

1. **A. CALL TO ORDER** –Mayor Soiseth called the meeting to order at 6:01 p.m.  
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Matthew Jacob, Steven Nascimento,  
and Mayor Soiseth.  
ABSENT: None
  
- B. SALUTE TO THE FLAG**
  
2. **PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:**
  - A. Mayor Soiseth presented a Proclamation to Stanislaus County - Turlock Branch Librarian Diane Bartlett in honor of Stanislaus County National Library Week, April 10-16, 2016.
  - B. Mayor Soiseth presented a Proclamation to City of Turlock Public Safety Communications Sr. Emergency Services Dispatcher Maribel Rodriguez in honor of National Telecommunicators Week, April 10-16, 2016.
  - C. Mayor Soiseth presented a Proclamation to City of Turlock employee Michelle Patereau in recognition of City of Turlock volunteers. Mayor Soiseth recognized all volunteers in attendance.
  - D. Mayor Soiseth presented a Proclamation to Cunningham School Principal Tami Truax in recognition of Arbor Day, April 27, 2016. Tami Truax thanked the Council for the Proclamation and noted the tree planting will provide an opportunity to assist in beautifying their campus.
  - E. Recreation Supervisor Karen Packwood recognized CSU Stanislaus Cesar Chavez Poster Contest Award Winners from the City of Turlock Parks, Recreation & Public Facilities Osborne School ASES Program. Osborn students Eduardo Godinez, Angel Galindo, Annahi Carbajal, Mia Carrillo, Princess Madrigal, Kiara Hernandez and Jordan Saenz shared information about their prize winning entries.
  - F. Mayor Soiseth introduced Jon Bevan of Caltrans who presented information about the upcoming Caltrans Clean Up Day, April 21, 2016. Mayor Soiseth recognized Candlewood Suites, Illicit Car and Truck Club, CSUS Alpha Pi Sigma – Mu Chapter, Sigma Omega Phi Multicultural Sorority, Omega Nu Omega, and Dubyak Chiropractic and presented certificates in honor of their efforts. Caltrans Adopt-A-Highway Coordinator Kathy Cockayne thanked all volunteers who have participated in the program and offered her assistance for the upcoming Love Turlock event to be held May 7, 2016.
  - G. Members of the Nu Alpha Kappa fraternity provided information about the upcoming 9<sup>th</sup> annual “NAKLAND Family Fun Day,” to be held at Columbia Park on April 16, 2016, which focuses on providing fun activities for low income children and health fair opportunities for adults.

**3. A. SPECIAL BRIEFINGS:**

**1. CALIFORNIA STATE UNIVERSITY STANISLAUS**

Maggie White, CSUS Student Government Relations Coordinator briefed the Council on activities at the University including the recent attendance by Mayor Soiseth at the 2<sup>nd</sup> annual One on One Event with CSU Stanislaus students, cancelation of a possible strike by CSUS faculty due to salary and negotiations, the search for President Sheley's successor, that Nicole Larson will return for her second term as ASI President and Carlene Dyer will become the new ASI Vice President, renovation of the student union, a focus on increasing enrollment, the prospect of an agreement with Turlock Transit, and appreciation for their relationship with the City of Turlock.

**2. Try TRANSIT UPDATE AND MAYOR'S CHALLENGE**

Josie Hazelton, Mayor's Public Policy Award Recipient/CSUS Student, provided an update on the Try Transit campaign and the Mayor's transit challenge, including her appreciation to Mayor Soiseth for donating his stipend to fund public policy, finding solutions and developing recommendations for transit in Turlock, finding ways for transit to meet the needs of CSU Stanislaus students, efforts related to redesigning bus routes, hours of operation, and possibility subsidization of transit passes for CSUS for students. Ms. Hazelton spoke regarding the common link between policy makers and public administrators riding transit to a city having a successful transit program. Ms. Hazelton requested that Turlock's policy makers ride transit during development of the transit plan.

Mayor Soiseth challenged all Councilmembers, Planning Commissioners, City department heads, college students, and the community to use transit the week of April 18 - 22, 2016.

**B. STAFF UPDATES**

1. Policy Goals and Implementation Plan: There were no updates presented.
2. Development Services Director Mike Pitcock provided an update on Capital Projects and Building Activity including the Skate Park project, Monte Vista Crossings Phase II project, and The Vista Student Housing project.
3. Parks, Recreation & Public Facilities Director Allison Van Guilder provided an update on the annual Turkey Trot and presented the Annual Plaque to the Development Services Division.

**C. PUBLIC PARTICIPATION:**

Milt Trieweiler provided a self-introduction to City Manager Hampton and spoke in favor of water conservation for reasons including the 4-year drought, the importance of saving water, and the creation of a plan to set up conservation pricing. Mr. Trieweiler provided information on drinking water, local aquifers, rainfall statistics, water usage associated with drip irrigation systems, and lowering the amount of water use for landscape purposes.

**4. A. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA**

**Action:** Motion by Councilmember Nascimento, seconded by Councilmember DeHart, to waive reading of all ordinances on the agenda, except by title. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

**B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS: None**

**5. CONSENT CALENDAR:**

Mayor Soiseth noted a green sheet to Consent Calendar Item 5K.

**Action:** Motion by Councilmember Jacob, seconded by Councilmember DeHart, to adopt the consent calendar. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- A. **Resolution No. 2016-064** Accepting Weekly Demands of 2/25/16 in the amount of \$431,167.89; Weekly Demands of 3/3/16 in the amount of \$748,692.14; Weekly Demands of 3/10/16 in the amount of \$1,967,622.05; Weekly Demands of 3/17/16 in the amount of \$1,770,590.59; and Monthly Demands of 12/31/15 in the amount of 1,341,129.90
- B. Motion: Accepting Minutes of Special Meeting of March 15, 2016, Minutes of Special Meeting of March 22, 2016; and Minutes of Regular Meeting of March 22, 2016
- C. **Resolution No. 2016-065** Initiating proceedings for the formation of the Fairbanks Ranch Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 14-73
- D.
  - 1. Motion: Making the determination that City Project No. 15-43, "Montana Neighborhood Park," is exempt from the provisions of CEQA in accordance with Section 15332
  - 2. Motion: Awarding bid and approving an agreement in the amount of \$547,438.50 (Fund 269) with Sinclair General Engineering, Oakdale, California, for City Project No. 15-43, "Montana Neighborhood Park"
  - 3. **Resolution No. 2016-066** Appropriating \$310,000 to account number 269-60-614-381.51270 "Construction Project" to be funded using \$282,000 of Fund 228 "Park Development Tax – Neighborhood Parks" reserves and \$28,000 in HRP grant funds to complete the necessary funding for this project
- E. Motion: Approving the release of interest in Lot A within the Summerfield Phase 2 Subdivision and authorizing the Mayor or City Manager to execute the necessary document on behalf of the City of Turlock
- F. Motion: Approving a Professional Services Agreement with NBS, of Temecula, California, for professional consulting services to conduct a fee study for staff cost recovery, in an amount not to exceed \$14,925 (Fund 502), for City Project No. 16-28

- G. Motion: Approving the disposal of excess property along Dels Lane, approving the revocation of the 2004 License Agreement with Joe Wu, aka Sunrise Inn, LLC, and authorizing the Mayor or City Manager to execute the necessary document on behalf of the City of Turlock
- H. **Resolution No. 2016-067** Amending the Fiscal Year 2015-16 Budget to appropriate an additional \$10,000 to account 110-10-112.43060\_008 "Contract Services Public Service Mitigation Fee CFD #2" from Fund 110 "General Fund" reserve balance to re-examine the existing Public Service Mitigation Fee (Community Facilities District #2)
- I. 1. Motion: Approving the Indemnification and Hold Harmless Agreement between the City of Turlock and CLS Investments for installation of an electronic security fence pursuant to Minor Discretionary Permit 2015-12 (Volvo Rents – 1400 South Avenue) and directing the City Manager to execute this agreement  
2. **Resolution No. 2016-068** Delegating to the Mayor or City Manager the authority to execute future indemnification and hold harmless agreements required as a condition of approval pursuant to TMC 9-2-126(k) (Electrified Fences) without further action of the City Council
- J. **Resolution No. 2016-069** Authorizing staff to submit a San Joaquin Valley Air Pollution Control District (SJVAPCD) grant application in the amount of \$40,000 to partially fund two (2) Ford Fusion hybrid vehicles, with grant funding up to \$20,000 per vehicle, of the \$33,877 total per vehicle cost
- K. Motion: Approving Amendment No. 1 to the Agreement with Polydyne, Inc., for the procurement of additional Anionic Emulsion Polymer and the funding for the purchase of the additional Anionic Emulsion Polymer, from Fund 410-51-530.44005\_008 "Chemical Polymer," in an amount not to exceed \$22,689, bringing the contract total to \$45,387 for Fiscal Year 2015-16
- L. Motion: Approving the Service Agreement with Integrity Municipal Systems, LLC, for the Acid Wash of the RJ-2000 Bulk Emergency Chlorine Vapor Scrubber System for the Turlock Regional Water Quality Control Facility for a period of six (6) months, in an amount not to exceed \$43,200
- M. Motion: Authorizing an amendment to the agreement between the City of Turlock and Stommel Inc., increasing the annual compensation to three hundred thousand Dollars (\$300,000) per year under City Contract 14-032
- N. Motion: Authorizing the City of Turlock to enter into an agreement with the California Peace Officer Standards and Training (POST) for City use of the POST Entry-Level Law Enforcement Test Battery (PELLETB) and authorizing the Police Chief to sign the required security agreement
- O. **Resolution No. 2016-070** Approving the purchase of one (1) replacement Fire Command vehicle from Winner Chevrolet in Elk Grove, California, through the Department of General Services state bid system for fleet SUVs under contract #1-16-23-23D, pursuant to the Turlock Municipal Code, Title 2, Chapter 7, Section 08(b)(5), without compliance to the formal bid procedure, with the purchase and installation of emergency and aftermarket equipment being handled by staff, in an amount not to exceed \$86,000; and Appropriating \$56,000 to account number 506-00-000-304.51020 "Equipment Replacement" from Fund 506 "Vehicle/Equipment Replacement-Fire Services" reserve balance to complete the purchase of the Fire Command vehicle from Winner Chevrolet
- P. Motion: Extending an Agreement and Memorandum of Understanding between the City of Turlock Fire Department and American Medical Response – West for the sole purpose of receiving EMS Continuing Education records oversight by an AMR - West Clinical Medical Director

- Q. **Resolution No. 2016-071** Rescinding Resolution No. 2015-016 and approving the use of facsimile signatures on specific accounts at Westamerica Bank
- R. **Resolution No. 2016-072** Rescinding Resolution No. 2015-017 and designating the authorized signatures for the City of Turlock bank accounts with Westamerica Bank

**6. FINAL READINGS:**

- A. **Ordinance No. 1222-CS**, Amending Turlock Municipal Code Title 6, Chapter 7, Article 3, Section 01 regarding Outdoor Landscape Watering and Title 6, Chapter 7, Article 4, Section 05 regarding Water Conservation Stages as introduced at the March 22, 2016 meeting was passed and adopted, 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

**7. PUBLIC HEARINGS**

- A. Development Services Director Mike Pitcock presented the staff report on the request to vacate that section of Cooper Avenue right-of-way between Rose Street and Oak Street; **OR** consider public testimony and provide further direction to the City Manager and City staff; **OR** deny the petition submitted by the Sacred Heart Church to vacate that section of Cooper Avenue right-of-way between Rose Street and Oak Street.

Mayor Soiseth opened public comment.

Kathryn Herriott Hunt, Cahill Avenue resident, spoke against the vacation for reasons including that Sacred Heart has not been a good neighbor, concerns related to traffic and parking, and poor lighting in the area. Ms. Hunt asked the Council to vote no or consider alternatives to the closure such as the use of nanny cameras, alternative types of gating, and pass keys and/or codes.

Mike Ducey, Cahill Avenue resident, provided a brief history of the development of the area including the construction of Sacred Heart Church and School. Mr. Ducey spoke against the vacation for reasons including increased traffic and competition for parking, noise concerns, and church ceremonies/activities bringing thousands of people to the area. Additionally, Mr. Ducey asked Council to vote no on the vacation and consider alternatives to the vacation, such as alternative forms of gating.

Amy Boylan-Mendes, Cooper Avenue resident, spoke against the vacation for reasons including that Sacred Heart is not a good neighbor, lack of communication and noticing of events to area residents by Sacred Heart, loud music, concerns over the City giving a public street to a private entity, safety issues related to delays in response time by the Fire Department, and safety concerns related to lighting.

Rusty Baez, a member of the Sacred Heart Advisory Council, summarized efforts to date related to their request for the vacation of Cooper Avenue, noted Sacred Heart has shown reasonableness in working with all parties, and spoke regarding his hope that a decision would be made at tonight’s meeting.

Sacred Heart Principal Linda Murphy-Lopes spoke in favor of the vacation for reasons including more parishioners attending the church is a good thing, and that Sacred Heart is working for the betterment of children and helping the transient population. Ms. Murphy-Lopes noted their willingness to work with area residents.

Macia Alia, resident at 1311 Cahill Avenue, spoke in favor of free speech, but voiced concerns regarding loud noises emanating from the campus, inability to identify who is in charge of activities/events, and traffic issues.

Mayor Soiseth closed public comment.

Council and staff discussion included the poor lighting and lack of sidewalks on surrounding streets, safety concerns over lack of clear vision in the area, the importance of listening to area residents, recognition of partnerships with the school and citizens, the need for additional collaboration and better communication, safety considerations related to right-of-way issues, the importance of child safety, concerns over public safety response times, and the importance of securing peace and tranquility in the neighborhood.

Mayor Soiseth identified several key issues related to discussion of the vacation and requested that the City Manager look into clear vision issues such as the oak tree blocking the view of the parking lot, consult with Turlock Unified School District regarding recent discussions related to gates and enclosed campuses, discuss increased communication by Sacred Heart to the City of Turlock and area residents in regard to road closures and events having amplified noise, consider possible lighting changes in poorly lit neighboring areas, and verify response times by Police and Fire.

City Manager Gary Hampton spoke regarding staff’s recommendation of Option 2, future meetings with the applicant and neighborhood residents, and the need for identification of specific conditions to be met before final consideration of the closure.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, Having considered the public testimony on the project, providing direction to staff on the issues and/or conditions that need to be investigated further, and directing the City Manager to convene at least one meeting with a representative of the Sacred Heart Church, a member representing the surrounding neighborhood, and the appropriate City staff members, to identify any standards or criteria that should be taken into consideration by the City Council at a future public hearing in making its determination regarding the abandonment of that section of Cooper Avenue right-of-way between Rose Street and Oak Street. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

*Councilmember Nascimento stepped down from the dais at 7:43 p.m.*

- B. Development Services Director Mike Pitcock presented the staff report on the request to find the proposed action categorically exempt from the California Environmental Quality Act pursuant to Section 15273 of the CEQA Guidelines Section [Rates, Tolls, Fares, and Charges] and/or Section 15183 [Projects Consistent with a Community Plan or Zoning]; and to establish and adopt a Development Mitigation Fee program to pay for the Public Facilities required to implement the Sewer System Master Plan and the Storm Water Master Plan within the City of Turlock.

*Councilmember Nascimento returned to the dais at 7:47 p.m.*

Mayor Soiseth opened public comment. No one spoke. Mayor Soiseth closed public comment.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, Finding the proposed action categorically exempt from the California Environmental Quality Act pursuant to Section 15273 of the CEQA Guidelines Section [Rates, Tolls, Fares, and Charges] and/or Section 15183 [Projects Consistent with a Community Plan or Zoning]. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

**Resolution No. 2016-073** Establishing and Adopting a Development Mitigation Fee program to pay for the Public Facilities required to implement the Sewer System Master Plan within the City of Turlock was introduced by Councilmember Nascimento, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

**Resolution No. 2016-074** Establishing and Adopting a Development Mitigation Fee program to pay for the Public Facilities required to implement the Storm Water Master Plan within the City of Turlock was introduced by Councilmember Nascimento, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- C. Deputy Development Services Director/Planning Manager Debbie Whitmore, Sr. Planner Katie Quintero, and Elizabeth Schmid of Dyett & Bhatia presented the staff report on the request to determine the adoption of General Plan Amendment 2016-02 (Housing Element and SB 244 Disadvantaged Unincorporated Communities) is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15162 (Subsequent EIRs and Negative Declarations) and/or Section 15262 (Feasibility and Planning Studies) of the CEQA Guidelines and Adopting General Plan Amendment 2016-02 (Revised 2014-2023 Housing Element and SB 244 Disadvantaged Unincorporated Communities).

Council and staff discussion included potential delays should the Housing Element not be adopted, thanks to Dyett & Bhatia for efforts related to identifying underutilized sites, infill development, and affordable housing definitions throughout California counties.

Mayor Soiseth opened the public hearing.

Milt Triewailer spoke against approving the CEQA determination portion of this item, noted the importance of the California Environment Quality Act related to protection from harmful air pollution and urban sprawl, and being in favor of the cost of private development related growth being borne by developers and industries rather than by Turlock’s citizens.

Additional Council and staff discussion included statutory exemptions allowed by CEQA in relation to this project.

Mayor Soiseth closed the public hearing.

**Action:** Motion by Councilmember Nascimento, seconded by Councilmember DeHart, Determining that the adoption of General Plan Amendment 2016-02 (Housing Element and SB 244 Disadvantaged Unincorporated Communities) is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15162 (Subsequent EIRs and Negative Declarations) and/or Section 15262 (Feasibility and Planning Studies) of the CEQA Guidelines. Motion 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

**Resolution No. 2016-075** Adopting General Plan Amendment 2016-02 (Revised 2014-2023 Housing Element and SB 244 Disadvantaged Unincorporated Communities) was introduced by Councilmember Nascimento, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

**8. SCHEDULED MATTERS: None**

**9. NON-AGENDA ITEMS:** None

**10. COUNCIL ITEMS FOR FUTURE CONSIDERATION:**

Councilmember Bublak requested future consideration that staff look into the synchronization of the traffic lights and associated potential funding sources.

**11. COUNCIL COMMENTS:**

Mayor Soiseth commented he is excited that City Manager Gary Hampton has joined the City of Turlock and noted Mr. Hampton will be focused on improving service to our community.

**12. CLOSED SESSION:** None

**13. ADJOURNMENT:**

Motion by Councilmember Nascimento, seconded by Councilmember Jacob, to adjourn at 8:24 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Kellie E. Weaver  
City Clerk