

ESCALON CITY COUNCIL
Minutes of November 2, 2009

A regular meeting of the Escalon City Council was called to order at the hour of 7:30 p.m., with Mayor Murken presiding.

PRESENT: Councilmembers Alves, Fox, Haskin, Laugero and Mayor Murken
ABSENT: None

CONSENT CALENDAR

These items are considered routine in nature and will be approved with one motion

1. Approval of Minutes from the Meeting of October 19, 2009
2. Approval of Register of Demands for November 2, 2009 in the amount of \$354,728.22
3. Consideration of Authorizing the Filing of the Transportation Development Act (TDA) Claim for Fiscal Year 2009-2010
4. Consideration of Approving a Resolution Establishing an Identity Theft Prevention Program
5. Consideration of Approving Change Order No. 1 and the Final Acceptance of the 2009 Arthur Road Rehabilitation Project
6. Consideration of Adopting a Resolution Approving the Submittal of a Functional Classification Change for First Street to the State of California Department of Transportation

Councilmember Haskin ask that the check for demolition be held from the Register of Demands until staff is able to look into the possibility of having the house moved from the property.

MOTION - It was m/s by Haskin/Alves that Consent Items 1 thru 5 be approved as submitted with Item No. 3 as RESOLUTION NO. 35-09; Item No. 4 as RESOLUTION NO. 36-09 and Item No. 6 being pulled for further consideration. Motion carried unanimously. MINUTE ORDER NO. 46-09

6. Consideration of Adopting a Resolution Approving the Submittal of a Functional Classification Change for First Street to the State of California Department of Transportation

Councilmember Alves asked what additional responsibilities the City would have by changing the classification. Staff indicated this was a requirement to get federal monies, and was unaware of any additional regulations that would be placed on the City.

MOTION - It was m/s by Alves/Haskin Adopting RESOLUTION NO. 37-09 Approving the Submittal of a Functional Classification Change for First Street to the State of California Department of Transportation. Motion carred unanimously.

STAFF COMMUNICATIONS

7. a. Annual Transit Report. John Andoh, Transit Coordinator gave a presentation on the status of the transit system

MATTERS PRESENTED FROM THE AUDIENCE

No one spoke.

PUBLIC HEARINGS

8. Consideration of Unmet Transit Needs in the City

John Andoh, Transit Coordinator explained that the (COG) administers Transit Development Assistance (TDA) funds. This required public hearing seeks to determine if there are any other reasonable transit services that the City can provide.

Councilmember Alves asked if we are loosing money or making money on transit. Staff indicated that transit is basically a pass thru and is largely subsidized with transit monies.

Mayor Murken opened the public hearing. No one spoke. Mayor Murken closed the public hearing.

ADMINISTRATIVE MATTERS

9. Consideration of Authorizing the Interim City Manager to Enter Into an Agreement with Storer Transit Systems to Operate and Maintain the eTrans Transit System

John Andoh, Transit Coordinator gave the staff report. He explained that the City has had its current contract with San Joaquin Regional Transit District (RTD) since 1984 with no modifications. RTD recently requested a completely new Agreement with the City and a new rate structure. Staff decided they would put a Request for Proposal out for a transit contractor to allow other interested providers an opportunity. Staff received and reviewed four submissions. After careful review and consideration, staff is recommending Council to authorize the Interim City Manager to execute an Agreement with Storer Transit System.

Councilmember Alves asked why were are getting rid of the current contract and what changes will be made.

Mayor Murken asked if RTD will remove their signs.

Councilmember Laugero asked if there will be any change to the fares.

Steve Fernandez, VP of Storer noted they were very excited to get this contract and that it will coordinate well with its other services in Modesto, Stanislaus County, Riverbank and Oakdale.

MOTION - It was m/s by Alves/Fox Authorizing the Interim City Manager to Enter Into an Agreement with Storer Transit Systems to Operate and Maintain the eTrans Transit System. Motion carried unanimously. MINUTE ORDER NO. 47-09.

10. Consideration of Approving an Additional Appropriation of Fund for the First Street Downtown Improvements Project

John Abrew, City Engineer gave the staff report requesting an additional appropriation of \$20,000 from the TDA funds to assist staff in meeting the schedule requirements of submitting the request for authorization and construction documents to CalTrans in the allotted timeframe.

Councilmember Alves asked if staff can stop other projects to make time for this and asked where the funds were coming from. Staff indicated that there are no projects that could be halted because of the nature of the projects they have and the monies would come from TDA funds.

MOTION - It was m/s by Haskin/Laugero Approving an Additional Appropriation of \$20,000 from the Transportation Development Act (TDA) Fund for the First Street Downtown Improvements Project. Motion carried unanimously. MINUTE ORDER NO. 48-09.

11. Consideration of Approving Change Orders No. 1, 2 and 3, Approving an Additional Appropriation of \$9,150 and the Final Acceptance of the 2009 California Street Rehabilitation Project

John Abrew, City Engineer gave the staff report noting the change orders that were caused by a faulty irrigation valve at a neighboring property and the extra time and work done by the contractor.

Councilmember Fox asked what happened to cause the saturation.

Councilmember Alves asked what liability the church has.

Mayor Murken noted he would like to direct staff to approach the church for reimbursement.

MOTION - It was m/s by Fox/Haskin Approving Change Orders No. 1, 2 and 3 and Approving an Additional Appropriation of \$9,150 and the Final Acceptance of the 2009 California Street Rehabilitation Project. Motion carried unanimously. MINUTE ORDER NO. 49-09.

12. Consideration of Approving a Resolution Approving the Form of and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents with Respect to the Sale of the City of Escalon's Proposition 1A Receivable from the State; and Directing Authorizing Certain Other Actions in Connection Therewith

Tammy Alcantor, Finance Director gave the staff report explaining the procedure required to participation in the Proposition 1A Securitization program.

MOTION - It was m/s by Fox/Haskin Approving RESOLUTION NO. 38-09 Approving the Form of and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents with Respect to the Sale of the City of Escalon's Proposition 1A Receivable from the State; and Directing and Authorizing Certain Other Actions in Connection Therewith. Motion carried unanimously. MINUTE ORDER NO. 50-09.

COUNCIL COMMUNICATIONS

Councilmember Alves noted that there was a crack in the lobby at the Community Center. Staff indicated that the contractor has been contacted. The warranty is due to expire so staff has a list for the contractor to fix prior to that date.

Councilmember Laugero thanked Lisa Nebe for her explanation on insurance coverage.

Mayor Murken asked if the paint on the Community Center was under warranty because the green paint is bubbled.

CLOSED SESSION

Conference with Legal Counsel – Existing Litigation, Cal. Gov't Code §54956.9(a)
Taylor Morrison of California, LLC vs. City of Escalon, et al.

Conference with Real Property Negotiators, Cal. Gov't Code §54956.8
Property: 402 Farinelli Parkway
Agency Negotiator: Doug Dunford
Under Negotiation: Terms/Price

Conference with Labor Negotiators , Cal Gov't. Code §54957.6
Agency designated representative: Doug Dunford, Interim City Manager
Employee organization: Mid-Management Group; Escalon Management Group

Conference with Labor Negotiators , Cal Gov't. Code §54957.6
Agency designated representative: Ann Siprelle
Employee: Interim City Manager

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:30 p.m.

Respectfully submitted,

LISA NEBE, City Clerk