

City Council Agenda



JANUARY 9, 2018

6:00 p.m.

**City of Turlock Yosemite Room
156 S. Broadway, Turlock, California**



Mayor
Gary Soiseth

Council Members
William DeHart, Jr.
Matthew Jacob
Vice Mayor

Amy Bublak
Gil Esquer

Interim City Manager
Robert A. Talloni
City Clerk
Jennifer Land
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. Recognition: Employee of the Month - December 2017, Animal Services Officer Carrie Rhodes
- B. Proclamation: Special recognition of Assembly Member Heath Flora's efforts for the Stanislaus Regional Water Authority Regional Surface Water Supply Project
- C. Presentation: Pet of the Month, presented by Animal Services Supervisor Glenna Jackson
- D. Presentation: Regional ADA Paratransit Eligibility Service, presented by MOVE Stanislaus Transportation CEO Stacie Morales

3. A. SPECIAL BRIEFINGS: None

B. 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 TOP TEN/MAXIMUM CONTRIBUTORS****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 Weekly Demands of 11/9/17 in the amount of \$857,477.66; Weekly Demands of 11/30/17 in the amount of \$2,624,705.85; Weekly Demands of 12/7/17 in the amount of \$1,405,356.24
- B. Motion: Accepting Minutes of the Regular Meeting of November 14, 2017; Minutes of the Regular Meeting of November 28, 2017; Minutes of the Special Meeting of December 5, 2017
- C. Resolution: Determining City Project No. 16-58 "Christoffersen Pkwy Pedestrian and Bicycle Improvements" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Existing Facilities) of the CEQA Guidelines
- D. Motion: Accepting improvements for City Project No.17-24 "Loyola Way Electrolier" and authorizing the City Engineer to file a Notice of Completion
- E.
 1. Resolution: Determining City Project No. 17-55 "Fire Department Live Fire Training Paving" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines
 2. Motion: Awarding bid and approving an Agreement, in the amount of \$24,572.50 (Fund 305), with G. Hedgecock, Inc. of Modesto, California, for City Project No. 17-55 "Fire Department Live Fire Training Paving"
- F. Resolution: Adopting the Measure L Master Funding Agreement between Stanislaus Council of Governments and the City of Turlock
- G. Resolution: Moving all salaries, benefits, and miscellaneous expenses from Fund 218 "Measure L" into Fund 502 "Engineering"
- H. Resolution: Amending the 2017-18 Municipal Budget (Fund 426) as outlined in the Resolution to reflect increased Federal Transit Administration (FTA) Section 5339 grant revenues, as well as increases to Local Transportation Fund (LTF) capital, transit consulting, and training expenses
- I. Resolution: Authorizing the Purchasing Officer to dispose of a transit fleet vehicle damaged beyond repair in a bus fire incident as directed by the City Manager pursuant to the terms set forth in Turlock Municipal Code Section 2-7-04(j)

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- J. Motion: Approving an Agreement between the City of Turlock and Turlock Community Theatre, Inc. for the purpose of utilizing the Turlock Community Theatre for recreation dance classes and the end of session recital, from January 10, 2018 to March 30, 2018, in the amount of \$110 per day not to exceed twenty five (25) uses
 - K. Resolution: Accepting donations made to the City of Turlock Parks, Recreation and Public Facilities Department from various donors in September and October 2017 in the amount of \$183 in account number 270-61-635-399.37200_000 "Donations General" to fund a variety of Parks, Recreation and Public Facilities Department programs, scholarships, and activities
 - L. Motion: Approving a Professional Services Agreement between the City of Turlock and TBA Auto Parts for auto parts and supplies for the Municipal Services Department Fleet Division, in an annual amount not to exceed \$45,000
 - M. Motion: Approving Amendment No. 2 to an Agreement between the City of Turlock and Sierra Chemical Company and Thatcher Company of California, Inc. for the purchase of chlorine, as a result of a change in the supplier's name
 - N. Resolution: Approving modifications to the job description for the position of Development Services Director/City Engineer, effective January 9, 2018
 - O. Motion: Approving Amendment No. 2 to an Agreement between the City of Turlock and Madruga Brothers Enterprises, Inc., DBA Fast Track Car Wash to provide express car wash services for City owned vehicles, increasing the compensation to an annual amount of \$5,500
 - P. Motion: Rejecting Claim for Damages filed by Beatriz Morales
 - Q. Motion: Rejecting Claim for Damages filed by Faten
 - R. Motion: Rejecting Claim for Damages filed by Nirmal Singh

6. FINAL READINGS

- A. **Recommended Action:**
Ordinance: Amending Turlock Municipal Code Title 6, Chapter 5, Article 5, Section 01 regarding Fees and charges to implement updated fees and charges for property related water services as introduced at the December 12, 2017 City Council meeting.

7. PUBLIC HEARINGS: None

8. SCHEDULED MATTERS

- A. Request to appropriate \$10,167 to account number 270-61-635-399.47180 "Recreation Scholarships" from Fund 270 "Recreation Grants-Recreation General" unallocated reserves for Recreation Scholarships AND accept the Turlock Senior Citizens group memberships as an approved eligible scholarship recipient for income qualified seniors to join the Turlock Senior Citizens group and participate in senior activities. (*Van Guilder*)

Recommended Action:

Resolution: Appropriating \$10,167 to account number 270-61-635-399.47180 "Recreation Scholarships" from Fund 270 "Recreation Grants-Recreation General" unallocated reserves for Recreation Scholarships

Motion: Accepting the Turlock Senior Citizens group memberships as an approved eligible scholarship recipient for income qualified seniors to join the Turlock Senior Citizens group and participate in senior activities

- B. Request to award RFQ No. 17-567 and approving a Professional Services Agreement with one of the recruitment firms, as outlined in the report, to conduct an executive recruitment for the position of City Manager. (*Eddy*)

Recommended Action:

Motion: Awarding RFQ No. 17-567 and approving a Professional Services Agreement with one of the recruitment firms, as outlined in the report, to conduct an executive recruitment for the position of City Manager

9. STAFF UPDATES

Staff updates are provided for informational purposes only and no action or discussion may be undertaken, except that Council may request the matter be placed on a future agenda.

1. Policy Goals and Implementation Plan (*Executive Staff*)
2. Administrative Services
3. Development Services Department
 - a. Capital Projects, Building Activity, & Transit (*Picciano*)
 - b. Measure L Planning (*Picciano*)
4. Fire Department
5. Municipal Services Department
6. Parks, Recreation and Public Facilities
7. Police Department

10. MATTERS TOO LATE FOR AGENDA/NON-AGENDA ITEMS

The Brown Act generally prohibits any action or discussion of items not on the posted agenda. However, there are three specific situations in which a legislative body can act on an item not on the agenda:

- 1) When a majority decides there is an "emergency situation" (as defined for emergency meetings).
- 2) When two-thirds of the members present (or all members if less than two-thirds are present) determine there is a need for immediate action and the need to take action "came to the attention of the local agency subsequent to the agenda being posted." This exception requires a degree of urgency. Further, an item cannot be considered under this provision if the legislative body or the staff knew about the need to take immediate action before the agenda was posted. A "new" need does not arise because staff forgot to put an item on the agenda or because an applicant missed a deadline.
- 3) When an item appeared on the agenda of, and was continued from, a meeting held not more than five days earlier.

A legitimate immediate need can be acted upon even though not on the posted agenda by following a two-step process. First, make two determinations: (a) that there is an immediate need to take action and (b) that the need arose after the posting of the agenda. The matter is then "placed on the agenda." Second, discuss and act on the added agenda item.

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Requests for Council items for future consideration will be scheduled in accordance with Resolution No. 2008-019 and will be brought back to the City Council no earlier than February 13, 2018, unless otherwise specified by the Mayor or a majority of the Council.

12. 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.

13. CLOSED SESSION: None

14. ADJOURNMENT