

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 7:02 p.m.
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Steven Nascimento, Forrest White, and Mayor John S. Lazar.
ABSENT: None

Mayor Lazar asked for a moment of silence for Police Chief Robert Jackson's family due to the tragic loss of their beloved son, Andrew Jackson.

B. SALUTE TO THE FLAG

C. SWEARING IN OF MICHAEL COOKE, MUNICIPAL SERVICES DIRECTOR

City Clerk Kellie Weaver administered the Oath of Office to City of Turlock Municipal Services Director Michael Cooke. Mr. Cooke thanked the City Manager and City staff for their support and acknowledged family members who were present.

2. PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:

Mayor Lazar heard Item 2A after Staff Updates.

- B. Mayor Lazar announced a Proclamation in recognition of "Drive 4 Pledges Day," September 19, 2013.

3. A. SPECIAL BRIEFINGS:

1. California State University, Stanislaus Associated Students representatives President Mariam Salameh, Governmental Affairs Administrator Amber Deming, and Vice President Marvin Hooker provided information to Council regarding upcoming Associated Students Inc. events, including monthly campus meetings, the 4th Annual StanFest Community Carnival to be held September 14, 2013, and the StanFest Travis Porter Concert to be held September 21, 2013. Ms. Salameh also thanked the City of Turlock for their partnership with CSUS during the recent evening Turlock Farmers' Market.

B. STAFF UPDATES

1. Development Services Director Mike Pitcock provided an update on capital projects and building activity, including the Golden State/F Street project, Harding Drain Bypass project, Fulkerth Tank and Pump Station project, Public Safety Facility, Cooper Storm Drain project, and the annual Slurry Seal project.
2. Police Captain Carl Nielsen provided an update on tow company contract compliance.
3. Police Captain Carl Nielsen provided an update on park activity and indicated he will return to Council with a comprehensive report on issues including homelessness, panhandling, crime activity and potential solutions.

4. Parks, Recreation & Community Facilities Manager Allison Van Guilder provided information and highlights on the City's Summer Recreation Program, including presenting the first issue of their quarterly report.

Mayor Lazar considered Item 2A at this time.

- Item 2A.** Mayor Lazar recommended that Sharon Silva be appointed as Chair, Mike Brem be appointed as Vice-Chair, Rich Borba, Michael Camara, Jeff Chapman, Matthew Davoodian, Jaskaran Dhesi, Eric Gonsalves, Julio Hallack, Benjamin Hector, Jennifer Helzer, Diana Lynn Kaysen, Yates McCallum, Richard Mowery, Jessie Orosco, Gil Perez, Jim Reape, Ram Saini, Jim Shade, Jan Tucker and Anokeen Varani be appointed as members, and Chris Borovanski, Kris Klair, Lawrence Smith and Ed Yonan be appointed as Council appointee members to the Mayor's Economic Development Task Force.

Action: Motion by Councilmember DeHart, seconded by Councilmember Nascimento, appointing Sharon Silva as Chair, Mike Brem as Vice-Chair, Rich Borba, Michael Camara, Jeff Chapman, Matthew Davoodian, Jaskaran Dhesi, Eric Gonsalves, Julio Hallack, Benjamin Hector, Jennifer Helzer, Diana Lynn Kaysen, Yates McCallum, Richard Mowery, Jessie Orosco, Gil Perez, Jim Reape, Ram Saini, Jim Shade, Jan Tucker and Anokeen Varani as members, and Chris Borovanski, Kris Klair, Lawrence Smith and Ed Yonan as Council appointee members to the Mayor's Economic Development Task Force. Motion unanimously carried.

C. PUBLIC PARTICIPATION:

Darrold Courtroul spoke in favor of changing due dates of utility billing cycles.

Leon Cain spoke on behalf of a non-profit coalition in favor of a grass roots effort seeking to repeal renewable fuel standards.

Kit Casey, representing Turlock businesses and Cotta's Kitchen, spoke regarding illegal activity in Denair Park and resulting safety concerns.

4. **A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None

5. CONSENT CALENDAR:

Action: Motion by Councilmember DeHart, seconded by Councilmember Bublak, and unanimously carried to adopt the consent calendar as follows:

- A. **Resolution No. 2013-146** Accepting Demands of 8/15/13 in the amount of \$2,513,836.22; Demands of 8/22/13 in the amount of \$2,315,161.48
- B. Motion: Accepting Minutes of Regular Meeting of August 27, 2013; Minutes of Special Meeting of August 27, 2013

- C. 1. Motion: Making the determination that City Project No. 11-48, "Intersection Improvements at Golden State Boulevard and Del's Lane," is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15303 (New Construction or Conversion of Small Structures) or 15304 (Minor Alterations of Land) or 15332 (Infill Development Projects) of the CEQA Guidelines and
2. Motion: Awarding bid and approving an agreement in the amount of \$368,324 (Fund 215) with George Reed Inc., of Modesto, California, for City Project No. 11-48, "Intersection Improvements at Golden State Boulevard and Del's Lane"
3. **Resolution No. 2013-147** Appropriating \$10,000 to account number 215-40-420.38001_189 "Transfer from Fund 217 – GSB/Del's TS" to be funded via a transfer of Section 2103 Gas Tax Monies from Fund 217 "Gas Tax Fund" for City Project No. 11-48, "Intersection Improvements at Golden State Boulevard and Del's Lane"
- D. **Resolution No. 2013-148** Authorizing the City Manager to sign all documents related to merging APN Nos. 042-010-003, 021, 022 & 023, City Project No. 12-60A, "Turlock Public Transit Center Phase 2"
- E. Motion: Approving Amendment No. 4 to the agreement with Carollo Engineers increasing the total compensation by \$26,208 to provide pipeline video inspection services for City Project No. 6859, "Harding Drain Bypass Pump Station and Pipeline"
- F. **Resolution No. 2013-149** Approving an amendment to the Fiscal Year 2013-14 Budget to appropriate \$9,840 to account number 305-40-442.43270 "General Plan Update" from Capital Facility Fee Administrative Reserves to prepare Final Cost Estimates for Roadway Projects for the update to the City's Capital Facility Fee Program
- G. **Resolution No. 2013-150** Approving an amendment to the Fiscal Year 2013-14 Budget to re-appropriate \$72,700 to account number 305-40-444.47086 "Morgan Ranch Master Plan" from unspent funds from the prior Fiscal Year (2012-13) Budget to cover the consultant costs associated with preparation of the Morgan Ranch Master Plan
- H. 1. **Resolution No. 2013-151** Approving an amendment to appropriate Grant revenues and expenses to revenue account number 110-40-400.34400 "Proposition 84 Fiscal Tool Grant" and expenditure account number 110-40-400.43055_004 "Consultant Proposition 84 Fiscal Tool Grant," in the amount of \$20,000 in Fiscal Year 2013-14
2. Motion: Approving Amendment No. 3 to extend the term of the Professional Services Agreement between the City of Turlock and AECOM Technical Services, Inc., from June 30, 2013 to October 30, 2013, to develop a countywide financial model for the ten jurisdictions in Stanislaus County and the financial evaluation of the Turlock General Plan Update Scenarios
- I. 1. Motion: Approving a Professional Services Agreement between the City of Turlock and Provost & Pritchard Professional Services for PCE Remediation System Optimization and Groundwater Monitoring and Reporting in Downtown Turlock, in an amount not to exceed \$172,810, from Fund 420-52-550-43504 "PCE Monitoring and Remediation" (Water Enterprise)
2. **Resolution No. 2013-152** Appropriating \$252,070 to account number 420-52-550-43504 "PCE Monitoring and Remediation" to be funded by revenue received in account number 420-52-550-35507 "PCE Recovery" from an award of funds from the Cleanup and Abatement Account by the State Water Resources Control Board for the purpose of PCE Remediation System Optimization and Groundwater Monitoring and Reporting in Downtown Turlock
- J. **Resolution No. 2013-153** Approving the amended Parks, Recreation and Public Facilities part-time employee wage scale for Fiscal Year 2013-14
- K. **Resolution No. 2013-154** Authorizing the release of property from Police Property and Evidence for City acquisition and auction through PropertyRoom.com

- L. **Resolution No. 2013-155** Approving the donation of three (3) police canine vehicle backseat inserts to the Lindsay (California) Department of Public Safety
- M. **Resolution No. 2013-156** Appropriating \$6,666 to account number 240-00-000-200.44010_006 "Computer-New World Software Licenses" from Fund 240 "Small Equipment Replacement-General Administration" reserve balance for the purchase of additional Financial Management and Utility Management software licenses
- N. **Resolution No. 2013-157** Appropriating \$46,726 to account number 110-10-112.43100_001 "Insurance Property" from Fund 110 "General Fund" reserve balance for coverage for the Public Safety Facility
- O. **Resolution No. 2013-158** Re-appropriating unspent funds from Fiscal Year 2012-13 of \$55,668 to account number 506-00-000-231.48001_091 "Transfers Out to Fund 215 Sweep/Maintenance Vac Vehicle" from Fund 506 "Vehicle/Equipment Replacement Fund-Streets" reserve balance for the local match required to fully fund the purchase associated with City Project No. 11-18 "Purchase of CNG Street Sweeper CML-5165(063)"
- P. **Resolution No. 2013-159** Cancelling the City Council meeting scheduled for Tuesday, November 26, 2013
- Q. Motion: Rejecting Claim for Damages filed by Roni Roberts
- R. Motion: Rejecting Claim for Damages filed by Nicholas and Elizabeth Schuller

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS:** None

8. **SCHEDULED MATTERS:**

- A. City Manager Roy Wasden presented the staff report on the request to affirm the City Manager's action of having mailed a letter in opposition to SB 594 which would prohibit local government organizations to take positions on ballot measures that affect their members, noting that the bill has been significantly amended and is now acceptable.

Mayor Lazar asked for public comment. No one spoke. Mayor Lazar closed public comment.

Action: **Resolution No. 2013-160** Affirming the City Manager's action of having mailed a letter in opposition to SB 594 which would prohibit local government organizations to take positions on ballot measures that affect their members was introduced by Councilmember White, seconded by Councilmember DeHart, and carried unanimously.

9. **COUNCIL ITEMS FOR FUTURE CONSIDERATION:**

Councilmember Bublak requested as concerns in parks are explored that all parks be considered. She also spoke of the need to support public safety to make sure our community is kept safe. Councilmember DeHart added that he would like to see codes currently on the books be enforced.

10. COUNCIL COMMENTS: None

11. CLOSED SESSION:

City Attorney Phaedra Norton introduced the Closed Session Items.

- A. Conference with Real Property Negotiators, Cal. Gov't Code §54956.8
Property: 1525 Dianne Drive, APN 089-019-005
Agency Negotiators: Roy Wasden
Negotiating Parties: Turlock Real Estate Investors, LLC
Under Negotiation: Price and Terms of Payment

Action: No reportable action.

- B. Conference with Labor Negotiators, Cal. Gov't Code §54957.6
Agency Negotiators: Roy W. Wasden/Dave Young
Employee Organization: Turlock Associated Police Officers
Employee Organization: Turlock City Employee Association
Employee Organization: Turlock Firefighters Association. Local 2434
Employee Organization: Turlock Management Association-Public Safety
Unrepresented Employees: Accountant, Sr., Assistant to the City Manager for Economic Development/Community Housing, Community Housing Program Supervisor, Deputy Development Services Director/Planning, Development Services Director/City Engineer, Development Services Supervisor/City Surveyor, Executive Assistant to the City Manager/City Clerk, Finance Customer Service Supervisor, Fire Chief, Human Resources Manager, Human Resources Technician, Legal Assistant, Municipal Services Director, Municipal Services Deputy Director, Payroll Coordinator, Principal Civil Engineer, Regulatory Affairs Manager, Secretary/Deputy City Clerk, Executive Administrative Assistant/Public Safety, Technical Services Manager, Utilities Manager, Water Quality Control Division Manager

Action: No reportable action.

12. ADJOURNMENT:

Motion by Councilmember White, seconded by Councilmember Bublak, to adjourn at 6:35 p.m.
Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk