

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 7:02 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 Pastor David Larson of New Life Christian Center in recognition of the “Love Turlock” event to be held April 27, 2013. Pastor Larson provided a recap of last year’s event and invited the community to participate this year.

 - B. Mayor Lazar recommended that Alice Pollard and Ashour Badal be appointed as Alternate Planning Commission Members to a term ending on March 31, 2015.

Action: Motion by Councilmember DeHart, seconded by Councilmember White, appointing Alice Pollard and Ashour Badal as Alternate Planning Commission Members to a term ending on March 31, 2015. Motion unanimously carried.

3. **A. SPECIAL BRIEFINGS:** None

- B. STAFF UPDATES:** None

- C. PUBLIC PARTICIPATION:**

Turlock City Arts Commission Alternate Member Sergio Alvarado provided information regarding the upcoming Spring Juried Art Show held in partnership with the Carnegie Arts Center.

4. **A. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA**
Action: Motion by Councilmember DeHart, seconded by Councilmember Bublak, to waive reading of all ordinances on the agenda, except by title. Motion carried unanimously.

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

5. **CONSENT CALENDAR:**

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

- A. **Resolution No. 2013-046** Accepting Demands of 2/28/13 in the amount of \$2,683,457.40
- B. Motion: Accepting Minutes of Special Meeting of March 12, 2013; Minutes of Regular Meeting of March 12, 2013
- C. 1. Motion: Awarding bid and approving an agreement in the amount of \$356,157 (Fund 215) with George Reed Inc., of Modesto, California, for City Project No. 11-20, "Golden State Boulevard and F Street Intersection Improvements"
2. Motion: Approving a Signal Interconnect Agreement with Union Pacific Railroad Company (UPRR) of Omaha, Nebraska, in the amount of \$275,877 (Fund 215) to provide interconnection and coordination of the railroad grade crossing protection devices with the operation of a future traffic signal to be installed as part of City Project No. 11-20, "Golden State Boulevard and F Street Intersection Improvements"
- D. Motion: Approving an agreement for materials testing and special inspection services in the amount of \$98,500 (Fund 420) with Kleinfelder West, Inc., of Modesto, California, for City Project No. 11-42, "Fulkerth Tank and Pump Station"
- E. Motion: Approving Amendment No. 1 to the reimbursement agreement between the City of Turlock and NUCP Turlock, LLC, in the amount of \$21,980, for the City's share of added costs due to change orders during construction, bringing the total agreement to an amount not to exceed \$1,798,695.60 for construction of a storm drain pipe associated with the Master Storm Drain Plan and its associated Master Storm Drain Fee Nexus
- F. Motion: Approving a communications lease between the Board of Trustees of the California State University Stanislaus and the City of Turlock for the purpose of allowing the City of Turlock to install, maintain, and operate telecommunications equipment related to the City of Turlock's automatic water meter reading system at California State University Stanislaus and authorizing the City Manager to sign all documents pertaining thereto
- G. **Resolution No. 2013-047** Accepting donations received from January through March of Fiscal Year 2012/13, to be deposited as per Exhibit A, for a variety of Parks, Recreation & Public Facilities Division programs, scholarships, and activities
- H. **Resolution No. 2013-048** Accepting the donation of the Brandon Koch Memorial Skate Park sign donated by Judith Suliman
- I. **Resolution No. 2013-049** Accepting monetary donations in the amount of \$609.88 from various donors and assorted animal related products valued at \$3,902.98 in support of the City's Animal Control Services for the second quarter of Fiscal Year 2012/13
- J. Motion: Approving a revised contract with Charter Business Internet, reducing the monthly price from \$1,000 to \$399 and approving a new contract with Utility Telephone Company for Internet back up in the amount of \$588.25 per month
- K. **Resolution No. 2013-050** Approving an Industrial Hauler Business License for Central Valley Clean Up, Inc., in accordance with Section 6-3-209 of the Turlock Municipal Code
- L. Motion: Authorizing the City of Turlock to cast affirmative votes on two (2) amendments to the League of California Cities Bylaws as submitted by the LCC Board of Directors
- M. **Resolution No. 2013-051** Approving the execution of a Cooperative Agreement for advance and reimbursement of administrative, overhead and other expenses by and between the City of Turlock and the Successor Agency to the Turlock Redevelopment Agency and taking certain actions in connection therewith
- N. Motion: Rejecting Claim for Damages filed by Griselda Jimenez
- O. Motion: Rejecting Claim for Damages filed by Jennifer Sweet

6. FINAL READINGS:

- A. **Ordinance No. 1183-CS**, Amending Turlock Municipal Code Title 4, Chapter 7, Article 1, Section 04 regarding Traffic Definitions and adding Turlock Municipal Code Title 4, Chapter 7, Article 9, Section 04 regarding Pedestrians Prohibited on Median Islands as Introduced on March 12, 2013 was unanimously passed and adopted.
- B. **Ordinance No. 1184-CS**, Amending Turlock Municipal Code Title 4, Chapter 6, Article 3, Section 02, regarding Tow-Away Zones as Introduced on March 12, 2013 was unanimously passed and adopted.

7. PUBLIC HEARINGS

- A. 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.

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

Action: **Resolution No. 2013-052** Assessing properties for abatement costs and establishing a lien for payment was introduced by Councilmember Nascimento, seconded by Councilmember Bublak, and carried unanimously.

8. SCHEDULED MATTERS:

- A. Interim Assistant to the City Manager/Police Lieutenant Ron Reid introduced Ceres Partnership for Healthy Children Program Coordinator Lourdes Perez who presented information regarding the request for support of the efforts of the Healthy Eating Active Living (HEAL) Cities Campaign to help combat the epidemic of obesity within our City while promoting health and wellness among our community and employees.

Mayor Lazar asked for public comment.

Russell Silva spoke in favor of the campaign being a good thing, but against prohibitive regulations such as those that have been introduced in New York. City Attorney Phaedra Norton responded, noting the requested Resolution is in support of the efforts of the League of California Cities and is consistent with health and wellness programs already incorporated within the City of Turlock.

Mayor Lazar closed public comment.

Councilmember Bublak spoke regarding changing the wording in the title of the proposed Resolution to reflect her feelings that the promotion of health and wellness should come first, followed by the outcome of combatting the epidemic of obesity.

Action: **Resolution No. 2013-053** Supporting the efforts of the Healthy Eating Active Living (HEAL) Cities Campaign by promoting health and wellness among our community and employees while combatting the epidemic of obesity within our City was introduced by Councilmember Bublak, seconded by Councilmember White, and carried unanimously.

Adjourn to the Successor Agency to the Turlock Redevelopment Agency

Reconvene Turlock City Council Meeting

9. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Councilmember DeHart spoke regarding Love Turlock and encouraged those with a desire to participate in the event.

Mayor Lazar announced that the first 6:00 p.m. City Council meeting will occur on April 9, 2013.

10. COUNCIL COMMENTS:

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(b)
Potential Cases: (1 case)

Action: Council gave direction to staff.

12. ADJOURNMENT:

Motion by Councilmember Nascimento, seconded by Councilmember DeHart, to adjourn at 7:25 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk