

City Council Agenda



JUNE 24, 2014

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



Mayor
John S. Lazar

Council Members
Amy Bublak **Steven Nascimento**
William DeHart, Jr. **Forrest White**
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: Parks & Recreation Month, July 2014, accepted by Allison Van Guilder.

3. A. SPECIAL BRIEFINGS: None

B. STAFF UPDATES

1. Police Department Mid-Year Update. (*Jackson*)

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

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 5/29/14 in the amount of \$1,286,163.43; Demands of 6/5/14 in the amount of \$671,613.27
- B. Motion: Accepting Minutes of Regular Meeting of June 10, 2014
- C.
 - 1. Motion: Making the determination that City Project No. 12-49, "Walnut Rd. Median Improvements," is exempt from the provisions of CEQA in accordance with Section 15301, "Existing Facilities"
 - 2. Motion: Awarding bid and approving an agreement in the amount of \$290,093 with F. Loduca Company of Stockton, California, for City Project No. 12-49, "Walnut Rd. Median Improvements"
 - 3. Resolution: Appropriating \$18,912 to account number 215-40-420.51210 "Federal Street Projects" via a transfer from Fund 305 "Capital Facility Fees (Roadways)" reserve for City Project No. 12-49, "N. Walnut Rd. Median Improvements"
- D. Motion: Approving Contract Change Order No. 1 in the amount of \$5,832.97 (Fund 305) for City Project No. 13-25B, "Public Safety Training Facility Utilities and Site Improvements," bringing the contract total to \$113,051.77
- E. Motion: Accepting improvements for City Project No. 13-47, "Columbia Park Restrooms," and authorizing the City Engineer to file a Notice of Completion
- F.
 - 1. Motion: Making the determination that City Project No. 13-48, "Roadway Widening at 1338 and 1344 East Ave.," is exempt from the provisions of CEQA in accordance with Section 15301, "Existing Facilities"
 - 2. Motion: Awarding bid and approving an agreement in the amount of \$51,666 (Fund 217) with Hensley's Paving & General Engineering, Inc., of Hickman, California, for City Project No. 13-48, "Roadway Widening at 1338 and 1344 East Ave."
- G.
 - 1. Motion: Accepting notification of Contract Change Order No. 3 (Final) in the decreased amount of (\$10,982.80) (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 01 – General Construction and Specialties," bringing the contract total to \$2,283,172.20
 - 2. Motion: Accepting improvements for City Project No. 0804B, "Turlock Public Safety Facility," Category 01 – General Construction and Specialties, and authorizing the City Engineer to file a Notice of Completion
- H.
 - 1. Motion: Accepting notification of Contract Change Order No. 3 (Final) in the decreased amount of (\$15,859.31) (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 02 – Demolition, Grading and Site Paving, bringing the contract total to \$1,016,621

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2. Motion: Accepting improvements for City Project No. 0804B, "Turlock Public Safety Facility," Category 02 – Demolition, Grading and Site Paving, and authorizing the City Engineer to file a Notice of Completion
- I. 1. Motion: Accepting notification of Contract Change Order No. 1 (Final) in the decreased amount of (\$25,501.86) (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 03 – Structural Concrete, bringing the contract total to \$1,370,498.14
2. Motion: Accepting improvements for City Project No. 0804B, "Turlock Public Safety Facility," Category 03 – Structural Concrete, and authorizing the City Engineer to file a Notice of Completion
- J. 1. Motion: Accepting notification of Contract Change Order No. 5 (Final) in the decreased amount of (\$14,250) (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 04 - Landscaping, bringing the contract total to \$218,934
2. Motion: Accepting improvements for City Project No. 0804B, "Turlock Public Safety Facility," Category 04 - Landscaping, and authorizing the City Engineer to file a Notice of Completion
- K. 1. Motion: Accepting notification of Contract Change Order No. 4 (Final) in the decreased amount of (\$6,020.10) (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 05 - Masonry, bringing the contract total to \$1,316,861.29
2. Motion: Accepting improvements for City Project No. 0804B, "Turlock Public Safety Facility," Category 05 - Masonry, and authorizing the City Engineer to file a Notice of Completion
- L. 1. Motion: Accepting notification of Contract Change Order No. 6 (Final) in the decreased amount of (\$4,653.29) (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 06 – Structural Steel, bringing the contract total to \$3,504,925.71
2. Motion: Accepting improvements for City Project No. 0804B, "Turlock Public Safety Facility," Category 06 – Structural Steel, and authorizing the City Engineer to file a Notice of Completion
- M. 1. Motion: Accepting notification of Contract Change Order No. 6 (Final) in the decreased amount of (\$12,750) (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 09 – Doors and Windows, bringing the contract total to \$1,136,694.42
2. Motion: Accepting improvements for City Project No. 0804B, "Turlock Public Safety Facility," Category 09 – Doors and Windows, and authorizing the City Engineer to file a Notice of Completion
- N. 1. Motion: Accepting notification of Contract Change Order No. 4 (Final) in the decreased amount of (\$4,500) (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 11 – Painting and Wall Coverings, bringing the contract total to \$293,150
2. Motion: Accepting improvements for City Project No. 0804B, "Turlock Public Safety Facility," Category 11 – Painting and Wall Coverings, and authorizing the City Engineer to file a Notice of Completion
- O. Motion: Accepting improvements for City Project No. 0804B, "Turlock Public Safety Facility," Category 13 – Building and Site Electrical, and authorizing the City Engineer to file a Notice of Completion
- P. Resolution: Authorizing the appointment of the retired annuitant Roger Fall to a temporary part-time position for the purposes of assisting Engineering Division staff in the preparation of a speed study required by law in order for law enforcement to use radar for speed enforcement

- Q. Resolution: Rescinding Resolution No. 2007-268 and adopting a new resolution authorizing the Turlock Unified School District (TUSD) to close N. Berkeley Ave., between Marshall St. and E. Canal Dr., for school related activities and all special events at Turlock High School as further conditioned
- R. Motion: Approving the agreements between the City of Turlock and each of the seven (7) funded nonprofit public service agencies in the amount of \$62,000
- S. Motion: Approving a special services agreement with Itron for water analytics software and service related to the automatic meter reading system, at no cost to the City
- T. Motion: Approving an agreement with Root Tamers for chemical root control of sewer lines for the Municipal Services Utilities Division for a period of twelve (12) months, in an amount not to exceed \$8,000
- U. Motion: Approving multiple agreements with Pace Supply, HD Supply, and R & B Company for the purchase of pipe and pipe fittings for the Municipal Services Utilities Division for a period of twelve (12) months each, with an aggregate value of \$87,000, in accordance with the terms and conditions set within each agreement
- V. Resolution: Accepting donations received from April through June Fiscal Year 2013-14 to be deposited for a variety of Parks, Recreation & Public Facilities Department programs, scholarships, and activities
- W. Motion: Approving an agreement between the City of Turlock Police Department and Jocelyn E. Roland, PH.D., to provide counseling/psychotherapy services to all sworn officers, dispatchers, and community service officers of the Turlock Police Department at no cost to the covered employee, for the period of July 1, 2014, through June 30, 2015, in an amount not to exceed \$12,000
- X. Motion: Approving an agreement between the City of Turlock and the Turlock Unified School District for Police Officer Services at Turlock High School
- Y. Motion: Approving the agreement between the City of Turlock and the Turlock Unified School District for Police Officer Services at Pitman High School
- Z. Motion: Approving Amendment No. 1 to the agreement with Protech Security & Electronics, Inc., to include Turlock Public Safety Facility and Turlock Training Building for inspection and maintenance services in a monthly amount of \$410 for the Public Safety Facility and \$55 for the Turlock Training Building, increasing the annual amount from \$840 to \$6,420
- AA. Resolution: Authorizing the submittal of an application, acceptance of an allocation of funds, and execution of a grant agreement with the Federal Aviation Administration for an Airport Layout Plan (ALP) Update including an additional allocation of funds in the amount of \$12,000 to account number 401-10-125-51000 "Capital Improvements" from Fund 401 "Airport" reserve balance to cover related expenses
- AB. Resolution: Authorizing the creation of one (1) new job classification for an Information Technology Technician
- AC. Resolution: Rescinding Resolution No. 2012-182 and adopting an amended Conflict of Interest Code for the City of Turlock and the list of "Designated Employees" and their reporting categories for filing their Conflict of Interest Statement (Form 700)

6. FINAL READINGS: None

7. PUBLIC HEARINGS: None

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.

8. SCHEDULED MATTERS:

- A. Request to authorize the submittal of an application, acceptance of an allocation of funds, and execution of a grant agreement with the State Department of Water Resources (DWR) for the 2014 Integrated Regional Water Management Drought Grant, pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. (*Cooke*)

Recommended Action:

Resolution: Authorizing the submittal of an application, acceptance of an allocation of funds, and execution of a grant agreement with the State Department of Water Resources (DWR) for the 2014 Integrated Regional Water Management Drought Grant, pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Public Resource Code section 75001 et seq.)

- B. Request to accept donations from Mann Electric Inc., B&B and Bergman Landscape in the amount of \$1,500 to be deposited into account number 270-61-635-399.37200_004 "Donation Recreation on Wheels" and appropriating said funds to account number 270-61-635-399.47132 "Recreation on Wheels Expenses" for a recreation program at Denair Park. (*Van Guilder*)

Recommended Action:

Resolution: Accepting donations from Mann Electric Inc., B&B and Bergman Landscape in the amount of \$1,500 to be deposited into account number 270-61-635-399.37200_004 "Donation Recreation on Wheels" and appropriating said funds to account number 270-61-635-399.47132 "Recreation on Wheels Expenses" for a recreation program at Denair Park

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

"For the 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 Cases: (1 case)

B. Conference with Labor Negotiators, Cal. Gov't Code §54957.6

"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

Employee Organization: Turlock City Employee Association

Employee Organization: Turlock Firefighters Association. Local 2434

Employee Organization: Turlock Management Association-Public Safety

Unrepresented Employees: Accountant, Sr., Assistant to the City Manager for Economic Development/Community Housing, Community Housing Program Supervisor, Deputy Development Services Director/Planning, Development Services Director/City Engineer, Development Services Supervisor/City Surveyor, Executive Assistant to the City Manager/City Clerk, Finance Customer Service Supervisor, Fire Chief, Human Resources Manager, Human Resources Technician, Legal Assistant, Municipal Services Director, Payroll Coordinator, Principal Civil Engineer, Regulatory Affairs Manager, Secretary/Deputy City Clerk, Executive Administrative Assistant/Public Safety, Technical Services Manager, Utilities Manager, Water Quality Control Division Manager

C. Conference with Labor Negotiators, Cal. Gov't Code §54957.6

"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: City Council

Unrepresented Employees: City Manager, City Attorney

12. ADJOURNMENT