

# City Council Agenda



**AUGUST 25, 2009**

**7:00 p.m.**

**City of Turlock Yosemite Room**

**156 S. Broadway, Turlock, California**

Mayor  
**John S. Lazar**

Council Members  
**Amy Bublak**  
**Kurt Spycher**  
**Mary Jackson**  
**Ted Howze**  
Vice Mayor

City Manager  
**Roy W. Wasden**  
City Clerk  
**Rhonda Greenlee**  
City Attorney  
**Phaedra A. Norton**

**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](http://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 AND INVOCATION:**
2. **PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS:** None
3. **A. SPECIAL BRIEFINGS:** None  
**B. STAFF UPDATES**
4. **A. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE**  
**B. 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 07/30/09 in the amount of \$831,032.12; Demands of 08/06/09 in the amount of \$509,590.27
- B. Motion: Accepting Minutes of Regular Meeting of August 11, 2009, and Special Meeting of August 11, 2009
- C. Motion: Accepting notification of Contract Change Order No. 3 in the amount of \$2,200 (Fund 165) for City Project No. 0773, "Columbia Park Renovations," bringing the contract total to \$252,979.89
- D. 1) Motion: Authorizing Quantities Contract Change Order No. 2 (Final) for a credit in the amount of \$429.05 (Fund 175) with Delta Wireless, Stockton, California, for City Project No. 0803, "Interim Property and Investigations Facility"  
2) Motion: Accepting improvements for City Project No. 0803, "Interim Property and Investigations Facility" and authorizing the City Engineer to file a Notice of Completion
- E. Motion: Approving a Lien Agreement between the City of Turlock and Bijan Pirouz (International Banquet Hall) for deferred payment of Capital Facility and Northwest Triangle Specific Plan Fees
- F. Resolution: Authorizing the Summary Abandonment of approximately 1,182 square feet of excess right-of-way on the northwest corner of the intersection of W. Glenwood Ave. and Lander Ave., APN 044-017-048, owned by Chandi Brothers, LLC
- G. Resolution Authorizing the City Manager to sign all documents, assurance and statements in regard to any and all Federal Highway Administration (FHWA ) and Federal Transit Administration (FTA) projects for the federal fiscal year 2009-2010
- H. 1) Resolution: Appropriating \$16,350 to Account 129/432-002-044 "Special Services/ Projects" (Non-General Fund 129 Water Quality Control) from Non-General Fund 129 Reserve (Water Quality Control) for environmental compliance support for the City's funding applications to the State Water Resources Control Board for the Harding Drain Bypass and Turlock Regional Water Quality Control Facility  
2) Motion: Approving an agreement with ECO:LOGIC Engineering Consultants for environmental compliance support for the City's funding applications to the State Water Resources control Board for the Harding Drain Bypass Project and Turlock Regional Water Quality Control Facility in an amount not to exceed \$16,350 (Non-General Fund 129/432-002-044 "Special Services/ Projects")
- I. 1) Resolution: Appropriating \$34,000 to Account 129/432-002-032 "Contract Help" (non-General Fund 129 Water Quality Control) from Non-General Fund 129 Reserve (Water Quality Control) for a recycled water pricing analysis  
2) Motion: Approving an agreement with ECO:LOGIC Engineering Consultants for a recycled water pricing analysis in an amount not to exceed \$34,000 (Non-General Fund 129/432-02-32 "Contract Help")
- J. Resolution: Authorizing acceptance of an allocation of funds, execution of a grant agreement, and appropriation of funds for the Federal FY 2008-09 Edward Byrne Memorial Justice Assistance Grant (JAG) funds from the United States Department of Justice, Office of Criminal Justice Program, in the amount of \$51,626

- K. Motion: Approving the Memorandum of Understanding between the Superior Court of California, Stanislaus County and the City of Turlock regarding the placement of a Kiosk at the Turlock Police Department
- L. Motion: Accepting the donation of \$50 from Kaylene Williams in support of the Volunteers in Police Services Program
- M. Resolution: Authorizing the refund of \$1,,402.00 for Ring of the Arts Membership received in FY 08-09
- N. Motion: Rejecting all bids received for City Project No. 0704, "Carnegie Arts Center"

**6. FINAL READINGS:**

- A. Ordinance: Amending the Turlock Municipal Code Title 4, Chapter 1 regarding bicycle licenses as introduced at the August 11, 2009

**7. PUBLIC HEARINGS:**

- A. Request to amend Title 2, Chapter 4 of the Turlock Municipal Code regarding a master official bond pursuant to California Government Code Section 1481. (*Norton*)

***Recommended Action:***

Ordinance: Amending Turlock Municipal Code Title 2, Chapter 4, Article 1, Regarding Bonds.

- B. Request to amend Title 3, Chapter 6 of the Turlock Municipal Code regarding the Hotel/Motel Taxes to clarify language bring the code up-to date (*Gilley*)

***Recommended Action:***

Ordinance: Amending Turlock Municipal Code Title 3, Chapter 6, Regarding Hotel/Motel Taxes to be consistent with current practices and clarify language

- C. Request to amend Title 4 of the Turlock Municipal Code to provide for the regulation of uniforms and vehicles for security guards and private patrol operators (*Langston*)

***Recommended Action:***

Ordinance: Amending Turlock Municipal Code Title 4, to add Chapter 16 regarding the regulation of uniforms and vehicles for security guards and private patrol operators. )

- D. Request for approval of a petition to have the City of Turlock formally recognize the Management Association-Public Safety (TMAPS) as a recognized employee organization (*Eddy*)

***Recommended Action:***

Resolution: Authorizing the petition for formal recognition of the Turlock Management Association-Public Safety (TMAPS) as a recognized employee organization

**8. 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 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.

**9. SCHEDULED MATTERS:**

- A. Request for authorization to purchase data storage servers and appropriating the funds to purchase the three data storage servers. (*Grossman*)

***Recommended Action:***

***Motion:*** Approving the purchase of two (2) NetApp FAS2050 data storage servers and one (1) NetApp FAS2050 data storage servers and one (1) NetApp FAS2020 data storage server through the contract of the City of Cupertino from Integrated Archive Systems of Palo Alto, CA, in the amount not to exceed \$129,110

***Resolution:*** Approving the appropriation of \$129,110 to 196/499-7-9 "Network Servers" from Fund 196 "Computer replacement Fund-Network" reserve balance for the purchase of three (3) data storage servers

- B. Request to appropriate funds for PCE monitoring and remediation and to approve an agreement with URS Corporation for the investigation and remediation of PCE contamination in the downtown area (*Cooke*)

***Recommended Action:***

***Resolution:*** Authorizing the appropriation of \$267,797 to Fund 141/433-2-40 "PCE Monitoring and Remediation" (non-General Fund 141 Water Enterprise) to be funded in advance by an award of funds from the Cleanup and Abatement Account by the State Water Resources Control Board for the investigation and remediation of PCE contamination in the Downtown area

***Motion:*** Approving an agreement with URS Corporation for the investigation and remediation of PCE contamination in the Downtown area in an amount not to exceed \$267,797 to be funded by the State of California Water Resources Control Board by an award of funds from the Cleanup and Abatement Account (CAA)

- C. Request for direction regarding the use of City Staff or Alternative Work Program participants for nuisance abatement

***Recommended Action:***

***Motion:*** Approving the Service Agreement with Joe's Landscaping and Concrete for Nuisance Abatement Services for Police Department Neighborhood Preservation

Division for an annual amount not to exceed \$27,000 for a period of 12 months (General Fund 110/468-03-53 Nuisance Abatement)

- D. Discussion on State mandates and the impacts of the costs of unfunded mandates to the City budget. (*Wasden*)

***Adjourn to Turlock Redevelopment Agency***

***Reconvene Turlock City Council Meeting***

**10. COUNCIL ITEMS FOR FUTURE CONSIDERATION**

**11. 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.

**12. CLOSED SESSION**

**13. ADJOURNMENT**

# City Council Special Meeting Agenda



**AUGUST 25, 2009**

**7:00 p.m.**

**City of Turlock Yosemite Room**

**156 S. Broadway, Turlock, California**

Mayor  
**John S. Lazar**

Council Members  
**Amy Bublak**  
**Kurt Sycher**  
**Mary Jackson**  
**Ted Howze**  
Vice Mayor

City Manager  
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**1. CALL TO ORDER**

**2. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS**

**3. PUBLIC PARTICIPATION – LIMITED TO ITEMS DESCRIBED IN THE NOTICE FOR THIS MEETING**

This is the time set aside for citizens to address the City Council concerning any item that has been described in the notice for the meeting before or during consideration of that item. 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.

**4. CONSENT CALENDAR**

- A. Motion: Approving a Professional Services Retainer Agreement for preparation and filing of 2009-10 Claims for State Mandated Cost Reimbursement with Maximus Consulting, Inc. for an amount not to exceed \$10,450

**5. SCHEDULED MATTERIS**

- A. Resolution: Providing direction for financing for the "Turlock Sunny Side Up" temporary public art project and appropriating \$10,000 to account number 156/490-02-32 "Tourism Misc. Expense" from Fund 156 "Tourism City Share" reserve balance with repayment to be held in a separate reserve balance in Fund 156

**6 CLOSED SESSION**

Conference with Real Property Negotiators, Cal. Gov't Code §54956.8  
Property: 291 West Olive Avenue, Turlock, APN 061-015-019  
Agency Negotiators: Roy W. Wasden  
Negotiating Parties: Robert E. and Carol Johnson  
Under Negotiation: Price and Terms of Payment

**7. ADJOURNMENT**

The foregoing meeting is hereby called by Mayor John S. Lazar at the above mentioned date and time pursuant to California Government Code §54956.

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JOHN S. LAZAR, Mayor

# Redevelopment Agency Special Meeting Agenda



**AUGUST 25, 2009**

**7:00 p.m.**

**City of Turlock Yosemite Room**

**156 S. Broadway, Turlock, California**

Chairman  
**John S. Lazar**

Agency Members  
**Amy Bublak**  
**Kurt Sycher**  
**Mary Jackson**  
**Ted Howze**  
Vice Chair

Executive Director  
**Roy W. Wasden**  
City Clerk  
**Rhonda Greenlee**  
City Attorney  
**Phaedra A. Norton**

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**1. CALL TO ORDER**

**2. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:**

**3. CONSENT CALENDAR:**

Information concerning the consent items listed hereinbelow has been forwarded to each Agency Member prior to this meeting for study. Unless the Chairman, an Agency Member or member of the audience has questions concerning the Consent Calendar, the items are approved at one time by the Agency. The action taken by the Agency in approving the consent items is set forth in the explanation of the individual items.

- A. ***Motion:*** Accepting Minutes of Special Meeting of August 11, 2009, of the Turlock Redevelopment Agency

**4. SCHEDULED MATTERS**

- A. Consideration of scheduling a Special Redevelopment Meeting to discuss RDA Implementation and Housing Production Plan

***Recommended Action:***

Directing staff to schedule a workshop for discussion of the draft 2010-2014 Implementation and Housing Production Plan to discuss potential projects

**5. ADJOURNMENT**

The foregoing meeting is hereby called by Chairman John S. Lazar at the above mentioned date and time pursuant to California Government Code §54956.

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JOHN S. LAZAR, Chairman