

1. **A. CALL TO ORDER** –Mayor Soiseth called the meeting to order at 6:04 p.m.  
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Matthew Jacob, Steven Nascimento,  
and Mayor Soiseth.  
ABSENT: None

**B. SALUTE TO THE FLAG**

**C. MOMENT OF SILENCE FOR THE UNITED STATES HONORABLE SERVICE MEMBERS  
KILLED IN THE LINE OF DUTY IN CHATTANOOGA, TN**

Mayor Soiseth invited the men and women of U.S. Military recruiting stations located in the City of Turlock to the dais for a moment of silence in recognition of the honorable service members that were killed in the line of duty in Chattanooga, Tennessee. Councilmember DeHart recognized Gunnery Sergeant Thomas J Sullivan - United States Marine Corps, Staff Sergeant David A Wyatt - United States Marine Corps, Sergeant Carson A Holmquist - United States Marine Corps, Lance Corporal Squire K Wells - United States Marine Corps, and Petty Officer 2nd Class Randall Smith - United States Navy for their service to our Country.

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

- A. Mayor Soiseth presented a Proclamation to California State University, Stanislaus Softball Coach Jan Schefkowitz in recognition of her retirement from the University.
- B. Mayor Soiseth presented a Proclamation to California State University, Stanislaus Golf Coach John Cook in recognition of his service to the University.
- C. Mayor Soiseth presented a Proclamation to Mike Sweeney in recognition of the ACTRA California Chapter Team Roping Championships, to be held September 17-20, 2015, at the Stanislaus County Fairgrounds.

**3. A. SPECIAL BRIEFINGS: None**

**B. STAFF UPDATES**

1. Executive Assistant to the City Manager for Economic Development/Housing Program Services Maryn Pitt provided an update on the repayment of the General Fund loan for the property located at 1055 Vermont Avenue.
2. CSO Michelle Backeroff provided information about the upcoming National Night Out to be held Tuesday, August 4, 2015, from 6:00 p.m. to 9:00 p.m., and invited the Council and community members to attend.

3. Municipal Services Director Michael Cooke provided an update on water conservation efforts including statistics regarding warnings and notices issued, and enforcement and proactivity efforts. Mr. Cooke also provided information about an historical agreement recently reached between the Stanislaus Regional Water Authority (SRWA) and Turlock Irrigation District (TID) including background information, project overview, and project benefits.

Council and staff discussion included project construction and offset water.

Mayor Soiseth asked for public comment. No one spoke.

**C. PUBLIC PARTICIPATION**

Sarah Bigler spoke regarding Public Hearing Item 7B and against the assessment levied on the property located at 881 W. Main Street for reasons including she did not receive prior notification and the exorbitant amount of the assessment.

Milt Trieweiler spoke regarding water issues in the City of Turlock, provided personal water comparisons from previous years, commended Mayor Soiseth for signing the water agreement, and global warming.

4. **A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None

**B. DISCLOSURE OF EX PARTE COMMUNICATIONS**

1. Public Hearing Item 7A 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.

There were no disclosures of ex parte communications.

**5. CONSENT CALENDAR:**

**Action:** Motion by Councilmember Bublak, seconded by Councilmember Nascimento, 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. 2015-156** Accepting Demands of 6/25/15 in the amount of \$1,012,089.57; Demands of 7/2/15 in the amount of \$845,389.97; Demands of 7/9/15 in the amount of \$1,287,811.95
- B. Motion: Accepting Minutes of Special Meeting of July 7, 2015; Minutes of Regular Meeting of July 14, 2015

- C. Motion: Approving a Master Agreement between Fairbanks Ranch and the City of Turlock for the payment of Residential Impact Fees pursuant to Government Code §66007
- D. Motion: Approving a Master Agreement between RBK Development, Inc. and Belgravia Land & Development, Inc. and the City of Turlock for the payment of Residential Impact Fees pursuant to Government Code §66007
- E. 1. Motion: Making the determination that City Project No.13-44, "Wet Utility Improvements Around Fourth Street and A Street," is exempt from the provisions of CEQA in accordance with Section 15301  
2. Motion: Awarding bid and approving an agreement in the amount of \$325,448 (Fund 413) with Rolfe Construction, of Atwater, California, for City Project No.13-44, "Wet Utility Improvements Around Fourth Street and A Street"  
3. **Resolution No. 2015-157** Appropriating \$280,000 to account number 413-51-534.51161 "Alley Between A & B Street & Fourth & Fifth Street Tie into Storm," to complete the necessary budget appropriations for City Project No. 13-44, "Wet Utility Improvements Around Fourth Street and A Street" with Funds 410 "Water Quality Control and 420 "Water Enterprise" contributing monies to finance this project
- F. **Resolution No. 2015-158** Authorizing the Mayor, City Manager, or Director of Development Services/City Engineer to sign all documents, assurances, and statements in regard to any and all Federal Highway Administration (FHWA), Federal Transit Administration (FTA), or state-funded projects for Federal Fiscal Year 2015-16
- G. **Resolution No. 2015-159** Authorizing the federal funding under FTA Section 5339 with the California Department of Transportation
- H. **Resolution No. 2015-160** Approving a standard Pavement and Concrete Life Performance Warranty Agreement and authorizing the Mayor or City Manager to execute said agreements with any qualified entities as described in TMC 7-4-207
- I. Motion: Approving an agreement between the City of Turlock and the City of Ceres for the contract employment of a Water Distribution Operator Grade 4 from the City of Ceres
- J. 1. Motion: Approving a Storm Water Operations & Maintenance Plan and Certificate of Responsibility Agreement template for development projects that are required to install storm water treatment control measures  
2. **Resolution No. 2015-161** Authorizing the Mayor, City Manager, or his/her designee to sign submitted Storm Water Operations & Maintenance Plan and Certificate of Responsibility Agreements
- K. **Resolution No. 2015-162** Authorizing the acceptance of a Spay and Neuter Grant from the California Department of Agriculture, in the amount of \$7,500, to be deposited into revenue account 266-20-255-348.35069 "Animal Services - Spay & Neuter Grant"
- L. Motion: Approving an annual maintenance agreement with Mo-Cal Office Solutions for one (1) Kyocera multifunctional photocopier for a period of thirty-six (36) months, based on a cost per copy and annual base rate
- M. **Resolution No. 2015-163** Authorizing the acceptance of an allocation of funds, execution of a grant agreement and commitments necessary to administer the Selective Traffic Enforcement Program (STEP) Grant through the California Office of Traffic Safety (OTS), from October 1, 2015 to September 30, 2016, in an amount not to exceed \$69,000, and appropriating said funds into the revenue and expenditure accounts in Fund 266 "Police Grants" Program 352 "OTS Step Grant" for Fiscal Year 2015-16 and authorizing the City Manager to sign all documents required
- N. Motion: Approving an agreement between the City of Turlock and the Turlock Unified School District for Police Officer Services at Turlock High School

- O. Motion: Approving an agreement between the City of Turlock and the Turlock Unified School District for Police Officer Services at Pitman High School
- P. **Resolution No. 2015-164** Re-appropriating unspent funds of \$3,750 from Fiscal Year 2014-15, from account number 110-30-300.44030\_015 “Minor Equipment Fire Hose Replacement,” to Fiscal Year 2015-16 for the purchase of new fire hoses
- Q. Motion: Approving a Confidentiality and Non-Disclosure Agreement with Maze and Associates related to auditing PERS census data to comply with GASB 68 and authorizing the City Manager to sign
- R. Motion: Designating Councilmember Bill DeHart as the voting delegate and Councilmember Matthew Jacob as alternate voting delegate at the League of California Cities’ Annual Business meeting on Friday, October 2, 2015, in San Jose, California
- S. Motion: Authorizing the Mayor to write a letter of opposition to Assembly Bill 57 (Quirk) and supporting the amendments proposed by the League of California Cities

**6. FINAL READINGS:** None

*Mayor Soiseth handled Item 8E out of order and noted a green sheet to the item.*

**Scheduled Matters Item 8E**

- E. Parks, Recreation & Public Facilities Director Allison Van Guilder presented the staff report on the request to accept the Community Grant Ad Hoc Subcommittee’s recommended changes to the Community Event and Activities Grant eligibility criteria and application, and directing staff to apply the updated eligibility criteria and application to the 2015-16 Community Event and Activities Grant funding cycle.

Council discussion included appreciation to Councilmembers Nascimento and Jacob for serving on the Ad Hoc Subcommittee for Community Grants, a desire to support community events and encourage new activities, and recommendations made by the committee.

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

Additional Council and staff discussion included process and eligibility for the next grant cycle.

**Action:** Motion by Councilmember Nascimento, seconded by Councilmember Jacob, Accepting the Community Grant Ad Hoc Subcommittee’s recommended changes to the Community Event and Activities Grant eligibility criteria and application, and directing staff to apply the updated eligibility criteria and application to the 2015-16 Community Event and Activities Grant funding cycle. Motion carried 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. Parks, Recreation & Public Facilities Director Allison Van Guilder presented the staff report on the request for approval establishing a lien for payment for repair cost of certain maintenance of curbs, gutters, sidewalks, curb cuts, and driveway approaches that are out of repair.

Council and staff discussion included determination of assessment amount, an explanation of the assessment process, methods of notification, and liability and statutory requirements.

Mayor Soiseth opened the public hearing.

Sarah Bigler provided information regarding ownership of the property located at 881 W. Main Street and her belief this was not a bad hazard.

Scott Snyder spoke against the assessment to the property located at 881 W. Main Street for reasons including a breakdown in the communication/notification process related to this assessment.

Mayor Soiseth closed the public hearing.

Additional Council discussion included concerns over the communication process and the desire to seek resolution in the matter.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember Dehart to continue the request to assess properties for sidewalk repair costs and establishing a lien for payment to the August 11, 2015 City Council meeting to allow staff to look at both assessments and make recommendations to bolster future communication with property owners was introduced by Councilmember Bublak, 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

- B. Chief Building Official Eric Picciano presented the staff report on the request to add Turlock Municipal Code Title 8, Chapter 7 regarding expedited permitting procedures for small residential rooftop solar systems.

Council discussion included inspection requirements, safety concerns, and the possibility of allowing customers the choice of requesting two inspections.

Mayor Soiseth opened the public hearing.

Tracy Sunde spoke in favor of allowing the customer the choice of requesting two inspections.

Mayor Soiseth closed the public hearing.

**Action:** Motion by Councilmember Jacob, seconded by Councilmember Nascimento, introducing an Ordinance Adding Turlock Municipal Code Title 8, Chapter 7 regarding expedited permitting procedures for small residential rooftop solar systems and setting the final reading for August 11, 2015. Motion 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:**

A. Mayor Soiseth presented the staff report on the request to cancel the City Council meeting scheduled for Tuesday, August 25, 2015.

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

**Action:** **Resolution No. 2015-165** Cancelling the City Council meeting scheduled for Tuesday, August 25, 2015 was introduced by Councilmember Bublak, 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

B. Development Services Director Mike Pitcock presented the staff report on the request to adopt a Post-Construction Standards Plan for storm water discharges for new development and redevelopment.

Mayor Soiseth asked for public comment.

Milt Trieweiler spoke regarding applicability in relation to lot size.

Mayor Soiseth closed public comment.

**Action:** Motion by Councilmember Nascimento, seconded by Councilmember DeHart, Adopting a Post-Construction Standards Plan for storm water discharges for new development and redevelopment. Motion carried 5/0 by the following vote:

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

- C. Development Services Director Mike Pitcock presented the staff report on the request to direct staff to proceed with Option 2 and fund the design, inspection and construction of the Broadway City Hall Parking Lot utilizing Capital Facility Fees (General Government) and direct staff to prepare a Request for Proposal (RFP) for a downtown parking study and master plan utilizing Capital Facility Fees (General Government).

Council discussion included lot striping, the potential for a future multi-story parking structure, and this project elevating the commitment to downtown.

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

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Bublak, Directing staff to proceed with Option 2 and fund the design, inspection and construction of the Broadway City Hall Parking Lot utilizing Capital Facility Fees (General Government). Motion carried 5/0 by the following vote:

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

Motion by Councilmember DeHart, seconded by Councilmember Bublak, Directing staff to prepare a Request for Proposal (RFP) for a downtown parking study and master plan utilizing Capital Facility Fees (General Government). Motion carried 5/0 by the following vote:

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

- D. Municipal Services Director Michael Cooke presented the staff report on the request to authorize staff to proceed with the property owner notification requirements of Proposition 218 for the consideration of increasing solid waste user fees and establishing a public hearing date of October 13, 2015.

Council discussion included appreciation to Municipal Services Director Michael Cooke and City Manager Roy Wasden for their efforts in working with Stanislaus County to reduce costs and to Turlock Scavenger owner, Alan Marchant, for his patience throughout the process.

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

Additional Council discussion included ensuring the maximum possible dissemination and response options for citizens as the Proposition 218 process moves forward and to ensure citizens understand the ramifications of not responding.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, Authorizing staff to proceed with the property owner notification requirements of Proposition 218 for the consideration of increasing solid waste user fees and establishing a public hearing date of October 13, 2015. Motion carried 5/0 by the following vote:

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

E. *Scheduled Matters Item 8E, the request to accept the Community Grant Ad Hoc Subcommittee’s recommended changes to the Community Event and Activities Grant eligibility criteria and application, and directing staff to apply the updated eligibility criteria and application to the 2015-16 Community Event and Activities Grant funding cycle, was previously handled after the Final Readings portion of the meeting.*

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

Councilmember Jacob requested consideration for pursuing and establishing a source of funding for a large, attractive welcome sign for the City of Turlock, such as is commonly seen from a highway/freeway welcoming visitors to a city/town.

**10. COUNCIL COMMENTS:**

Mayor Soiseth thanked Councilmember DeHart for the words he offered during the Moment of Silence earlier in the meeting and for his guidance on the City Council.

**11. CLOSED SESSION:**

City Attorney Phaedra Norton introduced the Closed Session items.

A. *Conference with Real Property Negotiators, Cal. Gov’t Code §54956.8*  
*“Notwithstanding any other provisions of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease.”*  
 Property: 1030 East Avenue, Turlock, CA (APN No. 043-050-016-000)  
 Agency Negotiator: Roy W. Wasden  
 Negotiating Parties: Manuel Lima (Turlock Columbian Properties Incorporated)  
 Under Negotiation: Price and terms of payment

**Action:** No reportable action.

- B. Conference with Legal Counsel – Pending Litigation, Cal. Gov't Code §54956.9(d)(4)  
“For 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 reportable action.

**12. ADJOURNMENT:**

Motion by Councilmember Bublak, seconded by Councilmember Nascimento, to adjourn at 7:55 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Kellie E. Weaver  
City Clerk