

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 7:03 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:**
 - A. Parks, Recreation and Community Facilities Manager Allison Van Guilder provided a PowerPoint presentation on the "Parks Make Life Better" campaign. Mayor Lazar presented a Proclamation to Barney Gordon, Chairman of the Parks, Recreation and Community Programs Commission in recognition of July 2012 being named Parks & Recreation Month - Parks Make Life Better!

 - B. Mayor Lazar invited Municipal Services Director Dan Madden to speak regarding retired City Employee Richard Berru's service to the City of Turlock. Mayor Lazar then presented a Proclamation to Mr. Berru, Electrical Mechanical Technician II, in honor of his 33 years of service to the City of Turlock.

 - C. Mayor Lazar recommended the following appointments to the Turlock City Arts Commission: Lakneshia Diaz and Jennifer Strangfeld to terms expiring June 30, 2013; Larry Yeakel and Ann Strahm to terms expiring June 30, 2014; and Lynn Gaiser-Saraille, Angele Henry and Llewellyn Boyle to terms expiring June 30, 2015.

Action: Motion by Councilmember Jackson, seconded by Councilmember DeHart, appointing the following members to the Turlock City Arts Commission: Lakneshia Diaz and Jennifer Strangfeld to terms expiring June 30, 2013; Larry Yeakel and Ann Strahm to terms expiring June 30, 2014; and Lynn Gaiser-Saraille, Angele Henry and Llewellyn Boyle to terms expiring June 30, 2015. Motion carried unanimously.

3. **A. SPECIAL BRIEFINGS:** None

- B. STAFF UPDATES**
 1. City Clerk Kellie Weaver provided information regarding Board, Commission, and Committee vacancies.

 2. Development Services Director Mike Pitcock provided an update on capital projects, including the Harding Drain Bypass Project, Public Safety Facility, Transit Center, Golden State Boulevard and West Main Street Overlay Project, Soderquist Sidewalk Improvements, Blue Diamond Project in the Turlock Regional Industrial Park (TRIP), and work being completed by Union Pacific Railroad in various locations throughout the City.

3. Police Chief Robert Jackson and Community Services Officer Michelle Backeroff provided information and invited Council, staff and the community to participate in National Night Out on August 7, 2012.

C. PUBLIC PARTICIPATION:

Fred Bigler spoke against a bocce ball addition to Crane Park for reasons including overcrowding at Crane Park, displacing other uses of the park due to the size of the courts, and potential parking problems.

Turlock Library Branch Manager Carol Blomquist provided information about upcoming programs and activities at the Turlock Library, including crafts, music, and summer reading programs. She also announced that Jody Miller has been named the new Children's Librarian at the Turlock Branch.

4. A. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA

Action: Motion by Councilmember DeHart, seconded by Councilmember Bublak, to waive reading of all ordinances on the agenda, except by title. Motion carried unanimously.

B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:

Councilmember Bublak identified a conflict of interest related to Final Reading Item 6A and Scheduled Matters Item 8C due to her employment as a Police Officer with the Modesto Police Department and advised she would be recusing herself from these items.

5. CONSENT CALENDAR:

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

- A. **Resolution No. 2012-118** Accepting Demands of 6/7/12 in the amount of \$712,595.58; Demands of 6/14/12 in the amount of \$1,442,621.21
- B. Motion: Accepting Minutes of Special Joint Meeting of the Turlock City Council, Planning Commission and Development Collaborative Committee of June 26, 2012; Minutes of Regular Meeting of June 26, 2012
- C. Motion: Accepting improvements for City Project No. 12-34, "MV & GSB RR Crossing," and authorizing the City Engineer to file a Notice of Completion
- D. Motion: Approving Contract Change Order No. 1 in the amount of \$1,650 (Fund 228) for City Project No. 11-56, "Dale Pinkney Park Arbor," bringing the contract total to \$12,930
- E. Motion: Awarding bid and approving an agreement in the amount of \$179,762 from Fund 420-52-551.51127 "Water System Repair/ Replacement Expenses" with Rolfe Construction of Atwater, California, for City Project No. 12-19, "Angelus Street Waterline Replacement"
- F. Motion: Approving an agreement for materials testing and special inspection services in the amount of \$290,000 (Fund 415) with Kleinfelder West, Inc. of Merced, California, for City Project No. 0751, "Turlock Regional Water Quality Control Facility Headworks and Secondary Treatment Capacity Expansion - Phase 1"

- G. Motion: Accepting notification of Contract Change Order No. 2 in the amount of \$2,290.80 (Fund 306) for City Project No. 0939, "Storm Drain Pump Station at North Tegner Road and Sandstone Street," bringing the contract total to \$491,473.33
- H. Motion: Approving a Memorandum of Understanding between the law enforcement agencies of Stanislaus County to develop protocol to support multi-jurisdictional SWAT responses pursuant to the recommendations of the POST SWAT operational guidelines and standardized training recommendations and authorizing the Chief of Police to sign the Memorandum of Understanding on behalf of the City of Turlock Police Department
- I. **Resolution No. 2012-119** Appropriating unspent funds from Fiscal Year 2011/12 of \$8,424.84 to account number 110-20-210.44030_001 "Minor Equipment Safety Equipment" from Fund 110 "General Fund" Reserve Balance, for replacement of police officer ballistic vests for twelve (12) Police Officers
- J. **Resolution No. 2012-120** Appropriating \$500 to Fund 110-10-112.47016 "Administrative Citation Expenses" from Fund 110 "General Fund" Reserve Balance, for the purchase of Administration Citation forms
- K. Motion: Rejecting Claim for Damages filed by Dennis A. Souza
- L. Motion: Rejecting Claim for Damages filed by Kenneth Ledbetter

6. FINAL READINGS:

Councilmember Bublak stepped down from the dais.

- A. **Ordinance No. 1167-CS**, Amending Turlock Municipal Code Title 4, Chapter 15 regarding Tow Car Regulations as introduced at the June 26, 2012 meeting passed with Councilmember Bublak not participating.

Councilmember Bublak returned to the dais.

- B. **Ordinance No. 1168-CS**, Amending Turlock Municipal Code Title 3, Chapter 1, Article 6, regarding Dance Hall Permits as introduced at the June 26, 2012 meeting was unanimously passed and adopted.
- C. **Ordinance No. 1169-CS**, Amending Turlock Municipal Code Title 5, Chapter 3, regarding Fortune Telling Permits as introduced at the June 26, 2012 meeting was unanimously passed and adopted.
- D. **Ordinance No. 1170-CS**, Amending Turlock Municipal Code Title 5, Chapter 18, regarding Introduction, Dating and Escort Services Permits as introduced at the June 26, 2012 meeting was unanimously passed and adopted.
- E. **Ordinance No. 1171-CS**, Amending Turlock Municipal Code Title 7 (Public Works), Chapter 2, Article 6, Section 1 related to the maintenance of curbs, gutters, sidewalks, curb cuts, and driveway approaches and the liability of injuries to the Public as introduced at the June 26, 2012 meeting was unanimously passed and adopted.

- F. **Ordinance No. 1172–CS**, Amending the Turlock Municipal Code Title 2, Chapter 7, Section 04, entitled, “Purchasing Officer: Powers and duties” as introduced at the June 26, 2012 meeting was unanimously passed and adopted.

7. **PUBLIC HEARINGS:** None

8. **SCHEDULED MATTERS:**

- A. Development Services Director Mike Pitcock presented the staff report on the request to approve an agreement in the amount of \$162,020 with Sally Swanson Architects, Inc., of San Francisco, California, for City Project No. 11-27, "ADA Self-Evaluation and Transition Plan Update."

Council discussion included clarification of the scope of work to be performed and funding issues related to the Transition Plan Update and future improvements.

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

Action: Motion by Councilmember White, seconded by Councilmember Bublak, Approving an agreement in the amount of \$162,020 (Fund 301) with Sally Swanson Architects, Inc., of San Francisco, California, for City Project No. 11-27, "ADA Self-Evaluation and Transition Plan Update." Motion carried unanimously.

- B. Development Services Director Mike Pitcock presented the staff report on the request to approve Contract Change Order No. 5 in the amount of \$6,572.87 for City Project No. 0952, "Turlock Regional Transit Center."

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

Action: Motion by Councilmember Jackson, seconded by Councilmember DeHart, Approving Contract Change Order No. 5 in the amount of \$6,572.87 (Fund 426) for City Project No. 0952, "Turlock Regional Transit Center," bringing the contract total to \$1,676,346.82. Motion carried unanimously.

Councilmember Bublak stepped down from the dais.

- C. Police Lieutenant Ron Reid presented the staff report on the request to approve an agreement between the Turlock Police Department, the Modesto Police Department, and the Stanislaus County Sheriff's Department to share mutual Records Management System (RMS) data and information through the introduction of the COPLINK crime analysis and records management software.

Council discussion included benefits of having everyone in the County sharing data on the records management system and its affordability.

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

Action: **Resolution No. 2012-121** Approving an agreement between the Turlock Police Department, the Modesto Police Department, and the Stanislaus County Sheriff's Department to share mutual Records Management System (RMS) data and information through the introduction of the COPLINK crime analysis and records management software was introduced by Councilmember White, seconded by Councilmember Jackson, and carried with Councilmember Bublak not participating.

Councilmember Bublak returned to the dais.

- D. Fire Marshall Mark Gomez presented the staff report on the request to ratify the action taken by the City Manager on behalf of the Turlock Fire Department, to apply for the "Assistance to Firefighters Grant" for the purchase of a new fire engine to replace Engine 31.

Council and staff discussion included options available to staff regarding the selection of a new engine if funding is secured, utilizing a regional approach in seeking grant funding, and the short application period associated with this grant.

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

Action: **Resolution No. 2012-122** Ratifying the action taken by the City Manager on behalf of the Turlock Fire Department, to apply for the "Assistance to Firefighters Grant" for the purchase of a new fire engine to replace Engine 31 was introduced by Councilmember Bublak, seconded by Councilmember DeHart, and carried unanimously.

9. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Bublak spoke regarding the 2013 CCAA Track & Field Championships to be held at California State University, Stanislaus for a second time. She asked for consideration of having youth activities planned for the week prior to the event and that Monte Vista Avenue be repaved.

10. COUNCIL COMMENTS:

Councilmember Jackson commented she has heard concerns about bocce ball courts being placed at Crane Park and advised a discussion regarding the issue would be held at the Parks, Recreation and Community Commission meeting at Crane Park, Area B, on Wednesday, July 11, 2012 at 6:00 p.m.

Councilmember Jackson commented that the Turlock City Arts Commission will begin meeting in August.

Councilmember Jackson reminded everyone about the Turlock Farmer's Market which is held on Fridays, between 8:00 a.m. and 1:00 p.m., on Broadway, between Market Street and Olive Avenue. She also thanked staff for their efforts related to parking issues.

Mayor Lazar encouraged everyone to attend and enjoy the Stanislaus County Fair which begins on Friday, July 13, 2012.

11. CLOSED SESSION:

City Attorney Phaedra Norton introduced the Closed Session Item.

- A. Public Employee Performance Evaluation, Cal. Gov't Code §54957
Title: City Attorney

Action: Council approved the satisfactory performance evaluation of the City Attorney.

12. ADJOURNMENT:

Motion by Councilmember DeHart, seconded by Councilmember Bublak, to adjourn at 7:55 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk