

# City Council Agenda



**FEBRUARY 9, 2016**

**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

Interim City Manager  
**Michael I. Cooke**  
City Clerk  
**Kellie E. Weaver**  
City Attorney  
**Phaedra A. Norton**

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**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.

**1. A. CALL TO ORDER**

**B. SALUTE TO THE FLAG**

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

- A. Proclamation: Go Green Week, March 14-18, 2016
- B. Appointment: Stanislaus County Local Task Force on Solid Waste (2<sup>nd</sup> Alternate)
- C. Presentation: Stanislaus County Mental Health by Ritta Sudnikoff, Board Member
- D. Presentation: Carnegie Art Center Annual Report by Lisa McDermott, Director

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

**B. STAFF UPDATES**

- 1. Policy Goals and Implementation Plan (*Executive Staff*)
- 2. Capital Projects and Building Activity (*Pitcock*)
- 3. CDBG Community Grant Selection Committee (*Pitt*)

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**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. 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 1/7/16 in the amount of \$418,232.91; Demands of 1/14/16 in the amount of \$1,932,739.84
- B. Motion: Accepting Minutes of the Special Joint City Council and Planning Commission Meeting of January 26, 2016; Accepting Minutes of the Regular Meeting of January 26, 2016
- C.
  1. Motion: Approving Contract Change Order No. 1 (Final) in the decreased amount of \$29,348.54 (Fund 246) for City Project No. 14-67, "Slurry Seals 2015," bringing the contract total to \$530,658.46
  2. Motion: Accepting improvements for City Project No. 14-67, "Slurry Seals 2015," and authorizing the City Engineer to file a Notice of Completion
- D.
  1. Motion: Approving a Cooperative Funding Agreement with the Stanislaus Council of Governments (StanCOG) for the South County Corridor Feasibility Study
  2. Resolution: Appropriating \$22,000 to account number 217-50-511.43347 "South County Corridor Feasibility Study" to be funded from unappropriated reserves in Fund 217 "Streets Gas Tax-Section 2103" monies for Turlock's financial share of the South County Corridor Feasibility Study
- E. Resolution: Authorizing the closure of South Broadway, between A Street and West Main Street, for the swearing-in ceremony of the new Turlock City Manager, with the specific date and times of the closure to be identified by the Interim City Manager
- F. Resolution: Authorizing the closure of various street sections as further specified on Saturday, February 20, 2016, for the annual Kettle Dash events and authorizing the City Manager to apply appropriate conditions and restrictions
- G. Motion: Approving an amendment to the Professional Services Agreement between the City of Turlock and Todd Engineers, related to the services of conducting a detailed hydrogeologic characterization of a 115-square-mile portion of the Eastern Turlock Subbasin, to extend the term of the contract for an additional six (6) months
- H. Motion: Approving the City of Turlock's Police Department participation in a Multidisciplinary County Wide Child Abuse and Neglect Investigation protocol and authorizing the Police Chief to sign the agreement
- I. Motion: Approving an addendum with Tyler Technologies, Inc., as successor-in-interest, to New World Systems for software and related services
- J. Motion: Rejecting Claim for Damages filed by Silvestre R. Lopez

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- K. Resolution: Appropriating \$179,736 to various salary, benefits and equipment accounts per Exhibit "A" in 110-30-300 "Fire Services" from Fund 110 "General Fund" reserve balance for three (3) additional Firefighter positions as approved by Resolution No. 2015-268
- L. Motion: Approving an agreement, as well as future renewal agreements, between the City of Turlock and NorCal Services for the Deaf and Hard of Hearing to provide sign language interpretation services on an on call basis as needed by Turlock Police staff, in an amount not to exceed \$5,000

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 to supersede and replace Council Resolution No. 2015-134 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. (*Pitcock/Van Guilder*)

**Recommended Action:**

Resolution: Superseding and replacing Council Resolution No. 2015-134 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.

- B. Request to amend the Turlock Municipal Code Title 6, Chapter 3, Regarding Garbage, Rubbish and Organic Refuse. (*Reynolds*)

**Recommended Action:**

Ordinance: Amending Turlock Municipal Code Title 6, Chapter 3, Regarding Garbage, Rubbish and Organic Refuse

8. **SCHEDULED MATTERS**

- A. Request to approve water conservation targets and penalties for exceeding water conservation targets and authorizing staff to proceed with the ordinance amendment for future City Council approval. (*Reynolds*)

**Recommended Action:**

Motion: Approving water conservation targets and penalties for exceeding the water conservation targets and authorizing staff to proceed with the ordinance amendment for future City Council approval

- B. Request to approve an agreement for special services with The Sports Management Group for the purpose of developing a Sports & Recreation Facilities Prioritization and Feasibility Study in an amount not to exceed \$75,000. (*Schulze*)

**Recommended Action:**

*Motion:* Approving an agreement for special services with The Sports Management Group for the purpose of developing a Sports & Recreation Facilities Prioritization and Feasibility Study in an amount not to exceed \$75,000

- C. Request to accept a summary report of vehicle, bicycle and pedestrian collisions for calendar year 2015 and adopting a multi-pronged, collision reduction strategy for public safety. *(Pitcock)*

**Recommended Action:**

*Motion:* Accepting a summary report of vehicle, bicycle and pedestrian collisions for calendar year 2015 and adopting a multi-pronged, collision reduction strategy for public safety

- D. Request to adopt the Million Acts of Kindness Initiative for the City of Turlock, as an organization and as a community. *(Mayor Soiseth)*

**Recommended Action:**

*Resolution:* Adopting the Million Acts of Kindness Initiative for the City of Turlock, as an organization and as a community

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

**10. COUNCIL ITEMS FOR FUTURE CONSIDERATION**

**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. Continued from the January 12, 2016 City Council Meeting:**

*Conference with Legal Counsel – Existing Litigation*, Cal. Gov't Code §54956.9(d)(1)

*“For purposes of this section, litigation shall be considered pending when any of the following circumstances exist... Litigation, to which the local agency is a party, has been initiated formally.”*

Name of Case: County of Stanislaus v. City of Modesto, City of Turlock; Modesto Garbage Co., Inc.; and Does 1 through 100, inclusive

**13. ADJOURNMENT**