

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 6:05 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:**

- A. Mayor Lazar presented a Proclamation to City of Turlock employee Toni Cordell in recognition of Go Green Week, February 24 - 28, 2014. Ms. Cordell introduced mascots Recycle Man and Water Woman and presented information about Go Green Week, including the City's partnership with Turlock Unified School District and Turlock Recycling Company, planned educational activities, and program accomplishments. Ms. Cordell thanked Turlock Recycling Company and City of Turlock Public Facilities Maintenance Department employees for their efforts. Jesse Marchant of Turlock Recycling and Brett Sutterley of Walnut Elementary School spoke in favor of Go Green Week activities for reasons including the partnerships that are developed, exciting activities that are provided to students, and the importance of making students aware of conservation efforts.
- B. City Manager Roy Wasden recognized Eric Gonsalves and City of Turlock employees Rose Stillo, Dorinda Soiseth, Mike O'Brien, Anthony Orosco and Joanna Smalley for their outstanding commitment to quality customer service and exceptional dedication to the economic development of our community in relation to the review and processing of the Hilmar Cheese Processing Plant. Recipients Eric Gonsalves and Rose Stillo were in attendance and received Certificates of Recognition from Mayor Lazar. Eric Gonsalves thanked City Manager Roy Wasden and City staff for their support in moving the project forward.
- C. Mayor Lazar recommended that Abe Rojas and Ashour Badal be appointed as Community Members of the CDBG Grant Selection Committee.

Action: Motion by Councilmember Bublak, seconded by Councilmember White, appointing Abe Rojas and Ashour Badal as Community Members of the CDBG Grant Selection Committee. 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 recommended that Councilmember Bublak be appointed as the Council Representative to the CDBG Grant Selection Committee.

Action: Motion by Councilmember White, seconded by Councilmember DeHart, appointing Councilmember Bublak as the Council Representative to the CDBG Grant Selection Committee. Motion carried 5/0 by the following vote:

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

E. Richard Dye of Pacific Gas & Electric, Government Relations Division, provided information regarding the Pipeline Safety Enhancement Program (PSEP), including gas transmission maintenance and upgrade projects, a recap of 2013 Turlock projects, projects planned for 2014, and their “Call Before You Dig – 811” campaign.

3. A. SPECIAL BRIEFINGS: None

B. STAFF UPDATES

1. Deputy Director of Development Services/Planning Manager Debbie Whitmore provided an update on the status of mobile food vendor business Vida Vital.
2. City Attorney Phaedra Norton provided information on the progress of the proposed ordinance regarding campaign contributions.
3. City Manager Roy Wasden provided an update relative to holding off-site Council meetings and the status of the civic engagement process comparing the current at-large election system in the City of Turlock other systems of electing the Mayor and City Council members.
4. Police Captain Steve Williams updated Council on bicycle/pedestrian safety issues and provided information about enforcement activities and impacts of the Turlock Police Department Traffic Unit.

C. PUBLIC PARTICIPATION:

Timm Lavelle spoke in support of Councilmember Nascimento’s introduction of a campaign reform “tin cup issue” for reasons including impacts large companies, small civic groups and employee unions may have on successful candidates and the potential of tainting the perception of the campaign and voting process.

John Miles spoke in favor of a campaign finance ordinance for reasons including that it is reasonable for a Councilmember to declare contributions over \$2,000 and to recuse themselves from voting on an issue where there is a perception of undue influence.

Marsha Carroll of 4681 Redhill Way presented Council with a set of documents including copies of two letters with attachments and three other documents, spoke regarding alleged improper behavior by City Council and City leaders, requested outside investigations be sponsored into both the Turlock Police Department and City leaders issues and alleged whitewashing, and asked that her issues and documents be acknowledged and included as part of the meeting minutes.

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

5. CONSENT CALENDAR:

Mayor Lazar noted a request to remove Consent Calendar Item 5G for separate consideration and identified green sheets to Item 5D and 5G.

Action: Motion by Councilmember DeHart, seconded by Councilmember Nascimento, 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. 2014-034** Accepting Demands of 1/23/14 in the amount of \$512,191.84; Demands of 1/30/14 in the amount of \$499,918.60
- B. Motion: Accepting Minutes of Regular Meeting of February 11, 2014
- C.
 - 1. Motion: Making the determination that City Project No. 13-25B, "Public Safety Training Facility Utilities and Site Improvements," 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 \$107,218.80 (Fund 305) with Marko Construction Group, Inc., Fresno, California, for City Project No. 13-25B, "Public Safety Training Facility Utilities and Site Improvements"
 - 3. **Resolution No. 2014-035** Authorizing the transfer of \$129,841 from Fund 305 CFF (Police) reserve to account number 305-40-441.51270 for Project No. 13-25 "Public Safety Training Facility"
- D.
 - 1. Motion: Making the determination that City Project No. 0763, "Intersection Improvements at Monte Vista and Colorado," is exempt from the provisions of CEQA in accordance with Section 15332
 - 2. Motion: Awarding bid and approving an agreement in the amount of \$523,330.60 with MCI Engineering of Stockton, California, for City Project No. 0763, "Intersection Improvements at Monte Vista and Colorado"
 - 3. **Resolution No. 2014-036** Appropriating \$95,000 to account number 215-40-420.51210 "Federal Street Projects" to be funded via a transfer of Developer Fees from Fund 307 "Northeast Master Plan Area Fees" for City Project No. 0763, "Intersection Improvements at Monte Vista and Colorado," to complete the necessary funding required for the project
- E.
 - 1. **Resolution No. 2014-037** Approving the "Patterning the Future of Turlock's Downtown" application for grant funds for the Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River And Coastal Protection Bond Act of 2006 (Proposition 84)

- 2. **Motion:** Authorizing the City Manager to enter into a sole source professional services agreement with the Local Government Commission without compliance to the formal bid procedure in accordance with the Turlock Municipal Code, Title 2, Chapter 7, Section 2-7-08(b)(2), (b)(3), and (b)(4) upon award of the Sustainable Communities Planning Grant and approval of a future budget amendment
- F. **Motion:** Approving a Memorandum of Understanding between the City of Turlock Police Department and Sacramento Valley Hi-Tech Crimes Task Force and authorizing the City Manager to sign such agreement
- G. *Removed for separate consideration*
- H. **Motion:** Authorizing the City Manager to execute an agreement with Communication Strategies, LLC related to assisting the City of Turlock procure a citywide phone system in an amount not to exceed \$9,360
- I. **Resolution No. 2014-038** Appropriating \$3,000 to account number 227-40-135.51011 "Computer Software" from Fund 227 "Public Safety Tax" reserve balance for full mapping of historical Animal Licensing data to be performed by New World Systems

Item 5G

Police Captain Steve Williams presented the staff report on the request to utilize the services of Jeffery Lopes on a temporary basis for the purpose of serving as the Acting Chief of Police for a period of three (3) days beginning March 12, 2014, and ending March 14, 2014

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

Council discussion included the necessity and duration of the request, the benefits of Mr. Lopes' institutional knowledge, and the possibility of utilizing existing staff, including the City Manager, to handle any issues that might arise.

Action: **Resolution No. 2014-039** Utilizing the services of Jeffery Lopes on a temporary basis for the purpose of serving as the Acting Chief of Police for a period of three (3) days beginning March 12, 2014, and ending March 14, 2014 was introduced by Councilmember White, seconded by Councilmember Nascimento, and carried 4/1 by the following vote:

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

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS**

- A. Development Services Director Mike Pitcock presented the staff report on the request to confirm the Benefit Assessment Report and levy assessments for the Sutter Gould Medical Foundation (PM 13-01) Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Development Project No. 13-45.

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

Action: **Resolution No. 2014-040** Confirming the Benefit Assessment Report and levying assessments for the Sutter Gould Medical Foundation (PM 13-01) Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Development Project No. 13-45 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

8. SCHEDULED MATTERS:

- A. City Manager Roy Wasden introduced Carlos Yamzon, Executive Director for StanCOG, who presented a report on the request to authorize the support of the City of Turlock for the Stanislaus County 2014 Regional Transportation Tax Measure Financial Expenditure Plan (Expenditure Plan).

Mr. Yamzon presented information on the Expenditure Plan, including transportation needs, regional benefits of the proposed half-cent sales tax, the framework of the expenditure plan, revenue projections, and the expenditure breakdown of 47% to regional corridors, 47% to local road maintenance, and 6% to alternative transportation.

Council discussion included project prioritization, concerns over funding going to projects that do not benefit Turlock, the benefits of being designated a self-help city/county in regard to leveraging additional state and/or federal funding, and future steps to be taken.

Vito Chiesa, Stanislaus County Board of Supervisors for District 2, spoke in favor of the expenditure plan and explained the intent of the plan is for each of the 3 regional projects to be completed with the projected tax revenue.

Mayor Lazar asked for public comment.

Lloyd Blackman spoke against the expenditure plan for reasons including an imbalance in the StanCOG voting structure, the importance of each community being equally represented, and his support for a local tax campaign.

Bob Endsley spoke in support of the expenditure plan for reasons including that it could help improve the overall quality of our community and county and would provide benefits such as reduced tire wear.

Mayor Lazar closed public comment.

Additional Council discussion included a request that Mr. Yamzon and Supervisor Chiesa pay close attention to the South County Corridor funding and that the process move forward with cooperation and transparency.

Action: **Resolution No. 2014-041** Authorizing the support of the City of Turlock for the Stanislaus County 2014 Regional Transportation Tax Measure Financial Expenditure Plan (Expenditure Plan) was introduced by Councilmember Nascimento, 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

- B. Parks, Recreation and Community Facilities Director Allison Van Guilder presented the staff report on the request to approve an agreement with the San Jose Earthquakes, LLC for practice field use; authorize the City to be a designated ticket distribution point and marketing source for Premiere Development League (PDL) soccer games in Turlock; and authorize the City Manager to sign the agreement and all related documents.

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

Council and staff discussion included that proceeds of ticket sales by the City will be used to help fund the Youth Soccer Scholarship program and recognition of CSUS Soccer Coach Dana Taylor for being the “lighting rod” of this endeavor.

Action: Motion by Councilmember Bublak, seconded by Councilmember White, Approving an agreement with the San Jose Earthquakes, LLC for practice field use; authorizing the City to be a designated ticket distribution point and marketing source for Premiere Development League (PDL) soccer games in Turlock for a period of fourteen (14) months, ending May 5, 2015; and authorizing the City Manager to sign the agreement and all related documents. Motion carried 5/0 by the following vote:

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

- C. Fire Chief Tim Lohman presented the staff report on the request to authorize the City Manager to sign the tentative agreement between American Medical Response and Turlock Fire Department for reimbursement costs associated with emergency medical response.

Councilmember White stepped down from the dais. Councilmember White returned to the dais.

Chief Lohman introduced Sheldon Gilbert of Innovative Partnership Solutions who served as lead negotiator on the project.

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

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

Council discussion included reimbursement rates and how the rates were calculated.

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

Action: Motion by Councilmember DeHart, seconded by Councilmember White, Authorizing the City Manager to sign the tentative agreement between American Medical Response and Turlock Fire Department for reimbursement costs associated with emergency medical response. Motion 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 amend the City of Turlock Fiscal Year 2013-14 General and Non-General Fund Budgets.

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

Action: **Resolution No. 2014-042** Amending the City of Turlock Fiscal Year 2013-14 General and Non-General Fund Budgets was introduced by Councilmember Dehart, seconded by Councilmember White, and carried 5/0 by the following vote:

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

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

Mayor Lazar reconvened the City Council meeting at 8:06 p.m.

9. COUNCIL ITEMS FOR FUTURE CONSIDERATION: None

10. COUNCIL COMMENTS:

Councilmember Bublak encouraged adherence to the Council Code of Conduct specifically in regard to refraining from derogatory comments.

Councilmember DeHart thanked everyone for their support and announced that his granddaughter has been cancer free for 2 years.

11. CLOSED SESSION:

City Attorney Phaedra Norton introduced the Closed Session item.

- A. Conference with Legal Counsel – Anticipated Litigation, Cal. Gov't Code §54956.9(d)(2)
“For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist... A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.”

Potential Cases: (1 case)

Construction claim dispute with Sierra Mountain Construction, Inc. regarding delay claim associated City Project No. 11-41 “Sewer Lift Stations on West Main/Clinton and West Main/Tegner.”

Action: Motion by Councilmember Nascimento, seconded by Councilmember DeHart approving the settlement agreement with Sierra Mountain Construction, Inc., accepting Contract Change Order No. 1 (Final) in the amount of \$42,970.83, and authorizing the City Engineer to file a Notice of Completion. Motion carried 5/0 by the following vote:

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

12. ADJOURNMENT:

Motion by Councilmember DeHart, seconded by Councilmember Bublak, to adjourn at 8:08 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