

1. **A. CALL TO ORDER** – Mayor Lazar called the meeting to order at 7:03 p.m.
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Steven Nascimento, Forrest White, and Mayor John S. Lazar.
ABSENT: None

B. SALUTE TO THE FLAG

C. SWEARING IN OF ALLISON VAN GUILDER – PARKS, RECREATION AND PUBLIC FACILITIES SERVICES DIRECTOR

City Clerk Kellie Weaver administered the Oath of Office to City of Turlock Parks, Recreation and Public Facilities Services Director Allison Van Guilder. Ms. Van Guilder thanked everyone for their support and acknowledged family members who were present.

Mayor Lazar acknowledged the presence of District 2 Supervisor Vito Chiesa of the Stanislaus County Board of Supervisors.

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

- A. Mayor Lazar recommended that Bianca Davoodian be appointed as a member of the Parks, Recreation and Community Programs Commission.

Action: Motion by Councilmember DeHart, seconded by Councilmember White, appointing Bianca Davoodian as a member of the Parks, Recreation and Community Programs Commission for a term to expire December 31, 2016. Motion carried 5/0 by the following vote:

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

Note: Item 2B was heard after item 3B₂.

3. A. SPECIAL BRIEFINGS:

1. Turlock City Arts Commissioner Sergio Alvarado had no news to report as the Arts Commission has been unable to meet due to lack of quorum.

B. STAFF UPDATES

Staff Update Items 1 through 8 were handled out of order.

2. Fire Chief Tim Lohman and Police Captain Carl Nielsen provided information to Council on support staffing status for their respective areas, including information about funding balances, areas where funding has been used, and the ongoing challenge of maintaining service levels.

- Item 2B** B. Mayor Lazar announced the appointment of Stanislaus County Alliance CEO, Dave White. Mr. White made a self-introduction and spoke of the Alliance's dedication to service through transparency, accountability, collaboration, and communication.
3. Deputy Director of Development Services/Planning Manager Debbie Whitmore introduced Laura Podolsky from the Local Government Commission and Stefan Pellegrini of Opticos Design, Inc., who provided an overview and summary of the Downtown Community Visioning Workshop, which included ideas about frontage and setbacks, building types, refining building height, coordinating public land and private realm improvements to encourage growth but keep with the character of the downtown area.

Mayor Lazar stepped down from the dais and turned the meeting over to Vice Mayor White.

4. Parks, Recreation, and Public Facilities Director Allison Van Guilder provided a brief history on the Street Tree Program, Policy and Procedure, including efforts to partner with property owners and maintaining Turlock's urban forest.

Mayor Lazar returned to the dais and resumed control of the meeting.

1. Turlock Together representative Manuel Drumonde provided a report on 2013 Turlock Together activities. Mr. Drumonde noted that over 1,800 families were served and thanked all who donated time and resources to make it possible.
5. Municipal Services Director Michael Cooke provided information on a Notice of Discharge Violation and Proposed Penalty for Water Quality Control.
8. Municipal Services Director Michael Cooke presented information relative to Turlock Water Conservation, including encouraging residents to conserve water, conservation methods, and statistical comparisons from past and present years.
6. City Manager Roy Wasden provided an update on the status of City of Turlock/Turlock Irrigation District Meetings and advised that an additional meeting has been scheduled.
7. City Manager Roy Wasden provided an update on the status of Off-Site City Council Meetings including Ordinance requirements that all regular meetings be held at the current location and possibilities/challenges of holding an off-site special meeting.

C. PUBLIC PARTICIPATION:

Sukhi Deol of 3450 Brookstone spoke regarding concerns over street trees in his neighborhood sitting too low to the ground for the street sweeper to properly clean around. Parks, Recreation, and Public Facilities Director Allison Van Guilder was asked to meet with Mr. Deol.

Melody Remington spoke against a new business trying to obtain an alcoholic beverage license for 755 Wayside Drive for reasons including late hours of operation and safety concerns. Police Captain Carl Nielsen was asked to meet with Ms. Remington.

Dr. Harinder Grewal also spoke against the proposed business at 755 Wayside Drive for reasons including the economic impact it would have to existing businesses in the area, crime, and parking issues. Councilmember Nascimento asked for an update at the next Council meeting in regard to this matter.

Ryan Schambers spoke in favor of beginning a discussion regarding Turlock police officers wearing body cameras.

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

Action: Motion by Councilmember DeHart, seconded by Councilmember Nascimento, to waive reading of all ordinances on the agenda, except by title. Motion carried 5/0 by the following vote:

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

B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS: None

5. CONSENT CALENDAR:

Mayor Lazar noted a request to remove Item 5F from the Consent Calendar for separate consideration.

Action: Motion by Councilmember Nascimento, seconded by Councilmember DeHart, to adopt the amended 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. 2014-016** Accepting Demands of 12/12/13 in the amount of \$2,427,307.01; Demands of 12/19/13 in the amount of \$2,600,264.05; Demands of 1/2/14 in the amount of \$473,436.82
- B. Motion: Accepting Minutes of Regular Meeting of January 14, 2014; Minutes of Special Meeting of January 14, 2014
- C. 1). Motion: Approving Amendment No. 4 for an additional one (1) year extension of the attached Special Services Contract No. 10-824 for Economic and Planning Systems, Inc., to provide professional economic and planning services for City Project No. 10-54, "Morgan Ranch Master Plan"
 2). Motion: Approving Amendment No. 4 for an additional one (1) year extension of the attached Special Services Contract No. 10-825 for Omni Means, Ltd., to provide professional transportation and traffic design services for City Project No. 10-54, "Morgan Ranch Master Plan"
- D. **Resolution No. 2014-017** Initiating proceedings for the Sutter Gould Medical Foundation (Parcel Map 13-01) Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Development Project No. 13-46

- E. 1). Motion: Making the determination that City Project No. 13-60, "Pedestrian Gate at Turlock Regional Transit Center," 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 \$6,450 [Fund 426-40-415.47451 "Contingencies (LTF Capital)"] with Sinclair General Engineering Construction, of Oakdale, California, for City Project No. 13-60, "Pedestrian Gate at Turlock Regional Transit Center"
- F. *Removed for separate consideration.*
- G. **Resolution No. 2014-018** Appropriating \$6,000 to account number 228-60-608.43701 "Parks Master Plan (Community Parks)" from Fund 228 "Community Park" reserve balance to update the City's Parks Master Plan and Park Improvement Fee
- H. Motion: Approving an agreement with Lewis and Dolores Baptista for Parcel No. 044-015-008 consisting of 10 acres at the southwest corner of 1300 S. Kilroy and 2201 W. Linwood for agricultural purposes, for a period of forty-seven (47) months
- I. Motion: Approving a Professional Services Agreement between the City of Turlock and Larry Walker Associates for the preparation of a Mixing Zone Field Study for the Turlock Harding Drain By-Pass Pipeline as required by the City's NPDES Discharge Permit, in an amount not to exceed \$40,880 from Fund 410-51-530.43316 "NPDES Permit Studies"
- J. 1). Motion: Approving the purchase of a Time and Attendance Interface, Animal Licensing, and Leave Management from New World Systems in an amount not to exceed \$58,760 and authorizing the City Manager to sign the license agreement
2). **Resolution No. 2014-019** Appropriating \$25,440 to account number 227-40-135.51011 "Computer Software" and \$17,200 to account number 240-00-000-200.51005_002 "Financial Software" from Fund 227 "Public Safety Tax" and Fund 240 "Small Equipment Replacement-General Administration" reserve balance for the purchase of Animal Licensing Software and Leave Management Software from New World Systems
- K. **Resolution No. 2014-020** Authorizing the City Manager, the City Manager's designee, or the City Attorney to execute agreements between the City of Turlock and local businesses or residents for the purpose of conducting training on non-City owned property
- L. **Resolution No. 2014-021** Appropriating \$159,484 to account number 512-10-152.47075_003 "Premiums Liability" from Fund 512 "Casualty Insurance-Self Insurance-Liability" reserve balance for a retrospective adjustment from the Central San Joaquin Valley Risk Management Authority
- M. **Resolution No. 2014-022** Authorizing the City Manager to enter into an agreement with U.S. Bank and to sign an addendum to the State of California Purchase Card Program Master Services Agreement for continued use of the Cal Card program
- N. Motion: Rejecting Claim for Damages filed by Debra Borrelli

Item 5F

Development Services Director Mike Pitcock presented the staff report on the request to approve an agreement with Alta Planning + Design, Inc. for the development of a bicycle master plan and pedestrian master plan associated with City Project No. 13-64, "Develop an Active Transportation Plan," and appropriate necessary funding.

Mayor Lazar asked for public comment.

Elizabeth Claes spoke in favor of the development of a bicycle master plan and pedestrian master plan for reasons including improved health, support for local businesses, developing a sense of community, and safety issues.

Logan Ladd spoke regarding concerns over cars pulling into bike lanes and related safety issues.

Anthony Fagundes spoke in favor of the bike master plan and the advancement of bicycle activity.

Mayor Lazar closed public comment.

Council and staff discussion included identifying safe routes to parks in addition to safe routes to schools, a new law enacted regarding proximity of vehicles to bicyclists, and the possibility of expanding the scope of the project in the future to include safe routes to parks.

Action: Motion by Councilmember White, seconded by Councilmember Bublak, Approving an agreement in the amount of \$136,975 (Fund 216) with Alta Planning + Design, Inc., of Sacramento, California, for the development of a bicycle master plan and pedestrian master plan associated with City Project No. 13-64, "Develop an Active Transportation Plan." Motion carried 5/0 by the following vote:

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

Resolution No. 2014-023 Appropriating \$142,244 to account number 216-40-421.43060_009 "Contract Services Active Transportation Plan" to be funded using unexpended Non-Motorized monies in Fund 216 "Streets-Local Transportation Funds" as part of City Project No. 13-64, "Develop an Active Transportation Plan" 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

6. FINAL READINGS:

A. **Ordinance No. 1191-CS** Amending Turlock Municipal Code Title 1, Chapter 6, Section 1, regarding minimum insurance requirements as introduced on January 14, 2014 was passed and adopted 5/0 by the following vote:

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

- B. **Ordinance No. 1192-CS** Adding Turlock Municipal Code Title 5, Chapter 26, prohibiting Aggressive Solicitation within the City of Turlock as introduced on January 14, 2014 was passed and adopted 5/0 by the following vote:

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

- C. **Ordinance No. 1193-CS** Amending Turlock Municipal Code Title 2, Chapter 1, Article 02, regarding regular City Council Meeting dates coinciding with City holidays as introduced on January 14, 2014 was unanimously passed and adopted 5/0 by the following vote:

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

Resolution No. 2014-024 Adopting the 2014 City Council Meeting Schedule was introduced by Councilmember White, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

7. PUBLIC HEARINGS

- A. Development Services Director Mike Pitcock presented the staff report on the request to confirm the annexation of 855 N. Olive Avenue (Parcel No. 042-024-051) and 871 N. Olive Avenue (Parcel No. 042-024-050), to the Parcel Map 07-06 (Kevin Berger) Landscaping, Lighting, and Street Maintenance Benefit Assessment District, City Project No. 0747.

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

Action: **Resolution No. 2014-025** Confirming the annexation of 855 N. Olive Avenue (Parcel No. 042-024-051) and 871 N. Olive Avenue (Parcel No. 042-024-050), to the Parcel Map 07-06 (Kevin Berger) Landscaping, Lighting, and Street Maintenance Benefit Assessment District, City Project No. 0747 was introduced by Councilmember Bublak, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

8. SCHEDULED MATTERS:

- A. Development Services Department Mike Pitcock presented the staff report on the request to accept the Building Department Fee Program report.

Council discussion included aspects of the reduction on residential vs. commercial, future budgetary considerations in light of the reduction in revenue, and outcomes of the new deposit based fee system.

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

Action: Motion by Councilmember Nascimento, seconded by Councilmember DeHart, Accepting the Building Department Fee Program report. Motion carried 5/0 by the following vote:

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

- B. ***Removed from Agenda to be brought forward at the February 25, 2014 City Council meeting.*** Request to combine the Arts Commission and the Parks, Recreation and Community Programs Commission into a single advisory commission consisting of nine (9) members made up of all current commissioners.

9. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Councilmember Nascimento asked for consideration in bringing forward an updated City Council Code of Conduct to include disclosure of ex parte communications.

Councilmember Nascimento asked for consideration that the City Attorney bring forward a draft Campaign Finance Ordinance amendment aimed at providing greater transparency and accountability to the City Council.

10. COUNCIL COMMENTS:

Councilmember White announced the Ground Breaking Ceremony for the Turlock Gospel Mission on Wednesday, January 29, 2014 at 10:00 a.m. on S. Broadway.

Mayor Lazar congratulated City Manager Roy Wasden on the Special Recognition award he received at the recent Turlock Chamber of Commerce Best of Turlock Awards. Mayor Lazar thanked Mr. Wasden for his many contributions to the City of Turlock.

11. CLOSED SESSION:

City Attorney Phaedra Norton introduced the Closed Session item.

- A. Conference with Real Property Negotiators, Cal. Gov't Code §54956.8
“Notwithstanding any other provisions of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease.”

Property: 480 Julian Street, Turlock, CA (APN No. 061-010-014)

Agency Negotiator: Roy W. Wasden

Negotiating Parties: Stanislaus County Tax Collector

Under Negotiation: Price and terms of payment

Action: No reportable action.

12. ADJOURNMENT:

Motion by Councilmember DeHart, seconded by Councilmember White, to adjourn at 7:37 p.m. Motion carried 5/0 by the following vote:

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

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk