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1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 6:01 p.m.  
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Forrest White, and Mayor John S. Lazar.  
ABSENT: Councilmember Steven Nascimento
  - B. SALUTE TO THE FLAG**
  2. **PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:**
    - A. Mayor Lazar presented a Proclamation to Dr. Joseph Sheley in honor of his recent appointment as President of California State University, Stanislaus.
    - B. Mayor Lazar presented a Proclamation to Parks, Recreation & Community Facilities Manager Allison Van Guilder in honor of Parks & Recreation Month, July 2013.
  3. **A. SPECIAL BRIEFINGS:** None
  - B. STAFF UPDATES**
    1. Development Services Director Mike Pitcock provided an update on capital projects and building activity including 100 permits issued for the month of May, with 350 inspections scheduled, Fulkerth Road overlay project, and Soderquist Road sidewalk replacement project, Harding Drain Bypass project, Crane Park sewer and water line replacement project, Monte Vista Avenue widening project, and the Public Safety Facility.  
  
Police Chief Robert Jackson informed Council that a grand opening of the Public Safety Facility is tentatively scheduled for September 6, 2013 with an open house for the public on September 14, 2013.
  - C. PUBLIC PARTICIPATION:**  
  
Arts Commission Member Sergio Alvarez informed the Council that the Best of the Spring Juried Art Show pieces have been installed for exhibit at City Hall and a reception is scheduled for July 23, 2013 prior to the City Council meeting.
  4. **A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None
  5. **CONSENT CALENDAR:**  
  
Mayor Lazar requested Item 5B be removed from the Consent Calendar for separate consideration.  
  
**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart to adopt the amended consent calendar as follows. Motioned carried with Councilmember Steven Nascimento absent.

- A. **Resolution No. 2013-110** Accepting Demands of 6/6/13 in the amount of \$2,894,653.19; Demands of 6/13/13 in the amount of \$3,025,458.96
- B. Motion: *Removed for separate consideration*
- C.
  - 1. **Resolution No. 2013-111** Appropriating \$15,900 to account number 215-40-420.51210 "Federal Street Projects" to be funded via a transfer of Capital Facility Fees from Fund 305-40-440.51270 for City Project No. 0740, "Landscape Golden State Boulevard from Christoffersen Parkway to Roberts Road," to complete the necessary funding required for the project
  - 2. Motion: Approving Contract Change Order No. 2 (Final) for a credit of \$13,955.90 (Fund 215) for City Project No. 0740, "Landscape Golden State Boulevard from Christoffersen Parkway to Roberts Road," bringing the contract total to \$404,758.39, and authorizing the City Engineer to file a Notice of Completion
- D.
  - 1. **Resolution No. 2013-112** Appropriating \$31,700 to account number 215-40-420.51210 "Federal Street Projects" to be funded via a transfer of Capital Facility Fees from Fund 305-40-440.51270 for City Project No. 0870, "Landscape Golden State Boulevard from Roberts Road to Monte Vista Avenue," to complete the necessary funding required for the project
  - 2. Motion: Approving Contract Change Order No. 2 (Final) for a credit in the amount of \$4,791.50 (Fund 215) for City Project 0870, "Landscape Golden State Boulevard from Roberts Road to Monte Vista Avenue," bringing the contract total to \$361,972.80, and authorizing the City Engineer to file a Notice of Completion
- E. Motion: Approving Contract Change Order No. 2 in the amount of \$11,620 (Fund 420) for City Project 10-24, "Well #40 Sitework," bringing the contract total to \$222,486.35
- F. Motion: Accepting improvements for City Project No. 12-61, "HVAC Replacements at Turlock Regional Water Quality Control Facility," and authorizing the City Engineer to file a Notice of Completion
- G. Motion: Approving the advertisement for construction proposals for City Project No. 13-21, "Slurry Seals 2013"
- H.
  - 1. Motion: Approving a Retainer Agreement for Fiscal Years 2013-2015 in an amount not to exceed \$100,000 with EN GEO, Inc., of Ripon, CA, for City Project No. 13-31, "RFQ for Materials Testing and Inspection Retainer Agreement"
  - 2. Motion: Approving a Retainer Agreement for Fiscal Years 2013-2015 in an amount not to exceed \$100,000 with Kleinfelder West, Inc., of Modesto, CA, for City Project No. 13-31, "RFQ for Materials Testing and Inspection Retainer Agreement"
- I.
  - 1. Motion: Approving a Retainer Agreement for Fiscal Years 2013-2015 in an amount not to exceed \$50,000 with Associated Right of Way Services, Inc., of Pleasant Hill, CA, for City Project No. 13-32, "RFQ for Property Appraisal Services Retainer Agreement"
  - 2. Motion: Approving a Retainer Agreement for Fiscal Years 2013-2015 in an amount not to exceed \$50,000 with Bender Rosenthal, Inc., of Sacramento, CA, for City Project No. 13-32, "RFQ for Property Appraisal Services Retainer Agreement"
- J. Motion: Approving the contract between the City of Turlock and United States Judo Federation to offer judo classes
- K. Motion: Approving the contract between the City of Turlock and Kid Time Fitness to offer youth gymnastic classes
- L. Motion: Approving an Agreement between the City of Turlock Police Department and Jocelyn E. Roland, PH.D., to provide counseling/psychotherapy services to all sworn officers, dispatchers, and community service officers of the Turlock Police Department at no cost to the covered employee, for the period of July 1, 2013, through June 30, 2014

- M. **Resolution No. 2013-113** Authorizing the overhiring of one (1) Evidence and Property Specialist within the Special Operations Division of the Police Department through an interdepartmental recruitment of full-time, part-time, and volunteer staff, and outside recruitment if necessary in compliance with City of Turlock Personnel System Rules and Regulations Section 16:01 (Rule of Five) and the potential recruitment of a position vacated by the appointment to the position of Evidence and Property Specialist through an in-house recruitment of full-time, part-time, and volunteer/intern staff, and outside recruitment if needed
- N. Motion: Authorizing the City Manager to sign and mail a letter of support for the Fire Sprinkler Incentive Act – Senate Bill S.1163 (Carper – 2013)

**Item 5B** This item was removed from the Consent Calendar for separate consideration as Mayor Lazar was not present at the meeting of June 25, 2013.

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

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, Accepting Minutes of Special Meeting of June 13, 2013; Minutes of Regular Meeting of June 25, 2013. Motion carried with Councilmember Steven Nascimento absent.

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS**

- A. Police Chief Robert Jackson presented the staff report on the request to repeal Turlock Municipal Code Title 4, Chapter 6, Article 2, regarding Parking Meter Zones.

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

**Action:** Motion by Councilmember DeHart, seconded by Councilmember White, introducing an Ordinance Repealing Turlock Municipal Code Title 4, Chapter 6, Article 2, regarding Parking Meter Zones, and setting the final reading for July 23, 2013. Motion carried with Councilmember Steven Nascimento absent.

- B. City Manager Roy Wasden introduced the staff report on the request to establish the Turlock Downtown Property Owners Association's Property and Business Improvement District #3.

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

Mayor Lazar called for any additional ballots, and for any requests to change a ballot or withdraw a ballot that had already been submitted.

Mayor Lazar asked for volunteers to monitor the tabulation of the ballots. Dana McGarry of the Downtown Property Association monitored the ballot tabulation.

Deputy City Clerk Stacey Tonarelli reported the results of the ballot tabulation with a square footage of 201,564 votes in favor, representing 68% of the total square footage of ballots received. The weighted assessment ballots in favor exceed the weighted assessment ballots submitted in opposition.

**Action:**           **Resolution No. 2013-114** Establishing the Turlock Downtown Property Owners Association's Property and Business Improvement District #3 was introduced by Councilmember White, seconded by Councilmember DeHart. Motion carried with Councilmember Steven Nascimento absent.

**8. SCHEDULED MATTERS:**

- A. Capital Improvement Coordinator Wayne York presented the staff report on the request for guidance and direction from Council regarding residential street closures, particularly as it relates to fees and insurance requirements.

Council discussion included the pros and cons of implementing an application fee for a residential street closure permit, maintaining or modifying insurance requirements, citywide events exclusive from these requirements, fee for waiver and hold harmless clause options, as well as other regional agency policies.

Council discussion concluded in support of not implementing an application fee or general liability insurance requirement and to modify the application form to include language that holds the City harmless from claims related to such street closures.

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

**Action:**           **None – Information Item Only**

- B. Municipal Services Director Dan Madden presented the staff report on the request to direct Turlock Scavenger to deliver to Merced County Regional Waste Management Authority a minimum of ninety percent (90%) of the non-diverted refuse/solid waste collected by Turlock Scavenger for a period not to exceed one hundred and twenty (120) calendar days.

Council discussion included the comparison and competition of refuse/solid waste disposal facilities between Stanislaus County and Merced County, the current agreement with Stanislaus County and its increasing rates along with the rate increased being absorbed by Turlock Scavenger. Further discussion included the proposed rate increase to City rate payers by Turlock Scavenger in order to offset additional expense of increased tipping fees and what that impact would be to the City rate payers. Discussion concluded in favor of the 120 day agreement of Turlock Scavenger re-routing disposal to Merced County allowing time for all agencies to continue discussions and resolve all concerns.

Mayor Lazar asked for public comment.

Keith Boggs, Stanislaus County, CEO spoke in support of the Stanislaus County landfill agency and encouraged Council to not enter into a 120 day agreement with Merced County Regional Waste Management Authority, but rather to continue discussions with Stanislaus County.

Mayor Lazar closed public comment.

**Action:**           **Resolution No. 2013-115** Directing Turlock Scavenger to deliver to Merced County Regional Waste Management Authority a minimum of ninety (90%) percent of the non-diverted refuse/solid waste collected by Turlock Scavenger for a period not to exceed one hundred and twenty (120) calendar days was introduced by Councilmember White, seconded by Councilmember Bublak. Motion carried with Councilmember Steven Nascimento absent.

- C. Fire Division Chief Brian White presented the staff report on the request to approve the City of Turlock Safety Program and authorize the implementation of the procedures and general safety orders.

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

**Action:**           **Resolution No. 2013-116** Approving the City of Turlock Safety Program and authorizing the implementation of the procedures and general safety orders outlined within, effective immediately was introduced by Councilmember White, seconded by Councilmember. Motion carried with Councilmember Steven Nascimento absent.

- D. City Manager Roy Wasden presented the staff report on the request to provide direction to staff regarding possible implementation of a special or general tax increase through the use of sales or parcel tax monies for funding sources for critical infrastructure and service related issues.

Council discussion included how revenue from a County-wide road tax would be dispersed among agencies, the schedule of processing the initiation of a special tax for placement either on the November 2013 or the June or November 2014 ballots, and the various ramifications if implemented for the November 2013 ballot.

Additional discussion included identifying specific road repair projects in advance of implementing a special sales tax, and continued outreach to the community.

Mayor Lazar asked for public comment.

Stanislaus County Board Supervisor Vito Chiesa spoke in favor of continued discussion with the County for a County-wide road tax and recommended Councilmembers, Mayor, City Manager's continue to collaborate with other agencies in identifying regional projects.

Mayor Lazar closed public comment.

**Action:** None

**9. COUNCIL ITEMS FOR FUTURE CONSIDERATION:** None

**10. COUNCIL COMMENTS:**

Mayor Lazar and Councilmember Bublak requested consideration that, events be scheduled after business hours whenever possible due to their work schedules.

**11. CLOSED SESSION:**

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

**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, Traffic/Transportation Engineering Supervisor, Utilities Manager, Water Quality Control Division Manager

**Action:** No reportable action.

**12. ADJOURNMENT:**

Motion by Councilmember White, seconded by Councilmember DeHart, to adjourn at 7:43 p.m.  
Motion carried with Councilmember Nascimento absent.

RESPECTFULLY SUBMITTED

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Stacey Tonarelli  
Deputy City Clerk