

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  
  
*Mayor Soiseth introduced Make-A-Wish Recipient “Honorary Mayor Koran Rudd” who assisted Mayor Soiseth at the dais.*
- B. SALUTE TO THE FLAG**
2. **PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:**  
  
*Item 2B was handled out of order.*
  - B. Mayor Soiseth presented a Proclamation to the Pitman High School Band in recognition of being selected to perform at the National Invitational Band and Orchestra Festival on March 25, 2016 at Carnegie Hall. August Edwards spoke positively about the band and thanked the community for their support.
  - A. Mayor Soiseth provided a video presentation highlighting Make-A-Wish Recipient Koran Rudd’s “Honorary Mayor for the Day” activities and presented a Proclamation to Koran in recognition of the Make-A-Wish Foundation and Koran’s day. Mayor Soiseth recognized the donors and gracious volunteers who made the event possible, including mother Crystal Roberts, Make-A-Wish Foundation representatives Jennifer Stilo, Michele Flynn, Tricia Litts, Juliette Sanchez, and Andrew Rosenbaum, City of Turlock employees Bill Becker, Casey Cockrell, Matt Campos, Steven Morrison, Dan Louis, Maryn Pitt and Stacey Tonarelli, City of Turlock Vice Mayor Amy Bublak, and San Joaquin Valley Toy Train Operators, Inc. representatives Bill McLimans and Ed Cathcart. Make-A-Wish Sr. Director of Communications & Outreach Michele Flinn presented a plaque to Mayor Soiseth and City of Turlock in honor of their efforts. Additional comments in favor of the event were provided by the Bill McLimans of the San Joaquin Valley Toy Train Operator, Inc., City of Turlock employee Dan Louis, and City of Turlock Vice Mayor Bublak.
3. **A. SPECIAL BRIEFINGS:**
  1. **CALIFORNIA STATE UNIVERSITY STANISLAUS**  
CSUS Student Government Relations Coordinator Maggie White provided information including the recent retirement announcement by CSUS President Joseph Sheley and subsequent process for the search for his replacement, a majority vote by CSUS students to raise campus fees in order to build a new student union, and the state funding request that will be submitted to Governor Brown.

**B. STAFF UPDATES**

1. Policy Goals and Implementation Plan updates were provided by:

Development Services Director Mike Pitcock provided a current chart of the status of items contained in the Policy Goals and Implementation Plan. Mr. Pitcock specifically highlighted Item 6B –Traffic Calming Program adoption, Item 23 – GIS base map utilizing record documents, Item 28 – Prepare and adopt an update to the Housing Element of the General Plan, Items 30/31 – Prepare and update the Northwest Triangle Specific Plan (NWTSP), Item 38a – Update the Downtown Plan, Item 44 – Review and Update the Capital Facility Fee Program and Master Plan Fee Nexus Studies as needed, and Item 56 – Prepare a Downtown Parking Plan.

2. Development Services Director Mike Pitcock provided an update on Capital Projects and Building Activity including the Council Chamber Improvement project and Skatepark Improvement project.
3. Development Services Director Mike Pitcock provided a report on Traffic Calming including statistical information about the 9 requests that have been received for traffic calming and cost estimates for the implementation of various calming measures such as solar feedback signs as \$4,000, speed humps as \$11,000, and chicane as \$10,000.
4. Assistant to the City Manager for Economic Development/Housing Program Services Maryn Pitt provided an update on the Business Incentive Program including program statistics since inception, that 94 full-time jobs and 83 part-time jobs have been created through the program, and the positive benefits of the application process. Vice Mayor Bublak presented a check in the amount of \$1,000 to Richard Aziz of Carnivore Barbecue Sandwich Shop. Mr. Aziz noted he will be donating the \$1,000 to his church and Sunday School. Ms. Pitt also noted that the City of Turlock was awarded a Kudos Recognition for job creation from the Partnership for the San Joaquin Valley.
5. Regulatory Affairs Manager Garner Reynolds provided an update on Water Conservation and Education activities including education and outreach, enforcement activity, conservation target information, water conservation, statistics on the top 1% water users in 2015, and conservation pricing options.

Kimberlie Theis requested clarification that the statistics on the top 1% of water users were residential customers.

**C. PUBLIC PARTICIPATION:**

Friends of the Turlock Public Library representative Pat Portwood provided information and spoke regarding their new campaign to locate, fund and build a new public library in Turlock within the next 5 years, and their desire to form a team representing partnerships between local, city and county organizations, a specific request that a Councilmember and a Planning Commissioner join the team, and upcoming efforts to raise awareness and obtain commitments. Mayor Soiseth asked that an appointment to serve on the team be agendaized for the next meeting.

Turlock Library Branch Manager Diane Bartlett provided information on upcoming programs and activities at the Turlock Library including finding the Grinch, Star Wars day, Teen Advisory Board, representative from Covered California providing assistance with obtaining insurance, and daily activities during winter break including an activity with Mayor Soiseth and family game day.

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

**5. CONSENT CALENDAR:**

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Bublak, 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. 2015-239** Accepting Demands of 10/29/15 in the amount of \$191,061.40; Demands of 11/6/15 in the amount of \$936,127.25; Demands of 11/12/15 in the amount of \$2,278,317.86
- B. Motion: Accepting Minutes of Special Meeting of November 3, 2015; Minutes of Regular Meeting of November 10, 2015
- C.
  - 1. Motion: Making the determination that City Project No.14-24, "Storm Drain Repairs on Countryside Drive," is exempt from the provisions of CEQA in accordance with Section 15301(d)
  - 2. Motion: Awarding bid and approving an agreement in the amount of \$238,800 (Fund 413) with Breneman, Inc., of Walnut Creek, California, for City Project No. 14-24, "Storm Drain Repairs on Countryside Drive"
- D.
  - 1. Motion: Making the determination that City Project No. 15-39, "Clarifier No. 5," is exempt from the provisions of CEQA in accordance with Section 15306
  - 2. Motion: Approving a professional services agreement with Carollo Engineers, of Walnut Creek, California, for professional engineering design and bidding services, in an amount not to exceed \$377,701 (Fund 413) for City Project No. 15-39, "Clarifier No. 5"
- E.
  - 1. **Resolution No. 2015-240** Appropriating \$87,000 to account number 410-51-534.51180 "Crane Avenue Sewer Line Replacement" to be funded from unappropriated reserves in Fund 410 "Water Quality Control (WQC)" for City Project No. 15-56, "Crane Avenue Sewer Line Replacement," to complete the necessary funding required for this project
  - 2. Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$10,060.94 (Fund 410) for City Project No. 15-56, "Crane Avenue Sewer Line Replacement," bringing the contract total to \$59,625.17
  - 3. Motion: Accepting improvements for City Project No. 15-56, "Crane Avenue Sewer Line Replacement," and authorizing the City Engineer to file a Notice of Completion
- F. **Resolution No. 2015-241** Adopting the 2016 City of Turlock Standard Specifications and Drawings in accordance with Turlock Municipal Code Section 7-2-201, "Construction Standards"

- G. 1. **Resolution No. 2015-242** Appropriating \$125,000 to account number 305-40-442.51306 “Carnegie Storm Drain” from unappropriated reserves in Fund 305, Division 442 “CFF – Admin Projects” for City Project No. 15-53, “Carnegie Storm Drain”  
2. **Resolution No. 2015-243** Appropriating \$340,000 to account number 305-40-442.51307 “129 S. Broadway Parking Lot” from unappropriated reserves in Fund 305, Division 442 “CFF – Admin Projects” for City Project No. 15-57, “129 S. Broadway Parking Lot”
- H. **Resolution No. 2015-244** Approving an amendment to the Fiscal Year 2015-16 Budget to appropriate \$13,195 to account number 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. Motion: Approving the proposed cost sharing proposal for the preparation of the update to the Northwest Triangle Specific Plan and directing staff to begin the master plan update process
- J. 1. Motion: Approving an agreement in the amount of \$69,410 (Fund 305) with TJKM Transportation Consultants for the development of a Downtown Parking Plan  
2. **Resolution No. 2015-245** Appropriating \$76,351 to account number 305-40-442.43055\_006 “Consultant-Downtown Parking Plan” to be funded from unappropriated reserves in Fund 305, Division 442 “CFF - Admin Projects”
- K. Motion: Approving the purchase of two (2) 2016 ¾ Ton Standard Cab 2WD Pickup Trucks with Utility Body and Whelen Light Bar Liberty Series for Municipal Services Department from Towne Ford Sales of Redwood City, California, in an amount not to exceed \$65,293
- L. **Resolution No. 2015-246** Approving an Industrial Hauler Business License for Modesto Garbage Co., Inc., in accordance with Section 6-3-209 of the Turlock Municipal Code
- M. Motion: Approving a renewed agreement between State of California’s Franchise Tax Board Interagency Intercept Collections (IIC) program and the City of Turlock Finance Department, and authorizing the Mayor, City Manager, or his/her designee, to sign the agreement and all future renewal agreements
- N. **Resolution No. 2015-247** Appropriating \$42,399 to account number 410-51-534.51184 “Municipal Services Office Remodel;” \$21,199 to account number 420-52-551.48001\_245 “Transfers Out-Municipal Services Office Remodel,” and \$21,199 to account number 410-51-534.38001\_245 “Transfers In-Municipal Services Office Remodel” from Fund 410 “Water Quality Control-Capital Repair/Replacement” and Fund 420 “Water Enterprise-Capital Repair/Replacement” reserve balances for the purchase and installation of office panel systems
- O. **Resolution No. 2015-248** Authorizing the sole source procurement of two (2) configured HP Itanium rx2800 computer servers from HSQ Technology of Hayward, California, in the amount of \$39,300, without compliance to the formal bid procedure having found that the criteria listed in Turlock Municipal Code Title 2, Chapter 7, Section 08(b)(2) have been satisfied
- P. Motion: Accepting the annual report on the adequacy of the City’s sewer and water rates pursuant to the City Council’s Policy Goals and Implementation Plan 2015-2019
- Q. **Resolution No. 2015-249** Approving modifications to the job description for the position of Electrical Mechanical Maintenance Supervisor, effective December 8, 2015
- R. 1. Motion: Approving the purchase of one (1) New Holland 2 WD ROPS Tractor, Model #Workmaster 70, through the National Joint Powers Alliance (NJPA), Contract #031711-CIH, from Garton Tractor, Inc., for the Parks, Recreation & Public Facilities Department, in an amount not to exceed \$25,459

2. **Resolution No. 2015-250** Appropriating \$1,459 to account number 506-00-000-231.51020 "Equipment Replacement" from Fund 506 "Vehicle/Equipment Replacement- Streets" reserve balance for the purchase of the New Holland 2 WD ROPS Tractor
- S. **Resolution No. 2015-251** Accepting donations received from October through December Fiscal Year 2015-16 to be deposited for a variety of Parks, Recreation & Public Facilities Department programs, scholarships, and activities
- T. **Resolution No. 2015-252** Approving the purchase of rubber bark, made from tire-derived products, from International Mulch Company, Bridgeton, Missouri, in an amount not to exceed \$150,000
- U. Motion: Approving the renewal of the Memorandum of Understanding between the City of Turlock and the Turlock Unified School District to offer youth basketball programs within the community
- V. **Resolution No. 2015-253** Appropriating \$3,000 to account number 110-61-622-004.43161 "Facility Rent" funded by \$3,290 in account number 110-61-622.35720 "Dance Etc. Program" additional revenue to cover facility rental costs associated with hosting youth dance classes at the Carnegie Arts Center
- W. **Resolution No. 2015-254** Appropriating \$3,000 to account number 120-10-120.44001\_000 "General Supplies" from Fund 120 "Tourism" reserve balance for costs associated with coordinating community events
- X. Motion: Approving the agreement with Express Press, Inc., of Springfield, Missouri, for tee shirts for recreation programs, for a period of twelve (12) months in an amount not to exceed \$25,000
- Y. Motion: Affirming the City Manager's action of having executed the California Cad Solutions, Inc., Retainer Agreement for a twelve (12) month period, to provide continued regular updates of GIS data for the City of Turlock, at an hourly rate of \$150 or in an amount not to exceed \$18,000 in a twelve (12) month period, and allowing an agreement renewal option for a total of thirty-six (36) months
- Z. Motion Authorizing the Chief of Police to sign the revised Memorandum of Agreement with the County of Calaveras for law enforcement services during the Butte Fire in September 2015
- AA. Motion: Approving a Memorandum of Understanding between the law enforcement agencies of Stanislaus County to develop a multi-jurisdictional traffic enforcement team that can address traffic concerns on a larger than normal scale by utilizing traffic units throughout the county to work together in an attempt to reduce traffic collision related accidents
- AB. **Resolution No. 2015-255** Re-appropriating \$8,050 in unspent funds from Fiscal Year 2014/15 to Fiscal Year 2015/16 to account number 240-00-000-213.51153 "Police Services – Weapons" for the purchase of seven (7) Colt AR-15 rifles for the Turlock Police Department
- AC. 1. Motion: Approving Amendment No. 1 to the agreement with Kemper CPA Group, LLP to perform a compliance audit of the Convention and Visitors Bureau "Tourism Fund" for the period of January 1, 2009 through May 3, 2015  
2. **Resolution No. 2015-256** Appropriating \$1,895 to 512-10-152.43016 "CVB Audit" from Fund 512 "Casualty Insurance" reserve balance for additional scope work in the compliance audit of the Turlock Convention and Visitors Bureau "Tourism Fund" for the period January 1, 2009 through May 3, 2015
- AD. Motion: Approving the amended Joint Powers Authority (JPA) Agreement for the Stanislaus Regional Water Authority (SRWA)

- AE. 1. **Resolution No. 2015-257** Authorizing the reinstatement of retired Purchasing Coordinator effective January 1, 2016 to step 5 of current approved Purchasing Coordinator salary range, reinstate vacation and sick leave accruals to same level as at time of retirement, provide 40 hours of vacation and 40 hours of sick leave at reinstatement date
2. **Resolution No. 2015-258** Approving modifications to the Purchasing Coordinator job description allowing up to three (3) years of local government employment to qualify towards the 5-year required experience, effective December 8, 2015
3. **Resolution No. 2015-259** Authorizing the creation of one (1) new job classification of Purchasing Coordinator Trainee, TCEA salary range 23.6, and hiring of one (1) Purchasing Coordinator Trainee position through an in-house recruitment of full-time, part-time, and volunteer/intern staff and appropriating partial funding to salaries and benefits totaling \$12,831 to 110-10-106 "Administrative Services-Finance" from Fund 110 "General Fund" reserve balance
- AF. **Resolution No. 2015-260** Authorizing the creation of one (1) new job classification of Executive Administrative Assistant/Deputy City Clerk and the reclassification of one (1) Secretary/Deputy City Clerk in Administration to the newly created job classification, effective January 1, 2016
- AG **Resolution No. 2015-261** Approving modifications to the job description for the position of City Manager, effective December 8, 2015
- AH. Motion: Rejecting Claim for Damages filed by Gevargiz Shansoff
- AI. Motion: Rejecting Claim for Damages filed by MCI Engineering, Inc.

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS**

- A. Deputy Director of Development Services/Planning Manager Debbie Whitmore presented the staff report on the request to determine the proposed amendments to Title 5 and Title 3 of the Turlock Municipal Code are exempt from the California Environmental Quality Act Pursuant to CEQA Guidelines Section 15061(b)(3)(General Rule) and/or Section 15305 (Minor Alterations in Land Use Limitations); reaffirm/confirm the City Zoning Code is adopted and operates under the principles of permissive zoning; amend Turlock Municipal Code Title 5, Chapter 21 to prohibit all commercial cannabis activities, prohibit cannabis deliveries within the City, prohibit all activities for which a license is required under the Medical Marijuana Regulation and Safety Act, and prohibit cultivation of cannabis for non-commercial purposes in the City of Turlock; and amend Turlock Municipal Code Title 3, Chapter 1 regarding business licenses providing that the City shall not approve licenses or uses for a medical marijuana collective, cooperative, dispensary or any other commercial cannabis (marijuana) activity including distribution, cultivation, manufacturing, transportation, delivery, testing, or processing of medical marijuana, and the City shall not approve licenses or uses for any activity that requires a license or any other authorization or approval under the Medical Marijuana Regulation and Safety Act.

Mayor Soiseth opened the public hearing.

“Jesse”, Lindsey Sexton, Amandah Housewright, David Hillenga, Aaron Jenkins, Jo Jenkins, Lakisha Jenkins, Mike Theis, Naomi on behalf of her wife Allison Crawford, Kimberlie Theis, “Rex”, Jared Worth, Crystal Roberts, and two anonymous people spoke against the ban for reasons including the benefits it provides to those suffering from cancer and other painful and debilitating ailments, the risks of using pharmaceutical drugs, that they are not using it to get high, the high cost of purchasing vs. growing it themselves, that it would jeopardize their ability to receive a safe product, the benefits of clinical distribution, the right for people to make their own health decisions, the transportation of cannabis not being safe in certain areas.

“Jesse” requested a workshop be held to discuss a solution to an outright ban on medical marijuana.

Michelle Morse, a social worker, spoke in favor of the ban for reasons including that many of her calls are drug related, many yards in this community have 100 plants, and the negative impact marijuana use has on families.

Patty Griffin noted her agreement for use through a bona fide doctor providing a prescription, but her opposition due to the negative consequences she has encountered by people who claim to be medical marijuana users.

Kevin Mendes inquired as to the need for added enforcement and associated costs. Chief Jackson responded.

Mayor Soiseth closed the public hearing.

Council discussion included the importance of preserving Turlock’s best interest by maintaining local control, the possibility of holding a workshop at some time in the future, and the potential for future amendments to the Ordinance.

**Action:**            **Resolution No. 2015-262** Determining that the Proposed Amendments to Title 5 and Title 3 of the Turlock Municipal Code are Exempt from the California Environmental Quality Act Pursuant to CEQA Guidelines Section 15061(b)(3)(General Rule) and/or Section 15305 (Minor Alterations in Land Use Limitations) was introduced by Councilmember Jacob, 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. 2015-263** Reaffirming and confirming the City Zoning Code is adopted and operates under the principles of permissive zoning was introduced by Councilmember Jacob, 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

Motion by Councilmember Jacob, seconded by Councilmember DeHart, introducing an Ordinance Amending Turlock Municipal Code Title 5, Chapter 21 prohibiting all Commercial Cannabis Activities, prohibiting Cannabis Deliveries within the City, prohibiting all Activities for which a License is required under the Medical Marijuana Regulation and Safety Act, and prohibiting Cultivation of Cannabis for Non-Commercial Purposes in the City of Turlock and setting the final reading for January 12, 2016. 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 Jacob, seconded by Councilmember DeHart, introducing an Ordinance Amending Turlock Municipal Code Title 3, Chapter 1 regarding Business Licenses providing that the City shall not approve licenses or uses for a medical marijuana collective, cooperative, dispensary or any other commercial cannabis (marijuana) activity including distribution, cultivation, manufacturing, transportation, delivery, testing, or processing of medical marijuana, and the City shall not approve licenses or uses for any activity that requires a license or any other authorization or approval under the Medical Marijuana Regulation and Safety Act and setting the final reading for January 12, 2016. Motion carried 5/0 by the following vote:

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

*Note: Upon introduction of the first Ordinance, "Amending Turlock Municipal Code Title 5, Chapter 21 prohibiting all Commercial Cannabis Activities, prohibiting Cannabis Deliveries within the City, prohibiting all Activities for which a License is required under the Medical Marijuana Regulation and Safety Act, and prohibiting Cultivation of Cannabis for Non-Commercial Purposes in the City of Turlock" by Councilmember Jacob, Councilmember Nascimento requested a friendly amendment that would allow staff to work with members of the public to discuss allowance for personal use. Councilmember DeHart, Mayor Soiseth, and Councilmember Jacob indicated their agreement with holding a meeting for that purpose after the passage of the Ordinance as presented. Councilmember Nascimento withdrew his friendly amendment based upon their support for the meeting.*

*Make-A-Wish Recipient "Honorary Mayor Koran Rudd" stepped down from the dais.*

*Mayor Soiseth adjourned the meeting to take a short break at 8:20 p.m.*

*Mayor Soiseth readjourned the meeting at 8:29 p.m.*

- B. Councilmember DeHart and Parks, Recreation & Public Facilities Director Allison Van Guilder presented the staff report on the request to amend Turlock Municipal Code Title 7, Chapter 2 regarding maintenance of curbs, gutters, sidewalks, curb cuts, and driveway approaches and amend Turlock Municipal Code Title 7, Chapter 7 regarding maintenance of street trees.

Council and staff discussion included process, Ordinances and regulations already in place, safety concerns, ADA compliance, public education efforts, efforts by staff to work with property owners to make necessary repairs, and appreciation for all who were involved in the process.

Additional Council discussion included the Local Option Real Estate Transfer Disclosure Statement and requirements set forth in the proposed Ordinances.

Realtor Larry Rumbleck provided information about the disclosure statement including that the statement is not recorded, that documents are hurriedly completed, and that he did not want to take responsibility for the education component of the disclosure.

Mayor Soiseth opened the public hearing.

Realtor Scott Snyder spoke favorably about the process of working with Council regarding the issue and noted he is excited to see sidewalks improve.

Mayor Soiseth closed the public hearing.

**Action:** Motion by Councilmember Dehart, seconded by Councilmember Bublak, introducing an Ordinance Amending Turlock Municipal Code Title 7, Chapter 2 regarding maintenance of curbs, gutters, sidewalks, curb cuts, and driveway approaches and setting the final reading for January 12, 2016. 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, introducing an Ordinance Amending Turlock Municipal Code Title 7, Chapter 7 regarding maintenance of street trees and setting the final reading for January 12, 2016. 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. Parks, Recreation & Public Facilities Manager Allison Van Guilder presented the staff report on the request to provide direction on how to respond to duplicate requests to host a Farmers Market in downtown Turlock.

Council and staff discussion included confirmation there is no formal agreement with the operators of the current farmers market and past practice regarding street closure requests.

Mayor Soiseth asked for public comment.

Elizabeth Claes, Chair of Turlock Certified Farmers Market Board, spoke in favor of the existing farmers market, for reasons that the board has worked diligently over the last 6 years to build and conduct a vibrant market for the valuable citizens of Turlock.

Kevin Wang spoke in favor of the existing farmers market for reasons including the current market is vibrant and well attended, is one of the best things happening in Turlock, and concerns over an anti-business climate should the current market not be allowed to continue.

Amy Colnic spoke on behalf of her husband and in favor of the existing farmers market for reasons including it is a catalyst for positive changes, the farmers market has created a more livable community in Turlock, and urged the Council to make their decision based on merit to serve entire community.

Jessica Irish spoke in favor of current farmers market for reasons including it is not only a place to buy fruits and vegetables, but a way to meet others and engage in community, and the diverse background and experience of the board members. She also spoke regarding the educational component such as training interns to help with social media and providing an educational experience for visitors.

Steve Elliot who had submitted a speaker card yielded to next speaker due to late hour.

Ken Packwood of Packwood Farms spoke in favor of the current market for reasons including concerns over vendors leaving if there is a change in vendors, operating at two ends of the street, and the ability to supply local crops year round. In addition, Mr. Packwood asked Council to consider that first come, first served should apply to the market that has already established itself and that Councilmembers not have any conversation with anyone who is involved.

Brett Carol spoke on behalf of Philip Garone and Theresa Bergman in favor of the existing farmers market for reasons including the fantastic change that has taken place in Turlock since 2009 when the market was reestablished in Turlock as a result of the events, activities, and community that has been established.

Brandon Follett, initial manager for the Turlock Certified Farmers Market and current treasurer, spoke regarding the importance of establishing a process for handling duplicate requests for a street closure of the same location and day of the week, including defining "first come, first served," adopting a proposal process based on longevity and merit, establishing a RFP process that would ensure that in the event of a conflict City staff could evaluate the requests against a set of pre-established criteria consisting of longevity and merit, including the amount of years the group and/or event has operated within the City, the length of time the group has held the particular street closure in question, the capability of the parties involved and the potential community impact such as certifications, established financial growth and solvency, business development and growth, vendor relations, community outreach and relations, education, and overall community impact. Additionally, Mr. Follett spoke in favor of the existing market for reasons including their 7 years of experience and 6 seasons of running a successful and growing farmers market in Turlock.

Vendor and Turlock Certified Farmers Market Board Member George Kapor spoke in favor of the existing farmers market for reasons including their diverse and dedicated board and that the market has become a destination for other communities.

Mike Warda spoke regarding Mr. Follett's previous comments including the important factors of policy development, meeting with all involved parties, and standards.

Jeani Ferrari, Turlock Certified Farmers Market Charter Board Member, spoke in favor of the existing farmers market for reasons including it being a place where community gathers, their efforts over the years to develop a successful Saturday market, savvy board, use of student interns, non-profit status, numerous local partnerships that have been established throughout the community, activities and educational events held at the market, vendor standards, and their commitment to provide local and seasonal produce.

Jars of Delicious vendor Cheree Hill, spoke in favor of the existing market for reasons including the quality of the current market and the importance of having a process that will draw and keep vendors.

Soraya Fregosi, Turlock citizen and City of Turlock Planning Commissioner spoke in favor of the existing farmers market for reasons including the benefits it provides to the Turlock community such as revitalization of the downtown area, an upswing in families activities, and the efforts that have been put into building a successful market.

Mayor Soiseth closed public comment.

Councilmember Bublak moved to direct staff to develop a Farmers Market Request for Proposal process. Councilmember Bublak encouraged all who are interested to submit an RFP.

Council discussion included development of a request for proposal (RFP) process, why another application would even be considered based upon the work that has already been put into establishing the current market, the importance of fairness, the benefits of competition and concerns over creating a monopoly,

Councilmember Jacob seconded the motion for development of the RFP process.

Additional discussion included future event development concerns over an established group being asked to compete to retain their event, level of City involvement with the market, benefits of the competitive proves, and the need for an established criteria with the ability to weigh in about the merits of events.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember Jacob, Directing staff to develop a Farmers Market Request for Proposal (RFP) process.. Motion carried 4/1 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	No	Yes	Yes	Yes

- B. Mayor Soiseth noted Councilmember DeHart’s request to remove this item, “Rescinding Resolution No. 88-130 and adopting a new Resolution revising Neighborhood Street Tree Themes and Options,” from the agenda and refer it back to the Tree Maintenance/Sidewalk Repair Programs Ad Hoc Committee.
- C. Assistant to the City Manager for Economic Development/Housing Program Services Maryn Pitt presented the staff report on the request to approve an agreement between the City of Turlock and Turlock Gospel Mission for a Pilot Supportive Services/Case Management program funded with Community Development Block Grant funds (CDBG) in the amount of \$36,000 under the public services program and appropriate the necessary funding.

Councilmember Bublak thanked the City Attorney for her work on this project.

City Attorney Norton noted a request from Turlock Gospel Mission Representative Chris Kiriakou to modify the errors and omission portion of the agreement regarding insurance requirements and a request that the audit required in the agreement be conducted on a calendar year basis rather than a fiscal year basis.

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

**Action:** Motion by Councilmember Nascimento, seconded by Councilmember DeHart, Approving an agreement between the City of Turlock and Turlock Gospel Mission for a Pilot Supportive Services/Case Management program funded with Community Development Block Grant funds (CDBG) in the amount of \$36,000 under the public services program. 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. 2015-264** Appropriating \$36,000 to account number 255-41-485.47215\_014 “Public Services Turlock Gospel Mission” from Fund 255 “CDBG” reserve balance to fund the Pilot Supportive Services/Case Management program with Turlock Gospel Mission 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

- D. Development Services Director Mike Pitcock presented the staff report on the request to accept notification from the San Joaquin Valley Air Pollution Control District of an award of \$100,000 in grant funding under the Public Benefit Grant Program towards the purchase of five (5) Ford F-250 CNG pickup trucks powered by alternative fuel and approve the purchase and delivery of said trucks from Downtown Ford Sales of Sacramento, California, without compliance to the formal bid procedure in accordance with Section 2-7-08(b)(5) of the Turlock Municipal Code, in the amount of \$191,326.

*Councilmember Nascimento stepped down from the dais.*

Mayor Soiseth asked for public comment.

Milt Trieweiler noted his concern that these vehicles do produce greenhouse gas emissions.

Council and staff discussion included that there are no zero emission F-250's available and that Ford CNG pickups are not available in the F150 model.

Mayor Soiseth closed public comment.

**Action:** Motion by Councilmember Jacob, seconded by Councilmember DeHart, Accepting notification from the San Joaquin Valley Air Pollution Control District of an award of \$100,000 in grant funding under the Public Benefit Grant Program towards the purchase of five (5) Ford F-250 pickup trucks powered by alternative fuel. Motion carried 4/1, with Councilmember Nascimento absent, by the following vote:

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

**Resolution No. 2015-265** Approving the purchase and delivery of five (5) 2016 Ford F-250 CNG pickup trucks from Downtown Ford Sales of Sacramento, California, without compliance to the formal bid procedure in accordance with Section 2-7-08(b)(5) of the Turlock Municipal Code, in an amount not to exceed \$191,326 under State of California Contract No. 1-14-23-20A as part of City Project No. 14-66, “Purchase of five (5) CNG Pickup Trucks,” and making appropriations as further specified was introduced by Councilmember Jacob, seconded by Councilmember DeHart, and carried 4/1, with Councilmember Nascimento absent, by the following vote:

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

- E. Development Services Director Mike Pitcock presented the staff report on the request to approve the transfer of ownership of two (2) Orion VII CNG buses from the Merced County Transit Joint Powers Authority for transit revenue subject to concurrence of the Merced County Transit Joint Powers Authority and the approval of the Federal Transit Administration; and request to authorize the Mayor, City Manager, or his designee, to submit a request to the Federal Transit Administration (FTA) for a grantee-to-grantee transfer of ownership as specified in the associated resolution and as part of City Project No. 15-24, “Merced CNG Bus Transfer.”

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

*Councilmember Nascimento returned to the dais.*

**Action:** **Resolution No. 2015-266** Approving the transfer of ownership of two (2) Orion VII CNG buses from the Merced County Transit Joint Powers Authority for transit revenue service in the City of Turlock, subject to concurrence of the Merced County Transit Joint Powers Authority and the approval of the Federal Transit Administration was introduced by Councilmember DeHart, seconded by Councilmember Jacob, and 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 Jacob, Authorizing the Mayor, City Manager, or his designee, to submit a request to the Federal Transit Administration (FTA) for a grantee-to-grantee transfer of ownership as specified in the associated resolution and as part of City Project No. 15-24, “Merced CNG Bus Transfer.” Motion carried 5/0 by the following vote:

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

- F. Development Services Director Mike Pitcock presented the staff report on the request to approve the use of bus shelters for advertising purposes and direct ad revenue to be applied toward meeting the federally mandated farebox recovery ratio, authorize City staff to begin work on City Project No. 15-76, “Transit Shelter Upgrades, Various Locations” and develop the Plans, Specifications and Estimate (PS&E) for the acquisition and installation of up to twelve (12) bus shelters with integrated advertising panels for a newly adopted ad program.

Council and staff discussion included design guidelines being included in the current agreement.

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

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, Approving the use of bus shelters for advertising purposes and directing ad revenue to be applied toward meeting the federally mandated farebox recovery ratio. 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 Bublak, seconded by Councilmember DeHart, Authorizing City staff to begin work on City Project No. 15-76, "Transit Shelter Upgrades, Various Locations," and develop the Plans, Specifications and Estimate (PS&E) for the acquisition and installation of up to twelve (12) bus shelters with integrated advertising panels for a newly adopted ad program. Motion carried 5/0 by the following vote:

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

- G. Development Services Director Mike Pitcock presented the staff report on the request to approve the acquisition and installation of twelve (12) Fast Fare electronic fareboxes and associated equipment on City transit buses and allow for any future purchases from SPX Genfare of Elk Grove Village, Illinois, in an amount not to exceed \$316,616, as part of City Project No. 15-81 "Electronic Transit Farebox Upgrades," without compliance to the formal bid procedure in accordance with Section 2-7-08(b)(6) of the Turlock Municipal Code.

Council and staff discussion included funding source for the acquisition.

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

**Action:** **Resolution No. 2015-267** Approving the acquisition and installation of twelve (12) Fast Fare electronic fareboxes and associated equipment on City transit buses and allowing for any future purchases from SPX Genfare of Elk Grove Village, Illinois, in an amount not to exceed \$316,616, as part of City Project No. 15-81 "Electronic Transit Farebox Upgrades," without compliance to the formal bid procedure in accordance with Section 2-7-08(b)(6) of the Turlock Municipal Code was introduced by Councilmember Jacob, seconded by Councilmember Bublak, and carried 5/0 by the following vote:

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

- H. Administrative Services Director Kellie Jacobs-Hunter presented the staff report on the request to 1) authorize three (3) full-time firefighter positions to Department 30-300 “Fire-Operations” OR 2) request to authorize dedicated supplemental overtime, for three (3) firefighter positions, for a six (6) month time-period beginning January 1, 2016 through June 30, 2016 and for Fiscal Year 2016-17.  
 Mayor Soiseth asked for public comment. No one spoke. Mayor Soiseth closed public comment.

**Action:**           **Resolution No. 2015-268** Authorizing three (3) full-time firefighter positions to Department 30-300 “Fire-Operations” was introduced by Councilmember Jacob, seconded by Councilmember Bublak, and carried 5/0 by the following vote:

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

- I. Administrative Services Director Kellie Jacobs-Hunter presented the staff report on the request to accept and consent to the City Manager’s appointment of Robert A. Talloni to the position of Fire Chief of the Turlock City Fire Department effective December 14, 2015 and approving the agreed upon conditions of employment as detailed in Exhibit A.

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

**Action:**           **Resolution No. 2015-269** Accepting and consenting to the City Manager’s appointment of Robert A. Talloni to the position of Fire Chief of the Turlock City Fire Department effective December 14, 2015 and approving the agreed upon conditions of employment as detailed in Exhibit A was introduced by Councilmember DeHart, seconded by Councilmember Nascimento, and carried 5/0 by the following vote:

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

**Non-Agenda Item 8J:**

- J. Interim City Manager Michael Cooke presented the staff report on the request to appropriate \$200,000 to 110-10-112.51185 “Public Safety Facility Emergency Repair” funded by an appropriation of \$200,000 to 111-10-114.48001\_249 “Transfers Out-Public Safety Facility Emergency Repair” from Fund 111 “General Fund Restricted Reserve” reserve balance for emergency water damage repairs at the Public Safety Facility and declare that an emergency situation exists at the Public Safety Facility due to significant water damage caused by a broken water pipe on December 8, 2015 and acknowledging the reasons justifying why this situation is an emergency and will not permit a delay resulting from a competitive solicitation for bids, pursuant to Resolution 2010-028 (requires 4/5ths vote).

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

**Action:**      **Resolution No. 2015-270** Appropriating \$200,000 to 110-10-112.51185 “Public Safety Facility Emergency Repair” funded by an appropriation of \$200,000 to 111-10-114.48001\_249 “Transfers Out-Public Safety Facility Emergency Repair” from Fund 111 “General Fund Restricted Reserve” reserve balance for emergency water damage repairs at the Public Safety Facility 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

Motion by Councilmember Nascimento, seconded by Councilmember DeHart, Authorizing the Mayor or Interim City Manager to execute any necessary agreements or any other documents related to the emergency. 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 Nascimento, seconded by Councilmember DeHart, Affirming that the reasons set forth herein are sufficient to justify that the emergency will not permit a delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency. Motion carried 5/0 by the following vote:

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

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

**10. COUNCIL COMMENTS:**

Mayor Soiseth commented about the great Christmas Parade held on December 4, 2015 and the phenomenal efforts of Parks, Recreation & Public Facilities Director Allison Van Guilder’s team.

Mayor Soiseth noted his desire for collaboration on all events when multiple parties want to do an event at same time and requested that Parks, Recreation & Public Facilities Director Allison Van Guilder extend an invitation to all involved in the farmers market issue to have the City serve as mediator to try and combine both requests to make it one great event.

Mayor Soiseth also noted tonight’s meeting as being the first meeting with Interim City Manager Michael Cooke.

11. **CLOSED SESSION:** None

12. **ADJOURNMENT:**

Motion by Councilmember Bublak, seconded by Councilmember DeHart, to adjourn at 10:23 p.m.  
Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Kellie E. Weaver  
City Clerk