

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. PRESENTATION OF COLORS AND SALUTE TO THE FLAG:** Presented by Turlock Fire Department Honor Guard.
2. **PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:**
  - A. Jeri Gilley, Finance Customer Service Supervisor, was not in attendance to receive a Proclamation in honor of her retirement from the City of Turlock.
  - B. Bob Stresak, Executive Director of the Commission on Peace Officers Standards and Training, presented Police Chief Robert Jackson with his POST Executive Certificate.
3. **A. SPECIAL BRIEFINGS:** None
- B. STAFF UPDATES**
  1. Development Services Director Mike Pitcock provided an update on capital projects and building activities, including Fulkerth Rd., Colorado Ave., E. Main St. Resurfacing project, Monte Vista Ave./Colorado Ave. Signalization project, Public Safety Facility Training Facility project, Dog Park at Swanson/Centennial Park project, Dels Lane/Golden State Blvd. Signal project, and the Walnut Rd. Median at Turlock Junior High School project.
  2. Parks, Recreation & Public Facilities Director Allison Van Guilder provided an update on landscape water conservation efforts, including reduced watering in medians on Monte Vista Ave. and Christoffersen Parkway, grant funding opportunities to replace current landscaping with drought tolerant landscaping, and the change in hours at spray parks.
- C. PUBLIC PARTICIPATION:** None
4. **A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None
- B. DISCLOSURE OF EX PARTE COMMUNICATIONS**
  1. Scheduled Matter Item 7A is a quasi-judicial proceeding. 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.

There were no disclosures of ex parte communications.

**5. CONSENT CALENDAR:**

Mayor Lazar advised Item 5H would be removed from the Consent Calendar for separate consideration and noted the green sheet to Item 5F.

**Action:** Motion by Councilmember Bublak, 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. 2014-135** Accepting Demands of 7/3/14 in the amount of \$1,375,357.02; Demands of 7/10/14 in the amount of \$1,294,675.85
- B. Motion: Accepting Minutes of Regular Meeting of July 22, 2014
- C. 1. Motion: Making the determination that City Project No. 13-51, "Fulkerth Bus Stop Improvements," is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures)  
 2. Motion: Awarding bid and approving an agreement in the amount of \$14,600 (Fund 426) with Taylor Backhoe Service, Inc., of Merced, California, for City Project No. 13-51, "Fulkerth Bus Stop Improvements"
- D. Motion: Approving a service agreement with Joe Gomes & Sons, Inc., for a 24-hour offsite card lock system for gasoline and diesel fuel services for a period of thirty-six (36) months, in an amount not to exceed \$600,000 annually
- E. **Resolution No. 2014-136** Re-appropriating \$3,552 of unspent funds from Fiscal Year 2013/14 to account number 269-60-614-380.47124 "Parks Donation Expenses" from Fund 269 "Parks Donation-General" reserve balance for the purchase of the "Quaile Rand Norton Park" sign
- F. 1. Motion: Approving an agreement with Collicutt Energy Services, Inc., for annual maintenance and inspection and service repairs for Kohler generator for the Public Safety Facility for a period of twelve (12) months, in an annual amount not to exceed \$2,100 for preventive maintenance and up to an additional \$2,900 for unexpected service repairs  
 2. **Resolution No. 2014-137** Appropriating \$5,000 to account number 110-20-200.43125\_025 "Maintenance Generator Repair & Maintenance" from Fund 110 "General Fund" reserve balance for the annual preventive maintenance and inspection and service repairs for the Kohler generator at the Turlock Public Safety Facility
- G. **Resolution No. 2014-138** Appropriating funds in the amount of \$42,527 to Fund 266-20-255-341.51107 "JAG Expenses" for the purchase of front line police equipment authorized by the 2012 and 2013 JAG Grants previously awarded and accepted
- H. *Removed for separate consideration*

**Item 5H** City Manager Roy Wasden presented the staff report on the request to adopt the response letter provided by Turlock Police Chief Robert Jackson to the Civil Grand Jury regarding Case 14-25GJ and authorizing the City Clerk to provide verification of such adoption to the Civil Grand Jury

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

Council discussion included procedure and timing involved in the response to the grand jury and the importance of noting that the police department is understaffed.

**Action:**           **Resolution No. 2014-139** Adopting the response letter provided by Turlock Police Chief Robert Jackson to the Civil Grand Jury regarding Case 14-25GJ and authorizing the City Clerk to provide verification of such adoption to the Civil Grand Jury was introduced by Councilmember Nascimento, 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

**6. FINAL READINGS:** None

**7. PUBLIC HEARINGS**

- A. Parks, Recreation & Public 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. Ms. Van Guilder noted a reduction in the amount of the assessment identified in Exhibit A to the Resolution from \$2,570.89 to the correct amount of \$2,244.41.

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

**Action:**           **Resolution No. 2014-140** Assessing properties for sidewalk repair costs and establishing a lien for payment 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. Recreation Supervisor Karen Packwood presented the staff report on the request to approve a Memorandum of Understanding among Stanislaus County Office of Education, City of Turlock and Turlock Unified School District; Authorizing the acceptance of an allocation of funds and execution of a grant agreement to implement the ASES Program (Supporting After School for Everyone).

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

**Action:** Motion by Councilmember Bublak, seconded by Councilmember White, Approving a Memorandum of Understanding among Stanislaus County Office of Education, City of Turlock and Turlock Unified School District; Authorizing the acceptance of an allocation of funds and execution of a grant agreement to implement the ASES Program (Supporting After School for Everyone). 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 Chief Robert Jackson presented the staff report on the request to approve a Memorandum of Understanding (MOU) between the City of Turlock and the Stanislaus County Regional Apprehension Team (RAT) to locate noncompliant offenders within Stanislaus County through proactive enforcement, and authorizing the City Manager and the Chief of Police to execute the MOU.

Stanislaus County Probation Assistant Chief Mike Hamasaki spoke regarding the RAT program/partnership, AB 109 funding, and provided statistics on the number of offenders in Stanislaus County.

Council discussion included offenders living in Turlock and available programs.

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

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, Approving a Memorandum of Understanding (MOU) between the City of Turlock and the Stanislaus County Regional Apprehension Team (RAT) to locate noncompliant offenders within Stanislaus County through proactive enforcement, and authorizing the City Manager and the Chief of Police to execute the MOU. Motion 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:** None

11. **CLOSED SESSION:**

City Attorney Phaedra Norton introduced the Closed Session Items.

- 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: 153 S. Broadway, Turlock, CA (APN No. 061-016-046-000)  
Agency Negotiator: Roy W. Wasden  
Negotiating Parties: Bonander Properties (c/o FMT Marilyn Bessey)  
Under Negotiation: Price and terms of payment

**Action:** No reportable action.

- B. Public Employee Performance Evaluation, Cal. Gov't Code §54957(b) (1)  
"Subject to paragraph (2), this chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session."  
Title: City Manager

**Action:** Council approved the satisfactory performance evaluation of the City Manager.

- C. Public Employee Performance Evaluation, Cal. Gov't Code §54957(b) (1)  
"Subject to paragraph (2), this chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session."  
Title: City Attorney

**Action:** Council approved the satisfactory performance evaluation of the City Attorney.

- D. Conference with Labor Negotiators, Cal. Gov't Code §54957.6  
"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 Negotiator: Mayor John Lazar  
Unrepresented Employees: City Manager, City Attorney

**Action:** No reportable action.

- E. 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 Analyst, Human Resources Manager, Human Resources Technician, Legal Assistant, Municipal Services Director, Parks, Recreation & Public Facilities Director, Parks, Recreation & Public Facilities Superintendent, 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

**Action:** No reportable action.

**12. ADJOURNMENT:**

Motion by Councilmember Nascimento, seconded by Councilmember DeHart, to adjourn at 6:39 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Kellie E. Weaver  
City Clerk