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1. **A. CALL TO ORDER** – Mayor Soiseth called the meeting to order at 6:10 p.m.
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Matthew Jacob, Steven Nascimento,
and Mayor Gary Soiseth.
ABSENT: None

 - B. SALUTE TO THE FLAG**

 2. **PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:** None

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

 - B. STAFF UPDATES**
 1. Policy Goals and Implementation Plan: No updates were provided.

 2. Development Services Director Mike Pitcock provided an update on Capital Projects and Building Activity including the Broadway parking lot reconstruction, Palm Street and Mitchell Avenue water line replacement, Countryside Drive storm drain improvements, burn building, Montana Park, annual slurry seals, and statistics on the number of permits issued.

 3. Parks, Recreation and Public Facilities Director Allison Van Guilder provided an update on the Golden State Farmers' Market Association downtown market including market evaluation, vendor mix, marketing and branding, special events, pending market goals, market challenges, and proposed changes. Director Van Guilder also spoke about relocation of the downtown market to Central Park and the associated contract amendment that will be presented to Council on September 13, 2016 and options for identifying alternative locations for special events that facilitate street closures.

Council discussion included inquiries regarding an end date for the market season and methods for evaluating future markets, acknowledgement of vendors and business owners for their support and patience while staff worked through this process, and direction to staff to incorporate language into the special event permit application that addresses future requests for closures on Main Street.

 4. Police Captain Steve Williams provided an update on Stanislaus County Fairgrounds Entertainment Events including details from a recent event held on July 23, 2016, clarification that the Fairgrounds is located within City limits, noise disturbances and activities subject to the Turlock Municipal Code and California Penal Code, process for coordination and collaboration with the Fairgrounds, and future response and/or enforcement action.

Council discussion included concerns from constituents regarding vulgarity at the recent event, acknowledgment of the Police Department and Fairground's post event collaboration efforts, and the importance of having a process in place to regulate and mitigate future situations.

C. PUBLIC PARTICIPATION:

May Rico, Executive Director of Haven Women's Center thanked the Council for their existing partnership, spoke about opportunities moving forward, and noted she would be back in September 2016 to present more specific information about services and programs offered.

Turlock Librarian Dianne Bartlett spoke about the summer reading challenge, provided information about upcoming programs and activities including Mystery Lovers Book Club, teen creative writing group, painting pavers, story time, sensory play, and fall prevention for adults. Ms. Bartlett also thanked the Friends of the Turlock Public Library for their help and support and noted the Turlock Public Library is a Pokémon stop.

Michael Puffer commended the library and public buildings alike for participating in Pokémon-Go activities.

Mayor Soiseth acknowledged Friends of the Turlock Public Library in the audience.

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

B. DISCLOSURE OF TOP TEN/MAXIMUM CONTRIBUTORS

C. 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 unanimously.

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

5. CONSENT CALENDAR:

Action: Motion by Councilmember Jacob, 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. 2016-176** Accepting Demands of 7/7/16 in the amount of \$450,028.40; Demands of 7/14/16 in the amount of \$1,580,778.95; Demands of 7/21/16 in the amount of \$2,127,441.61
- B. *Motion:* Accepting Minutes of Regular Meeting of July 26, 2016
- C. 1. *Motion:* Approving Contract Change Order No. 1 (Final), in the amount of \$42,373.31 (Fund 255), for City Project No. 15-75, "Southwest Quadrant CDBG Frontage Improvements," bringing the contract total to \$302,913.01

2. **Resolution No. 2016-177** Appropriating \$26,000 to account number 217-50-511.51270 "Construction Project" for Fiscal Year 2015-16 to be funded from unappropriated Gas Tax Section 2103 Reserves for City Project No. 15-75, "Southwest Quadrant CDBG Frontage Improvements," to complete the necessary funding required for this project
3. *Motion:* Accepting improvements for City Project No. 15-75, "Southwest Quadrant CDBG Frontage Improvements," and authorizing the City Engineer to file a Notice of Completion
- D. *Motion:* Authorizing issuance of Request for Proposal (RFP) 16-359 for sidewalk trip hazard removal for Parks, Recreation and Public Facilities Department
- E. *Motion:* Awarding RFP 16-347 and Contract No. 16-075 to West Coast Arborists, Inc. (WCA) of Stockton, for tree trimming and maintenance services for Parks, Recreation and Public Facilities, in an annual amount not to exceed \$25,000 and \$75,000 for a period of thirty-six (36) months, having met all the specifications of RFP 16-347 and being the only responsive and responsible bidder pursuant to Turlock Municipal Code Section 2-7-09(c)(5)
- F. *Motion:* Approving an Agreement between the City of Turlock and Kidz Love Soccer, Inc. to offer youth soccer classes within the community, from August 9, 2016 to August 9, 2017, in an amount not to exceed \$25,000
- G. 1. *Motion:* Approving Amendment No. 1 to the Agreement between the City of Turlock and Kidz Love Soccer, Inc. to increase compensation from \$19,000 to \$22,000
2. **Resolution No. 2016-178** Appropriating \$3,000 to 110-61-624-068.43725 "Soccer Camp" from 110-61-624-068.35720 "Soccer Camp Revenue" for additional expenses associated with increased class enrollment
- H. *Motion:* Approving an Agreement between the City of Turlock and Dragon Sports to offer youth self-defense classes within the community, from August 9, 2016 to August 9, 2017, in an amount not to exceed \$15,000
- I. *Motion:* Approving an Agreement between the City of Turlock and Kid Time Fitness to offer youth gymnastics classes within the community, from August 9, 2016 to August 9, 2017, in an amount not to exceed \$4,500
- J. *Motion:* Approving Amendment No. 4 to the Lease Agreement between the City of Turlock and the Carnegie Arts Foundation for maintenance of major components such as electrical, plumbing or mechanical equipment at the Carnegie Arts Center to be included in the City's maintenance agreements, with the cost of said maintenance to be reimbursed to the City by the Carnegie, and allowing the Carnegie Arts Foundation to procure property insurance for the building in accordance with City standards
- K. *Motion:* Approving a Professional Services Agreement between the City of Turlock and RMC Water and Environment for Regulatory and Environmental Permitting Support for the Turlock Component of the North Valley Regional Recycled Water Project, in an amount not to exceed \$161,188, from account number 410-51-530.43340 "North Valley Regional Recycling Water Project"
- L. **Resolution No. 2016-179** Re-appropriating unspent funds of \$19,650 from Fiscal Year 2015-16 to account number 410-51-534.44102 "Telemetry Equipment" from Fund 410 "Water Quality Control" reserve balance and \$19,650 from Fiscal Year 2015-16 to account number 420-52-551.43430 "Telemetry Upgrades" from Fund 420 "Water Enterprise" reserve balance for the purchase of two (2) configured HP Itanium rx2800 computer servers from HSQ Technology of Hayward, California
- M. *Motion:* Approving a Professional Services Agreement between the City of Turlock and Municipal Financial Services for the preparation of a Water Fund Cash Flow Evaluation, in an amount not to exceed \$14,880, from account number 420-52-550-43320 "Special Services/Projects"

- N. **Resolution No. 2016-180** Re-appropriating unspent funds of \$187,345 from Fiscal year 2015-16 to account number 506-00-000-304.51020 "Equipment Replacement" from Fund 506 "Vehicle/Equipment Replacement-Fire Services" reserve balance for the purchase of two (2) fire engines and various after-market products associated with the purchase of two (2) fire command vehicles
- O. Motion: Approving a Memorandum of Understanding between the City of Turlock and the Sacramento County Sheriff's Department for the Sacramento Valley Hi-Tech Crimes Task Force, outlining the mission and procedures of the Sacramento Valley Hi-Tech Crimes Task Force, and authorizing the Mayor, City Manager or designee to sign the agreement
- P. 1. **Resolution No. 2016-181** Approving the purchase of seven (7) Dell servers from Dell, Inc. to upgrade data storage capacity, under State of California Contract No. 7-15-70-34-003 and Contract Code WN03AGW, 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 \$207,873.86
2. **Resolution No. 2016-182** Approving the purchase of Brocade Communications server switches from Kovarus, Inc. to upgrade data storage capacity, under WSCA-NASPO Contract No. AR214 7-14-70-01, 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 \$61,939.68
3. **Resolution No. 2016-183** Approving the purchase of Veeam Availability Suite software from CDW Government LLC to upgrade data storage capacity, under CalSAVE Technology Contract No. 527683, 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 \$11,807.64
- Q. Motion: Authorizing the Mayor, City Manager or designee to execute an Agreement with Tyler Technologies for unlimited site licenses without compliance to the formal bid procedure in accordance with the Turlock Municipal Code Section 2-7-08(b)(2)
- R. Motion: Approving an Agreement between CPS HR Consulting, a California Joint Powers Authority (CPS HR), and the City of Turlock for written examination test rentals to assist with the recruitment and hiring process, for a period of two (2) years from July 29, 2016 through July 29, 2018, in an amount not to exceed \$15,000 over the term of the Agreement
- S. Motion: Rejecting Claims for Damages filed by Christina Juarez
- T. Motion: Rejecting Claims for Damages filed by Veronica Rangel
- U. Motion: Rejecting Claims for Damages filed by Agripino Lujan
- V. Motion: Rejecting Claims for Damages filed by Ralph T. Ascencio
- W. Motion: Rejecting Claims for Damages filed by Geico Ins./Rubenia Malone

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS**

- A. Senior Planner Katie Quintero presented the staff report on the request to determine the proposed amendments to various sections of the Turlock Municipal Code are exempt from the California Environmental Quality Act (CEQA) Pursuant to Section 15061(B)(3) (General Rule) of the CEQA Guidelines and to consider technical updates and corrections to various sections of the City of Turlock Municipal Code as delineated below. Council and staff discussion included information about the nature of the proposed amendments and corrections.

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

Action: **Resolution No. 2016-184** Determining the proposed amendments to Turlock Municipal Code Title 4, Chapter 16, Article 1, Section 02, Subsection (A) regarding Cost Recovery Enforcement Authority; Title 5, Chapter 19, Article 1, "Title" Section regarding Adult Entertainment; Title 5, Chapter 19, Article 1, Section 01 regarding Adult Entertainment Purpose; Title 5, Chapter 19, Article 1, Section 02 regarding Adult Entertainment Performer Permit; Title 5, Chapter 19, Article 1, Section 04, Subsection (C) regarding Adult Entertainment Application Denial Authority; Title 6, Chapter 1, Article 1, Section 13, Subsections (B), (C), and (D) regarding Exceptions – Fancy, Racing and Sporting Pigeons; Title 6, Chapter 5, Article 4, Section 02 regarding Connection Fees; Title 7, Chapter 2, Article 2, Section 02, Subsection (A) regarding Street Improvements and Dedications Required; Title 8, Chapter 4, Section 16, regarding Fixing Questioned House and Building Numbering; Title 9, Chapter 1, Article 1, Section 11 regarding General Provision Rules for Interpretation; Title 9, Chapter 2, Article 1, Section 02, Subsection (C) regarding Adult Entertainment Location and Site Requirements; Title 9, Chapter 2, Article 1, Section 02, Subsection (F) regarding Regulations Special Provisions for Adult Business Permit Application; Title 9, Chapter 2, Article 1, Section 03, Subsection (C) regarding Affordable Housing Density Bonus Application Procedures, Title 9, Chapter 2, Article 1, Section 08, Subsection (A) regarding Exceptions to Height Limits in Any Residential District; Title 9, Chapter 2, Article 1, Section 25, Subsection (B)(1) regarding Cargo Containers Permit Requirements and Exceptions for Temporary Use; Title 9, Chapter 2, Article 5, Section 06, Subsection (K) regarding Sign Standards for Temporary Signs; Title 9, Chapter 3, Article 2, Section 02, regarding Residential Use District Classifications; Title 9, Chapter 3, Article 2, Section 03, regarding Residential Districts Property Development Regulations; Title 9, Chapter 3, Article 4, Section 03, regarding Industrial Districts Property Development Standards; Title 9, Chapter 3, Article 5, Section 03 regarding Public and Semi-Public Districts Property Development Regulations; Title 9, Chapter 4, Article 1, Section 07, Subsection (B) regarding Downtown Overlay Regulations for Industrial Residential Development Standards; Title 9, Chapter 4, Article 1, Section 08, Subsection (B) regarding Overlay District Regulations – Office Residential Development Standards; Title 9, Chapter 4, Article 2, Section 04, Subsection (C) regarding Nondiscretionary Emergency Shelter Permit Application Standards; Title 9, Chapter 4, Article 2, Section 05 "Introductory Paragraph" regarding Nondiscretionary Emergency Shelter Permit Application; Title 9, Chapter 5, Article 1, Section 12 regarding Administration Permit Applications Hearings, Amendments, and Special Appeals; Title 9, Chapter 5, Article 3, Section 10, Subsection (D) regarding Minor Administrative and Minor Discretionary Permits Building Review; Title 9, Chapter 5, Article 3, Section 15 regarding Minor Administrative and Minor Discretionary Permit Time Limits for Development of Property and Uses; Title 9, Chapter 5, Article 3, Section 17 regarding Minor Administrative and Minor Discretionary Permit Outdoor

Dining Permit Required; Title 9, Chapter 5, Article 3, Section 18 regarding Minor Administrative and Minor Discretionary Permit Authority to Issue Outdoor Dining Permits; Title 9, Chapter 5, Article 3, Section 23, Subsection (A) regarding Minor Administrative and Minor Discretionary Permit Alcoholic Beverage Restrictions; Title 9, Chapter 5, Article 4, Section 04, Subsection (A) regarding Minor Exceptions – Findings – Special Circumstances; and Title 9, Chapter 5, Article 7, Section 09, Subsections (B) and (C) regarding Rezoning and Annexation Area Wide Planning Requirements are exempt from the California Environmental Quality Act (CEQA) Pursuant to Section 15061(B)(3) (General Rule) of the CEQA Guidelines 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, introducing an Ordinance Amending Turlock Municipal Code Title 4, Chapter 16, Article 1, Section 02, Subsection (A) regarding Cost Recovery Enforcement Authority; Title 5, Chapter 19, Article 1, "Title" Section regarding Adult Entertainment; Title 5, Chapter 19, Article 1, Section 01 regarding Adult Entertainment Purpose; Title 5, Chapter 19, Article 1, Section 02 regarding Adult Entertainment Performer Permit; Title 5, Chapter 19, Article 1, Section 04, Subsection (C) regarding Adult Entertainment Application Denial Authority; Title 6, Chapter 1, Article 1, Section 13, Subsections (B), (C), and (D) regarding Exceptions – Fancy, Racing and Sporting Pigeons; Title 6, Chapter 5, Article 4, Section 02 regarding Connection Fees; Title 7, Chapter 2, Article 2, Section 02, Subsection (A) regarding Street Improvements and Dedications Required; Title 8, Chapter 4, Section 16, regarding Fixing Questioned House and Building Numbering; Title 9, Chapter 1, Article 1, Section 11 regarding General Provision Rules for Interpretation; Title 9, Chapter 2, Article 1, Section 02, Subsection (C) regarding Adult Entertainment Location and Site Requirements; Title 9, Chapter 2, Article 1, Section 02, Subsection (F) regarding Regulations Special Provisions for Adult Business Permit Application; Title 9, Chapter 2, Article 1, Section 03, Subsection (C) regarding Affordable Housing Density Bonus Application Procedures, Title 9, Chapter 2, Article 1, Section 08, Subsection (A) regarding Exceptions to Height Limits in Any Residential District; Title 9, Chapter 2, Article 1, Section 25, Subsection (B)(1) regarding Cargo Containers Permit Requirements and Exceptions for Temporary Use; Title 9, Chapter 2, Article 5, Section 06, Subsection (K) regarding Sign Standards for Temporary Signs; Title 9, Chapter 3, Article 2, Section 02, regarding Residential Use District Classifications; Title 9, Chapter 3, Article 2, Section 03, regarding Residential Districts Property Development Regulations; Title 9, Chapter 3, Article 4, Section 03, regarding Industrial Districts Property Development Standards; Title 9, Chapter 3, Article 5, Section 03 regarding Public and Semi-Public Districts Property Development Regulations; Title 9, Chapter 4, Article 1, Section 07,

Subsection (B) regarding Downtown Overlay Regulations for Industrial Residential Development Standards; Title 9, Chapter 4, Article 1, Section 08, Subsection (B) regarding Overlay District Regulations – Office Residential Development Standards; Title 9, Chapter 4, Article 2, Section 04, Subsection (C) regarding Nondiscretionary Emergency Shelter Permit Application Standards; Title 9, Chapter 4, Article 2, Section 05 “Introductory Paragraph” regarding Nondiscretionary Emergency Shelter Permit Application; Title 9, Chapter 5, Article 1, Section 12 regarding Administration Permit Applications, Hearings, Amendments and Special Appeals; Title 9, Chapter 5, Article 3, Section 10, Subsection (D) regarding Minor Administrative and Minor Discretionary Permits Building Review; Title 9, Chapter 5, Article 3, Section 15 regarding Minor Administrative and Minor Discretionary Permit Time Limits for Development of Property and Uses; Title 9, Chapter 5, Article 3, Section 17 regarding Minor Administrative and Minor Discretionary Permit Outdoor Dining Permit Required; Title 9, Chapter 5, Article 3, Section 18 regarding Minor Administrative and Minor Discretionary Permit Authority to Issue Outdoor Dining Permits; Title 9, Chapter 5, Article 3, Section 23, Subsection (A) regarding Minor Administrative and Minor Discretionary Permit Alcoholic Beverage Restrictions; Title 9, Chapter 5, Article 4, Section 04, Subsection (A) regarding Minor Exceptions – Findings – Special Circumstances; and Title 9, Chapter 5, Article 7, Section 09, Subsection (B) and (C) regarding Rezoning and Annexation Area Wide Planning Requirements and setting the final reading for September 13, 2016. Motion carried 5/0 by the following vote:

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

- B. Senior Planner Katie Quintero presented the staff report on the request to determine proposed amendments to the Land Use Diagram of the Turlock General Plan [General Plan Amendment 2016-03 (City Initiated)] are exempt from the California Environmental Quality Act (CEQA) pursuant to section 15061(B)(3) (General Rule) of the CEQA Guidelines and to consider a proposed change in the zoning district and General Plan land use for the designated properties as delineated below. Ms. Quintero noted the proposed changes are technical in nature and are proposed to bring consistency between the zoning district and the General Plan designations, as well as consistency between the existing uses, adjacent zoning districts, and subject properties’ zoning district.

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

Action: **Resolution No. 2016-185** Determining the proposed amendments to the Land Use Diagram of the Turlock General Plan [General Plan Amendment 2016-03 (City Initiated)] to amend the designations for the following properties: 143 Alaska Street will be amended from split CC/MDR to MDR; 825, 839, 857, 881, 901, 923, 943 West Main Street and 117 West Avenue North will be amended from split CC/MDR to dual CC & MDR; 801 West Main Street will be amended from CC to CC & MDR; and 455 Fifth Street will be amended from CC to CC & I and the proposed amendments to the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2016-02 (City Initiated)] to change the zoning designations for the following properties: 240 West Main Street and 120 Locust Street will be rezoned from CC to TC; 333 North Thor Street and 410 & 412 Wolfe Avenue will be rezoned from CC to OR; 355, 391, 401, 409, 415, & 427 East Olive Avenue will be rezoned from OR to DCT; 352, 400, 410, 440 East Olive Avenue and 190 North Thor Street will be rezoned from OR to DC; 143 Alaska Street will be rezoned from split CC/RM to RM; 825, 839, 857, 881, 901, 923, 943 West Main Street and 117 West Avenue North will be rezoned from split CC/RM to dual CC & RM; and 801 West Main Street will be rezoned from CC to dual CC & RM are Exempt from the California Environmental Quality Act (CEQA) pursuant to section 15061(B)(3) (General Rule) of the CEQA Guidelines was introduced by Councilmember DeHart, 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

Resolution No. 2016-186 Amending the Land Use Diagram of the Turlock General Plan [General Plan Amendment 2016-03 (City Initiated)] to amend the designations for the following properties: 143 Alaska Street will be amended from split CC/MDR to MDR; 825, 839, 857, 881, 901, 923, 943 West Main Street and 117 West Avenue North will be amended from split CC/MDR to dual CC & MDR; 801 West Main Street will be amended from CC to CC & MDR; and 455 Fifth Street will be amended from CC to CC & I 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, introducing an Ordinance Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezoning 2016-02 (City Initiated)] to change the zoning designations for the following properties: 240 West Main Street and 120 Locust Street will be rezoned from CC to TC; 333 North Thor Street and 410 & 412 Wolfe Avenue will be rezoned from CC to OR; 355, 391, 401, 409, 415 & 427 East Olive Avenue will be rezoned from OR to DCT; 352, 400, 410, 440 East Olive Avenue and 190 North Thor Street will be rezoned from OR to DC; 143 Alaska Street will be rezoned from split CC/RM to RM; 825, 839, 857, 881, 901, 923, 943 West Main Street and 117 West Avenue North will be rezoned from split CC/RM to dual CC & RM; and 801 West Main Street will be rezoned from CC to a dual CC & RM and setting the final reading for September 13, 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. Development Services Director Mike Pitcock and Administrative Services Director Kellie Jacobs-Hunter presented the staff report on the request to provide direction to staff on the preferred project scope, funding and timeline to carry out a \$100,000 road improvement project.

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

Council and staff discussion included requirements for unrestricted reserve spending, obligations and potential risks associated with matching grant funds, previously allocated funding for roads, bid and construction processes, supplanting calculations and Measure L implications, various project options and funding sources including preserving and replenishing the General Fund, utilizing funding in a manner that will have the greatest impact for the majority of the community, and concerns over committing future Councils to ongoing obligations.

Councilmember Bublak introduced a motion selecting Option 1 (Slurry Seal), and creating an Option 4 which would use \$50,000 from the General Fund and \$50,000 from the TOT for this one time, with future allocations coming from the General Fund based on Council approval and/or from Measure L should it pass.

Mayor Soiseth asked for consideration to amend the motion on the floor to utilize Option 3 (Gas Tax Funds) instead of the TOT and General Fund.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, selecting Option 1 (Slurry Seal) as the preferred project scope and Option 3 (Section 2103 Gas Tax Funds) as the funding source for the Road Improvement Project. Motion carried 5/0 by the following vote:

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

Mayor Soiseth recessed the meeting at 7:53 p.m.

Mayor Soiseth reconvened the meeting at 8:00 p.m.

- B. Deputy Development Services Director/Planning Manager Debbie Whitmore presented the staff report on the request to determine the extension of a one (1”) inch water service line by the City of Turlock to the property located outside its jurisdictional boundary at 716 North Daubenberger Road to provide potable water for R.A.M. Farms, Inc., is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facility), Section 15303 (New Construction or Conversion of Small Structures), and/or Section 15304 (Minor Alterations to Land) of the CEQA Guidelines; authorize the City Manager to certify the Stanislaus LAFCO “Out of Boundary Service Application” requesting LAFCO approval for the City of Turlock to extend a one (1”) inch water service line to 716 North Daubenberger Road, Turlock, California, a property located outside the City of Turlock jurisdictional boundary and within its Sphere of Influence, to provide potable water to R.A.M. Farms, Inc., a seasonal and temporary business including a Pumpkin Patch, Corn Maze and Fields of Ice pursuant to Stanislaus County Staff Approval Permit PLN 2015-0046; approve the “Out of Boundary Service Agreement for Water Connection Affecting Real Property” located at 716 North Daubenberger Road, Turlock, California (Stanislaus County Assessor’s Parcel Number 051-005-002), establishing the conditions under which the City would provide a water service extension to the property; authorize the City Manager to sign the “Out of Boundary Service Agreement for Water Connection Affecting Real Property” upon approval of the “Out of Boundary Service Application” by the Stanislaus LAFCO, and to execute all documents, applications, assurances, agreements, and statements that may be required to implement the Agreement including the construction of a one (1”) inch water service line to 716 North Daubenberger Road, Turlock, California (Stanislaus County Assessor’s Parcel Number 051-005-002).

Council and staff discussion included clarification that tonight’s discussion was strictly related to the water service for RAM Farms.

Mayor Soiseth asked for public comment.

Mike Macedo, RAM Farms Manager, provided information about DER requirements related to their permit requiring RAM Farms to identify a water solution and noted any other potential water solution options would be costly and potentially invoke the use of portable restrooms.

Zachary Fowler, neighboring resident of RAM Farms, spoke regarding his concerns over permanency of the operation if the permanent water service is approved.

Jason DeGroot, neighboring resident of RAM Farms, spoke in favor of expanding the water services, but against noise concerns in the area during hours of operation.

Mayor Soiseth read information contained on a Speaker Information Card provided by Ada Mitchem, noting her opposition to extending City water into the County and allowing expansion of a commercial use when land is zoned agricultural.

Matt Rickard, neighboring resident of RAM Farms, presented a video clip from a Stanislaus County Planning Commission meeting regarding the temporary use of the building located on the property. Mr. Rickard noted RAM Farms has continuously violated their use permit, Stanislaus County has refused to enforce the permit requirements, and encouraged Council to deny the request for water service.

Dana Rickard, neighboring resident of RAM Farms, spoke regarding noise issues and operating hours, requested the City deny request for water service and revisit at a later date when RAM Farms demonstrates compliance with existing permitting requirements.

Ken McVay, spoke regarding concerns related to lights, noise and theft in the area, the current location being incompatible within residential and farm land areas, the operation being better suited in a commercial area within the City such as Monte Vista Crossings, the downtown area, or the movie theaters, concerns over future expansion of the operation, and the tent being a massive industrial building that will not be removed each year.

Ron Macedo, Owner of RAM Farms, spoke in favor of approval of this item for reasons including the benefits RAM Farms provides to the community, their attempts to be good neighbors, and noted they have no plans for future expansion. Mr. Macedo also spoke regarding a sound study that was conducted which met all qualifications, tent use serving dual purpose, and noted RAM Farms has met the requirements of the County permit and their intent for continued compliance.

Matt Rickard spoke regarding RAM Farms' non-compliance with the City's noise ordinance.

Valerie Jevort spoke in favor of approval of this item for reasons including the benefits RAM Farms provides to the community, the operation being an appropriate use of land, and efforts by the owners to mitigate neighborhood concerns such as parking.

Milt Trieweiler spoke regarding concerns about water use and the potential for cross-contamination. RAM Farms Manager Mike Macedo provided clarification regarding cross-contamination identifying there would be two separate pipelines.

Mayor Soiseth closed public comment.

Additional Council and staff discussion included the benefits RAM Farms has provided to the community, the importance of being a good neighbor, and improved collaboration between government agencies to ensure requirements are met.

Mayor Soiseth directed staff to work with the County regarding conditions of the existing permit and requested RAM Farms conduct a neighborhood meeting prior to the construction of the water line.

Action: **Resolution No. 2016-187** Determining the extension of a one (1”) inch water service line by the City of Turlock to the property located outside its jurisdictional boundary at 716 North Daubenberger Road to provide potable water for R.A.M. Farms, Inc., is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facility), Section 15303 (New Construction or Conversion of Small Structures), and/or Section 15304 (Minor Alterations to Land) of the CEQA Guidelines was introduced by Councilmember Nascimento, 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

Motion by Councilmember Nascimento, seconded by Councilmember Bublak, Authorizing the City Manager to certify the Stanislaus LAFCO “Out of Boundary Service Application” requesting LAFCO approval for the City of Turlock to extend a one (1”) inch water service line to 716 North Daubenberger Road, Turlock, California, a property located outside the City of Turlock jurisdictional boundary and within its Sphere of Influence, to provide potable water to R.A.M. Farms, Inc., a seasonal and temporary business including a Pumpkin Patch, Corn Maze and Fields of Ice pursuant to Stanislaus County Staff Approval Permit PLN 2015-0046. 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 Bublak, Approving the “Out of Boundary Service Agreement for Water Connection Affecting Real Property” located at 716 North Daubenberger Road, Turlock, California (Stanislaus County Assessor’s Parcel Number 051-005-002), establishing the conditions under which the City would provide a water service extension to the property, including RAM Farms holding a neighborhood meeting prior to the construction of the water line and the City Manager making contact with Stanislaus County regarding conditions of the existing permit. 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, Authorizing the City Manager to sign the “Out of Boundary Service Agreement for Water Connection Affecting Real Property” upon approval of the “Out of Boundary Service Application” by the Stanislaus LAFCO, and to execute all documents, applications, assurances, agreements, and statements that may be required to implement the Agreement including the construction of a one (1”) inch water service line to 716 North Daubenberger Road, Turlock, California (Stanislaus County Assessor’s Parcel Number 051-005-002). Motion carried 5/0 by the following vote:

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

- C. Senior Planner Katie Quintero presented the staff report on the request to determine the Downtown Parking Management Plan and Implementation Plan are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15162 (Projects consistent with a previous Environmental Impact Report), Section 15183 (Projects consistent with the General Plan), and/or Section 15262 (Feasibility and Planning Studies); approve the Downtown Parking Management Plan in accordance with the 2012 City of Turlock General Plan and the 2015-2019 Mayor and City Council Policy Goals and Implementation Plan; approve the Downtown Parking Implementation Plan to establish goals, action items and implementation measures for the recommendations in the Downtown Parking Management Plan.

Ms. Quintero introduced consultant Nayan Amin of TJKM, who provided an overview of the Downtown Parking Plan and presented information related to parking data collection, community outreach/survey, and preliminary findings and recommendations.

Council discussion included the educational benefits the study provided and a request for periodic updates regarding the project.

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

Additional Council and staff discussion included the importance of phasing and prioritization of modifications and options including evaluating/enforcing parking, evaluating an employee parking permit program, and exploring the use of parking meters. Further discussion included alternate methods of transportation to the downtown area and safety improvements such as lighting and sidewalks.

Action: **Resolution No. 2016-188** Determining the Downtown Parking Management Plan and Implementation Plan are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15162 (Projects consistent with a previous Environmental Impact Report), Section 15183 (Projects consistent with the General Plan), and/or Section 15262 (Feasibility and Planning Studies) 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

Resolution No. 2016-189 Approving the Downtown Parking Management Plan in accordance with the 2012 City of Turlock General Plan and the 2015-2019 Mayor and City Council Policy Goals and Implementation Plan 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

Resolution No. 2016-190 Approving the Downtown Parking Implementation Plan to establish goals, action items and implementation measures for the recommendations in the Downtown Parking Management Plan to include amendments to Action Item 3 to read, "Explore enforcement of the time limited parking," and Action Item 4 to read, "Evaluate an employee parking permit program," 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

- D. Parks, Recreation, and Public Facilities Event Assistant Amber Traini presented the staff report on the request to determine the closure of Cooper Avenue, between Oak Street and Rose Street, for Sacred Heart Catholic Church to host the Feast of our Lady of Assumption, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with section 15304 (Minor Alterations to Land) of the CEQA Guidelines; authorize the closure of Cooper Avenue, between Oak Street and Rose Street for pedestrian safety, for Sacred Heart Catholic Church to host the Feast of Our Lady of Assumption, on Monday, August 15, 2016 from 5:00 p.m. to 7:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure.

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

Action: **Resolution No. 2016-191** Determining the closure of Cooper Avenue, between Oak Street and Rose Street, for Sacred Heart Catholic Church to host the Feast of our Lady of Assumption, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with section 15304 (Minor Alterations to Land) of the CEQA Guidelines 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

Resolution No. 2016-192 Authorizing the closure of Cooper Avenue, between Oak Street and Rose Street for pedestrian safety, for Sacred Heart Catholic Church to host the Feast of Our Lady of Assumption, on Monday, August 15, 2016 from 5:00 p.m. to 7:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure was introduced by Councilmember Bublak, 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

- E. Parks, Recreation, and Public Facilities Event Assistant Amber Traini presented the staff report on the request to approve the Freedom 5K Walk/Run event utilizing the public right-of-way (sidewalks), hosted by Turlock Free Methodist Church, on Saturday, October 8, 2016 from 9:30 a.m. to 12:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions to the event.

Council and staff discussion included the process and factors for the types of special events approved by Council.

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 Freedom 5K Walk/Run event utilizing the public right-of-way (sidewalks), hosted by Turlock Free Methodist Church, on Saturday, October 8, 2016 from 9:30 a.m. to 12:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions to the event. Motion carried 5/0 by the following vote:

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

- F. Parks, Recreation, and Public Facilities Event Assistant Amber Traini presented the staff report on the request to approve the Lights of Hope event at Donnelly Park, hosted by The Addict's Mom (TAM), on Saturday, September 10, 2016 from 9:00 a.m. to 10:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions to the event.

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

Action: Motion by Councilmember Jacob, seconded by Councilmember Nascimento, Approving the Lights of Hope event at Donnelly Park, hosted by The Addict’s Mom (TAM), on Saturday, September 10, 2016 from 9:00 a.m. to 10:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions to the event. Motion carried 5/0 by the following vote:

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

- G. Municipal Services Director Michael Cooke presented the staff report on the request to authorize exceeding the contract amount by \$254,375 and the payment of outstanding invoices to Sierra Chemical Company for Liquid Chlorine for the Turlock Regional Water Quality Control Facility; approve Amendment No. 1 to the Agreement with Sierra Chemical Company for Liquid Chlorine for the Turlock Regional Water Quality Control Facility, in an annual amount of \$300,000, for the term of the existing contract.

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

Action: **Resolution No. 2016-193** Authorizing exceeding the contract amount by \$254,375 and the payment of outstanding invoices to Sierra Chemical Company for Liquid Chlorine for the Turlock Regional Water Quality Control Facility was introduced by Councilmember Jacob, 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

Motion by Councilmember Jacob, seconded by Councilmember Nascimento, Approving Amendment No. 1 to the Agreement with Sierra Chemical Company for Liquid Chlorine for the Turlock Regional Water Quality Control Facility, in an annual amount of \$300,000, for the term of the existing contract. Motion carried 5/0 by the following vote:

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

- H. Municipal Services Director Michael Cooke presented the staff report on the request to approve a Recycled Water Conveyance Agreement between the City of Modesto and the City of Turlock for the North Valley Regional Recycled Water Program.

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

Action: Motion by Councilmember Bublak, seconded by Councilmember Jacob, Approving a Recycled Water Conveyance Agreement between the City of Modesto and the City of Turlock for the North Valley Regional Recycled Water Program. Motion carried 5/0 by the following vote:

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

Councilmember DeHart stepped down from the dais.

Councilmember DeHart returned to the dais.

- I. Regulatory Affairs Manager Garner Reynolds presented the staff report on the request to accept the Hydrogeologic and Water Quality Assessment Report for the evaluation of the geology, hydrogeology, geochemistry, groundwater quality, and groundwater supply in the Turlock area.

Mr. Reynolds introduced consultant Larry Ernst with Wood Rodgers, who presented information about objectives of the study, well field assessment, well profiles, geological setting, arsenic concentration, nitrate concentration, water quality, groundwater levels, well capacity, and potential well locations.

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

Mr. Reynolds noted the study will serve as a roadmap for identifying additional groundwater supplies for the City and offer immediate solutions for wells in need of rehabilitation.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, Accepting the Hydrogeologic and Water Quality Assessment Report for the evaluation of the geology, hydrogeology, geochemistry, groundwater quality, and groundwater supply in the Turlock area. Motion carried 5/0 by the following vote:

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

9. NON-AGENDA ITEMS: None

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Bublak requested the City Manager evaluate the Special Event Permit Process relative to the types of events that require Council approval.

11. COUNCIL COMMENTS:

Councilmember Nascimento acknowledged the citizens in the audience who stayed throughout the duration of the meeting.

Councilmember Bublak thanked Allison Van Guilder and the City Manager for their efforts in developing a sign to be displayed at the Fairgrounds showing appreciation and thanks for Public Safety.

12. 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: 1510 Springville Way, Turlock, CA (APN No. 042-016-031)
Agency Negotiator: Gary R. Hampton, City Manager
Negotiating Parties: Haven Women's Center of Stanislaus
Under Negotiation: Price and terms of payment

Action: No reportable action.

- B. 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."

Properties: 1600 Auto Mall Drive, Turlock, CA (APN No. 088-010-048)
2450 Fulkerth Road, Turlock, CA (APN No. 089-019-023)
2400 Fulkerth Road, Turlock, CA (APN No. 089-019-022)
2500 Fulkerth Road, Turlock, CA (APN No. 089-019-021)

Agency Negotiator: Gary R. Hampton, City Manager
Negotiating Parties: Bains Property Investments, LLC
Pradeep & Kokila Khatri
Julia Paul, et al
Julia Paul, et al

Under Negotiation: Price and terms of payment

Action: No reportable action.

- C. Conference with Legal Counsel – Anticipated Litigation, Cal. Gov't Code §54956.9(d)(2)
“For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist... A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.”

Potential Cases: (1 case)

Action: No reportable action.

- D. Conference with Labor Negotiators, Cal. Gov't Code §54957.6(a)
“Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency’s designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation.”

Agency Negotiator: City Manager

Unrepresented Employees: Police Chief

Action: No reportable action.

13. ADJOURNMENT:

Motion by Councilmember Nascimento, seconded by Councilmember DeHart, to adjourn at 10:05 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
Deputy City Clerk