

City Council Agenda



AUGUST 11, 2015

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California

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. *Presentation:* Business Incentive Program and Check Presentation to Greg Raynes, Oak Barrel Ice & Creamery

3. A. SPECIAL BRIEFINGS: None

B. STAFF UPDATES

1. Capital Projects and Building Activity (*Pitcock*)
2. Brandon Koch Skate Park Temporary Closure and Relocation Plan (*Van Guilder*)

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 EX PARTE COMMUNICATIONS**

1. Public Hearing Item 7B 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 7/16/15 in the amount of \$1,013,020.77
- B. *Motion*: Accepting Minutes of Regular Meeting of July 28, 2015
- C. *Motion*: Approving Amendment No. 3 to the agreement with Pires, Lipomi + Navarro Architects and increasing the total compensation in the amount of \$10,190 (Fund 426-40-415.51260) for City Project No. 12-60B, "Turlock Regional Transit Center Phase 2 Design and Master Plan"
- D.
 1. *Motion*: Making the determination that City Project No. 15-56, "Crane Avenue Sewer Line Replacement," is exempt from the provisions of Section 14 CCR §15301, of the California Environmental Quality Act (CEQA), "Existing Facilities"
 2. *Motion*: Awarding bid and approving an agreement in the amount of \$49,564.23 (Fund 410) with Taylor Backhoe Service, Inc., Merced, California, for City Project No. 15-56, "Crane Avenue Sewer Line Replacement"
- E. *Motion*: Approving a Cooperative Agreement between Caltrans and the City of Turlock for the construction of Interchange Improvements at Fulkerth Road and Highway 99
- F. *Motion*: Approving the five (5) year agreement with Denair Unified School District of Stanislaus County and the City of Turlock to authorize the use of Denair facilities for recreational purposes until July 28, 2020
- G. *Motion*: Approving a Memorandum of Understanding among Stanislaus County Office of Education, the City of Turlock and the Turlock Unified School District and authorizing the acceptance of an allocation of funds and execution of a grant agreement to implement the ASES Program (Supporting After School for Everyone)

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- H. Resolution: Authorizing the Mayor, City Manager or the City Attorney to execute agreements between the City of Turlock, local businesses, other governmental agencies and local non-profits for the purpose of conducting training or programs on City owned property
- I. Motion: Approving a service agreement with St. Francis Electric, LLC, for Traffic Signal Preventative Maintenance and Repair Services, for a period of thirty-six (36) months, in an amount not to exceed \$150,000 from Fund 216-40-421.43060_003 "Contract Service Signalization"
- J. Motion: Approving the service agreement with Hilmar Ready Mix of Hilmar for Porta-Mix concrete for Municipal Services Utilities Division for a period of twelve (12) months, in an amount not to exceed \$12,000
- K. Motion: Authorizing the Mayor, City Manager or designee to execute the service maintenance agreement with Johnson Controls, Inc., to provide preventive maintenance for the City of Turlock Public Safety Facility environmental controls systems, for a period of three (3) years, beginning August 11, 2015, to be billed annually, in an amount not to exceed \$7,495 in year one; \$7,720 in year two; and \$7,952 in year three
- L. Resolution: Re-appropriating unspent funds of \$13,800 from Fiscal Year 2014-15 to account number 512-10-152.43016 "CVB Audit" from Fund 512 "Casualty Insurance" reserve balance for the completion of a compliance audit of the Turlock Convention and Visitors Bureau "Tourism Fund" for the period of January 1, 2009 through May 3, 2015
- M. Resolution: Rescinding Resolution No. 2011-157 and adopting the amended City of Turlock Anti-Drug and Alcohol Misuse Prevention Program Policy and Procedures
- N. Resolution: Approving modifications to job descriptions for the position(s) of Crime & Community Information Analyst, Housing Rehabilitation Specialist I/II, Customer Services Supervisor, Utilities Maintenance Worker I/II, Utilities Maintenance Worker Senior, Utilities Supervisor, and Parks, Recreation, and Public Facilities Coordinator effective August 11, 2015
- O. Resolution: Providing copyright permission to John Carlyle Parker, authorizing the reprinting of certain material contained in *Streams in a Thirsty Land*, for use in his autobiography entitled, *The Saga of a Librarian*
- P. Motion: Rejecting Claim for Damages filed by Ann B. Atkinson
- Q. 1. Motion: Authorizing the Mayor or City Manager to enter into a professional services agreement with a recruitment firm to conduct an executive recruitment for the position of Fire Chief, in an amount not to exceed \$25,000 Authorizing the Mayor or City Manager to enter into a professional services agreement with a recruitment firm to conduct an executive recruitment for the position of Fire Chief, in an amount not to exceed \$25,000
2. Resolution: Appropriating \$25,000 from Fund 110 "General Fund" reserve balance to 110-30-300.47090 "Testing & Recruitment" for the retention of a recruitment firm to conduct an executive recruitment for the position of Fire Chief

6. FINAL READINGS

- A. **Recommended Action:**
Ordinance: Adding Turlock Municipal Code Title 8, Chapter 7, regarding expedited permitting procedures for small residential rooftop solar systems as introduced at the July 28, 2015 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 accept the report from the Planning Commission on potential changes to the Zoning Regulations referred by the City Council on April 14, 2015. (*Whitmore*)

Recommended Action:

Motion: Accepting the report from the Planning Commission on potential changes to the Zoning Regulations referred by the City Council on April 14, 2015

- B. Request for approval establishing a lien for payment for repair cost of certain maintenance of curbs, gutters, sidewalks, curb cuts, and driveway approaches that are out of repair. (*Van Guilder*)

Recommended Action:

Resolution: Assessing properties for sidewalk repair costs and establishing a lien for payment

- C. Request to make the determination that the amount of compensation, in the amount of \$240,000, offered by the Turlock Irrigation District to acquire the existing skate park, located at 250 Starr Avenue, Turlock, California, complies with the Park Preservation Act, Public Resource Code Section 5405 and accepts bids received for City Project No. 15-28, "Skate Park Relocation". (*Pitcock*)

Recommended Action:

Resolution: Making the determination that the amount of compensation, in the amount of \$240,000, offered by the Turlock Irrigation District to acquire the existing skate park, located at 250 Starr Avenue, Turlock, California, complies with the Park Preservation Act, Public Resource Code Section 5405

Motion: Accepting bids received for City Project No. 15-28, "Skate Park Relocation"

8. SCHEDULED MATTERS

- A. Request to approve a new job description for the position of Part-Time Event Assistant, effective July 1, 2015. (*Van Guilder*)

Recommended Action:

Resolution: Approving a new job description for the position of Part Time Event Assistant, effective July 1, 2015

- B. Request to authorize the regulation of the War Memorial Cannon. (*Van Guilder*)

Recommended Action:

Resolution: Authorizing the regulation of the War Memorial Cannon

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- C. Request to approve a Memorandum of Understanding between the Turlock Police Department and the Stanislaus County Behavioral Health and Recovery Services Agency (BHRS) for the creation of a Homeless Engagement Multi-Disciplinary Team (HEMDT). (*Jackson*)

Recommended Action:

Resolution: Approving a Memorandum of Understanding between the Turlock Police Department and the Stanislaus County Behavioral Health and Recovery Services Agency (BHRS) for the creation of a Homeless Engagement Multi-Disciplinary Team (HEMDT)

- D. Request to consider the Final Environmental Impact Report (FEIR) for the North Valley Regional Recycled Water Program (NVRWP) in accordance with the California Environmental Quality Act (CEQA); make certain findings concerning environmental impacts and mitigation measures; adopt a Mitigation Monitoring and Reporting Program, in connection with approval of the NVRWP contemplated by the Final Environmental Impact Report and approve the following NVRWP components: (1) design and construction of the NVRWP transmission facilities, including all necessary transmission pipelines to transmit and deliver recycled water from the terminus of the Harding Drain Bypass Pipeline to the DMC; (2) the addition of a new authorized point of discharge of the City's recycled water to the DMC; (3) submittal of a Wastewater Change Petition to add 43,259 acres in the DPWD and 124,897 acres in the wildlife refuges, as the authorized place of use for the City's recycled water; (4) the addition of supplemental CVPIA refuge water supplies to the authorized purposes of use for the City's recycled water; and (5) a Joint Powers Agreement for the North Valley Regional Recycled Water Program, as specified in the resolution considering the Final EIR for the NVRWP. (*Cooke*)

Recommended Action:

Resolution: Considering the Final Environmental Impact Report (FEIR) for the North Valley Regional Recycled Water Program (NVRWP) in accordance with the California Environmental Quality Act (CEQA), and making certain findings concerning environmental impacts and mitigation measures, and adopting a Mitigation Monitoring and Reporting Program, in connection with approval of the NVRWP contemplated by the Final Environmental Impact Report, and approving specified NVRWP components

Motion: Approving the following NVRWP components: (1) design and construction of the NVRWP transmission facilities, including all necessary transmission pipelines to transmit and deliver recycled water from the terminus of the Harding Drain Bypass Pipeline to the DMC; (2) the addition of a new authorized point of discharge of the City's recycled water to the DMC; (3) submittal of a Wastewater Change Petition to add 43,259 acres in the DPWD and 124,897 acres in the wildlife refuges, as the authorized place of use for the City's recycled water; (4) the addition of supplemental CVPIA refuge water supplies to the authorized purposes of use for the City's recycled water; and (5) a Joint Powers Agreement for the North Valley Regional Recycled Water Program, as specified in the resolution considering the Final EIR for the NVRWP

- E. Request to approve a Gift Agreement for Turlock Mayor's Office Public Policy Award between the City of Turlock; California State University, Stanislaus; and the California State University, Stanislaus Foundation, and authorize the Mayor to execute all related documents and agreements. (*Mayor Soiseth*)

Recommended Action:

Motion: Approving a Gift Agreement for Turlock Mayor's Office Public Policy Award between the City of Turlock; California State University, Stanislaus; and the California State University, Stanislaus Foundation, and authorizing the Mayor to execute all related documents and agreements

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