

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 6:02 p.m.  
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Steven Nascimento, Forrest White, and Mayor John S. Lazar.  
ABSENT: None
- B. SALUTE TO THE FLAG:** Led by Boy Scout Troop 451 members Zachary Blankenship, Nicholas Tullio, and Andrew Ippolito.
2. **PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:**
  - A. Mayor Lazar presented a Proclamation to Grady Welch and the Turlock American Little League 11 Year-Olds Baseball Team in recognition of being named 2014 All-Stars, District 73 Champions.
3. **A. SPECIAL BRIEFINGS:** None
- B. STAFF UPDATES**
  1. Police Chief Robert Jackson introduced CSO Michelle Backeroff who provided information about the upcoming National Night Out to be held August 5, 2014, from 5:30 p.m. to 9:00 p.m.
  2. Sr. Accountant Marie Lorenzi provided an update on the Emanuel Medical Center, Inc. – Prepayment and Defeasance of Certificates of Participation.
  3. Fire Chief Tim Lohman provided information about the Cornerstone Laying Ceremony held by the Turlock Masonic Lodge in conjunction with the Grand Master of Masons in California at the Public Safety Facility on Friday, July 24, 2014 at 11:30 a.m.
- C. PUBLIC PARTICIPATION:** None
4. **A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None  

*Mayor Lazar noted that Public Hearing Item 7A is a quasi-judicial proceeding and that Council should disclose the following information if applicable: a) state for the public record the nature of the communication, b) with whom the ex parte communication was made; and c) a brief statement as to the substance of the communication. No disclosures were made by Council.*
5. **CONSENT CALENDAR:**  
Mayor Lazar noted a request to remove Item 5l from the Consent Calendar for separate consideration.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember White, 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. 2014-123** Accepting Demands of 6/19/14 in the amount of \$1,111,298.17; Demands of 6/26/14 in the amount of \$388,218.37
- B. Motion: Accepting Minutes of Regular Meeting of July 8, 2014; Special Meeting of July 8, 2014
- C.
  1. Motion: Approving Contract Change Order No. 2 (Final) in the amount of \$27,056.20 (Fund 215) with George Reed Inc., of Modesto, California, for City Project No. 11-20, "Golden State Boulevard and F Street Intersection Improvements," bringing the contract total to \$387,156.20
  2. Motion: Accepting improvements for City Project No. 11-20, "Golden State Boulevard and F Street Intersection Improvements," and authorizing the City Engineer to file a Notice of Completion
- D. Motion: Approving Contract Change Order No. 1 in the amount of \$43,984.16 (Fund 217) for City Project No. 12-45, "Monte Vista Avenue Rehabilitation," bringing the contract total to \$931,021.41
- E.
  1. Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$6,886.53 (Fund 410) with Air Solutions Inc., of Sacramento, California, for City Project No. 13-55, "HVAC Unit Replacement and Roofing at TRWQCF Operations Building"
  2. Motion: Accepting improvements for City Project No. 13-55, "HVAC Unit Replacement and Roofing at TRWQCF Operations Building," and authorizing the City Engineer to file a Notice of Completion
- F.
  1. Motion: Awarding bid and approving an agreement for Fiscal Years 2014-2016 in an amount not to exceed \$150,000 with DF Engineering, Inc., of Modesto, California, for City Project No. 14-35, "RFQ for Engineering and Surveying Services Retainer Agreement"
  2. Motion: Awarding bid and approving an agreement for Fiscal Years 2014-2016 in an amount not to exceed \$150,000 with GDR Engineering, Inc., of Ceres, California, for City Project No. 14-35, "RFQ for Engineering and Surveying Services Retainer Agreement"
- G. Motion: Awarding bid and approving an agreement for Fiscal Years 2014-2016 in an amount not to exceed \$100,000 with WMB Architects, Inc., of Stockton, California, for City Project No. 14-36, "RFQ for Architectural Services Retainer Agreement"
- H. Motion: Accepting notification of Contract Change Order No. 5 (Final) in the amount of \$2,124 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 04 - Landscaping, bringing the contract total to \$235,308
- I. *Removed for separate consideration.*
- J. **Resolution No. 2014-124** Authorizing the refund of \$18,113.90 to the State of California, Department of Housing and Community Development, for program income funds as agreed to in the Neighborhood Stabilization Program and Program Income Reuse Plan, and appropriating \$18,114 to account number 258-41-496.47312 "Reimbursement to HCD for Fiscal Year 2013-14"
- K. **Resolution No. 2014-125** Re-appropriating \$1,088 to account number 270-61-635-399.47132 "Recreation on Wheels Expenses" from Fund 270 "Recreation Grants" reserve balance for a summer recreation program at Denair Park

- L. **Resolution No. 2014-126** Re-appropriating unspent funds from Fiscal Year 2013-14 in the amount of \$85,993 to account number 112-10-116.51156 "Police Motorcycles" from Fund 112 "General Fund Reserve for Capital Purchases" reserve balance for the purchase of three (3) replacement marked police motorcycles for the Turlock Police Department from Long Beach BMW Motorcycles, California
- M. **Resolution No. 2014-127** Accepting a grant award in the amount of \$7,500 from the State of California Department of Food and Agriculture Municipal Shelter Spay/Neuter Grant program and appropriating \$7,500 to both revenue account 266-20-255-348.35069 "Animal Services - Spay & Neuter Grant" and expenditure account 266-20-255-348.47153 "Animal Services - Spay & Neuter Grant"
- N. **Resolution No. 2014-128** Authorizing approval to enter into contracts to maintain medical and prescription coverage, including dental, vision, and long term disability coverage for Fiscal Year 2014-15
- O. **Resolution No. 2014-129** Authorizing approval to enter into a contract to maintain insurance coverage for Crime Shield Coverage for Fiscal Year 2014-15
- P. **Resolution No. 2014-130** Authorizing approval to enter into contracts to maintain insurance coverage for Employment Practices Liability Insurance for Fiscal Year 2014-15
- Q. **Resolution No. 2014-131** Authorizing approval to enter into contracts to maintain insurance coverages for Workers' Compensation Insurance for Fiscal Year 2014-15
- R. **Resolution No. 2014-132** Authorizing approval to enter into contracts to maintain insurance coverage for Property Programs for Fiscal Year 2014-15
- S. Motion: Designating Mayor John Lazar as the voting delegate and Councilmembers Forrest White and Bill DeHart as alternate voting delegates at the League of California Cities' Annual Business meeting on Friday, September 5, 2014, in Los Angeles, California

**Item 5I**

Development Services Director Mike Pitcock presented the staff report on the request to approve a reimbursement agreement between McDonald's USA, LLC, Gryphon Capital, LLC and the City of Turlock, in an amount not to exceed \$413,156.20, for construction of East Avenue Public Improvements identified in the Capital Facilities Program Fee Nexus Study and appropriate the necessary funding for reimbursement of East Avenue Public Improvements constructed by McDonald's USA, LLC, as identified in the Capital Facility Fee Nexus Study

Council and staff discussion included the approval process, the restaurant exterior not meeting guidelines for the downtown area, and the potential for ground contamination issues arising during construction.

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

**Action:** Motion by Councilmember Nascimento, seconded by Councilmember White, Approving a reimbursement agreement between McDonald's USA, LLC, Gryphon Capital, LLC and the City of Turlock, in an amount not to exceed \$413,156.20, for construction of East Avenue Public Improvements identified in the Capital Facilities Program Fee Nexus Study. Motion carried 5/0 by the following vote:

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

**Resolution No. 2014-133** Appropriating \$413,156.20 to account number 305-40-440.43272 “Reimburse Developers” from CFF Transportation Reserve for reimbursement of East Avenue Public Improvements constructed by McDonald’s USA, LLC, as identified in the Capital Facility Fee Nexus Study 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. Fire Chief Tim Lohman 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. 2014-134** Assessing properties for abatement 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

- B. Mayor Lazar announced that Public Hearing Item 7B, “Consideration of adoption of a negative declaration by the City of Turlock for the exchange of recycled water discharged into the San Joaquin River for transfer of San Joaquin River water to Del Puerto Irrigation District via Patterson Irrigation District,” originally noticed for this meeting has been canceled and will be renoticed for future consideration.
- C. Mayor Lazar announced that at the request of the involved parties, Public Hearing Item 7C, “Request to deny the appeal and affirming the Planning Commission Decision approving Minor Discretionary Permit 2014-01; Adopting Mitigated Negative Declaration of Environmental Effect, incorporating the mitigation measures found in the Initial Study and Mitigation Monitoring Program prepared for this project, and having made the findings contained in the attached Draft City Council Resolution; and Approving Minor Discretionary Permit 2014-01 (Taco Bell),” originally noticed for this meeting has been continued to the August 26, 2014 City Council meeting.

**8. SCHEDULED MATTERS:**

- A. Development Services Director Mike Pitcock presented the staff report on the request to approve Amendment No. 1 to the retainer agreement with Bender Rosenthal, Inc., of Sacramento, California, for City Project No. 13-32, "RFQ for Property Appraisal Services Retainer Agreement," to increase the maximum allowable compensation to \$150,000.

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

**Action:** Motion by Councilmember White, seconded by Councilmember Nascimento, Approving Amendment No. 1 to the retainer agreement with Bender Rosenthal, Inc., of Sacramento, California, for City Project No. 13-32, "RFQ for Property Appraisal Services Retainer Agreement," to increase the maximum allowable compensation to \$150,000. 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 Closed Session Items 11A and 11B.

- 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 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.

**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: Mayor John Lazar

Unrepresented Employees: City Manager, City Attorney

**Action:** No reportable action.

**12. ADJOURNMENT:**

Motion by Councilmember Bublak, seconded by Councilmember DeHart, to adjourn at 7:31 p.m.  
Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Kellie E. Weaver  
City Clerk