

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 7:07 p.m.  
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Mary Jackson, Forrest White, and Mayor John S. Lazar.  
ABSENT: None

**B. SALUTE TO THE FLAG**

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

*Mayor Lazar handled Items 2A and 2B out of order.*

- B. Mayor Lazar presented a Proclamation to Manuel Drumonde and Gerald Teran in recognition of the 100<sup>th</sup> Anniversary of the Turlock Pentecost Association Festa Do Espirito Santo.

- A. Mayor Lazar presented a Proclamation to Municipal Services Director Dan Madden in recognition of Public Works Week, May 20-26, 2012.

**3. A. SPECIAL BRIEFINGS:**

California State University, Stanislaus, Director of Legislative Affairs Andrew LaFlamme briefed the Council on activities at the University, including that newly appointed CSU, Stanislaus President Dr. Joseph Sheley is set to begin on Monday, June 11, 2012, issues related to the state budget, and that commencement ceremonies will be held on May 24, 2012.

**B. STAFF UPDATES**

1. Municipal Services Director Dan Madden introduced Environmental Compliance Inspector Dan Frisch who provided a PowerPoint presentation on improvements to the City's Pretreatment Program.
2. Fire Chief Tim Lohman presented the Turlock Fire Services 2011 Annual Report.

**C. PUBLIC PARTICIPATION:** None

**4. A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:**

Mayor Lazar identified a conflict of interest in regard to the Closed Session item due to the plaintiff in the case being one of his clients.

**5. CONSENT CALENDAR:**

**Action:** Motion by Councilmember Jackson, seconded by Councilmember White, and unanimously carried to adopt the consent calendar as follows:

- A. **Resolution No. 2012-078** Accepting demands of 4/26/12 in the amount of \$20,751,005.02
- B. Motion: Accepting Minutes of Special Meeting of May 8, 2012; Minutes of Regular Meeting of May 8, 2012
- C. 1. **Resolution No. 2012-079** Appropriating \$146,044 to account number 420-52-551.51270 "Water Reservoir & Pump Station - Fulkerth (Water Bond Project)," from Fund 420 "Water" reserve balance for specialized engineering services to design and provide construction management for City Project No. 11-42, "Water Reservoir & Pump Station on Fulkerth Road"  
2. Motion: Approving Amendment No. 1 to the Agreement with Carollo Engineers increasing the total compensation under City Contract No. 11-955 by \$146,044 for the design of a municipal well in conjunction with City Project No. 11-42, "Water Reservoir and Pump Station on Fulkerth Road"
- D. 1. Motion: Awarding bid and approving an agreement in the amount of \$149,474.20 (Fund 255) with Taylor Backhoe Services, Inc., of Merced, California, for City Project No. 11-46, "Soderquist Sidewalk Improvements"  
2. **Resolution No. 2012-080** Appropriating \$94,100 to account number 255-41-485.47210\_006 "Public Improvements," to be funded via a transfer from account number 255-41-485.47210\_001, for City Project No. 11-46, "Soderquist Sidewalk Improvements," to complete the necessary funding required for the project
- E. Motion: Reaffirming the emergency declaration of the City Manager that there is a need to pursue the replacement of hot water circulation piping at Turlock Regional Water Quality Control Facility without compliance with the formal competitive bidding procedure
- F. Motion: Awarding bid and approving an agreement in the amount of \$177,623 (Fund 215) with Tim Paxin's Excavation of Elk Grove, California, for City Project No. 0945, "Washington and West Main Intersection Improvements"
- G. **Resolution No. 2012-081** Directing the filing of the Annual Reports for Fiscal Year 2012-2013 for Assessment Districts in the City of Turlock
- H. Motion: Approving the rehabilitation forgivable loan #4533-RM, in the amount of \$10,000, where the City of Turlock will be in third position, as prescribed by the adopted Rehabilitation Loan Policies and Procedures
- I. Motion: Approving an Agreement between the City of Turlock and Horizon Water and Environment for specialized environmental compliance consulting services during the construction of the Harding Drain Bypass Project, in an amount not to exceed \$55,639, to be funded by Fund 415 (Sewer Bonds)
- J. **Resolution No. 2012-082** Authorizing the filling and replacement of two (2) current vacant positions and one (1) future vacancy within the Water Quality Control and Utilities Divisions of Municipal Services through an in-house recruitment of full-time, part-time and volunteer /intern staff, and outside recruitment if needed
- K. **Resolution No. 2012-083** Appropriating \$1,666 to account number 216-40-421.43060\_003 "Contract Services-Signalization" from Fund 426 "Transit (Fixed Route)" for the "Transit Hub Construction" and Fund 305 "Capital Facilities Fees" for the "Traffic Signal at West Main and South Kilroy" for modifications to the traffic signals during construction

- L. Motion: Approving an Agreement with Kyocera Mita America, Inc., through the Association of Education of Purchasing Agencies (AEPA), Contract No. AEPA009D, with maintenance provided by Mo-Cal of Modesto, California, to lease nine (9) multifunctional copiers for placement in Police (3), Finance (1), Planning (1), Building (1), Recreation (1), Human Resources (1) and Fleet Maintenance (1) at a monthly cost of \$784, totaling \$49,392 over the 63-month lease period, in accordance with TMC §2-7-08(b)(5)
- M. **Resolution No. 2012-084** Authorizing the Purchasing Officer to dispose of surplus property by any means determined to be in the best interest of the City
- N. Motion: Approving an agreement with Financial Credit Network, Inc. for collection agency services for bad debts, in an amount not to exceed \$20,000 for a period of twelve (12) months
- O. **Resolution No. 2012-085** Approving the amended Parks, Recreation & Public Facilities Division part-time employee wage scale which reflects changes to position titles effective June 1, 2012
- P. **Resolution No. 2012-086** Rescinding Resolution No. 97-112 and adopting an amended enabling resolution for the Turlock City Arts Commission
- Q. Motion: Approving the renewal of the Memorandum of Understanding between the City of Turlock and the Turlock Unified School District to offer youth volleyball programs within the community
- R.
  1. Motion: Authorizing the City Manager to execute an Agreement for tree trimming and maintenance services on a piggy-back contract from the Turlock Irrigation District, Contract No. G090074, with Davey Tree Surgery Company of Modesto, California, for Parks, Recreation & Public Facilities Division, without compliance to the formal bid process
  2. Motion: Approving the service agreement with Davey Tree Surgery Company of Modesto, California, for tree trimming and maintenance services for a period of fifteen (15) months, ending June 30, 2013, in an amount not to exceed \$15,000
- S. Motion: Approving a contract with the Housing Authority of the County of Stanislaus for non-school hour activities
- T. Motion: Approving an agreement between the City of Turlock and the Turlock Unified School District for Police Officer Services at Turlock High School
- U. Motion: Approving an agreement between the City of Turlock and the Turlock Unified School District for Police Officer Services at Pitman High School
- V. Motion: Approving an agreement between the City of Turlock and the Stanislaus County Fairgrounds for the purpose of using the northern parking lot and surrounding areas of the Fairgrounds for continued Turlock Police Department motorcycle and bicycle team training from January 1, 2012 through December 31, 2012
- W. **Resolution No. 2012-087** Authorizing the release of unclaimed checks pursuant to California Government Code Section 50055 to the City of Turlock
- X. Motion: Rejecting Claim for Damages filed by Bethany Cardenas
- Y. Motion: Rejecting Claim for Damages filed by Simaran Kaur

**6. FINAL READINGS: None**

**7. PUBLIC HEARINGS**

- A. Regulatory Affairs Manager Michael Cooke presented the staff report on the request to amend Turlock Municipal Code Title 6, Chapter 3, Article 1, Section 1 regarding Rates for the Collection of Recyclable Waste Material.

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

**Action:** Motion by Councilmember White, seconded by Councilmember Jackson, introducing an Ordinance Amending Turlock Municipal Code Title 6, Chapter 3, Article 1, Section 1 Regarding Rates for the Collection of Recyclable Waste Material, and setting the final reading for June 12, 2012. Motion carried unanimously.

**8. SCHEDULED MATTERS:**

- A. Housing Program Services Manager/Interim Assistant City Manager Maryn Pitt presented the staff report on the request to approve an amendment to the non-exclusive building lease agreement between the City of Turlock and Turlock Gospel Mission, a non-profit corporation, for the City owned area and building located at 1030 East Avenue, Turlock, California (Youth Center).

Tim Guerino of Turlock Gospel Mission spoke positively about the assistance provided by City of Turlock staff in relation to the Homeless Assistance Ministry Center.

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

**Action:** Motion by Councilmember Jackson, seconded by Councilmember Bublak, Approving an amendment to the non-exclusive building lease agreement between the City of Turlock and Turlock Gospel Mission, a non-profit corporation, for the City owned area and building located at 1030 East Avenue, Turlock, California (Youth Center). Motion carried unanimously.

- B. City Manager Roy Wasden presented the staff report on the request to adopt the City of Turlock General and Non-General Fund budgets covering Fiscal Year 2012-13.

Council and staff discussion included proposed changes to Police, Fire, and Housing budgets, pending labor negotiations and the potential fiscal impacts associated with those negotiations, grant funding related to Police and Fire staffing, funding issues related to the loss of redevelopment monies, federal/state lobbying and grant writing, Council conferences/travel, and the Turlock Partnership Incentives program.

**Action:** Motion by Councilmember Jackson, seconded by Councilmember White, accepting the recommendation of the Police Chief to eliminate a vacant Police Lieutenant position, eliminate three (3) vacant Police Officer positions, and reclassify a vacant Support Operations Manager to Police Captain. Motion carried with Councilmember Bublak dissenting.

Motion by Councilmember White, seconded by Councilmember Jackson, accepting the recommendation of the Fire Chief to eliminate a General Fund transfer of \$17,000 to Fund 506 "Vehicle Replacement." Motion carried unanimously.

Motion by Councilmember White, seconded by Councilmember DeHart, reducing 43011 "Federal Lobbyist" General Fund contribution from \$50,000 to \$20,000 with a \$30,000 contribution from the Enterprise Fund, eliminating 43012 "Grant Writing State Lobbyist" funding, and reducing 47030 "Conferences" and 47031 "Conferences – Mayor" funding to FY 2011-12 levels. Motion carried with Councilmember Bublak dissenting.

Motion by Councilmember Bublak, seconded by Councilmember White, reducing 47248 "Turlock Partnership Incentives Program" funding from \$25,000 to \$15,000. Motion carried unanimously.

**Resolution No. 2012-088** Adopting the City of Turlock General Fund Budget covering Fiscal Year 2012-13 was introduced by Councilmember Jackson, seconded by Councilmember DeHart, and carried with Councilmember Bublak dissenting.

**Resolution No. 2012-089** Adopting the City of Turlock Non-General Fund Budget covering Fiscal Year 2012-13 was introduced by Councilmember Jackson, seconded by Councilmember DeHart, and carried with Councilmember Bublak dissenting.

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

Councilmember Bublak asked that the disposition of surplus City property be handled by the City Manager or staff rather than at the Council level.

## **10. COUNCIL COMMENTS**

Councilmember White recently had an opportunity to attend a Future Farmers of America Awards Banquet and a Boy Scouts of America Regional Awards Ceremony. He congratulated the children, teachers, and volunteers of these organizations on their accomplishments.

Councilmember Jackson commented that Vince Harris will be stepping down from his role as the Director of StanCOG and that Carlos Yamzon will serve as the Interim Director.

Councilmember Jackson commented about a recent parking situation related to Turlock Farmers Market. She also reminded everyone about the Market which is held on Fridays, between 8:00 a.m. and 1:00 p.m.

Councilmember Bublak commented on the recent "Fill the Boot" drive and asked Fire Chief Lohman to comment on the event. Chief Lohman spoke on recent successful Fire Department events including the "Fill the Boot" drive, Moose Lodge Recognition, and "Blessing of the Fire Engines" at St. Francis Anglican Church.

Mayor Lazar commented that Turlock Cemetery will host the annual Memorial Day Celebration and encouraged the community and Council to attend.

***Adjourned to the Successor Agency to the Turlock Redevelopment Agency.***

***Reconvened the Turlock City Council meeting***

**11. CLOSED SESSION:**

City Attorney Phaedra Norton introduced the Closed Session Item.

Conference with Legal Counsel – Existing Litigation, Cal. Gov't Code §54956.9(a)  
Name of case: Nirmal Singh v. City of Turlock

**Action:** Council provided direction to staff.

**12. ADJOURNMENT:**

Mayor Lazar adjourned the meeting at 8:38 p.m.

RESPECTFULLY SUBMITTED

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Kellie E. Weaver  
City Clerk