

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 7:06 p.m.
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Mary Jackson, 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 Pastor Sylvia Mueller of the Light of Christ Lutheran Church in recognition of their 100th Anniversary.
 - B. Mayor Lazar presented a Proclamation to Parks, Recreation and Community Facilities Manager Allison Van Guilder in recognition of April 27, 2012 marking the 140th Anniversary of Arbor Day. Ms. Van Guilder announced the 140th anniversary will be celebrated with a tree planting ceremony on Friday, April 27, 2012, at 10:00 a.m., at Rose Circle Park, in partnership with the Pitman High School landscaping class.
 - C. Municipal Services Director Dan Madden presented information about the Meadowlark Lemon and Harlem All Stars Charity Basketball Game and introduced Mr. Lemon who encouraged all to attend the game to be held on April 28, 2012, at 1:00 p.m., at Pitman High School.
3. **A. SPECIAL BRIEFINGS:** None
- B. STAFF UPDATES:** None
- C. PUBLIC PARTICIPATION:** None
4. **A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None
5. **CONSENT CALENDAR:**

Staff requested Item 5G be removed from the Consent Calendar for future consideration.

Action: Motion by Councilmember Jackson, seconded by Councilmember DeHart, and unanimously carried to adopt the amended consent calendar as follows:

 - A. **Resolution No. 2012-064** Accepting Demands of 3/29/12 in the amount of \$1,539,219.03; Demands of 4/5/12 in the amount of 473,039.25
 - B. Motion: Accepting Minutes of Special Meeting of April 10, 2012; Minutes of Regular Meeting of April 10, 2012

- C. Motion: Accepting notification of Contract Change Order No. 1 in the decreased amount of (\$65,045) (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 1 – General Construction and Specialties, bringing the contract total to \$2,337,955
- D. Motion: Accepting notification of Contract Change Order No. 2 in the increased amount of \$518.15 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 4 - Landscaping, bringing the contract total to \$227,328.15
- E. Motion: Accepting notification of Contract Change Order No. 2 in the increased amount of \$6,399 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 08 – Roofing and Waterproofing, bringing the contract total to \$599,797
- F. Motion: Accepting notification of Contract Change Order No. 1 in the decreased amount of (\$6,100) (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 16 – Fire Protection, bringing the contract total to \$237,390
- G. Removed for future consideration.
- H. Motion: Approving Contract Change Order No. 4 in the amount of \$11,804.57 (Fund 426) for City Project No. 0952, "Turlock Regional Transit Center," bringing the contract total to \$1,669,773.95
- I. Motion: Approving an agreement in an amount not to exceed \$15,595 (Fund 420) with Kenneth D. Schmidt and Associates for groundwater quality consultation services for City Project 11-45, "Pilot Hole for Well No. 41"
- J. Motion: Awarding bid and approving an agreement in the amount of \$13,834.00 (Fund 112) with Barton Overhead Door, Inc., Modesto, California, for City Project No. 12-32, "Rollup Door Replacement at Fire Station No. 2 & No. 4"
- K. Motion: Reaffirming the emergency declaration of the City Manager that there is a need to pursue the replacement of hot water circulation piping at the Turlock Regional Water Quality Control Facility without compliance with the formal competitive bidding procedure
- L. Motion: Approving Amendment No. 2 to City Contract No. 07- 448 with Carollo Engineers in the amount of \$42,510, to provide a comparison of Packed Tower technology for removal of Trihalomethanes (THM) with continued chlorine disinfection versus Ultra Violet Light (UV) technology for disinfection without the use of chlorine, in the Regional Water Quality Control Facility (RWQCF) effluent
- M. Motion: Approving the Maintenance Agreement with Mo-Cal Office Solutions of Modesto for the Fire Department's Ricoh MP 3010 copier, for a period of twelve (12) months, in an annual amount not to exceed \$200, plus an overage rate of \$0.015 per page
- N. **Resolution No. 2012-065** Authorizing the Purchasing Officer to dispose of surplus property by any means determined to be in the best interest of the City
- O. **Resolution No. 2012-066** Authorizing the filling of one (1) vacant Police Records Technician position within the Turlock Police Department through an in-house recruitment of full-time, part-time and volunteer staff, and outside recruitment if needed
- P. **Resolution No. 2012-067** 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
- Q. Motion: Accepting the 2010-11 Audited Financial Statements for the City of Turlock
- R. **Resolution No. 2012-068** Approving the 2012 Master Calendar and subsequent street closures for the Turlock Downtown Property Owners Association

6. FINAL READINGS: None

7. PUBLIC HEARINGS

- A. City Attorney Phaedra Norton presented the staff report on the request to repeal Turlock Municipal Code Title 4, Chapter 7, Article 9, Section 03 entitled, "Solicitation of Motorists Prohibited."

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

Action: Motion by Councilmember DeHart, seconded by Councilmember White, Repealing Turlock Municipal Code Title 4, Chapter 7, Article 9, Section 03 entitled, "Solicitation of Motorists Prohibited" and setting the final reading for May 8, 2012. Motion carried with Councilmember Jackson absent.

8. SCHEDULED MATTERS:

- A. Parks, Recreation and Community Facilities Manager Allison Van Guilder presented the staff report on the request to accept the report regarding the status of the Turlock City Arts Commission and take potential action regarding the future of the commission, including maintaining the current role of the Commission, disbanding the Commission, and/or entering into a future Memorandum of Understanding with the Carnegie Arts Center.

Mayor Lazar asked for public comment.

Candy Klaschus, Turlock City Arts Chair, spoke regarding the history and role of the Arts Commission and the effects the loss of a full-time staff member and Commission members have had on the Commission's ability to function effectively.

Lynn Sarraille, teacher and former Arts Commission Chair, spoke in favor of the Arts Commission, and offered additional ideas regarding the makeup, role, and future of the Commission.

Mayor Lazar closed public comment.

Councilmember Bublak clarified that she supports the Arts Commission and wanted the matter brought forward in order to discuss reducing the number of members to make gaining a quorum more achievable.

Council and City staff discussion included how the quorum for the Arts Commission is established, reducing the number of members from twenty-five (25) regular members to seven (7) regular members, with two (2) alternate members, the possibility of partnering with the Carnegie Center and other organizations, and the need for people to get involved.

Action: Motion by Councilmember Bublak, seconded by Councilmember Jackson, Accepting the report regarding the status of the Turlock City Arts Commission, reducing the number of Commission members from twenty-five (25) regular members to seven (7) regular members, with two (2) alternate members who would participate in the absence of a regular member, and maintaining the current role of the Turlock City Arts Commission. Motion carried unanimously.

- B. Development Services Director Mike Pitcock presented the staff report on the request to provide direction to staff with regard to the feasibility of a transportation funding options local ballot measure.

Mayor Lazar asked for public comment. Sergio Alvarado spoke against new taxes unless the City provides General Fund dollars as well. Mayor Lazar closed public comment.

Council discussion included StanCOG funding, difficulties and timing of bringing a new tax measure forward in light of the current unemployment rate, prevailing distrust of government and 2012 being a presidential election year, ACA 23 (Perea), setting aside General Fund monies for roads, Mayor Lazar's desire to bring a measure forward for voter decision, resources and cost of conducting a survey, and the importance of public education and promotion in bringing a ballot measure forward.

Action: Motion by Councilmember Bublak, seconded by Councilmember Jackson, Directing staff to identify resources and the true cost of conducting a survey, including California State University, Stanislaus as a resource, to be brought forward at a future meeting for Council consideration. Motion carried unanimously.

- C. Housing Program Services Manager/Interim Assistant City Manager presented the staff report on the request to support ACA 23, an amendment to the California Constitution, lowering the voter threshold to fifty-five (55) percent for local transportation sales tax.

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

Action: **Resolution No. 2012-069** Supporting ACA 23, an amendment to the California Constitution, lowering the voter threshold to fifty-five (55) percent for local transportation sales tax was introduced by Councilmember White, seconded by Councilmember Jackson, and carried unanimously.

9. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Jackson asked that the past practice of providing coffee for staff/dignitaries be reintroduced.

Councilmember DeHart announced he would be participating in the next meeting by teleconference from Colorado Springs.

10. COUNCIL COMMENTS:

Councilmember Bublak noted that the "Love Turlock" event will be held Saturday, April 28, 2012, with the kickoff to be held in the Target parking lot at Monte Vista Crossings at 9:00 a.m.

Councilmember Bublak noted that the Meadowlark Lemon and the Harlem All Stars Charity basketball game will be held Saturday, April 28, 2012, at 1:00 p.m., at Pitman High School.

Councilmember Bublak encouraged interested parties to submit their applications to serve on the Turlock City Arts Commission.

Councilmember Jackson announced the Spring Juried Art Show is on display at the Carnegie until June.

Councilmember Jackson thanked Westside Ministries and their staff who stepped in to support the High School Lip Sync Concert.

11. CLOSED SESSION:

City Attorney Phaedra Norton introduced the Closed Session item.

Conference with Labor Negotiators, Cal. Gov't Code §54957.6

Agency Negotiators: Roy W. Wasden/Phil Lancaster

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/Redevelopment, Community Housing Services Manager, 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, Public Facilities Maintenance Manager, Regulatory Affairs Manager, Secretary/Deputy City Clerk, Executive Administrative Assistant/Public Safety, Technical Services Manager, Traffic/Transportation Engineering Supervisor, Utilities Manager, Water Quality Control Division Manager

Action: Council provided direction to staff.

12. ADJOURNMENT:

Mayor Lazar adjourned the meeting at 8:11 p.m.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk