

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 7:01 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 recommended that Councilmember DeHart be appointed as Vice-Mayor for the 2013 calendar year.

Action: Motion by Councilmember White, seconded by Councilmember Bublak, appointing Councilmember DeHart as Vice-Mayor for the 2013 year. Motion carried unanimously.
 - B. Mayor Lazar recommended that Soraya Fregosi and Jeanine Bean be reappointed to fill vacancies on the Planning Commission for terms to expire on December 31, 2016.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, reappointing Soraya Fregosi and Jeanine Bean to fill vacancies on the Planning Commission for terms to expire on December 31, 2016. Motion carried unanimously.
 - C. Mayor Lazar recommended that Mike Dowd and Richard Salinas be reappointed to fill vacancies on the Parks, Recreation and Community Programs Commission for terms to expire on December 31, 2015, and appointing Jeremy Rocha to fill a vacant, unexpired term ending December 31, 2014.

Action: Motion by Councilmember White, seconded by Councilmember DeHart, reappointing Mike Dowd and Richard Salinas to the Parks, Recreation and Community Programs Commission for terms to expire on December 31, 2015, and appointing Jeremy Rocha to fill a vacant, unexpired term ending December 31, 2014. Motion carried unanimously.
 - D. Mayor Lazar recommended that Sergio Alvarado be appointed to fill a vacancy as an Alternate Member of the Arts Commission for a term to expire June 30, 2014.

Action: Motion by Councilmember Bublak, seconded by Councilmember Nascimento, appointing Sergio Alvarado as an Alternate Member of the Arts Commission for a term to expire June 30, 2014. Motion carried unanimously.

- E. Mayor Lazar requested to be named as the City of Turlock's representative to The Alliance.

Action: Motion by Councilmember Bublak, seconded by Councilmember White, appointing Mayor Lazar as the City of Turlock's representative to The Alliance. Motion carried unanimously.

- F. Mayor Lazar recommended that Councilmember Forrest White be appointed as Member and Councilmember Steven Nascimento be appointed as Alternate Member, as the City of Turlock's representatives to the Stanislaus Council of Governments (StanCOG).

Action: Motion by Councilmember DeHart, seconded by Councilmember Bublak, appointing Councilmember Forrest White as Member and Councilmember Steven Nascimento as Alternate Member, as the City of Turlock's representatives to the Stanislaus Council of Governments (StanCOG). Motion carried unanimously.

- G. Mayor Lazar recommended that Councilmember Steven Nascimento be appointed as Member and Councilmember Bill DeHart be appointed as Alternate Member, as the City of Turlock's representatives to the League of California Cities, Central Valley Division, Executive Committee.

Action: Motion by Councilmember White, seconded by Councilmember Bublak, appointing Councilmember Steven Nascimento as Member and Councilmember Bill DeHart as Alternate Member, as the City of Turlock's representatives to the League of California Cities, Central Valley Division, Executive Committee. Motion carried unanimously.

- H. Mayor Lazar recommended that Councilmember Forrest White be appointed as Member and Councilmember Amy Bublak be appointed as Alternate Member, as the City of Turlock's representatives to the Regional Surface Water Supply Project Advisory Committee.

Action: Motion by Councilmember DeHart, seconded by Councilmember Nascimento, appointing Councilmember Forrest White as Member and Councilmember Amy Bublak as Alternate Member, as the City of Turlock's representatives to the Regional Surface Water Supply Project Advisory Committee. Motion carried unanimously.

- I. Mayor Lazar recommended that he and Councilmember Bill DeHart be appointed as Members and Councilmember Forrest White be appointed as Alternate Member, as the City of Turlock's representatives to City of Turlock/Turlock Unified School District Joint Meetings.

Action: Motion by Councilmember Bublak, seconded by Councilmember Nascimento, appointing Mayor Lazar and Councilmember Bill DeHart as Members and Councilmember Forrest White as Alternate Member, as the City of Turlock's representatives to City of Turlock/Turlock Unified School District Joint Meetings. Motion carried unanimously.

- J. Mayor Lazar recommended that Housing Program Services Manager Maryn Pitt be appointed as Alternate Member, as the City of Turlock's representative to the Stanislaus County Economic Development Action Committee (EDAC).

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, appointing Maryn Pitt as Alternate Member, as the City of Turlock's representative to the Stanislaus County Economic Development Action Committee (EDAC). Motion carried unanimously.

3. A. SPECIAL BRIEFINGS: None

B. STAFF UPDATES

1. City Clerk Kellie Weaver provided information regarding upcoming Board, Commission, and Committee vacancies.
2. Development Services Director Mike Pitcock provided an update on capital projects and development activity, including permit tracking information, the Harding Drain Bypass Project, Golden State Median Project and the Sewer Lift Station at West Main Street/Clinton which will provide Blue Diamond with service.

Mr. Pitcock also provided information to Council on federal grant projects, including upcoming road reconstruction/rehabilitation and traffic signal projects.

Mayor Lazar handled Items 3C and 4A after Item 5 Consent Calendar.

C. PUBLIC PARTICIPATION: None

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

5. CONSENT CALENDAR:

Mayor Lazar asked that Item 5K be removed from the Consent Calendar for separate consideration and noted green sheets for Items 2B and 5O.

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

- A. **Resolution No. 2013-001** Accepting Demands of 11/29/12 in the amount of \$3,626,348.51; Demands of 12/6/12 in the amount of \$1,256,775.15
- B. Motion: Accepting Minutes of Regular Meeting of December 11, 2012
- C. Motion: Approving Amendment No.1 to the Professional Services Agreement between the City of Turlock and AECOM Technical Services, Inc., to develop a countywide financial model for the ten jurisdictions in Stanislaus County and the financial evaluation of the Turlock General Plan update scenarios

- D. **Resolution No. 2013-002** Appropriating \$5,272.53 from Fund 307 (Sewer) Reserve to 307-40-456.43272 "Reimburse Developers" and \$148,008.34 from Fund 307 (Water) Reserve to 307-40-458.43272 "Reimburse Developers" for reimbursement of constructed NE Turlock Master Plan public improvements"
- E. Motion: Reaffirming the emergency declaration of the City Manager that there is a need to replace the roof at the Marty Yerby Center without compliance to the formal competitive bid procedure
- F. Motion: Accepting improvements for City Project No. 12-56, "Demolition of a Pole Barn at the Corporation Yard," and authorizing the City Engineer to file a Notice of Completion
- G. Motion: Accepting improvements for City Project No. 0767, "Municipal Services Building Balcony Deck Renovation," and authorizing the City Engineer to file a Notice of Completion
- H. 1. Motion: Approving Amendment No. 2 to the Retainer Agreement (Contract No. 11-915) with 4Leaf, Inc., of Pleasanton, California, for plan check services in an increased amount of \$17,500 with the total amount not to exceed \$40,000
2. Motion: Approving Amendment No. 2 to the Retainer Agreement (Contract No. 11-918) with Bureau Veritas North America, Inc. of Sacramento, California, for plan check services in an increased amount of \$17,500 with the total amount not to exceed \$60,000
- I. Motion: Approving an amendment to the procurement contract for commercial and industrial water meters with Badger Meter, Inc., from \$26,566 to \$200,000 for Fiscal Year 2012-13
- J. Motion: Approving the purchase of rubber bark from tire-derived products with Rubber Bark, Inc., of Ballico, California, in an amount not to exceed \$149,588
- K. *Removed for separate consideration.*
- L. **Resolution No. 2013-003** Approving the purchase of one (1) replacement unmarked police vehicle for Turlock Police Department from Wondries Fleet Group of Alhambra, California, from account number 112-10-116.51115 "Unmarked Police Vehicles" in an amount not to exceed \$30,379.03
- M. **Resolution No. 2013-004** Appropriating \$3,700 to account number 266-20-255-50.44001_000 "OTS Vehicle Impound General Supplies" to be funded from Vehicle Impound reserves, in Fund 266 "Police Grants," for the purchase of traffic safety officer equipment
- N. **Resolution No. 2013-005** Approving a refund of \$3,122 to the Turlock Downtown Property Owners Association (TDPOA) for one-half of the administrative fee charged for Fiscal Year 2012-13
- O. 1. **Resolution No. 2013-006** Making certain findings and determinations in compliance with Section XIII.B of the California Constitution and Section 7910 of the California Government Code and setting the Fiscal Year 2012-13 Appropriation Limit for the City of Turlock
2. **Resolution No. 2013-007** Rescinding Resolution 2011-247 and Adopting a new Resolution to make certain findings and determinations in compliance with Section XIII.B of the California Constitution and Section 7910 of the California Government Code and setting the Appropriation Limit for the City of Turlock for the Fiscal Year 2011-12
- P. Motion: Rejecting Claim for Damages filed by Pasqual Ceballos

Item 5K

Municipal Services Director Dan Madden presented the staff report on the request to approve multiple agreements with Pace Supply, Groeniger Company (DBA Ferguson Enterprises), HD Supply, and R & B Company for the purchase of pipe and pipe fittings for Municipal Services Utilities Division for the terms of six (6) months each, with an aggregate value of \$60,000, in accordance with the terms and conditions set within each agreement.

Council discussion included acknowledging efforts by City staff to be fiscally responsible with available funding.

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

Action: Motion by Councilmember DeHart, seconded by Councilmember White, Approving multiple agreements with Pace Supply, Groeniger Company (DBA Ferguson Enterprises), HD Supply, and R & B Company for the purchase of pipe and pipe fittings for Municipal Services Utilities Division for the terms of six (6) months each, with an aggregate value of \$60,000, in accordance with the terms and conditions set within each agreement. Motion carried unanimously.

6. FINAL READINGS: None

7. PUBLIC HEARINGS: None

8. SCHEDULED MATTERS:

- A. Municipal Services Director Dan Madden presented the staff report on the request to obtain proposals for professional consulting services to assist in the preparation of a Water Rate Study.

Council and staff discussion included the structural imbalance in the current rate system, future surface water project, the current deficit as it relates to the recent installation of water meters, and current water conservation efforts.

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

Additional Council discussion included the need to be fiscally responsible, conservation efforts, focus on roadways, utilizing in-house staff for rate study, the diminishing surplus, fee structure, and history of metered water rates.

Action: Motion by Councilmember Bublak, seconded by Mayor Lazar, to make in-house changes to alter rates for one year to keep existing funding and work toward roadways at the same time. Motion failed with Councilmembers Nascimento, White and Mayor Lazar dissenting.

Motion by Councilmember White, seconded by Councilmember Nascimento, Directing staff to obtain proposals for professional consulting services to assist in the preparation of a Water Rate Study, with any professional services contract subject to future Council review and approval. Motion carried with Councilmember Bublak dissenting.

- B. Housing Program Services Manager Maryn Pitt presented the staff report on the request to appropriate \$15,000 to account number 110-10-112.47248 "Turlock Partnership Incentives Program" from Fund 110 General Fund reserve balance for the Partnership Incentives Program.

Council and staff discussion included receiving specific data relative to the benefits of the program.

Mayor Lazar asked for public comment.

Sharon Silva spoke in favor of the program for reasons including growth in program participation and the benefit it is providing to small businesses in particular.

Mayor Lazar closed public comment.

Action: **Resolution No. 2013-008** Appropriating \$15,000 to account number 110-10-112.47248 "Turlock Partnership Incentives Program" from Fund 110 General Fund reserve balance for the Partnership Incentives Program was introduced by Councilmember Bublak, seconded by Councilmember Nascimento, and carried unanimously.

Mayor Lazar reopened Public Participation portion of the meeting.

John Goldsmith spoke regarding encouraging public safety to develop a gun buy-back program and including a tier-rate system in the water rate RFP.

Mayor Lazar closed Public Participation portion of the meeting.

9. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Councilmember Bublak asked that consideration be given to directive enforcement in regard to panhandling and people being unsafe in the medians.

10. COUNCIL COMMENTS:

Councilmember Nascimento announced two upcoming crab/cioppino feed fundraisers by Turlock Police Activities League (PAL) on January 11, 2013 and Turlock Firefighters on January 19, 2013.

Mayor Lazar announced a reception for newly elected officials hosted by the Turlock Chamber of Commerce on Wednesday, January 9, 2013, at 5:30 p.m.

11. CLOSED SESSION: None

12. ADJOURNMENT:

Motion by Councilmember DeHart, seconded by Councilmember Nascimento, to adjourn at 8:00 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk