

**MARCH 25, 2014**  
**6:00 p.m.**  
**City of Turlock Yosemite Room**  
**156 S. Broadway, Turlock, California**  
**AND**  
**Via teleconference**  
**Hampton Inn Fall River/Westport**  
**53 Old Bedford Road, Westport, MA 02790**

**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, Bill DeHart, Steven Nascimento (via teleconference), Forrest White, and Mayor John S. Lazar.  
ABSENT: None  
  
**B. SALUTE TO THE FLAG**
  2. **PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:** None
  3. **A. SPECIAL BRIEFINGS:** None  
  
**B. STAFF UPDATES**
    1. Police Chief Robert Jackson presented the 2013 Police Department Annual Report. His presentation highlighted the new Public Safety Facility, effects of prison realignment and staffing reductions, calls for service information, various programs including Volunteers, National Night Out, Blue Santa Program, and Citizens Academy, and specific Division/Unit information.
    2. City Manager Roy Wasden updated the Council on the district election process, including providing information about the four community workshops held to date and a video presentation by Consultant Doug Johnson on the election process that is available on the City's website.  
**C. PUBLIC PARTICIPATION**

Marsha Carroll presented a letter to the City Council requesting it be included as part of the public record and spoke regarding the alleged failure by Council to act fairly in regard to time limitations for public participation, the termination of her public participation at the February 25, 2014 Council meeting, and requested her issues be sponsored and investigated by an outside agency.
  4. **A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None

**5. CONSENT CALENDAR:**

**Action:** Motion by Councilmember Nascimento, seconded by Councilmember White, to adopt the 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. 2014-049** Accepting Demands of 02/20/14 in the amount of \$1,702,098; Demands of 02/27/14 in the amount of \$1,537,883.09
- B. Motion: Accepting Minutes of Regular Meeting of March 11, 2014
- C. 1. Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$3,370.16 (Fund 215) for City Project No. 11-47, "Taylor Road Bikepath," bringing the contract total to \$186,579.16  
2. Motion: Accepting improvements for City Project No. 11-47, "Taylor Road Bikepath," and authorizing the City Engineer to file a Notice of Completion
- D. Motion: Accepting improvements for City Project No. 13-46, "Senior Center Fence Installation," and authorizing the City Engineer to file a Notice of Completion
- E. Motion: Accepting notification of Contract Change Order No. 9 in the amount of \$1,316 (Fund 305) for City Project No. 0804B, "Turlock Public Safety Facility," Category 13 – Building and Site Electrical, bringing the contract total to \$4,257,660
- F. Motion: Approving a one (1) year service agreement in an amount not to exceed \$2,750 (Fund 502) with Eagle Point Software, of Dubuque, IA, to provide the Pinnacle Series software program
- G. **Resolution No. 2014-050** Accepting donations received from January through March Fiscal Year 2013-14 in the amount of \$199.71, to be deposited in the appropriate account, and used for a variety of Parks, Recreation & Public Facilities Department programs, scholarships, and activities
- H. Motion: Approving a contract with the Housing Authority of the County of Stanislaus for non-school hour activities
- I. Motion: Approving an amendment to the October 23, 2012 Service Learning Agreement between California State University, Stanislaus and the City of Turlock (Police Department)
- J. 1. Motion: Approving Amendment No. 3 to the Agreement with Zalreich Chemical Company, Inc., for the procurement of additional Aluminum Chlorohydrate in an increased amount of \$380,000, from Fund 410, bringing the contract total to \$1,080,080 for Fiscal Year 2013-14  
2. **Resolution No. 2014-051** Appropriating \$380,000 to account number 410-51-530.44005\_005 "Aluminum Chlorohydrate" from Fund 410 "Water Quality Control" reserve for the purchase of Aluminum Chlorohydrate
- K. Motion: Approving a renewed agreement between Romeo Medical Clinic and the City of Turlock Fire Department to provide annual physicals and pre-employment as necessary for Turlock Fire personnel, in an amount not to exceed \$14,256, and authorizing the City Manager to sign the agreement and all future renewal agreements

**6. FINAL READINGS: None**

## **7. PUBLIC HEARINGS**

- A. Municipal Services Director Michael Cooke presented the staff report on the request to accept the results of the Proposition 218 process for the consideration of increasing the monthly water fees and charges effective July 1, 2014 and amending Turlock Municipal Code Title 6, Chapter 5, Article 5, Section 01 and Title 6, Chapter 5, Article 7, Section 01(b) to implement updated fees and charges for property related water services.

Council and staff discussion included methods utilized to inform the public of the proposed rate increase, public response to notification, effects of rate increase on water usage, and tiered water rate structures.

Tom Pavletic of Municipal Financial Services and author of the study report presented information about how the proposed structure was chosen. He noted the current rate structure encourages higher water use, that a tiered rate was not considered because no effective water rate patterns have been established as of yet due to the fact that meters have only been in place since 2011, and that after Council is able to determine revenue streams, they may examine the rate structure, revisit the matter, and change the structure if appropriate.

Mayor Lazar opened the public hearing.

Mike Theis spoke against the proposed water rate increase for reasons including that wages have not increased in proportion to recent increases passed by Council and the hardship those increases present.

Manuel Drumonde spoke against the proposed water rate increase for reasons including hardships presented by various increases imposed by the City, insurance companies, etc., hardships to home owners, business owners, and the elderly due to rate increases. Mr. Drumonde was in favor of keeping a good water system, trying to conserve, and looking at changes in the way the City operates.

Ed Friedberg spoke regarding water issues including concerns that the cost for water is being born only by the citizens, the shortage of groundwater, water being used for agricultural purposes free of charge, and his need to know that the City is being proactive and lobbying the County on the citizens' behalf regarding well permits and restrictions on pumping groundwater. Mr. Friedberg also spoke regarding possible incentives for converting to low water greenscape.

Milton Trieweller spoke regarding global climate change, the drought, being in favor of the capacity charge per meter per month rates and a tiered rate structure, but against the commodity rate schedule that does not go far enough to encourage water savings.

Andrew Hawthorne spoke against the proposed water rate increase for reasons including that the City should request money from the state and because of financial hardships created for homeowners.

Isidor Camarillo spoke regarding groundwater concerns including contamination issues, aquifer levels due to agricultural use, the drought, and his feeling that this issue is a County issue, not just a Turlock issue.

Pamela Sweeten spoke regarding agriculture water usage and commented that agriculture producers are good stewards of the land and provide food and jobs.

J.D. Fliflet spoke against the proposed water rate increase for reasons including the discrepancy of proposed increases between small and large property owners and the need to make it fair for all users.

Roger Schmidt spoke against the proposed water rate increase for reasons including the increase not being about conservation, but about revenue, and his opposition to building a water treatment plant for drinking water. He also spoke about the idea of using treated water for lawns and shrubbery.

Jose Gonzalez spoke against the proposed water rate increase for reasons including the hardships it poses and it being a countywide issue. Mr. Gonzalez questioned how much water is used to treat sewer from outside of Turlock and the possibility of implementing two water lines to each residence to include one for drinking water and one for landscaping purposes.

Sarah Hoek spoke against the proposed water rate increase for reasons including the need for water conservation, lack of notice for public hearings, lack of City conservation efforts, and the hardships associated with increased fees.

Gregory Hoek spoke against the proposed water rate increase for reasons including the need to look to the future to provide an end game solution to water problems and his concerns over a lack of well water.

Duane Alameda spoke against the proposed water rate increase for reasons including that people were misled regarding the reason for the installation of water meters in 2011, a lack of planning dating back 20 years, the protest procedure, and the need for Council to take additional time to look at the issue.

Greg Oliveira spoke against the proposed water rate increase for reasons including that the installation of water meters in 2011 was for trending and revenue purposes and lack of conservation by the City regarding sprinkler use.

Mayor Lazar closed the public hearing.

Municipal Services Director Michael Cooke presented additional information about escalating water costs and outstanding bond debt, past planning efforts for a surface water treatment plant, and the installation of water meters being a state requirement. Mr. Cooke also explained how City water is recaptured in parks and refiltered for use in parks, as well as provided to Turlock Irrigation District for cooling at the Walnut Energy Center.

Mayor Lazar reopened the public hearing to request submittal of any additional protest ballots.

*Mayor Lazar adjourned the City Council meeting at 7:24 p.m.*

*Mayor Lazar reconvened the City Council meeting at 7:30 p.m.*

Mayor Lazar closed public hearing.

City Clerk Kellie Weaver certified that 605 protest ballots were received.

Council discussion included conservation efforts, concerns over rate increases for people on fixed or limited incomes, concerns over the protest process, public notification, and transparency, and the need to address current infrastructure while honoring conservation attempts, make improvements to infrastructure in order to ensure quality water is available for residents, and make long term investments in the water system.

**Action:** Motion by Councilmember White, seconded by Councilmember Nascimento, Accepting the results of the Proposition 218 process for the consideration of increasing the monthly water fees and charges effective July 1, 2014. Motion carried 3/2 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
No	Yes	No	Yes	Yes

Motion by Councilmember White, seconded by Councilmember Nascimento, introducing an Ordinance Amending Turlock Municipal Code Title 6, Chapter 5, Article 5, Section 01 and Title 6, Chapter 5, Article 7, Section 01(b) to implement updated fees and charges for property related water services and setting the final reading for April 8, 2014. Motion carried 3/2 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember White	Mayor Lazar
No	Yes	No	Yes	Yes

*Mayor Lazar reopened Public Participation.*

Carrie Dompe spoke regarding a public nuisance being created in her neighborhood which includes noise, lewdness, littering, vandalism, and harassment at Garden Lane and Garden Court, which she believes is related to a lack of parking at the apartment complex at 920 Pedras. She also noted her appreciation for police response and requested consideration when her petition for a neighborhood parking zone comes before Council.

*Mayor Lazar closed Public Participation.*

## **8. SCHEDULED MATTERS:**

- A. Parks, Recreation and Community Facilities Manager Allison Van Guilder presented the staff report on the request to approve combining the Arts Commission and Parks, Recreation and Community Programs Commission into a single advisory commission consisting of 9 members made up of all current commissioners.

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

**Action:**           **Resolution No. 2014-052** Combining the Arts Commission and Parks, Recreation and Community Programs Commission into a single advisory commission consisting of nine (9) members made up of all current commissioners 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. Police Chief Robert Jackson presented the staff report on the request to approve a new Public Safety Business Analyst job description within the Turlock Police Department and authorize the hiring of one (1) Public Safety Business Analyst through an in-house recruitment of full-time, part-time and volunteer/intern staff (with no priority given), and outside recruitment if needed.

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

**Action:**           **Resolution No. 2014-053** Approving a new Public Safety Business Analyst job description within the Turlock Police Department and authorizing the hiring of one (1) Public Safety Business Analyst through an in-house recruitment of full-time, part-time and volunteer/intern staff (with no priority given), and outside recruitment if needed was introduced by Councilmember White, 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

## 9. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Bublak requested consideration of establishing a subcommittee involving stakeholders and those who will be hurt by the water rate increase.

Councilmember White, also a StanCOG Board Member, requested consideration for moving forward with placing a citywide tax measure on the November 2014 ballot as a result of StanCOG voting down placing a countywide tax measure on the November ballot. Councilmember White indicated he observed a strong Turlock area response for a fix it first for pothole repair priority in county efforts.

**10. COUNCIL COMMENTS:**

Councilmember White commented on the Proclamation presented to Turlock Gospel Mission recognizing their efforts in the community and reminded everyone that the \$500 challenge is still alive and well in the hope of raising necessary funding for Phase II.

Mayor Lazar congratulated Councilmember Bublak as being named Chairperson of the Local Agency Formation Commission (LAFCO) for Stanislaus County.

**11. CLOSED SESSION: None**

**12. ADJOURNMENT:**

Motion by Councilmember DeHart, seconded by Councilmember Bublak, to adjourn at 8:13 p.m.  
Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Kellie E. Weaver  
City Clerk