

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 7:01 p.m.
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Forrest White, and Mayor John S. Lazar
ABSENT: Councilmember Mary Jackson
- B. SALUTE TO THE FLAG**
- C. RECOGNITION OF OUTGOING COUNCILMEMBER**

Mayor Lazar read a Proclamation honoring outgoing Councilmember Mary Jackson in recognition of her service to the City of Turlock.
2. **ELECTION RESULTS**
 - A. City Clerk Kellie Weaver recited the facts of the General Municipal Election.

Action: Resolution No. 2012-202 Reciting the facts of the General Municipal Election held in said City of Turlock on the 6th day of November, 2012, declaring the results thereof and such other matters as are provided by law was introduced by Councilmember White, seconded by Councilmember DeHart, and carried with Councilmember Jackson absent.
 - B. Oath of Office for Councilmembers
City Clerk Kellie Weaver administered the Oath of Office to Councilmember Amy Bublak and Councilmember Steven Nascimento.
 - C. Oath of Office for Treasurer
City Clerk Kellie Weaver administered the Oath of Office to Treasurer Diana Lewis.
 - D. Special Oath
Stanislaus County Superior Court Judge Shawn Bessey administered a Special Oath to the entire City Council and City Treasurer Diana Lewis.
 - E. New Council Seated
3. **A. PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:**
 1. California State University, Stanislaus Computer Information Systems Lecturer Jack Doo introduced Business Technical Writing Class members Gonsalo Andres Aceves, Ricardo Leon, Virna Raygada, Seth Anison, and Gerardo Garnica who presented a summary of their class project on the sustainability of the Turlock Farmers Market.

Lauren Camarata, Turlock Certified Farmers' Market Manager, thanked the class for their research and presentation.

2. Turlock Together Representative Major Debbie Shrum of the Salvation Army provided information to the Council regarding upcoming holiday activities and community needs.

B. SPECIAL BRIEFINGS: None

C. STAFF UPDATES

1. City Clerk Kellie Weaver provided information regarding upcoming Board, Commission, and Committee vacancies.
2. Development Services Director Mike Pitcock provided an update on capital projects and development activity, including the Harding Drain Bypass Project, Wastewater Treatment Plant, Municipal Services Balcony, Golden State Median between Christoffersen Parkway and Monte Vista Avenue, Turlock Public Safety Facility, and Pedretti Park Sewer Line. Mr. Pitcock noted development activity is slow during this time of year.

Councilmember DeHart inquired as to the results of the recent Pacific Gas & Electric testing. Mr. Pitcock indicated he has not received any results as of this time, but will request a presentation be made to Council as soon as results are available.

D. PUBLIC PARTICIPATION:

Randall Yerby, a resident of Keene Court, spoke regarding letters written by the City of Turlock to two of his neighbors regarding curb and gutter problems caused by Liquid Amber trees.

Sergio Alvarado congratulated Steven Nascimento and Amy Bublak on their victories in the recent City Council election.

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. 2012-203** Accepting Demands of 11/15/12 in the amount of \$1,342,925.14
- B. Motion: Accepting Minutes of Special Meeting of November 27, 2012; Minutes of Regular Meeting of November 27, 2012
- C. 1. Motion: Authorizing the filing of a Notice of Exemption per CEQA Section 15302 (c) (Replacement or Reconstruction), as staff has found this project not to have a significant effect on the environment

2. Motion: Awarding bid and approving an agreement in the amount of \$1,186,495 (Fund 410 and 420) with Mid Cal Pipeline & Utilities, Inc., of Merced, California, for City Project No. 10-53, "Water and Sewerline Replacement in the Alleys"

3. **Resolution No. 2012-204** Transferring \$160,000 to account number 420-52-551.51129 "C-900 Alley Between Berkeley & East Main to Yosemite" from account number 420-52-551.51270 "Construction Project" for City Project No. 10-53, "Water and Sewerline Replacement in the Alleys"

- D. Motion: Reaffirming the emergency declaration of the City Manager that there is a need to replace the roof at the Marty Yerby Center without compliance to the formal competitive bid procedure
- E. Motion: Approving a retainer agreement for Fiscal Years 2012-13 and 2013-14, in an amount not to exceed \$100,000, with Omni-Means Ltd., of Roseville, California, for professional traffic engineering services
- F. **Resolution No. 2012-205** Approving a Transportation Development Act (TDA) claim for Non-Transit expenses for Fiscal Year 2011-12 and Fiscal Year 2012-13 in the amount of \$719,761 and adjusting the projected Local Transportation Revenue in Fund 216 to current StanCOG estimates
- G. Motion: Approving the renewal for the Memorandum of Understanding between the City of Turlock and the Turlock Unified School District to offer youth basketball programs within the community
- H. **Resolution No. 2012-206** Accepting donations received from July through December Fiscal Year 2012-13, to be deposited as per Exhibit A, for a variety of Parks, Recreation & Public Facilities Division programs, scholarships, and activities
- I. **Resolution No. 2012-207** Authorizing the acceptance of an allocation of funds, execution of a grant agreement and the commitments necessary to administer the "DUI/Driver's License Checkpoint" mini-grant through the California Office of Traffic Safety (OTS), in an amount not to exceed \$34,400, and Appropriating revenues and related expenditures in Fund 266 "Police Grants" for Fiscal Year 2012-13
- J. **Resolution No. 2012-208** Authorizing the acceptance of an allocation of funds and execution of an equitable sharing agreement through the United States Department of Justice, in an amount not to exceed \$5,000, and appropriating revenues and related expenditures in Fund 201 "Asset Forfeiture" for Fiscal Year 2012-13
- K. **Resolution No. 2012-209** Authorizing the filling of one (1) vacant Emergency Services Dispatcher within the Support Operations Division of the Police Department through an in-house recruitment of full-time, part-time and volunteer/intern staff, and outside recruitment if needed
- L. **Resolution No. 2012-210** Adopting the 2013 City Council Meeting Schedule
- M. Motion: Rejecting Claim for Damages filed by Pamela Bills
- N. Motion: Approving the exchange agreement with Richard Mello et al., for City Project No. 11-41, "Sewer Lift Stations on West Main/Clinton and West Main/Tegner"

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS:** None

8. **SCHEDULED MATTERS:** None

9. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Councilmember White asked that consideration be given to district representation for future City Council elections.

10. COUNCIL COMMENTS:

Councilmember Nascimento thanked everyone for their support. He indicated he is honored to serve and looks forward to working with the Council and City staff.

Councilmember Bublak recognized her husband, Dr. Milton Richards, and encouraged consideration of Sergio Alvarado in filling upcoming Board, Commission or Committee vacancies.

Mayor Lazar thanked City staff for their service and wished everyone a Merry Christmas.

11. CLOSED SESSION:

City Attorney Phaedra Norton introduced the Closed Session items.

- A. Conference with Legal Counsel – Existing Litigation, Cal. Gov't Code §54956.9(a)
Name of case: California Clean Energy Committee vs. City of Turlock

Action: No reportable action.

- B. Conference with Labor Negotiators, Cal. Gov't Code §54957.6
Agency Negotiators: Roy W. Wasden/Phil Lancaster
Employee Organization: Turlock Associated Police Officers

Action: Motion by Councilmember White, seconded by Councilmember DeHart, to accept a Tentative Agreement with the Turlock Associated Police Officers. Motion carried with Councilmember Bublak dissenting.

12. ADJOURNMENT:

Motion by Councilmember Bill DeHart, seconded by Councilmember Bublak, to adjourn at 7:42 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk