

**JULY 8, 2014**  
**6:00 p.m.**  
**City of Turlock Yosemite Room**  
**156 S. Broadway, Turlock, California**  
**AND**  
**Via teleconference**  
**Simon Fraser University LDC 222**  
**8888 University Drive**  
**Burnaby, B.C. Canada V5A 1S6**

**MINUTES**  
**Regular Meeting**  
**Turlock City Council**

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1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 6:03 p.m.  
PRESENT: Councilmembers Amy Bublak (by teleconference), 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 Matthew Seilheimer, Fire Captain, in honor of his retirement from the City of Turlock.
    - B. Jeri Gilley, Finance Customer Service Supervisor, was not in attendance to receive a Proclamation in honor of her retirement from the City of Turlock.
    - C. Mayor Lazar presented a Proclamation in honor of Foster Farms’ 75<sup>th</sup> Anniversary to Foster Farms Vice President Turkey/Prepared Foods Yubert Envia on behalf of CEO Ron Foster.
  
  3. **A. SPECIAL BRIEFINGS:** None  
  
**B. STAFF UPDATES**
    1. Chief Building Official Eric Picciano provided an update on capital projects and building activities, including building permits and inspections for the month of June, road resurfacing projects on Fulkerth Road, Colorado Avenue, and West Main Street, Dianne Drive Re-alignment project, Dog Park project at Swanson-Centennial Park, Dels Lane and Golden State Signal Light project, and the Fulkerth Road Water Tank West of Highway 99 project.  
**C. PUBLIC PARTICIPATION:** None
  
  4. **A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None
  
  5. **CONSENT CALENDAR:**  
Mayor Lazar requested that Consent Calendar Item 5B, 5E and 5F be removed for separate consideration.

**Action:** Motion by Councilmember DeHar, seconded by Councilmember Nascimento, to adopt the amended 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. 2014-115** Accepting Demands of 6/12/14 in the amount of \$1,546,342.55; Demands of 6/19/14 in the amount of \$1,111,298.17
- B. *Removed for separate consideration.*
- C. Motion: Accepting notification of Contract Change Order No. 2 in the amount of \$9,531.54 (Fund 426) for City Project No. 12-59, "CNG Slow Fill Station Upgrade," bringing the contract total to \$343,531.54
- D.
  1. Motion: Making the determination that City Project No. 14-22, "Pedestrian Striping Upgrade Project, Various Locations" is exempt from the provisions of CEQA in accordance with 14 CCR §15301(c), "Repair or Maintenance of Existing Highways and Streets"
  2. Motion: Awarding bid and approving an agreement in the amount of \$53,057.50 (Fund 217) with Sterndahl Enterprises, Inc., of Sun Valley, California, for City Project No. 14-22, "Pedestrian Striping Upgrade Project, Various Locations"
  3. **Resolution No. 2014-116** Appropriating \$64,297 to account number 217-50-511.51270 "Construction Project" to be funded via a transfer from Fund 217 "Section 2103 Reserve," for City Project No. 14-22, "Pedestrian Striping Upgrade Project, Various Locations," to complete the necessary funding required for the project
- E. *Removed for separate consideration.*
- F. *Removed for separate consideration.*
- G. **Resolution No. 2014-118** Affirming the City Manager's action of having signed and submitted a program application, acceptance of an allocation of funds, and execution of a grant agreement and all other necessary documents with the California Department of Resources Recycling and Recovery (CalRecycle) for the Used Oil Payment Program for Fiscal Year 2014/15
- H. **Resolution No. 2014-119** Authorizing the release of unclaimed checks pursuant to California Government Code Section 50055 to the City of Turlock

**Item 5B.** Motion: Motion by Councilmember White, seconded by Councilmember Nascimento, Accepting Minutes of Regular Meeting of June 24, 2014. Motion carried 4/1 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
Yes	Yes	Yes	Yes	Not Participating

**Item 5E** Technical Support Services Manager Diana Lewis and Chief Building Official Eric Picciano presented the staff report on the request to make the determination that City Project No. 14-26A, "Council Chambers Improvements," is exempt from the provisions of CEQA and approve an agreement with Shalleck Collaborative, Inc., of San Francisco, California, for specialized audio-video design services in an amount not to exceed \$51,110 (Fund 240) for City Project No. 14-26A, "Council Chambers Improvements."

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

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Nascimento, making the determination that City Project No. 14-26A, "Council Chambers Improvements," is exempt from the provisions of CEQA in accordance with Section 15301, "Existing Facilities." Motion carried 5/0 by the following vote:

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

Motion by Councilmember DeHart, seconded by Councilmember Nascimento, approving an agreement with Shalleck Collaborative, Inc., of San Francisco, California, for specialized audio-video design services in an amount not to exceed \$51,110 (Fund 240) for City Project No. 14-26A, "Council Chambers Improvements." Motion carried 5/0 by the following vote:

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

**Item 5F.** Assistant to the City Manager for Economic Development/Housing Services Maryn Pitt presented the staff report on the request to authorize the City of Turlock, acting as the lead agency of the Turlock/ Stanislaus County Home Consortium, to use reallocated HOME funds to further affordable housing opportunities through the purchase, resale or granting of residential real property to eligible organizations and households, and authorize the City Manager to sign all necessary documents

Council discussion included absorption of expenses to the lead agency for administering the program.

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

**Action:** **Resolution No. 2014-117** Authorizing the City of Turlock, acting as the lead agency of the Turlock/ Stanislaus County Home Consortium, to use reallocated HOME funds to further affordable housing opportunities through the purchase, resale or granting of residential real property to eligible organizations and households, and authorizing the City Manager to sign all necessary documents was introduced by Councilmember DeHart, 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. Sr. Civil Engineer Anthony Orosco presented the staff report on the request to confirm diagrams, assessments and reports and levying assessments for Fiscal Year 2014/15 for all Lighting, Landscaping and Street Maintenance Benefit areas within the City of Turlock.

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

**Action:** **Resolution No. 2014-120** Confirming diagrams, assessments and reports and levying assessments for Fiscal Year 2014/15 for all Lighting, Landscaping and Street Maintenance Benefit areas within the City of Turlock 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

**8. SCHEDULED MATTERS:**

- A. Assistant to the City Manager for Economic Development/Housing Program Services Maryn Pitt presented the staff report on the request to accept the 2014-15 Legislative Platform for the City of Turlock as presented and authorizing the City Manager or his designee to participate in the League of Cities advocacy efforts on behalf of the City of Turlock.

Stephen Qualls, League of California Cities Public Affairs Manager, spoke regarding the benefits of establishing a legislative platform including allowing a City to issue letters of support or opposition in a timely manner and aiding in legislative process.

Council discussion included concerns of lack of transparent discussions among Council in a public meeting on such legislative items, procedures for agendaing any legislative items not itemized in the Legislative Platform, implementing the Strategic Plan's goal to establish a Legislative Platform, and the value of a platform in allowing the Mayor or City Manager to act in a timely manner on behalf of a City when legislative bills are being proposed.

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

**Action:** **Resolution No. 2014-121** Accepting the 2014-15 Legislative Platform for the City of Turlock as presented and authorizing the City Manager or his designee to participate in the League of Cities advocacy efforts on behalf of the City of Turlock was introduced by Councilmember Nascimento, 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

- B. Parks, Recreation & Public Facilities Director Allison Van Guilder presented the staff report on the request to approve the agreement between the City of Turlock and Turlock Gospel Mission for the purpose of utilizing volunteers to help provide routine maintenance in our City parks and facilities.

Council and staff discussion included liability to the City in regard to this program.

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

**Action:** Motion by Councilmember White, seconded by Councilmember DeHart, approving the agreement between the City of Turlock and Turlock Gospel Mission for the purpose of providing volunteers to help provide routine maintenance in our City parks and facilities. Motion carried 5/0 by the following vote:

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

*Mayor Lazar handled Scheduled Matters Items C and D out of order.*

- D. City Manager Roy Wasden presented the staff report on the request to appoint a five (5) member Council Compensation Task Force to review current compensation for the Mayor, Treasurer and Council.

Council discussion included concerns over sensitivity to any compensation review due to current water rate increases to citizens, the proposed half cent sales tax measure, and ongoing labor negotiations.

Additional Council discussion included the future need to review the duties and role of the Mayor compared to the compensation as the role and tasks have become more demanding.

Council recommended postponing action on a Council Compensation Task Force until January 2015.

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

**Action:** No action taken.

- C. Municipal Services Director Michael Cooke presented the staff report on the request to authorize the submittal of an application, acceptance of an allocation of funds, and execution of a grant agreement with the State Department of Water Resources (DWR) for the 2014 Integrated Regional Water Management Drought Grant, pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Public Resource Code Section 75001 et seq.).

Council discussion included grant eligibility, pursuing an application with additional agencies outside of the City’s current partnership, proposed projects identified for water conservation if grant funding is awarded, and the timeliness of the grant submittal.

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

**Action:**           **Resolution No. 2014-122** Authorizing the submittal of an application, acceptance of an allocation of funds, and execution of a grant agreement with the State Department of Water Resources (DWR) for the 2014 Integrated Regional Water Management Drought Grant, pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Public Resource Code section 75001 et seq.) was introduced by Councilmember DeHart, 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

**9. COUNCIL ITEMS FOR FUTURE CONSIDERATION:** None

**10. COUNCIL COMMENTS:**

Councilmember Nascimento reported that at the recent League of California Central Division, Stockton City Councilmember Elbert Holeman was named as the Central Valley Division’s Second Vice President, effective June 26, 2014.

Councilmember White encouraged staff and citizens to participate at the Stanislaus County Fair which begins July 11,2014.

Mayor Lazar and Councilmember DeHart commended Turlock Chamber of Commerce CEO Sharon Silva and her staff, and the Turlock Downtown Property Association on a successful Fourth of July parade/event.

**11. CLOSED SESSION:**

City Attorney Phaedra Norton introduced the Closed Session items.

- 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, 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.

**B. 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: City Council

Unrepresented Employees: City Manager, City Attorney

**Action:** No reportable action.

**12. ADJOURNMENT:**

Motion by Councilmember DeHart seconded by Councilmember White, to adjourn at 7:30 p.m.  
Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Stacey Tonarelli  
Deputy City Clerk