

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 6:05 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 William “Bill” Bassitt, President and CEO of the Stanislaus Economic Development and Workforce Alliance, in recognition of his retirement. Mr. Bassitt congratulated the City of Turlock for the way they have approached economic development and thanked Council for recognizing his retirement and his service.
 - B. Mayor Lazar presented the City Livability Award he received at the U.S. Conference of Mayors Meeting to Carnegie Arts Center Executive Director and Curator Rebecca Phillips Abbot for display at the Carnegie Arts Center. The award recognized the development and ongoing successes of the Carnegie Arts Center.
 - C. California State University Stanislaus student Anthony Fagundes presented information to the Council regarding a campus bicycle facility needs survey that was recently completed at the University. Council and staff discussed plans for future bike paths and the importance of receiving input from CSUS students in the preparation of an upcoming city-wide bike plan.
3. **A. SPECIAL BRIEFINGS:** None
- B. STAFF UPDATES**
 1. Crime Prevention Officer Michelle Backeroff provided information and invited Council, staff and the community to participate in National Night Out on August 6, 2013.
- C. PUBLIC PARTICIPATION**

Arts Commission Member Sergio Alvarado spoke regarding the art show currently on display at City Hall.
4. **A. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA**
Action: Motion by Councilmember DeHart, seconded by Councilmember White, 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:

Mayor Lazar asked that Item 5B be removed from the Consent Calendar for separate consideration due to Councilmember Nascimento's absence at the July 9, 2013 City Council meeting and his inability to vote for approval of those minutes. Councilmember DeHart requested Item 5I be removed for separate consideration.

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

- A. **Resolution No. 2013-117** Accepting Demands of 6/20/13 in the amount of \$1,089,352.75; Demands of 6/27/13 in the amount of \$1,232,632.88
- B. *Removed for separate consideration.*
- C. Motion: Approving an amendment to City Contract No. 12-031 with Sally Swanson Architects, Inc., of San Francisco, California, for City Project No. 11-27, "ADA Self-Evaluation and Transition Plan Update," to extend the term of the agreement by six (6) months
- D. Motion: Accepting improvements for City Project No. 13-29, "Painting of Fire Station No. 4," and authorizing the City Engineer to file a Notice of Completion
- E. **Resolution No. 2013-118** Appropriating \$2,422 to account number 217-50-511.43270 "Pavement Management Program Update" from Fund 217 "2103 Reserve" to fund the survey of local city streets as part of City Project No. 13-30, "Pavement Management Program Update," and the Regional Pavement Management Program Update for Fiscal Year 2012-13, as administered by StanCOG
- F. Motion: Accepting notification of Contract Change Order No. 5 in the amount of \$6,152.73 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 08 – Roofing and Waterproofing, bringing the contract total to \$610,941
- G. Motion: Accepting notification of Contract Change Order No. 5 in the amount of \$13,492 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 13 – Building and Site Electrical, bringing the contract total to \$4,234,326
- H. Motion: Accepting notification of Contract Change Order No. 3 in the amount of \$5,358.83 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 14 – Building and Site Plumbing, bringing the contract total to \$888,691
- I. *Removed for separate consideration.*
- J. **Resolution No. 2013-119** Authorizing the filling of one (1) anticipated vacant Staff Services Assistant position within the Development Services Department (Engineering Division) through an in-house recruitment of full-time, part-time and volunteer staff (with no priority given), and outside recruitment if needed
- K. Motion: Authorizing a Professional Services Agreement between the City of Turlock and Carollo Engineers, Inc., for specialized work related to gathering data for the Regional Surface Water Supply Project, in an amount not to exceed \$16,018, from Fund 420-52-550.43515 "Stanislaus Regional Water Authority"
- L. Motion: Approving a Professional Services Agreement between the City of Turlock and Robertson-Bryan, Inc., for the preparation of a Toxicity Reduction Evaluation (TRE) for Ceriodaphnia dubia, in an amount not to exceed \$27,511, from Fund 410-51-530.43316 "NPDES Permit Studies"
- M. Motion: Authorizing staff to enter into an agreement with a lobbying firm, Townsend Public Affairs, for issues, concerns, and opportunities regarding sewer, storm, and recycled water treatment, or other legislative, regulatory, or financial prospects, that could be of benefit to the City of Turlock, for a total annual expense not to exceed \$60,000 from Enterprise Funds 410-51-530.43011 and 420-52-550.43011

- N. Motion: Approving a service agreement with Casey Moving Services for Turlock Police Department, in an amount not to exceed \$46,770, for a period of twelve (12) months
- O. **Resolution No. 2013-120** Appropriating \$37,000 to account numbers 266-20-255-353.35720 "911 Grant Revenue" and 266-20-255-353.47117 "911 Grant Expenses" to be funded via reimbursement from the California 9-1-1 Division of the Public Safety Communications Office with Customer Premise Equipment (CPE) funding
- P. Motion: Authorizing the City Manager to sign and mail a letter of opposition regarding the Gambling Control Act Card Player Fees initiative – Assembly Bill 820 (Gomez)
- Q. Motion: Authorizing the City Manager to sign and mail letters of support to the City's Congressman and Senators for continued federal funding of the Partnership for Sustainable Communities
- R. Motion: Approving a Professional Services Retainer Agreement for preparation and filing of 2013-14 claims for State Mandated Cost Reimbursement with MGT of America, Inc., in an amount not to exceed \$9,200
- S. Motion: Approving a Professional Services Agreement for preparation of a Cost Allocation Plan with MGT of America, Inc., in an amount not to exceed \$17,000
- T. **Resolution No. 2013-121** Authorizing the release of unclaimed checks pursuant to California Government Code Section 50055 to the City of Turlock
- U. Motion: Designating Vice Mayor Bill DeHart as the voting delegate and Councilmember Steven Nascimento as the alternate voting delegate at the League of California Cities' Annual Business meeting on Friday, September 20, 2013, in Sacramento, California
- V. **Resolution No. 2013-122** Authorizing approval to enter into contracts to maintain Health Insurance, including dental and vision coverage for Fiscal Year 2013-14
- W. **Resolution No. 2013-123** Authorizing approval to enter into contracts to maintain insurance coverage for Employment Practices Liability Insurance for Fiscal Year 2013-14 and appropriating \$4,786 to account number 512-10-152.43100_004 "Insurance Employment Practices Liability" from Fund 512 "Casualty Insurance" reserve balance
- X. **Resolution No. 2013-124** Authorizing approval to enter into contracts to maintain insurance coverage for Property Programs for Fiscal Year 2013-14
- Y. **Resolution No. 2013-125** Authorizing approval to enter into a contract to maintain insurance coverage for Crime Shield Coverage for Fiscal Year 2013-14
- Z. Motion: Rejecting Claim for Damage filed by Gevargiz Shansoff
- AA. Motion: Rejecting Claim for Damage filed by Roger Haney/River Bluff Ent. Inc.
- AB. Motion: Rejecting Claim for Damage filed by Kenneth Freney
- AC. Motion: Rejecting Claim for Damage filed by Nancy Murillo

Item 5B **Action:** Motion by Councilmember White, seconded by Councilmember Bublak, Accepting Minutes of Regular Meeting of July 9, 2013. Motion carried with Councilmember Nascimento not participating.

Item 5I City Manager Roy Wasden noted the green sheet for this item and presented the staff report on the request to authorize the City Manager, or his designee, to approve the temporary closure of public streets, alleys, or other public rights-of-way and waive all general liability insurance requirements listed in Turlock Municipal Code Title 1, Chapter 6, for approved, neighborhood block parties and events.

Council discussion included assurance that a future change to the ordinance would not be made without additional Council/community input.

Mayor Lazar asked for public comment. Melody Remington and David Larson spoke in favor of waiving all general liability insurance requirements for reasons including the importance of uniting neighborhoods, removing obstacles such as fees that could deter gatherings, and concerns that if fees were required the permitting process may be bypassed which could create potential safety issues.

Mayor Lazar closed public comment.

Action: **Resolution No. 2013-126** Authorizing the City Manager, or his designee, to approve the temporary closure of public streets, alleys, or other public rights-of-way and waive all general liability insurance requirements listed in Turlock Municipal Code Title 1, Chapter 6, for approved, neighborhood block parties and events was introduced by Councilmember Bublak, seconded by Councilmember DeHart, and carried unanimously.

6. FINAL READINGS:

- A. **Ordinance No. 1186-CS**, Repealing Turlock Municipal Code Title 4, Chapter 6, Article 2, regarding Parking Meter Zones as introduced at the July 9, 2013 meeting was unanimously passed and adopted.

7. PUBLIC HEARINGS

- A. Development Services Director Mike Pitcock presented the staff report on the request to confirm diagrams, assessments and reports, and levy assessments for Fiscal Year 2013-14 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. 2013-127** Confirming diagrams, assessments and reports, and levying assessments for Fiscal Year 2013-14 for all Lighting, Landscaping and Street Maintenance Benefit areas within the City of Turlock was introduced by Councilmember White, seconded by Councilmember Bublak, and carried unanimously.

8. SCHEDULED MATTERS:

- A. Police Chief Robert Jackson presented the staff report on the request to accept AB109 Realignment Funds in the amount of \$85,985.77 and to appropriate said funds to the proper revenue and expenditure accounts in Fund 266 "Police Services Grants."

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

Action: **Resolution No. 2013-128** Accepting AB109 Realignment Funds in the amount of \$85,985.77 and appropriating said funds to the proper revenue and expenditure accounts in Fund 266 "Police Services Grants" was introduced by Councilmember DeHart, seconded by Councilmember Nascimento, and carried unanimously.

- B. Assistant to the City Manager on Economic Development and Housing Program Services Maryn Pitt presented the staff report on the request to establish a Mayor's Economic Development Task Force.

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

Councilmember Bublak expressed interest in serving as the Council representative to the task force.

Action: **Resolution No. 2013-129** Establishing a Mayor's Economic Development Task Force was introduced by Councilmember Bublak, seconded by Councilmember DeHart, and carried unanimously.

9. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

City Clerk Kellie Weaver noted a prior request by Councilmember White to hold an off-site Council meeting in conjunction with the grand opening of the new Public Safety Facility. City Manager Wasden provided options for holding a Council meeting in combination with the grand opening/ribbon cutting. Councilmember White expressed his desire for the ribbon cutting ceremony to be a separate event, with an off-site Council meeting to be held in the future at the Public Safety Facility.

10. COUNCIL COMMENTS: None

11. CLOSED SESSION:

City Attorney Phaedra Norton introduced the Closed Session item.

- A. Conference with Legal Counsel, Cal. Gov't Code §54956.9(c)
Initiation of Litigation (1 case)

Action: No reportable action.

12. ADJOURNMENT:

Motion by Councilmember DeHart, seconded by Councilmember White, to adjourn at 6:59 p.m.
Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk