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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

2. PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:

- A. Mayor Lazar presented a Proclamation to Former Turlock City Clerk Vera Sahlstrom in recognition of her service to the City of Turlock and 95th Birthday.
- B. Mayor Lazar presented a Proclamation to Jen Doss in recognition of Disability Awareness Month, June 2014.
- C. Mayor Lazar recommended that Parks, Arts & Recreation Commissioner Sergio Alvarado’s term expiration date be adjusted to December 31, 2015, and Commissioners Larry Yeakel and Lakneshia Ann Diaz’s term expiration dates be adjusted to December 31, 2016.

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

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, adjusting Parks, Arts & Recreation Commissioner Sergio Alvarado’s term expiration date to December 31, 2015, and Commissioners Larry Yeakel and Lakneshia Ann Diaz’s term expiration dates to December 31, 2016. Motion carried 5/0 by the following vote:

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

3. A. SPECIAL BRIEFINGS: None

B. STAFF UPDATES

1. City Clerk Kellie Weaver provided information regarding upcoming Board, Commission, and Committee vacancies.
2. *Fire Department Annual Report was removed from the agenda to be brought back at a future date.*

3. Development Services Director Mike Pitcock provided an update on the 25% Building Permit Fee Reduction including examples of savings realized by commercial developers/residents as a result of the reduction.
4. Municipal Services Director Michael Cooke provided an update on water usage including water production and usage comparisons and efforts being utilized by the City to assist residents in their conservation efforts.

Council and staff discussion included publicizing conservation information through advertisement on the City's website and through media release, well depths, and efforts to curtail City water usage.

5. Assistant to the City Manager for Economic Development/Housing Program Services Maryn Pitt provided an update on the Turlock Business Incentive Program including job creation data and program accomplishments.
6. City Manager Roy Wasden provided a report on deficit spending including General Fund revenue and expense history.

C. PUBLIC PARTICIPATION: None

4. A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:

Mayor Lazar identified a conflict of interest in regard to Scheduled Matters Item 8A in that he is a realtor and has a property listed for sale in the area.

B. DISCLOSURE OF EX PARTE COMMUNICATIONS

1. Public Hearing Item 8A is a quasi-judicial proceeding. Council should disclose the following information if applicable:
 - a. State for the public record the nature of the communication; and
 - b. With whom the ex parte communication was made; and
 - c. A brief statement as to the substance of the communication.

Councilmember White disclosed ex parte communication regarding Item 8A in that he lives down the block from the proposed ice rink expansion and has had non-specific communications with common neighbors regarding the matter.

5. CONSENT CALENDAR:

Action: Motion by Councilmember DeHart, 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. 2014-079** Accepting Demands of 4/24/14 in the amount of \$927,924.25; Demands of 5/1/14 in the amount of \$426,364.04
- B.
 1. Motion: Accepting Minutes of Special Meeting of May 7, 2014
 2. Motion: Accepting Minutes of Regular Meeting of May 13, 2014
 3. Motion: Accepting Minutes of Special Meeting of May 15, 2014
- C. **Resolution No. 2014-080** Approving the Transportation Development Act (TDA) claim for funding of transit activities for Fiscal Year 2014-15
- D. **Resolution No. 2014-081** Accepting a supplemental donation from the Swanson Family in the amount of \$19,000 for the construction of a dog park at Swanson-Centennial Park
- E.
 1. Motion: Making the determination that City Project No. 14-20, "Swanson-Centennial Dog Park," is exempt from the provisions of CEQA in accordance with Section 15301 "Existing Facilities," and awarding bid and approving an agreement in the amount of \$51,189 (Fund 269) with United Pavement Maintenance, Hughson, California, for City Project No. 14-20, "Swanson-Centennial Dog Park"
 2. **Resolution No. 2014-082** Appropriating \$66,526 to account number 269-60-614-373.51270 "Dog Park Construction Project" to be funded via a transfer of Park Development Funds as delineated below for City Project No. 14-20, "Swanson-Centennial Dog Park," to complete the necessary funding required for this project
- F. Motion: Accepting improvements for City Project No. 0804B, "Turlock Public Safety Facility," Category 8 – Roofing and Waterproofing, and authorizing the City Engineer to file a Notice of Completion
- G. Motion: Accepting improvements for City Project No. 0804B, "Turlock Public Safety Facility," Category 10 – Fireproofing, and authorizing the City Engineer to file a Notice of Completion
- H. Motion: Accepting improvements for City Project No. 0804B, "Turlock Public Safety Facility," Category 12 – Mechanical and HVAC, and authorizing the City Engineer to file a Notice of Completion
- I. Motion: Accepting improvements for City Project No. 0804B, "Turlock Public Safety Facility," Category 16 – Fire Protection, and authorizing the City Engineer to file a Notice of Completion
- J. **Resolution No. 2014-083** Directing the filing of the Annual Reports for Fiscal Year 2014-15 for Assessment Districts in the City of Turlock
- K.
 1. Motion: Authorizing the City Manager to provide StanCOG, upon receipt of a written invoice, Turlock's financial share of the South County Corridor Feasibility Study in an amount of \$22,000
 2. **Resolution No. 2014-084** Appropriating \$22,000 to account number 217-50-511.43347 from Fund 217 "Streets-Gas Tax-Section 2103" reserve balance for Turlock's financial share of the South County Corridor Feasibility Study
- L. Motion: Approving the agreements between the City of Turlock and each of the seven (7) HOME Consortium sub-recipients for the purpose of undertaking HOME eligible housing assistance activities pursuant to Title II of the Cranston-Gonzales National Affordable Housing Act of 1990 for Fiscal Year 2014-15 in the amount of \$946,227
- M. Motion: Approving an amendment to the agreement with Second Harvest Food Bank of San Joaquin and Stanislaus Counties, dated May 14, 2013 (Contract No. 13-026), for a CDBG grant for \$10,000, revising the number of anticipated unduplicated clients
- N. Motion: Approving an amendment to the agreement with Project Sentinel, dated May 14, 2013 (Contract No. 13-028), for a CDBG grant for \$10,000, revising the number of anticipated unduplicated clients

- O. Motion: Authorizing the City of Turlock to record the Grant Deed, also known as Document No. 2010-0089639-00, for the purpose of creating the City of Turlock Skate Park as a separate parcel and authorizing the City Manager to sign the required documents
- P. **Resolution No. 2014-085** Authorizing the submittal of an application, acceptance of an allocation of funds, and execution of a grant agreement with CalRecycle for the Household Hazardous Waste Grant Program for Fiscal Year 2014-15
- Q. 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
- R. Motion: Approving a contract between the City of Turlock and the EZ Axess, Inc., for a Mobilepd application
- S. Motion: Authorizing the City Manager to execute an agreement between Dave Young and the City of Turlock for independent contractor administrative investigation services for the Police Department
- T. **Resolution No. 2014-086** Appropriating \$15,000 to Fund 110-10-108.43010 "Contract Attorney," \$300 to Fund 110-10-108.47030 "Conferences," and \$2,000 to Fund 110-10-108.47015 "Books and Subscriptions" from the General Fund Reserve Balance

6. FINAL READINGS: None

7. PUBLIC HEARINGS

- A. Associate Planner Katie Quintero presented the staff report on the request to determine whether a change in the 200 bed cap on emergency shelter beds in the SB 2 Emergency Shelter Overlay District is required and, if necessary, increasing the cap.

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

Action: Motion by Councilmember White, seconded by Councilmember DeHart, Determining no change in the 200 bed cap on emergency shelter beds in the SB 2 Emergency Shelter Overlay District is required. Motion carried 5/0 by the following vote:

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

- B. Chief Building Official Eric Picciano presented the staff report on the request to amend Turlock Municipal Code Title 8, Chapter 1, Section 1, Article 1 and Chapters 2, 5, and 6, regarding Building Regulations and adopt legislative findings supporting amendments and changes to the California State Building Standards Code.

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

Action: Motion by Councilmember DeHart, seconded by Councilmember Bublak, introducing an Ordinance Amending Turlock Municipal Code Title 8, Chapter 1, Section 1, Article 1 and Chapters 2, 5 and 6, regarding Building Regulations and setting the final reading for June 10, 2014. Motion carried 5/0 by the following vote:

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

Mayor Lazar advised that the Resolution Adopting legislative findings supporting amendments and changes to the California State Building Standards Code as contained in the Turlock Municipal Code, Title 8, Chapters 1, 2, 5 and 6 would be considered after adoption of the Ordinance at the June 10, 2014 meeting.

- C. City Manager Roy Wasden presented the staff report on the request to define four (4) district area boundaries for Council districts as prepared by National Demographics Corporation; amend the Turlock Municipal Code Title 2, Chapter 1, to establish electoral districts for election of members of the Turlock City Council by districts and election of the Mayor of Turlock at-large, subject to approval by a vote of the people; call for and give notice of the holding of a general municipal election to be held in the City of Turlock on Tuesday, November 4, 2014 for the purposes of submitting to the qualified voters a ballot measure establishing electoral districts for election of members of the Turlock City Council by districts and election of the Mayor of Turlock at-large; request consolidation thereof with the statewide election to be held on the same date, and request the Stanislaus County Board of Supervisors to permit the Stanislaus County Clerk to render specific services to the City of Turlock relating to the conduct of the general municipal election.

Laurie Avedisian of Lozano Smith spoke regarding the processes involved in implementing district elections.

Doug Johnson of National Demographics provided a brief summary of steps taken to date by the City of Turlock regarding moving forward with district elections, provided an overview of the three draft boundary maps, and commented on input received through community outreach and assistance provided by the Institute for Local Government through a grant from the Irvine Foundation.

Mayor Lazar opened the public hearing.

Vicky Lessie requested information about the public notification process provided through the grant funding.

Ann Strahm spoke in support of District Boundary Plan A for reasons including it is equitably divided, keeps neighborhood in neighborhoods, and is the most popular plan.

Sharon Silva, Turlock Chamber of Commerce CEO, spoke in favor of district elections for reasons including that there really is no choice but to move forward and noted the Chamber Board has taken action to support the City on efforts to move to district elections.

Mayor Lazar closed the public hearing.

Council discussion included individual preferences of the proposed plans and comments included that Option 1 (Plan A) split the City equally into four sections, is sensible, makes visual sense, is clearly delineated, and is the most favored plan based on community input, and that Option 3 (Plan C) represents the downtown area.

Action: Motion by Councilmember White, seconded by Councilmember Bublak, Defining the four (4) district area boundaries for Council districts as prepared by National Demographics Corporation identified as Option 1 (Plan A). Motion carried 5/0 by the following vote:

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

Motion by Councilmember White, seconded by Councilmember Bublak, introducing an Ordinance Amending Turlock Municipal Code Title 2, Chapter 1, to establish electoral districts for election of members of the Turlock City Council by districts and election of the Mayor of Turlock at-large, subject to approval by a vote of the people and setting the final reading for the June 10, 2014 meeting. Motion carried 5/0 by the following vote:

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

City Attorney Phaedra Norton noted that Exhibit A to the ordinance will be Plan A adopted by Council as Option 1.

Mayor Lazar advised that the Resolution Calling for and giving notice of the holding of a general municipal election to be held in the City of Turlock on Tuesday, November 4, 2014, for the purposes of submitting to the qualified voters a ballot measure establishing electoral districts for election of members of the Turlock City Council by districts and election of the Mayor of Turlock at-large as required by the provisions of the laws of the State of California relating to general law cities, requesting consolidation thereof with the statewide election to be held on the same date, and requesting the Stanislaus County Board of Supervisors to permit the Stanislaus County Clerk to render specific services to the City of Turlock relating to the conduct of the general municipal election would be considered after adoption of the Ordinance at the June 10, 2014 meeting.

- D. City Attorney Phaedra Norton presented the staff report on the request to amend the Turlock Municipal Code Title 3, Chapter 11, enacting a Local Transportation Transactions and Use Tax for Pothole Repair, Existing City Street Improvement and Maintenance, and Transit Farebox Recovery Ratio Assistance OR a Local Road Transactions and Use Tax for Pothole Repair and Existing City Street Improvement and Maintenance; call for and give notice of the holding of a general municipal election to be held in the City of Turlock on Tuesday, November 4, 2014, for the purposes of submitting to the qualified voters a ballot measure establishing a one-half of one percent transactions and use tax; request consolidation thereof with the statewide election to be held on the same date; and request the Stanislaus County Board of Supervisors to permit the Stanislaus County Clerk to render specific services to the City of Turlock relating to the conduct of the general municipal election.

Council discussion included the benefit of keeping the ordinance as clean as possible and dealing with transit on a separate basis.

Mayor Lazar opened the public hearing.

Pat Noda spoke in favor of transit funding as a possible temporary measure but not as a long term solution and spoke against the current bus route system.

Sharon Silva, Turlock Chamber of Commerce CEO, spoke in favor of a tax measure and noted the Chamber Board has taken action to support the City Council and City of Turlock for reasons including it being important for the citizens and for economic development within the City.

Mayor Lazar closed the public hearing.

Council discussion included farebox recovery issues, citizen expectation for tax revenue to be used for roadway repair only, the current state of roadways, opposition to tax increases, and the need to provide Turlock citizens the opportunity to decide whether or not they are in favor of a tax.

Action: Motion by Councilmember Nascimento, seconded by Councilmember DeHart, introducing an Ordinance Amending the Turlock Municipal Code to Add Title 3, Chapter 11, Entitled “Local Road Transactions and Use Tax for Pothole Repair and Existing City Street Improvement and Maintenance” to be administered by the State Board of Equalization and authorizing the incurrence by the City of Turlock of indebtedness payable solely from such tax, subject to approval by a vote of the people and setting the final reading for the June 10, 2014 meeting. Motion carried 4/1 by the following vote:

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

Mayor Lazar advised that the Resolution Calling for and giving notice of the holding of a general municipal election to be held in the City of Turlock on Tuesday, November 4, 2014, for the purposes of submitting to the qualified voters a ballot measure establishing a one-half of one percent "Local Road Transactions and Use Tax for Pothole Repair and Existing City Street Improvement and Maintenance," requesting consolidation thereof with the statewide election to be held on the same date, and requesting the Stanislaus County Board of Supervisors to permit the Stanislaus County Clerk to render specific services to the City of Turlock relating to the conduct of the general municipal election would be considered after adoption of the Ordinance at the June 10, 2014 meeting.

8. SCHEDULED MATTERS:

Mayor Lazar stepped down from the dais due to his previously identified Conflict of Interest and turned the meeting over to Vice-Mayor White.

- A. Associate Planner Katie Quintero presented the staff report on the request to find the proposed expansion of the ice rink, parking area and operating period, as described in Stanislaus County Staff Approval Application 2014-41 (R.A.M. Farms), consistent with the City of Turlock General Plan and requesting that the County of Stanislaus include conditions of approval and mitigation measures for Use Permit 2013-32 and four additional conditions of approval as part of its approval of County Staff Approval Application 2014-41.

Council and staff discussion included traffic concerns, the proposed parking management plan, and enforcement of conditions of approval.

Vice-Mayor White asked for public comment.

Ron Macedo spoke in favor of the proposed expansion project and additional conditions of approval. Mr. Macedo thanked the Planning Commission, City staff and the City Council for their efforts.

Vice-Mayor White closed public comment.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, Finding the proposed expansion of the ice rink, parking area and operating period, as described in Stanislaus County Staff Approval Application 2014-41 (R.A.M. Farms), consistent with the City of Turlock General Plan. Motion carried 4/1 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Vice-Mayor White	Mayor Lazar
Yes	Yes	Yes	Yes	Not Participating

Motion by Councilmember Bublak, seconded by Councilmember DeHart, Requesting that the County of Stanislaus include the conditions of approval and mitigation measures for Use Permit 2013-32 and four additional conditions of approval, listed below, as part of its approval of County Staff Approval Application 2014-41 (R.A.M. Farms):

1. Before beginning operations each year, the applicant shall schedule an acoustic analysis to be conducted by a licensed acoustic specialist to verify that the sound from the sound systems and any other noise-generating equipment will not violate the City’s Noise Ordinance. The Noise Standards and procedures shall be based on the City of Turlock Noise Ordinance in effect at the time the testing and operations take place. The recommendations made by the acoustic analyst shall be implemented prior to beginning operations each year. The applicant shall be responsible for continuous monitoring and adjustment of sound levels to meet the City’s standards for single-family residential uses.
2. At the close of each operating season, the applicant shall contact the County Planning Department to schedule a final inspection of the site to ensure that all of the conditions of approval in this permit have been met.
3. The applicant shall continuously work with the County to prepare and implement a parking management plan to ensure that vehicles park in designated spaces on the property. The initial parking management plan shall be reviewed and approved by both the City of Turlock and the County of Stanislaus prior to beginning operations each year. The parking management plan shall provide for at least one parking attendant to monitor traffic during the hours of operation and redirect traffic away from the adjacent residential neighborhood within the City of Turlock and to the designated parking area on site. Parking entrances and exits shall have directional signs with night lighting. The lighting shall be directed onto the signs so as not to cause a visual impact on adjacent residences. The applicant shall work with the County and the City to address any specific parking- and/or traffic-relates issues that arise on an ongoing basis. The specific requirements of the parking management plan may change over time in response to the parking demand generated by the project and the background traffic levels in the area.
4. Before beginning operations each year, both the primary parking area (marked spaces) and the overflow parking lots shall be improved for use in accordance with the conditions of approval, the approved site plan, and as directed by the County of Stanislaus

Motion carried 4/1 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Vice-Mayor White	Mayor Lazar
Yes	Yes	Yes	Yes	Not Participating

Mayor Lazar was reseated at the dais.

- B. City Manager Roy Wasden presented the staff report on the request to receive Fiscal Year 2014-15 Non-General Fund Budget information and provide staff direction in preparation for final budget adoption at the June 10, 2014 Council Meeting.

Council and staff discussion included the addition of General Fund Road Repair & Maintenance matching funds to show City participation in support of road maintenance.

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

Action: Motion by Councilmember DeHart, seconded by Councilmember Nascimento, Receiving Fiscal Year 2014-15 Non-General Fund Budget information in preparation for final budget adoption at the June 10, 2014 Council Meeting. 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:

Councilmember White commented that it was an honor for him to deliver the Memorial Day welcome at the recent ceremony and encouraged others to attend this meaningful ceremony in the future.

Mayor Lazar noted he failed previously to state that, in regard to the proposed tax measure, a sunset clause has been included in the ordinance should a future County tax measure be successful.

Mayor Lazar request to adjourn tonight’s meeting in memory of the late Jane Vilas who was very active in many Turlock activities and organizations, including the Salvation Army and California State University, Stanislaus.

11. CLOSED SESSION:

- A. City Attorney Phaedra Norton introduced the Closed Session item.

Conference with Legal Counsel – Anticipated Litigation, Cal. Gov’t Code §54956.9(d)(4)

“For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist... Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.”

Potential Cases: (1 case)

Action: No action taken.

12. ADJOURNMENT:

Mayor Lazar adjourned the meeting at 7:55 p.m. in memory of the late Jane Vilas.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk