

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 6:01 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 presented a Proclamation to Joe Fagundes in honor of Fava Bean Day, May 9, 2013. Mr. Fagundes recognized the “Fava Family” in attendance at the meeting.
3. **A. SPECIAL BRIEFINGS:**

Teen Advisory Council Advisor Mark Crivelli provided information to Council on TAC activities, including efforts to increase TAC membership for next year, visiting Paramount Park, assisting the Fire Department at the Christmas Parade, contributing to the Cell Phones for Soldiers Program, donating books to the READ Program, participating in an e-waste Day Collection Day, and planning efforts for future activities.

**B. STAFF UPDATES**
  1. Fire Chief Tim Lohman presented the 2012 Fire Department Annual Report.
- C. PUBLIC PARTICIPATION:**

Turlock City Arts Commission Alternate Member Sergio Alvarado provided an update on Arts Commission activities, including the Spring Juried Arts Show and continued efforts to find a location for the Queen Shamiram statue.
4. **A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None
5. **CONSENT CALENDAR:**

Councilmember Bublak requested that Items 5B<sub>1</sub> and 5B<sub>2</sub> be removed from the Consent Calendar and handled separately as she was not in attendance at either meeting and therefore, unable to vote.

**Action:** Motion by Councilmember Nascimento, seconded by Councilmember DeHart, and unanimously carried to adopt the amended consent calendar as follows:
  - A. **Resolution No. 2013-081** Accepting Demands of 4/25/13 in the amount of \$1,337,631.98; Demands of 5/2/13 in the amount of \$886,259.28

- B. Motion: 5B<sub>1</sub> removed for separate consideration; 5B<sub>2</sub> removed for separate consideration; Minutes of Regular Meeting of May 14, 2013
- C. 1. Motion: Awarding bid and approving an agreement in the amount of \$107,552 (Fund 216-40-422.51220) with Serna Construction, Inc., Fresno, California, for City Project No.13-20, "Monte Vista Avenue Widening"  
2. **Resolution No. 2013-082** Appropriating \$87,100 to account number 216-40-422.51220 "Various Overlays Prop. 1B" to be funded via a transfer of Section 2103 Gas Tax Monies from Fund 217 "Gas Tax Fund" for City Project No. 13-20, "Monte Vista Avenue Widening," to complete the necessary funding required for the project
- D. **Resolution No. 2013-083** Authorizing the transfer of \$10,000 from Fund 305 CFF (Police) reserve to account number 305-40-441.51270 "Construction Projects" for Project No. 13-25, "Public Safety Training Facility"
- E. **Resolution No. 2013-084** Authorizing the transfer of \$2,000,000 from Fund 305 CFF (General Government) Reserve to Fund 305 CFF (Police), City Project No. 0804B, "Turlock Public Safety Facility"
- F. 1. Motion: Approving a Purchase and Sale Agreement with Gurmeet Singh, an unmarried man, and Gurmail Singh Dhillon and Jasbir Kaur, husband and wife, for the purchase of one 11.34 acre parcel described as 1801 S. Walnut Rd. (APN 044-015-008), for the construction of a new master plan storm water basin, in the amount of \$850,000 plus escrow closing costs, with a total cost not to exceed \$857,000  
2. **Resolution No. 2013-085** Appropriating \$850,000 to account number 411-51-536.51270 "Construction" from Fund 411 Reserve for the acquisition of 11.43 acres of land for a master storm drain basin
- G. **Resolution No. 2013-086** Directing the filing of the Annual Reports for Fiscal Year 2013-14 for Assessment Districts in the City of Turlock
- H. **Resolution No. 2013-087** Approving the Transportation Development Act (TDA) Claim for funding of transit activities for Fiscal Year 2013-14
- I. **Resolution No. 2013-088** Approving the boundaries of the Targeted Employment Area and authorizing the submittal of a Targeted Employment Area Application for the Stanislaus Enterprise Zone, as required by the California State Department of Housing and Community Development
- J. Motion: Approving the contract between the City of Turlock and Premier Tennis to offer youth tennis programs
- K. Motion: Approving the renewal of the Memorandum of Understanding between the City of Turlock and the Turlock Unified School District to offer youth volleyball programs within the community
- L. Motion: Rejecting Claim for Damages filed by Antonio DeLaOroz
- M. Motion: Rejecting Claim for Damages filed by Amalia Perez

**Item 5B<sub>1</sub>/5B<sub>2</sub>** These items were removed from the Consent Calendar for separate consideration as Councilmember Bublak was unable to vote due to her not being present at the special meetings.

**Action:** Motion by Councilmember White, seconded by Councilmember DeHart, Accepting Minutes of Special Meeting of April 30, 2013; Minutes of Special Meeting of May 9, 2013. Motion carried with Councilmember Bublak not participating.

**6. FINAL READINGS:** None

**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.

Sukhbir Bal, owner of the property located at 200 E. Monte Vista Avenue, spoke regarding his efforts to maintain the property, problems associated with having a rental property located near a gas station, people dumping building materials in the alley, and ideas to make it inconvenient for vehicles to travel through the alleyway.

Mayor Lazar closed the public hearing.

**Action: Resolution No. 2013-089** Assessing properties for abatement costs and establishing a lien for payment was introduced by Councilmember Nascimento, seconded by Councilmember DeHart, and carried unanimously.

- B. Sr. Accountant Marie Lorenzi presented the staff report on the request to authorize the issuance by the California Statewide Communities Development Authority of its Revenue Bonds, Series 2013 (Covenant Retirement Communities, Inc.) in one or more series in an aggregate principal amount not to exceed \$40,000,000, of which not more than \$10,000,000 shall be for the benefit of Covenant Village Of Turlock, Sequoia Place and Covenant Village Of Turlock Care Center; and Related Matters.

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

Council discussion included clarification that this action creates no liability for the City of Turlock and is just a formality.

**Action: Resolution No. 2013-090** Authorizing the Issuance by the California Statewide Communities Development Authority of its Revenue Bonds, Series 2013 (Covenant Retirement Communities, Inc.) in one or more series in an aggregate principal amount not to exceed \$40,000,000, of which not more than \$10,000,000 shall be for the benefit of Covenant Village Of Turlock, Sequoia Place and Covenant Village Of Turlock Care Center; and Related Matters was introduced by Councilmember White, seconded by Councilmember Bublak, and carried unanimously.

**8. SCHEDULED MATTERS:**

- A. Interim Assistant to the City Manager/Police Lieutenant Ron Reid presented the staff report on the request to authorize the City Manager to sign an amended agreement between the City of Turlock and the Carnegie Arts Foundation to return \$70,000 and all accrued interest of the current \$80,000 Performance Security to the Carnegie Foundation with accrued annual interest to be paid on the remaining \$10,000 Performance Security deposit by July 31 of each calendar year.

Carnegie Arts Center Foundation Executive Director Rebecca Phillips Abbott spoke in favor of the amendment for reasons including benefits of having a larger cash reserve and their desire to honor their commitment to donors who contributed funding for the purpose of operation of an arts center.

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

Councilmember Bublak introduced a motion for approval based upon receipt of a certified public accountant's report verifying the Carnegie's solvency. Motion failed for lack of a second.

**Action:** Motion by Councilmember DeHart, seconded by Councilmember White, Authorizing the City Manager to sign an amended agreement between the City of Turlock and the Carnegie Arts Foundation to return \$70,000 and all accrued interest of the current \$80,000 Performance Security to the Carnegie Foundation with the City continuing to retain \$10,000 as the Performance Security deposit for the Carnegie Arts Center with accrued annual interest continued to be paid to the Foundation by July 31 of each calendar year. Motion carried with Councilmember Bublak dissenting.

*Mayor Lazar made a brief statement that the City will soon be receiving a U.S. Conference of Mayor's City Livability Award based upon the merits of the Carnegie Arts Center.*

- B. City Manager Roy Wasden and City staff presented information on their respective Non-General Fund budgets for the Fiscal Year 2013-14. Reports were received from:

Dan Madden	Municipal Services,
Mike Pitcock	Development Services
Maryn Pitt	Economic Development/Housing Program Services
Allison Van Guilder	Parks, Recreation & Community Facilities

Council and staff discussion included water projects/revenue, upcoming municipal projects such as the Harding Drain Bypass Project and Water Quality Control Facility expansion, various streets/roadways projects and associated funding, the NE Turlock Residential Master Plan, benefits of Master Plan Fees in creating sound community development, Transient Occupancy Tax, Recreation Scholarships, ASES Program, and Turlock Airport funding.

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

City Manager Wasden indicated that based upon presentations and Council input to date that the final budget would be prepared and presented for adoption.

**Action:** None – Information Only.

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

**10. COUNCIL COMMENTS:**

Councilmember Bublak congratulated Dr. Joseph Sheley on his recent appointment as President of CSU Stanislaus. She also remarked that she was recently in Pueblo, Colorado, for the Track & Field National Championships where people were still talking about the championships previously held in Turlock. She commented on the great athletics coming from CSUS noting the Men's Track Team placing 20<sup>th</sup> nationwide, having six (6) all American athletes, achieving two (2) new school records, and the Golf Team placing 9<sup>th</sup> in the nation.

Mayor Lazar thanked all who participated in memorial service at Turlock Memorial Park on Memorial Day and commended the veterans groups for their efforts.

**11. CLOSED SESSION:**

*Mayor Lazar noted that Century 21 (his employer) has the property at 1129 N. Olive Avenue listed and advised he would not participate in the Closed Session discussion for that item.*

City Attorney Phaedra Norton introduced the Closed Session items.

Conference with Real Property Negotiators, Cal. Gov't Code §54956.8

Property: 821 North Broadway, Turlock, APN 061-007-018

Agency Negotiators: Roy Wasden

Negotiating Parties: Turlock Irrigation District

Under Negotiation: Price and Terms of Payment

**Action:** No reportable action.

Conference with Real Property Negotiators, Cal. Gov't Code §54956.8

Property: 1129 N. Olive Avenue, Turlock, APN Nos. 042-021-041/042-021-042

Agency Negotiators: Roy Wasden

Negotiating Parties: Katharine K. Stevens Trust

Under Negotiation: Price and Terms of Payment

**Action:** No reportable action.

Conference with Legal Counsel – Anticipated Litigation, Cal. Gov't Code §54956.9(b)

Potential Cases: (3 cases)

**Action:** No reportable action.

**12. ADJOURNMENT:**

Motion by Councilmember Nascimento, seconded by Councilmember White, to adjourn at 7:21 p.m.  
Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Kellie E. Weaver  
City Clerk