

City Council Agenda

APRIL 14, 2015

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



**and via teleconference:
Simon Fraser University LDC 222
8888 University Drive
Burnaby, B.C. Canada V5A 1S6
Telephone (778) 782 4080

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

- A. Proclamation: City of Turlock Volunteers, accepted by Jessie Dhami
- B. Proclamation: Stanislaus County National Library Week, accepted by Diane Bartlett
- C. Proclamation: California Safe Digging Month, accepted by Joe Branstion
- D. Proclamation: Implementation of Stage Three Emergency Water Shortage Plan and all Correlating Water Conservation Initiatives, accepted by Michael Cooke

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

B. STAFF UPDATES

1. Drought Update, City Water Conservation Strategic Plan, and Public Announcement on Stage Three Restrictions (*Cooke*)
2. Capital Projects and Building Activity (*Pitcock*)

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**

B. DISCLOSURE OF EX PARTE COMMUNICATIONS

1. Public Hearing 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 3/5/15 in the amount of \$593,899.89; Demands of 3/12/15 in the amount of \$776,032.62; Demands of 3/19/15 in the amount of \$1,808,427.46
- B. Motion: Accepting Minutes of Special Meeting of March 17, 2015; Minutes of Special Meeting/Workshop of March 17, 2015; Minutes of Regular Meeting of March 24, 2015
- C. Motion: Approving Contract Change Order No. 1 in the amount of \$800 (Fund 215) for City Project No. 13-34, "Intersection Improvements at Christoffersen Pkwy. and Fosberg Rd. CML-5165 (073)," bringing the contract total to \$341,444
- D. Motion: Approving Addendum No. 1 to the January 13, 2015 approved agreement with ASSY ABLOY, of Elk Grove, California, for City Project No. 14-69, "Public Safety Facility –Door Replacement"
- E. 1. Motion: Making the determination that City Project No. 15-31, "Gemstone Way Electrolier," is exempt from the provisions of CEQA in accordance with Section 15303

2. Motion: Awarding bid and approving an agreement in the amount of \$11,457 (Fund 302) with Darrale Patrias Electrical Contractor Inc., of Turlock, California, for City Project No. 15-31, "Gemstone Way Electrolier"
- F. Resolution: Approving the 2014 General Plan Implementation Report
- G. Resolution: Approving the 2015 Update to the City of Turlock CEQA Implementation Guidelines
- H. Motion: Approving Amendment No. 1 to the Agreement between the City of Turlock and Badger Meter, Inc., to add National Meter & Automation, Inc., as a distributor for water meters
- I. Motion: Approving the service agreement with Hawk Systems of Modesto, California, for pump repair services for City Water Well Sites for the Municipal Services Department, in an amount not to exceed \$90,000, for a period of twelve (12) months
- J. Resolution: Appropriating \$20,000 to revenue account number 269-60-614-381.34143 "State Department of Housing & Community Development Grant" and \$20,000 to expense account 269-60-614-381.51270 "Construction Project" for the Fiscal Year 2014/15 budget to allow staff to begin work on the Montana Neighborhood Park project
- K. Motion: Approving a five (5) year lease agreement between the State of California, Military Department and the City of Turlock for the use of two (2) acres located at Soderquist Field, 1040 Flower Street, Turlock, California, for recreational purposes
- L. Motion: Rejecting Claim for Damages filed by Carol Skooglund

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

- B. Request to repeal and replace Turlock Municipal Code Title 9, Zoning Ordinance, in its entirety and approve an amnesty program for cargo containers permits. (*Whitmore*)

Recommended Action:

Ordinance: Repealing and Replacing Turlock Municipal Code Title 9, Zoning Ordinance, in its entirety

Motion: Approving an amnesty program for cargo container permits, as follows:

- 1) A delay in the enforcement of the provisions listed in the modified TMC 9-2-125 (Cargo Containers) for a period of 6 months; and

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- 2) A reduction in the planning permitting fees for cargo container permits for a 6-month period, as follows, and subsidize the permitting fees with General Fund revenues:
- a) Reduce the cost of the Minor Discretionary Permit required for commercial and industrial zoned properties from \$1,475 to \$345; and
 - b) Reduce the cost of the Minor Administrative Approval required for residential zoned properties from \$345 to \$170.
- C. Request to amend Section 9-2-125 (Mobile Food Facilities) of Title 9 (Zoning Regulations) of the City of Turlock Municipal Code to Prohibit the Issuance of a Mobile Food Facility Permit on Private Property Located in Certain Downtown Overlay Districts. (*Whitmore*)

Recommended Action:

Ordinance: Amending Section 9-2-125 (Mobile Food Facilities) of Title 9 (Zoning Regulations) of the City of Turlock Municipal Code to Prohibit the Issuance of a Mobile Food Facility Permit on Private Property Located in Certain Downtown Overlay Districts

8. SCHEDULED MATTERS:

- A. Request to authorize the rejection of all bids submitted by RFB No. 15-313 for four (4) Pickup Trucks and one (1) Sport Utility Vehicle for Municipal Services Department and Parks, Recreation & Public Facilities Department, pursuant to Turlock Municipal Code §2-7-09(c)(4) and approve the purchase of four (4) Pickup Trucks and one (1) Sport Utility Vehicle through the State of California Contract No. 1-14-23-20A from Downtown Ford Sales of Sacramento, for Municipal Services Department and Parks, Recreation & Public Facilities Department, in an amount not to exceed \$123,909, without compliance to the formal bid procedure, in accordance with Turlock Municipal Code §2-7-09(b)(5). (*Cooke*)

Recommended Action:

Motion: Authorizing the rejection of all bids submitted by RFB No. 15-313 for four (4) Pickup Trucks and one (1) Sport Utility Vehicle for Municipal Services Department and Parks, Recreation & Public Facilities Department, pursuant to Turlock Municipal Code §2-7-09(c)(4)

Motion: Approving the purchase of four (4) Pickup Trucks and one (1) Sport Utility Vehicle through the State of California Contract No. 1-14-23-20A from Downtown Ford Sales of Sacramento, for Municipal Services Department and Parks, Recreation & Public Facilities Department, in an amount not to exceed \$123,909, without compliance to the formal bid procedure, in accordance with Turlock Municipal Code §2-7-09(b)(5)

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- B. Request to approve a short term General Fund loan in an amount not to exceed \$38,000 to the Housing Program Services Department for the rehabilitation and sale of the property located at 1055 Vermont Avenue, Unit #101, in Turlock, California and appropriate \$38,000 to account number 110-10-112.47320_004 "Repair Program – Vermont Property" to be funded from Fund 110 "General Fund" reserve balance to fund the short term loan for the rehabilitation. (Pitt)

Recommended Action:

Resolution: Approving a short term General Fund loan in an amount not to exceed \$38,000 to the Housing Program Services Department for the rehabilitation and sale of the property located at 1055 Vermont Avenue, Unit #101, Turlock, California

Resolution: Appropriating \$38,000 to account number 110-10-112.47320_004 "Repair Program – Vermont Property" to be funded from Fund 110 "General Fund" reserve balance to fund the short term loan for the rehabilitation of 1055 Vermont Avenue, Unit #101, Turlock, California

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: None

12. ADJOURNMENT