

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 6:03 p.m.
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Steven Nascimento, Forrest White, and Mayor John S. Lazar.
ABSENT: None

B. SALUTE TO THE FLAG

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

Mayor Lazar handled Item 2B prior to Item 2A.

- B. Mayor Lazar presented a Proclamation to Joel Carter, Building Inspector II, in recognition of his retirement from the City of Turlock.
- A. Mayor Lazar presented a Proclamation to Patricia Panos, Police Evidence & Property Specialist II, in recognition of her retirement from the City of Turlock.
- C. Mayor Lazar recommended that Councilmember White be appointed as Vice-Mayor for the 2014 calendar year.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, appointing Councilmember White as Vice-Mayor for the 2014 calendar year. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
Yes	Yes	Yes	Yes	Yes

- D. Mayor Lazar requested to be named as the City of Turlock's representative to The Alliance.

Action: Motion by Councilmember DeHart, seconded by Councilmember Nascimento, appointing Mayor Lazar as the City of Turlock's representative to The Alliance. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
Yes	Yes	Yes	Yes	Yes

- E. Mayor Lazar recommended that Nick Hackler be reappointed and Victor Pedroza be appointed to fill vacancies on the Planning Commission for terms to expire on December 31, 2017.

Action: Motion by Councilmember DeHart, seconded by Councilmember White, reappointing Nick Hackler and appointing Victor Pedroza to fill vacancies on the Planning Commission for terms to expire on December 31, 2017. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
Yes	Yes	Yes	Yes	Yes

- F. Mayor Lazar recommended that Garner Reynolds be appointed as the City's alternate representative to the Stanislaus County Local Task Force on Solid Waste (LTF).

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, appointing Garner Reynolds as the City of Turlock's alternate representative to the Stanislaus County Local Task Force on Solid Waste (LTF). Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
Yes	Yes	Yes	Yes	Yes

- G. Mayor Lazar recommended that Michael Cooke be appointed as member and Garner Reynolds be appointed as alternate member as the City's representatives to the Stanislaus County Regional Solid Waste Planning Agency.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, appointing Michael Cook as member and Garner Reynolds as alternate member as the City of Turlock's representatives to the Stanislaus County Regional Solid Waste Planning Agency. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
Yes	Yes	Yes	Yes	Yes

- H. Mayor Lazar recommended that Garner Reynolds be appointed as member and Michael Cooke be appointed as alternate member as the City's representatives to the East Stanislaus Regional Water Management Partnership (IRWM).

Action: Motion by Councilmember White, seconded by Councilmember DeHart, appointing Garner Reynolds as member and Michael Cooke as alternate member as the City of Turlock's representatives to the East Stanislaus Regional Water Management Partnership (IRWM). Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
Yes	Yes	Yes	Yes	Yes

- I. StanCOG Associate Planner Mike Costa presented an overview of StanCOG Policy Board members, programs, Transportation Development Act (TDA) funding, and provided information about the Unmet Transit Needs Assessment process and associated public hearings.

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

B. STAFF UPDATES

1. Development Services Director Mike Pitcock provided an update on capital projects and building activity, including the Traffic Signal project at Monte Vista and Colorado Avenues, Overlay project on portions of E. Main Street, Colorado Avenue and Fulkerth Road, Water/Sewer project near Crane Park, Bike Path project at Taylor Road, Columbia Park Restroom project, Public Safety Training Facility project, and the Golden State and F Street Traffic Signal project.

C. PUBLIC PARTICIPATION:

Christopher Shawn requested consideration that he be allowed to operate his mobile food business at another location for reasons including problems he experienced with Turlock Irrigation District providing electricity to his initial location. Mayor Lazar asked City Manager Wasden to meet with Mr. Shawn.

Marsha Carroll spoke regarding allegations of improper conduct by Police Department personnel and lack of response by City staff and Council regarding her letters of complaint.

4. A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS: None

5. CONSENT CALENDAR:

Mayor Lazar noted a green sheet provided for Consent Calendar Item 5L.

Action: Motion by Councilmember DeHart, seconded by Councilmember White, to adopt the consent calendar. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
Yes	Yes	Yes	Yes	Yes

- A. **Resolution No. 2014-001** Accepting Demands of 11/14/13 in the amount of \$4,200,807.12; Demands of 11/21/13 in the amount of \$884,000.62; Demands of 12/5/13 in the amount of \$1,111,596.87
- B. Motion: Accepting Minutes of Regular Meeting of December 10, 2013
- C. Motion: Approving an Underground Electric Service Installation Agreement with Turlock Irrigation District (TID) of Turlock, CA, in the amount of \$13,528 (Fund 420) to provide electrical service in connection with City Project No. 11-42, "Fulkerth Tank and Pump Station"
- D. Motion: Approving Contract Change Order No. 1 in the amount of \$4,000 (Fund 426) for City Project No. 12-59, "CNG Slow Fill Station Upgrade," bringing the contract total to \$334,000
- E. Motion: Approving an amendment to the Retainer Agreement with ENGE0, Inc., dated July 9, 2013 (Contract No. 13-048) to increase the maximum allowable compensation under the agreement from \$100,000 to \$150,000 to provide additional reporting requirements and implement utilization of Virtual Project Manager

- F. 1. Motion: Making the determination that City Project No. 13-43, "Demolition of Buildings on N. Olive and S. Walnut" is exempt from the provisions of CEQA in accordance with Section 15301 (I) (Existing Facilities)
2. Motion: Awarding bid and approving an agreement in the amount of \$21,551 (Fund 305) for 1129 N. Olive Avenue and (Fund 411) for 1801 S. Walnut Road with Lea's Demolition & Excavation, Denair, California, for City Project No. 13-43, "Demolition of Buildings on N. Olive and S. Walnut"
- G. 1. Motion: Making the determination that City Project No. 13-55, "HVAC Unit Replacements and Roofing at TRWQCF Operations Building," is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines
2. Motion: Awarding bid and approving an agreement in the amount of \$100,000 (Fund 410) with Air Solutions Inc., of Sacramento, California, for City Project No. 13-55, "HVAC Unit Replacements and Roofing at TRWQCF Operations Building"
3. **Resolution No. 2014-002** Appropriating \$15,000 to account number 410-51-534_43353 "RWQCF-OPS Building Repairs" from account number 410-51-534_44027 "Digester Building Roof Repairs" for City Project No. 13-55, "HVAC Unit Replacements and Roofing at TRWQCF Operations Building"
- H. **Resolution No. 2014-003** Rescinding Resolution No. 2004-214 and authorizing the City Manager, with the recommendation of the City Engineer, to execute an Encroachment Agreement for minor easement encroachments
- I. **Resolution No. 2014-004** Ordering the Vacation Abandonment (AB 13-02) of that certain section of alley south of and adjacent to 855 N. Olive, also known as Assessor's Parcel No. 042-024-051
- J. **Resolution No. 2014-005** Approving a Transportation Development Act (TDA) claim for Non-Transit expenses for Fiscal Year 2013-14 in the amount of \$896,568 and adjusting the projected Local Transportation Revenue in Fund 216 to current StanCOG estimates
- K. Motion: Approving Amendment No. 1 to the agreement between the City of Turlock and Transit Capital Support Services for Federal Transit Administration and California Department of Transportation Financial Status Reports and Milestone Status Reports to increase the initial term in an amount not to exceed \$181,644
- L. 1. **Resolution No. 2014-006** Authorizing the submission of an application to the State of California Housing and Community Development for Housing Related Parks Grant and authorizing the City Manager to sign all grant related documents
2. **Resolution No. 2014-007** Describing the basis of conformity between the Turlock General Plan and the San Joaquin Valley Blueprint
- M. 1. **Resolution No. 2014-008** Amending the existing policies, procedures and standards for administering the Residential Rehabilitation Program by the City of Turlock for the CalHOME funding source
2. **Resolution No. 2014-009** Amending the existing policies, procedures and standards for administering the First Time Home Buyer Program by the City of Turlock for the CalHOME funding source
- N. Motion: Approving an agreement with Univar USA, Inc., of Kent, Washington, for the purchase of Sodium Bisulfite for a period of twenty-four (24) months, in an amount not to exceed \$185,987 annually, for a total contract amount of \$371,974
- O. Motion: Approving multiple agreements with TBA Auto Parts, Napa Auto Parts, and Next Level Parts, Inc. (Db a Turlock Auto Parts) for the purchase of auto parts and supplies for Municipal Services Fleet Maintenance Division for the term of twelve (12) months each, with an aggregate value of \$75,000, in accordance with the terms and conditions set within each agreement

- P. Motion: Approving multiple agreements with Central Sanitary Supply and Randik Paper Company for janitorial paper and cleaning supplies for the term of twelve (12) months each, with an aggregate value of \$26,000, in accordance with the terms and conditions set within each agreement
- Q. **Resolution No. 2014-010** Approving the service agreement between Delta Wireless and the City of Turlock for the maintenance and service of the radio system including all portable and mobile radios, and authorizing the City Manager to sign all agreement related documents
- R. **Resolution No. 2014-011** Authorizing the Turlock Fire Department to apply for the Assistance to Firefighters Grant (AFG) administered through the Federal Emergency Management Agency (FEMA), in the amount of \$212,177, for the purchase of auto extrication equipment and diesel exhaust removal systems for the four (4) fire stations
- S. Motion: Authorizing an agreement between Turlock Fire Department and Merced County Fire Department to provide automatic aid to each other on Highway 99 between Lander Avenue and Bradbury Road
- T. Motion: Rejecting Claim for Damages filed by Jorge Luis Escobedo
- U. Motion: Rejecting Claim for Damages filed by Jorge Sho Escobedo
- V. Motion: Rejecting Claim for Damages filed by Michiko Escobedo
- W. Motion: Rejecting Claim for Damages filed by Heather Gentry
- X. Motion: Rejecting Claim for Damages filed by Olson’s Repair, a California Corporation
- Y. Motion: Rejecting Claim for Damages filed by Jimmy Williamson

6. FINAL READINGS: None

7. PUBLIC HEARINGS

- A. Development Services Director Mike Pitcock presented the staff report on the request to amend Turlock Municipal Code Title 1, Chapter 6, Section 1, regarding minimum insurance requirements. Mr. Pitcock referenced a green sheet to this item in the form of a letter of opposition.

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

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, introducing an Ordinance amending Turlock Municipal Code Title 1, Chapter 6, Section 1, regarding minimum insurance requirements and setting the final reading for January 28, 2014. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
Yes	Yes	Yes	Yes	Yes

- B. Police Captain Carl Nielsen presented the staff report on the request to add Turlock Municipal Code Title 5, Chapter 26, prohibiting Aggressive Solicitation within the City of Turlock.

Mayor Lazar opened the public hearing.

Sherene Loree spoke in favor of addressing aggressive solicitation and encouraged citizens to stand with those who are receiving such solicitation.

Mayor Lazar closed the public hearing.

Council discussion included Council's role in making priorities known and asking department directors to address concerns.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, introducing an Ordinance adding Turlock Municipal Code Title 5, Chapter 26, prohibiting Aggressive Solicitation within the City of Turlock and setting the final reading for January 28, 2014. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
Yes	Yes	Yes	Yes	Yes

- C. City Clerk Kellie Weaver presented the staff report on the request to amend Turlock Municipal Code Title 2, Chapter 1, Article 02, regarding regular City Council Meeting dates coinciding with City holidays and adopting the 2014 City Council Meeting Schedule.

Council discussion included ensuring adequate meeting availability to address matters that may arise.

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

Action: Motion by Councilmember Nascimento, seconded by Councilmember White, introducing an Ordinance amending Turlock Municipal Code Title 2, Chapter 1, Article 02, regarding regular City Council Meeting dates coinciding with City holidays and setting the final reading for January 28, 2014. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
Yes	Yes	Yes	Yes	Yes

Mayor Lazar noted that the Resolution Adopting the 2014 City Council Meeting Schedule would be considered after the final reading and adoption of the above Ordinance on January 28, 2014.

8. SCHEDULED MATTERS:

- A. Municipal Services Director Michael Cooke presented the staff report on the request to approve a Water Transfer Agreement between the City of Turlock and Del Puerto Water District for the transfer of up to 13,000 acre-feet annually.

Mayor Lazar asked for public comment.

Turlock Irrigation District (TID) Board of Directors President Ron Macedo spoke against the Water Transfer Agreement for reasons including the importance of keeping water in the basin on this side of the river and asked that Council postpone consideration of this item to allow for discussion between the City and TID.

TID Assistant General Manager for Water Resources Tou Her spoke regarding past discussions about tertiary water being made available to TID and asked for clarification about the water described in the agreement before Council.

Luke Miller spoke against removing ground water and in favor of recharging the water by putting it back into the farmer's hands.

Council and staff discussion included the City's transparency throughout the project, impacts of postponing a decision, the importance of discharge into the river in relation to environmental issues and the ability to secure costs to rate payers, pipeline costs incurred to date, and the possibility of extending consideration of this item for two months in order to allow for discussion between the City and TID.

Mayor Lazar closed public comment.

Mayor Lazar recommended the matter be put over for two months and asked that an agenda item be brought forward at the January 28, 2014 Council meeting for committee appointments for the purpose of conducting discussions between City and TID. Mayor Lazar also asked that City Attorney Phaedra Norton serve on the committee.

Action: No action taken. Item postponed.

- B. Fire Chief Tim Lohman presented the staff report on the request to authorize staff to conduct a Request for Proposal (RFP) for nuisance abatement services, including a landscape service agreement, for the Neighborhood Services Unit of the Turlock Fire Department.

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

Action: **Resolution No. 2014-012** Authorizing staff to conduct a Request for Proposal (RFP) for nuisance abatement services, including a landscape service agreement, for the Neighborhood Services Unit of the Turlock Fire Department was introduced by Councilmember White, seconded by Councilmember DeHart, and carried 4/1 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
Yes	Yes	No	Yes	Yes

- C. Police Captain Steve Williams presented the staff report on the request to accept AB109 Realignment Funds in the amount of \$98,525.34 and appropriating said funds to the proper revenue and expenditure accounts in Fund 266 "Police Services Grants."

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

Action: **Resolution No. 2014-013** Accepting AB109 Realignment Funds in the amount of \$98,525.34 and appropriating said funds to the proper revenue and expenditure accounts in Fund 266 "Police Services Grants" was introduced by Councilmember White, seconded by Councilmember Bublak, and carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
Yes	Yes	Yes	Yes	Yes

- D. City Manager Roy Wasden presented the staff report on the request to authorize the reclassification of Allison Van Guilder to Parks, Recreation, and Public Facilities Director and the transfer of Erik Schulze, Parks, Recreation, and Public Facilities Superintendent from the TCEA bargaining group to the Management group effective January 16, 2014, and appropriating \$5,711 to Fund 110 "General Fund," \$1,708 to Fund 205 "Sports Facilities," \$854 to Fund 217 "Streets-Gas Tax," \$854 to Fund 246 "Landscape Assessment," and \$854 to Fund 410 "Water Quality Control."

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

Action: **Resolution No. 2014-014** Authorizing the reclassification of Allison Van Guilder to Parks, Recreation, and Public Facilities Director and the transfer of Erik Schulze, Parks, Recreation, and Public Facilities Superintendent from the TCEA bargaining group to the Management group effective January 16, 2014, and appropriating \$5,711 to Fund 110 "General Fund," \$1,708 to Fund 205 "Sports Facilities," \$854 to Fund 217 "Streets-Gas Tax," \$854 to Fund 246 "Landscape Assessment," and \$854 to Fund 410 "Water Quality Control" was introduced by Councilmember White, seconded by Councilmember Bublak, and carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
Yes	Yes	Yes	Yes	Yes

9. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Bublak requested consideration to hold one or two off-site Council meetings.

10. COUNCIL COMMENTS:

Councilmember DeHart thanked Mayor Lazar for his service as 2013 Vice-Mayor and commented on the wonderful opportunities he had to represent the City of Turlock. He also noted he will be serving as a member of the Community Services Policy Committee through the League of California Cities.

Councilmember Nascimento commented on the promotion of Allison Van Guilder to Parks, Recreation, and Public Facilities Director and mentioned the excellent work she has accomplished.

Councilmember Bublak wished Municipal Services Director Michael Cooke a happy birthday.

11. CLOSED SESSION: None

12. ADJOURNMENT:

Motion by Councilmember DeHart, seconded by Councilmember Nascimento, to adjourn at 7:37 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk