

City Council Agenda



FEBRUARY 11, 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. *Presentation:* Future Business Leaders of America, Pitman High/Dutcher Middle School

3. **A. SPECIAL BRIEFINGS:** None
 - B. STAFF UPDATES
 1. Capital Projects and Building Activity (*Pitcock*)
 2. Proposed Business at 755 Wayside Drive (*Nielsen*)

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 1/9/14 in the amount of \$1,764,326.61; Demands of 1/16/14 in the amount of \$2,337,272.10
- B. Motion: Accepting Minutes of Regular Meeting of January 28, 2014
- C. Motion: Accepting notification of Contract Change Order No. 1 in the amount of \$3,943 (Fund 215) with George Reed Inc., of Modesto, California, for City Project No. 11-20, "Golden State Boulevard and F Street Intersection Improvements"
- D.
 1. Motion: Accepting notification of Contract Change Order No. 1 (Final) in the decreased amount of (\$15,435.20) (Fund 441) for City Project No. 11-29, "Cooper Ave. Storm Drain Line," bringing the contract total to \$510,616.80
 2. Motion: Accepting improvements for City Project No. 11-29, "Cooper Ave. Storm Drain Line," and authorizing the City Engineer to file a Notice of Completion
- E.
 1. Motion: Accepting notification of Contract Change Order No. 1 (Final) in the amount of \$7,602.94 (Fund 246) for City Project No. 13-21, "Slurry Seals 2013," bringing the contract total to \$642,468.30
 2. Motion: Accepting improvements for City Project No. 13-21, "Slurry Seals 2013," and authorizing the City Engineer to file a Notice of Completion
- F.
 1. Motion: Accepting notification of Contract Change Order No. 1 (Final) in the amount of \$2,245.74 (Fund 305) for City Project No. 13-25A, "Public Safety Training Facility Structure Relocation," bringing the contract total to \$47,045.74
 2. Motion: Accepting improvements for City Project No. 13-25A, "Public Safety Training Facility Structure Relocation," and authorizing the City Engineer to file a Notice of Completion
- G. Resolution: Considering intention to levy and collect Assessments for the Sutter Gould Medical Foundation (PM 13-01) Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Development Project No. 13-45
- H. Motion: Accepting improvements for City Project No. 13-54, "Chamber of Commerce HVAC Improvements," and authorizing the City Engineer to file a Notice of Completion
- I. Motion: Accepting notification of Contract Change Order No. 7 in the amount of \$2,189 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 12 – Mechanical and HVAC, bringing the contract total to \$2,576,896
- J. Motion: Accepting notification of Contract Change Order No. 6 in the amount of \$756 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 13 – Building and Site Electrical, bringing the contract total to \$4,256,344

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- K. Motion: Accepting notification of Contract Change Order No. 5 in the amount of \$2,032 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 14 – Building and Site Plumbing, bringing the contract total to \$896,855
 - L. Motion: Accepting notification of Contract Change Order No. 4 in the amount of \$65,544.61 (Fund 415) for City Project No. 6859, "Harding Drain Bypass Pump Station and Pipeline," bringing the contract total to \$13,514,146.69
 - M. Motion: Approving multiple service agreements with Madruga Brothers Enterprises, Inc. (dba Fast Track Car Wash) and Prime Shine, Inc. for express car wash services for City owned vehicles for a period of twelve (12) months each, with an aggregate value of \$8,000, in accordance with the terms and conditions set within each agreement
 - N. Motion: Approving a service agreement with Turlock City Tow Service, Inc., of Turlock, for vehicle tow services of city owned vehicles, for a period of twelve (12) months, in an amount not to exceed \$7,000
 - O. Motion: Approving the Contract renewal between the City of Turlock and the Turlock Umpire Group to officiate adult city league softball games
 - P. Resolution: Accepting a donation from E & J Gallo Winery in the amount of \$200 and appropriating said funds to account number 266-20-255-356.35720 (Police Explorer Donations)
 - Q. Resolution: Accepting a donation from Modesto Symphony in the amount of \$100 and appropriating said funds to account number 266-20-255-356.35720 (Police Explorer Donations)
 - R. Motion: Approving an Agreement between City of Turlock and Microsoft through the reseller Compucom, for the Software Volume Licensing Enterprise Enrollment, for a period of three (3) years, in the amount of \$47,717.35 per year and Software Volume Licensing Select Plus Enrollment, for a period of three (3) years, in the amount of \$1,398.90, for a total of \$147,348.45 at the end of three (3) years, beginning February 1, 2014 through January 31, 2017
 - S. Resolution: Utilizing the services of Joel Carter on a temporary part-time basis for the purpose of assisting Building Department staff in the continued inspection of major commercial and industrial building construction projects including, but not limited to, the Blue Diamond Growers Almond processing facility, Hilmar Cheese Milk processing facility and the Turlock Sikh Temple expansion

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 amend Turlock Municipal Code Title 2, adding Chapter 12 regarding Campaign Contributions. (*Norton*)

Recommended Action:

Ordinance: Amending Turlock Municipal Code Title 2, adding Chapter 12 regarding Campaign Contributions

8. SCHEDULED MATTERS

- A. Request to authorize early repayment of Capital Lease titled "Municipal Project Lease and Option Agreement No. 1520" through Municipal Services Group Inc. (serviced through West America Bank) which provided financing for the construction of the addition to Broadway City hall (occupied by Engineering and Municipal Services) to be funded by the Water Quality Control (Fund 410) and Water (Fund 420) Enterprise Funds and Engineering's portion of the Asset Replacement Fund reserve (Fund 241). (*Lorenzi*)

Recommended Action:

Resolution: Authorizing early repayment of Capital Lease titled "Municipal Project Lease and Option Agreement No. 1520" through Municipal Services Group Inc. (serviced through West America Bank) which provided financing for the construction of the addition to Broadway City hall (occupied by Engineering and Municipal Services) to be funded by the Water Quality Control (Fund 410) and Water (Fund 420) Enterprise Funds and Engineering's portion of the Asset Replacement Fund reserve (Fund 241)

- B. Request to adopt the East Stanislaus Integrated Regional Water Management Plan. (*Reynolds*)

Recommended Action:

Resolution: Adopting the East Stanislaus Integrated Regional Water Management Plan

- C. Request to rescind Resolution No. 2007-037 and adopt an updated City of Turlock Code of Conduct for Elected Officials. (*Norton*)

Recommended Action:

Resolution: Rescinding Resolution No. 2007-037 and adopting an updated City of Turlock Code of Conduct for Elected Officials

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

12. ADJOURNMENT