

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 6:04 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 Items A – D out of order.*

- C. Mayor Lazar presented a Proclamation to City of Turlock Human Resources Technician Jessie Dhami in recognition of City of Turlock Volunteers.
- B. Mayor Lazar presented a Proclamation to Pastor David Larson of New Life Christian Center in recognition of the “Love Turlock” event to be held May 3, 2014.
- A. Mayor Lazar presented a Proclamation to Anne-Marie Montgomery, Stanislaus County Library – Turlock Branch, in recognition of National Library Week, April 13-19, 2014. Jeannie Endsley, Friends of the Turlock Library President, provided membership applications and information about their organization.
- D. Mayor Lazar presented a Proclamation to City of Turlock Public Safety Communications Supervisor Kathleen Keller in recognition of National Telecommunicators Week, April 13-19, 2014.

**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 Monte Vista Rehabilitation project, Columbia Park Restroom project, Public Safety Center project, Monte Vista/Colorado Traffic Signal project, and the Public Safety Training Facility project.
2. Parks, Recreation & Community Facilities Director Allison Van Guilder introduced Joseph Ortega from Precision Concrete who provided information regarding their concrete cutting services, including ADA requirements, DOJ guidelines, options for repair, and the significant cost savings associated with their services.

**C. PUBLIC PARTICIPATION:** None

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

**Action:** Motion by Councilmember White, seconded by Councilmember DeHart, to waive reading of all ordinances on the agenda, except by title. Motion carried unanimously.

**B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None

**C. DISCLOSURE OF EX PARTE COMMUNICATIONS:**

1. Public Hearing Items 7A and 7B are quasi-judicial proceedings. Council should disclose the following information if applicable:
  - a. State for the public record the nature of the communication; and
  - b. With whom the ex parte communication was made; and
  - c. A brief statement as to the substance of the communication.

Councilmember Bublak disclosed an ex parte communication she had in regard to Public Hearing Item 7B. Ms. Bublak said she spoke by telephone to Mr. Shahbazian regarding his sidewalk repairs and his attendance at tonight's meeting to voice his concerns.

**5. CONSENT CALENDAR:**

**Action:** Motion by Councilmember Nascimento, seconded by Councilmember DeHart, 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. 2014-054** Accepting Demands of 3/6/14 in the amount of \$1,175,931.42; Demands of 3/13/14 in the amount of \$1,408,502.70
- B. Motion: Accepting Minutes of Regular Meeting of March 25, 2014
- C. Motion: Approving Contract Change Order No. 4 (Final) in the amount of \$1,000 (Fund 420) for City Project No. 10-24, "Well No. 40 Sitework," bringing the contract total to \$238,335.01
- D.
  1. Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$40,183.90 (Fund 410 and 420) for City Project No. 10-53, "Water and Sewerline Replacement in the Alleys," bringing the contract total to \$1,226,678.90
  2. Motion: Accepting improvements for City Project No. 10-53, "Water and Sewerline Replacement in the Alleys," and authorizing the City Engineer to file a Notice of Completion
- E.
  1. Motion: Approving Contract Change Order No. 1 (Final) in the decreased amount of (\$191.41) (Fund 305) for North Olive Avenue, for City Project No. 13-43, "Demolition of Buildings on N. Olive and S. Walnut," bringing the contract total to \$21,359.59
  2. Motion: Accepting improvements for City Project No. 13-43, "Demolition of Buildings on N. Olive and S. Walnut," and authorizing the City Engineer to file a Notice of Completion

- F. **Resolution No. 2014-055** Directing the City Manager or Director of Development Services/City Engineer to sign all documents, assurances, and statements in regard to any and all Federal Highway Administration (FHWA), Federal Transit Administration (FTA), or state-funded projects for Federal Fiscal Year 2014-15
- G. **Resolution No. 2014-056** Authorizing the federal funding under FTA Section 5339 with the California Department of Transportation
- H. Motion: Approving the rehabilitation forgivable loan #3587-VS, in the amount of \$25,000, where the City of Turlock will be in third position, as prescribed by the adopted Rehabilitation Loan Policies and Procedures
- I. Motion: Approving an agreement with Clark Pest Control of Modesto, California, for weed control services for the City of Turlock’s Regional Water Quality Control Facility and the Parks, Recreation, and Public Facilities Department, in an amount not to exceed \$46,812 annually and \$96,624 for a period of twenty-four (24) months
- J.
  1. Motion: Approving an agreement with the State of California’s Franchise Tax Board for participation in the Interagency Intercept Collections (IIC) program
  2. Motion: Approving an agreement with LexisNexis for skip tracing services required to participate in the Interagency Intercept Collections (IIC) program, in an annual amount not to exceed \$1,000
  3. **Resolution No. 2014-057** Appropriating \$1,000 from Fund 110 “General Fund” to account number 110-10-112.43013 “Interagency Intercept Program Software Services” for participation in the Interagency Intercept Collections (IIC) program and associated skip tracing services
- K. Motion: Authorizing the Turlock Fire Department to establish a Working Agreement or Memorandum of Understanding with American Medical Response – West for the sole purpose of Continuing Education Records oversight under the direction of a Clinical Medical Director provided by American Medical Response – West

**6. FINAL READINGS:**

Councilmember DeHart spoke regarding his findings of a summary statement provided by City staff of the Proposition 218 process recently conducted by the City in regard to implementing updated fees and charges for property related water services, including that City staff efforts far exceeded Proposition 218 requirements and that processes are in place to deal with unintended consequences of increases. He requested that future outreach be constructed differently to allow for computer notification and that before the next increase is scheduled a cash flow status be provided to consumers.

- A. **Ordinance No. 1194-CS**, Amending Turlock Municipal Code Title 6, Chapter 5, Article 5, Section 01 and Title 6, Chapter 5, Article 7, Section 01(b) to implement updated fees and charges for property related water services as introduced at the March 25, 2014 meeting was passed and adopted 4/1 by the following vote:

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

**7. PUBLIC HEARINGS**

**A. *Quasi-judicial proceeding:***

Neighborhood Services Supervisor Robert Boyd presented the staff report on the request for approval establishing a lien for payment for the abatement of certain weeds, obnoxious growth and other debris on property and abandoned vehicles that are a nuisance to the public.

Council discussion included the possibility of subcontracting some of the abatement work.

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

**Action:**            **Resolution No. 2014-058** Assessing properties for abatement costs and establishing a lien for payment was introduced by Councilmember White, seconded by Councilmember Nascimento, and carried 5/0 by the following vote:

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

**B. *Quasi-judicial proceeding:***

Parks, Recreation & Community Facilities Director Allison Van Guilder presented the staff report on the request for approval establishing a lien for payment for repair cost of certain maintenance of curbs, gutters, sidewalks, curb cuts, and driveway approaches that are out of repair.

Council discussion included the potential of including sidewalk repair in future assessment areas and the main cause of sidewalk damage being from trees.

Mayor Lazar opened the public hearing.

Dan Shahbazian spoke against his abatement costs and lien for payment for reasons including the design and planting of trees being under the City's oversight, residents not being able to touch trees without a permit, repairs not being his responsibility, and the high cost of the repair.

Mayor Lazar closed the public hearing.

Additional Council and staff discussion included maintenance of street trees being the property owner's responsibility, the abatement/noticing process, potential for implementation of a tree maintenance cost share program, making use of the services of Precision Concrete before sidewalks become irreparable, and the possibility of exploring/implementing a home presale inspection process related to sidewalks.

**Action:**        **Resolution No. 2014-059** Assessing properties for sidewalk repair costs and establishing a lien for payment 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. City Attorney Phaedra Norton presented the staff report on the request to add Turlock Municipal Code Title 2, Chapter 12, regarding Campaign Contributions.

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

Council discussion included concerns over adding more bureaucracy and associated requirements/timelines placed upon staff and Council, the need for integrity in the reporting/disclosure process, placing completed FPPC campaign disclosure forms on the City website, and the need to make the documents easily accessible to the public.

Councilmember Nascimento introduced a motion making sure that campaign contribution forms received are made easily accessible online to the public without the additional requirements set forth in the proposed Ordinance. Councilmember Nascimento later retracted his motion.

Councilmember Nascimento and Councilmember Bublak agreed to move forward with staff placing campaign contribution forms online, and to withdraw the proposed Ordinance from the agenda and not take any action.

**8. SCHEDULED MATTERS:**

A. Police Chief Robert Jackson presented the staff report on the request to authorize the Police Department to recruit for the classification of Police Officer Trainee and sponsor successful applicants through a police academy.

Council discussion included potential academy locations, the need to find quality applicants, and difficulties other agencies are having retaining officers

Mayor Lazar asked for public comment.

Marsha Carroll requested information about what happens if a sponsored candidate does not make it through the academy and the percentage of recruits that do not complete the academy.

Mayor Lazar closed public comment.

**Action:**        **Resolution No. 2014-060** Authorizing the Police Department to recruit for the classification of Police Officer Trainee and sponsor successful applicants through a police academy was introduced by Councilmember DeHart, seconded by Councilmember Nascimento, 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:** None

**10. COUNCIL COMMENTS:**

Councilmember Bublak thanked Parks, Recreation & Community Facilities Director Allison Van Guilder for the outstanding service her division provided at the recent 13th Annual Tournament of Champions at Pedretti Park.

Councilmember DeHart provided an update on his League of California Cities activities as a member of the Community Services Committee, specifically in regard two issues that will be coming before the State Legislature consisting of approval/licensing of massage permits and associated human trafficking issues, and electronic cigarettes and associated issues related to the distillation of marijuana oil for use with e-cigarettes.

**11. CLOSED SESSION:**

A.        Conference with Labor Negotiators, Cal. Gov't Code §54957.6(a)  
*“Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation.”*

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, Payroll Coordinator, Principal Civil Engineer, Regulatory Affairs Manager, Secretary/Deputy City Clerk, Executive Administrative Assistant/Public Safety, Technical Services Manager, Utilities Manager, Water Quality Control Division Manager

**12. ADJOURNMENT:**

Motion by Councilmember DeHart, seconded by Councilmember Bublak, to adjourn at 7:28 p.m.  
Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Kellie E. Weaver  
City Clerk