

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 7:05 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. Mayor Lazar noted that the representative from Turlock Irrigation District was not in attendance and advised the presentation would be handled under Staff Updates Item 3B₃.

 - B. Mayor Lazar recognized members of the Pitman High School Band, including Alex Scott, Ryan Williams, Monique Nohgli, Megan Acree, Marcelle Winkler and Gary Dunn who shared about their experience in Washington, D.C., to perform in the 2012 Washington D.C. Independence Day Parade. Jaime Dunn, Pitman Band Booster President, provided a Powerpoint presentation highlighting their trip. Councilmember Jackson acknowledged Pitman High School Band Director Ruben Modesto for his work with the Pitman High School Band.

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

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

 2. Parks, Recreation & Community Facilities Supervisor Mark Crivelli provided an update on the ASA Softball Western National Tournament and introduced Matt Pfeifer, ASA Commissioner, who presented information about the economic impacts of hosting an ASA tournament.

 3. Recreation Supervisor Karen Packwood provided an update on the aquatics season and recognized Turlock Irrigation District for their continued support of the Swim Pass Program. She also spoke regarding upcoming activities, including the annual Christmas Parade. City Manager Roy Wasden acknowledged Councilmembers Bublak and Jackson and City Treasurer Diana Lewis who gave up their benefits to provide funding for the swim program.

 4. Development Services Director Mike Pitcock provided an update on capital projects, including the annual Slurry Seal Project, Washington Road at W. Main Street Traffic Signal Project, Angelus water lines between Lander Avenue and Orange Street, and the Harding Bypass Drain.

5. Municipal Services Director Dan Madden provided information to Council regarding the odor emanating from Donnelly Park. Mr. Madden explained an algae bloom is occurring which affects oxygen levels in the lake and is resulting in the death of lake fish. He advised staff is working diligently to balance resources to control the problem.

C. PUBLIC PARTICIPATION:

Marie Roberson spoke regarding recent graffiti in the downtown area and freedom of speech issues. She asked that, because of the nature of the graffiti, it be removed immediately. City Manager Roy Wasden responded that the City has been working with the owners of the business where the graffiti is located and follow up will be conducted.

Susan Beasley extended an invitation to the Modesto International Heritage Festival to be held on Saturday, October 6, 2012. The Festival celebrates international and American culture through music, dance, food and displays.

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

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

B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS: None

5. CONSENT CALENDAR:

Staff requested that Consent Calendar Item 5E be removed from the Consent Calendar to be brought forward at a future meeting.

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

- A. **Resolution No. 2012-157** Accepting Demands of 8/16/12 in the amount of \$1,195,095.23; Demands of 8/23/12 in the amount of \$1,187,359.12
- B. Motion: Accepting Minutes of Regular Meeting of August 28, 2012
- C. 1. Motion: Approving the advertisement for construction proposals for City Project No. 11-42, "Fulkerth Water Tank and Pump Station"
2. **Resolution No. 2012-158** Authorizing the sole source specification of various equipment for City Project No. 11-42, "Fulkerth Water Tank and Pump Station"
- D. Motion: Awarding bid and approving an agreement in the amount of \$32,938 (Fund 413) with Swan Engineering of Roseville, California, for City Project No. 12-22, "Pedretti Park Sewer Line"
- E. *Removed for future consideration.*
- F. **Resolution No. 2012-159** Amending the adopted policies and procedures for administering the First Time Home Buyers (FTHB) Program by the City of Turlock for the CalHome funding source
- G. **Resolution No. 2012-160** Appropriating \$30,000 to Fund 410-51-531-44001.005 "Piping Supplies (Sewer)" and \$10,000 to Fund 410-51-531-44001.001 "Supplies General" from the Water Quality Control Fund 410 reserve for anticipated supply expenses associated with various sewer line improvement projects in Fiscal Year 2012-13

- H. 1. **Resolution No. 2012-161** Authorizing the filling of one (1) current vacant Utility Worker I position within the Utilities Division of Municipal Services through an in-house recruitment of full- time, part-time, and volunteer staff and outside recruitment if needed
2. Motion: Authorizing the promotion of one (1) eligible staff person to the Utility Worker II classification through standard personnel practices
- I. **Resolution No. 2012-162** Authorizing the filling of one (1) vacant Office Assistant I position within the Neighborhood Services Division of the Police Department through an in-house recruitment of full-time, part-time, and volunteer staff, and outside recruitment if needed
- J. **Resolution No. 2012-163** Accepting an allotment of Customer Premise Equipment (CPE) funding from California 9-1-1 Emergency Communications Division in the amount of \$378,000 and appropriating \$35,284.20 for the purchase of a voice recording system from Capture Technologies
- K. Motion: Approving an agreement between Stanislaus Regional 911 and the City of Turlock allowing Stanislaus Regional 911 to locate communications equipment at 900 N. Palm Street which will facilitate countywide emergency radio communications and authorizing the City Manager to sign all related documents

6. FINAL READINGS:

- A. **Action:** **Ordinance No. 1173-CS**, Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2012-01 (O'Reilly Auto Parts)] as introduced at the August 28, 2012 meeting was unanimously passed and adopted.

Resolution No. 2012-164 Establishing Conditions of Approval for Minor Discretionary Permit 2012-09 (O'Reilly Auto Parts) was introduced by Councilmember White, seconded by Councilmember Jackson, and carried unanimously.

7. PUBLIC HEARINGS: None

8. SCHEDULED MATTERS: None

Mayor Lazar adjourned to the Successor Agency to the Turlock Redevelopment Agency.

Mayor Lazar reconvened the Turlock City Council meeting.

9. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Bublak asked that the student representatives from CSUS and the Teen Council be invited to participate under Special Briefings at City Council meetings.

Mayor Lazar asked that staff consider participation in a clean energy program that would allow community members to upgrade their existing appliances to more energy efficient appliances using local vendors to provide products and services.

10. COUNCIL COMMENTS:

Councilmember Jackson announced that the 5th Annual Turlock Shines event will be held Saturday October 6, 2012. She also stated that on September 29, 2012, six local churches will come together to clean the South Golden State Boulevard area.

11. CLOSED SESSION:

City Attorney Phaedra Norton introduced the Closed Session items and noted that the item regarding 301 Starr Avenue would not be heard at tonight's meeting.

Conference with Real Property Negotiators, Cal. Gov't Code §54956.8

Property: 301 Starr Ave., Turlock, APN 042-022-083-000

Agency Negotiators: Roy Wasden

Negotiating Parties: Havens Women's Center

Under Negotiation: Price and Terms of Payment

Action: None. Item not heard.

Conference with Labor Negotiators, Cal. Gov't Code §54957.6

Agency Negotiators: Roy W. Wasden/Phil Lancaster

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/Redevelopment, Community Housing Services Manager, 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, Payroll Coordinator, Principal Civil Engineer, Public Facilities Maintenance Manager, Regulatory

Affairs Manager, Secretary/Deputy City Clerk, Executive Administrative Assistant/Public Safety, Technical

Services Manager, Traffic/Transportation Engineering Supervisor, Utilities Manager, Water Quality

Control Division Manager

Action: Council provided direction to staff.

12. ADJOURNMENT:

Mayor Lazar adjourned the meeting at 8:00 p.m.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk