Van Guilder*)

Recommended Action:

Resolution: Adopting the City of Turlock Active Military Banner Program and designating Countryside Drive between Fulkerth Road and Monte Vista Avenue as the inaugural installation corridor

- E. Request to appropriate \$5,000 to account number 269-60-614-414.44001_000 "Supplies" funded by the donation received from Golden State Farmers Market Association to be used for the City of Turlock Active Military Banner Program (*Van Guilder*)

Recommended Action:

Resolution: Appropriating \$5,000 to account number 269-60-614-414.44001_000 "Supplies" funded by the donation received from Golden State Farmers Market Association to be used for the City of Turlock Active Military Banner Program

- F. Request to reject all bids submitted for Request for Proposal (RFP) No. 16-378 "Tourism Strategy" AND approve Amendment No. 1 to an Agreement with North Star Destination Strategies of Nashville Tennessee to develop branding and marketing strategies for the City of Turlock, to include the additional scope of work for the tourism strategy in the amount of \$55,000. (*Pitt*)

Recommended Action:

Motion: Rejecting all bids submitted for Request for Proposal (RFP) No. 16-378 "Tourism Strategy"

Motion: Approving Amendment No. 1 to an Agreement with North Star Destination Strategies of Nashville Tennessee to develop branding and marketing strategies for the City of Turlock, to include the additional scope of work for the tourism strategy in the amount of \$55,000

9. MATTERS TOO LATE FOR AGENDA/NON-AGENDA ITEMS

The Brown Act generally prohibits any action or discussion of items not on the posted agenda. However, there are three specific situations in which a legislative body can act on an item not on the agenda:

- 1) When a majority decides there is an "emergency situation" (as defined for emergency meetings).
- 2) When two-thirds of the members present (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action "came to the attention of the local agency subsequent to the agenda being posted." This exception requires a degree of urgency. Further, an item cannot be considered under this provision if the legislative body or the staff knew about the need to take immediate action before the agenda was posted. A "new" need does not arise because staff forgot to put an item on the agenda or because an applicant missed a deadline.
- 3) When an item appeared on the agenda of, and was continued from, a meeting held not more than five days earlier.

A legitimate immediate need can be acted upon even though not on the posted agenda by following a two-step process. First, make two determinations: (a) that there is an immediate need to take action and (b) that the need arose after the posting of the agenda. The matter is then "placed on the agenda." Second, discuss and act on the added agenda item.

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Requests for Council items for future consideration will be scheduled in accordance with Resolution No. 2008-019 and will be brought back to the City Council no earlier than October 17, 2017 unless otherwise specified by the Mayor or a majority of the Council.

11. 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.

12. CLOSED SESSION**A. 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 Designated Representative: Interim City Manager Robert A. Talloni

Employee Organization: Turlock Associated Police Officers

Employee Organization: Turlock City Employee Association

Employee Organization: Turlock Firefighters Association-Local 2434

Employee Organization: Turlock Management Association-Public Safety

Unrepresented Employees: Administrative Analyst, Administrative Services Director, Assistant to the City Manager for Economic Development/Community Housing, Chief Building Official, City Clerk, Community Housing Program Supervisor, Deputy Director Development Services/Planning, Development Services Director, Development Services Supervisor/City Surveyor, Executive Administrative Assistant/Deputy City Clerk, Executive Administrative Assistant/Public Safety, Fire Chief, Human Resources Analyst, Sr., Human Resources Manager, Human Resources Technician, Legal Assistant, Municipal Services Director, Office Assistant I, Parks, Recreation and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Payroll Coordinator, Police Chief, Principal Civil Engineer, Regulatory Affairs Manager, Traffic Transportation Engineering Supervisor, Utilities Manager, and Water Quality Control Division Manager.

- B. Public Employee Appointment, Cal. Gov't Code §54957(b)(1)
"Subject to paragraph (2), this chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session."
Title: City Manager
- C. 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 Negotiator: Mayor Gary Soiseth
Unrepresented Employee: City Manager

13. ADJOURNMENT

Consider adjourning the September 12, 2017 Regular City Council Meeting to a date and time certain in order to continue discussing unfinished business on the Regular City Council Meeting Agenda.