

1. **A. CALL TO ORDER** – Mayor Soiseth called the meeting to order at 6:02 p.m.
 PRESENT: Councilmembers Amy Bublak, Bill DeHart, Matthew Jacob, Steven Nascimento
 (arrived at 6:28 p.m.), and Mayor Soiseth.
 ABSENT: None

B. SALUTE TO THE FLAG

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

- A. Mayor Soiseth recommended that Jonathan Boulos, Taryn Muralt, Abe Rojas, Astrid Itzep-Lopez, Beverly Spielman and Gianni Blandino be appointed as Community Member Representatives to the CDBG Grant Selection Committee.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, appointing Jonathan Boulos, Taryn Muralt, Abe Rojas, Astrid Itzep-Lopez, Beverly Spielman and Gianni Blandino as Community Member Representatives to the CDBG Grant Selection Committee. Motion carried 4/0, with Councilmember Nascimento absent, by the following vote:

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

- B. Mayor Soiseth recommended that Councilmembers Bublak and Jacob be appointed as Council Representatives to the CDBG Grant Selection Committee.

Action: Motion by Councilmember DeHart, seconded by Councilmember Jacob, appointing Councilmembers Bublak and Jacob as Council Representatives to the CDBG Grant Selection Committee. Motion carried 4/0, with Councilmember Nascimento absent, by the following vote:

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

- C. Mayor Soiseth presented a Proclamation to Clint Barth in recognition of Vietnam Veterans Day, March 29, 2016. Mayor Soiseth spoke regarding activities planned to recreate the homecoming Vietnam Veterans did not receive upon their homecoming. Mr. Barth recognized all veterans in attendance and thanked the City Council and City staff for their efforts.
- D. Mayor Soiseth presented a Proclamation to Mr. Youbert Valadio in recognition of being elected President of the Assyrian National Council of Stanislaus County. Mr. Valadio thanked the City Council for the Proclamation, noted the great honor for the Assyrian community to be recognized by the Council, and provided information about the history of the Assyrian New Year.

- E. Keith Rhodes of T.Y.LIN International presented information about the South County Corridor Feasibility Study including project study area, community involvement and public outreach, conceptual alignments, alternative analysis examples and screening processes, alignments to be considered, and recommended feasibility alternatives.

3. A. SPECIAL BRIEFINGS: None

B. STAFF UPDATES

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

Parks, Recreation and Public Facilities Director Allison Van Guilder provided an update on the special event process that was first introduced at the February 20, 2016 Council meeting including a public meeting to be held on March 23, 2016 to receive input on the process, with proposed changes to be brought back to Council for final approval.

- 2. Turlock Fire Department Frank Saldivar provided an update on the 2015 Turlock Fire Department Breast Cancer Awareness Month Campaign including that they received good community support and raised \$14,000 during the campaign to support the Bill Ahlem Cancer Foundation. Terri King and Linda Stuhmer of Emanuel Medical Center spoke in favor of the campaign and noted the donated funds assist the uninsured and underinsured receive mammograms, provides therapeutic programs for those who are suffering from cancer treatments, and helps those who have been struggling with cancer. Ms. Steumer thanked the community, Council, and the Turlock Fire Department for their support.
- 3. Sr. Information Technology Analyst Carlo Grossman provided an update and overview of the newly released City of Turlock Website including the three core objectives of 1) changing to a more flattened out version not categorized by department, providing timely information up front, 2) responsive design that will reformat the page so information displays to fit the width of the screen, and 3) making it user friendly to all user types including residents and business professionals.

Mayor Soiseth asked for public comment.

Michael Puffer spoke in favor of the new website for reasons including the prior version was not attractive and the site will encourage more people to view the website and be more involved.

Brad Bates suggested campaign statements be linked to each Councilmembers page.

Mayor Soiseth closed public comment.

Council discussion included praise for the final product and possibilities of capitalizing on analytics.

4. Interim City Manager Michael Cooke provided an update on the North Valley Regional Recycled Water Project including project statistics and components, permit approvals, water rights, related agreements, financing, and future steps, with the start of construction scheduled for 2017.

Mayor Soiseth praised staff's efforts, noting the recycled water project is one of the largest in the country and that Mr. Cooke's team is also working on a critical surface water project

5. Turlock Police Chief Robert Jackson provided the 2015 Police Annual Report highlighting social media efforts, Proposition 47 and prison realignment, crime prevention efforts, reinstatement of the Street Crimes Unit, collaboration with Stanislaus County Behavioral Health, and various programs under the Field Operations and Special Operations Divisions.

Council discussion included crime statistics, use of force, and the new police canines.

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

C. PUBLIC PARTICIPATION

Debbe Bailey spoke regarding her concerns over the parliamentary procedures used by Council, nonexistent bylaws and code of ethics mentioned in the Council Code of Conduct, and her concerns over the Council using discretion of the chair to manage meetings. City Attorney Phaedra Norton provided information related to Ms. Bailey's concerns including providing history of Turlock City Council's meeting guidelines, California Government Code and Municipal Code regulations related to conducting meetings, and the Rosenberg guide to running meetings.

Jeff Persons spoke regarding concerns over Turlock Fitness being taken over by Fitness Evolution, related complaints about fraudulent billing practices and lawsuits, and requested Council's assistance in intervening in the situation or assisting in securing another possible location for a gym. Mayor Soiseth asked that Maryn Pitt, Assistant to the City Manager for Economic Development/Housing Program Services, meet with Mr. Persons to discuss the situation.

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

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

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

B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS: None

5. CONSENT CALENDAR:

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

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

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

- A. **Resolution No. 2016-047** Accepting Weekly Demands of 2/4/16 in the amount of \$250,093.72; Weekly Demands of 2/11/16 in the amount of \$1,300,440.69; Weekly Demands of 2/18/16 in the amount of \$801,804.39
- B. Motion: Accepting Minutes of Special Meeting of March 1, 2016
- C.
 - 1. Motion: Making the determination that City Project No. 15-39, "RWQCF Denitrification," 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 \$488,257 (Fund 413) for City Project No. 15-39, "RWQCF Denitrification"
- D.
 - 1. Motion: Making the determination that City Project No. 16-31, "Fire Station No. 3 HVAC Improvements," is exempt from the provisions of CEQA in accordance with Section 15301(d) "Existing Facilities"
 - 2. Motion: Awarding bid and approving an agreement in the amount of \$11,793 (Fund 240) with Champion Industrial Contractors, Inc., of Modesto, California, for City Project No. 16-31, "Fire Station No. 3 HVAC Improvements"
 - 3. **Resolution No. 2016-048**: Appropriating \$16,281 to account number 240-00-000-306.43125_026 "Construction Project" to be funded from unappropriated reserves in Fund 240 "Equipment Replacement-Fire" to account for expenses for City Project No. 16-31, "Fire Station No. 3 HVAC Improvements"
- E.
 - 1. **Resolution No. 2016-049** Extending the adopted Fee Deferral Program for the CFF, NWTSP and WISP Impact Fees for an additional twenty-four (24) months
 - 2. Motion: Approving a Lien Agreement for deferred payment of Capital Facility Fees between the City of Turlock and Baz Family Trust (Owner of 1851 Lander Avenue, Turlock, California 95380)
- F. Motion: Approving an agreement for the period beginning March 22, 2016 and ending October 31, 2017, with Bureau Veritas North America, Inc., for building inspection services related to the Vista Apartment project, in an amount not to exceed \$195,160 (Fund 405)
- G.
 - 1. Motion: Approving a reimbursement agreement between Hall Equities Group and the City of Turlock in an amount not to exceed \$149,032 for construction of transportation improvements identified in the Capital Facility Fee (Transportation) Nexus Study
 - 2. **Resolution No. 2016-050** Appropriating \$149,032 to account number 305-40-440.43272 "Reimburse Developers" to be funded from Fund 305 "Capital Facility Fee (Transportation) Reserves" for reimbursement of transportation improvements constructed by Hall Equities Group as identified in the Capital Facilities Fee (Transportation) Nexus Study
- H. Motion: Approving the Memorandum of Understanding (MOU) with the Stanislaus Business Alliance

- I. Motion: Approving an agreement with Darling Ingredients, Inc., for the sale and use of recycled water
- J. **Resolution No. 2016-051** Accepting monetary donations of \$12,198.59 and property donations valued at \$12,753 from various donors, to be utilized in support of the City's Crime Prevention Unit and Public Safety Open House
- K. **Resolution No. 2016-052** Appropriating \$6,500 to account number 110-30-220.44001_062 "Supplies Abandoned Vehicle Abatement Program" to be funded from unappropriated Abandoned Vehicle Abatement revenues, for the purchase of vehicle safety lights and a mobile radio for Abandoned Vehicle Abatement staff safety
- L. **Resolution No. 2016-053** Appropriating \$5,470 to account number 116-30-305.44030_000 "Minor Equipment Miscellaneous" to be funded from unappropriated reserves in Fund 116 "Special Public Safety – Fire" for the purchase of rescue tools, forcible entry equipment, and maintenance equipment
- M. Motion: Approving an agreement between the City of Turlock and the Stanislaus County Sheriff's Office Alternative Work Program to provide the placement of inmates within various jobs and departments throughout the City
- N. **Resolution No. 2016-054** Appropriating \$22,255 to account number 401-10-125.51000 "Capital Improvements" from Fund 401 "Airport" reserve balance to cover the required 10% match for the Fiscal Year 2014-15 "Airport Layout Plan" and the Fiscal Year 2015-16 "Airport Obstruction Survey" grant projects
- O. Motion: Approving a contract renewal between the City of Turlock and the Turlock Umpire Group to officiate adult city league softball
- P. **Resolution No. 2016-055** Appropriating \$148 to account number 269-60-614-377.44001_000 "Rotary Club Grant – Sports Complex Expenses" from Fund 269 "Parks & Public Facilities Grants" reserve balance to be used to purchase replacement letters for the amphitheater at the Turlock Regional Sports Complex
- Q. **Resolution No. 2016-056** Re-appropriating unspent funds from Fiscal Year 2014-15 of \$12,000 to account number 112-10-116.51166 "Document Imaging Scanners," \$12,000 to account number 112-10-116.38001_122 "Transfers In for Capital Purchases," \$12,000 to account number 110-10-112.48001_00122 "Transfers Out to Fund 112 for Capital Purchases," from Fund 110 "General Fund" reserve balance for the replacement of two (2) document imaging scanners
- R. **Resolution No. 2016-057** Approving the amended and restated Joint Powers Agreement establishing the Stanislaus Council of Governments and the amended and restated Bylaws
- S. **Resolution No. 2016-058** Approving an amendment to the Salary Schedule of the existing Management Schedule of Benefits and Policies adopted by Resolution No. 2014-167, dated October 14, 2014, to include all approved management salaries
- T. Motion: Rejecting Claim for Damages filed by Brian Fowlkes
- U. Motion: Rejecting Claim for Damages filed by Steven Maunakea
- V. Motion: Rejecting Claim for Damages filed by Jennifer Emshoff
- W. Motion: Rejecting Claim for Damages filed by Ayla Sellers
- X. Motion: Rejecting Claim for Damages filed by Maria Lomeli
- Y. Motion: Rejecting Claim for Damages filed by Ryan Dye
- Z. Motion: Rejecting Claim for Damages filed by Roy Gier

6. FINAL READINGS:

- A. **Ordinance No. 1221-CS**, Amending Turlock Municipal Code Title 6, Chapter 3, regarding garbage, rubbish and organic refuse as introduced at the February 9, 2016 meeting was passed and adopted 5/0 by the following vote:

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

7. PUBLIC HEARINGS

- A. Staff Services Analyst Fallon Martin presented the staff report on the request to amend the Turlock Municipal Code Title 6, Chapter 7, Article 3, Section 01 regarding Outdoor Landscape Watering and Title 6, Chapter 7, Article 4, Section 05 regarding Water Conservation Stages.

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

Action: Motion by Councilmember Bublak, seconded by Councilmember Jacob, introducing an Ordinance Amending Turlock Municipal Code Title 6, Chapter 7, Article 3, Section 01 regarding Outdoor Landscape Watering and Title 6, Chapter 7, Article 4, Section 05 regarding Water Conservation Stages and setting the final reading for April 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. Part-time Recreation Worker Amber Traini presented the staff report on the request to accept the post event reports for the Community Events and Activities Grants funding.

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

Action: Motion by Councilmember Jacob, seconded by Councilmember Bublak, Accepting the post event reports for the Community Events and Activities Grants funding. Motion carried 5/0 by the following vote:

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

- B. Parks, Recreation & Public Facilities Director Allison Van Guilder presented the staff report on the request to approve an amendment to the Tire-derived Product Grant by the Department of Resources Recycling and Recovery (CAL Recycle) to change the scope of work for the Monte Vista median rubber bark project to the Christoffersen median and approve an update to the Council Policy Goals & Implementation Plan Policy Goal #4: Municipal Infrastructure, Action Item: 21 Complete the Monte Vista Avenue median turf replacement to reflect the amendment.

Mayor Soiseth asked for public comment.

Holly Walker requested information about possible environmental impacts associated with the use of rubber tire bark.

Mayor Soiseth closed public comment.

Action: **Resolution No. 2016-059** Approving an amendment to the Tire-derived Product Grant by the Department of Resources Recycling and Recovery (CAL Recycle) to change the scope of work for the Monte Vista median rubber bark project to the Christoffersen median was introduced by Councilmember Nascimento, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

Resolution No. 2016-060 Approving an update to the Council Policy Goals & Implementation Plan Policy Goal #4: Municipal Infrastructure, Action Item 21: Complete the Monte Vista Avenue median turf replacement was introduced by Councilmember Nascimento, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

- C. Principal Civil Engineer Nathan Bray presented the staff report on the request to determine that City Project No. 15-75, "Southwest Quadrant CDBG Frontage Improvements," is exempt from the provisions of CEQA; award bid and approve an agreement in the amount of \$260,539.70 (Fund 255) with George Reed Inc. of Modesto, California for the project; and appropriate \$351,000 to account number 217-50-511.51270 "Construction Project" to be funded from unappropriated Gas Tax Section 2103 Reserves and transfers from Fund 255 "CDBG" for City Project No. 15-75, "Southwest Quadrant CDBG Frontage Improvements," to complete the necessary funding required for this project.

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

Action: Motion by Councilmember Jacob, seconded by Councilmember DeHart, Making the determination that City Project No. 15-75, "Southwest Quadrant CDBG Frontage Improvements," is exempt from the provisions of CEQA in accordance with Section 15303. 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 Nascimento, Awarding bid and approving an agreement in the amount of \$260,539.70 (Fund 255) with George Reed Inc. of Modesto, California, for City Project No. 15-75, "Southwest Quadrant CDBG Frontage Improvements." Motion carried 5/0 by the following vote:

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

Resolution No. 2016-061 Appropriating \$351,000 to account number 217-50-511.51270 "Construction Project" to be funded from unappropriated Gas Tax Section 2103 Reserves and transfers from Fund 255 "CDBG," for City Project No. 15-75, "Southwest Quadrant CDBG Frontage Improvements," to complete the necessary funding required for this project 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

- D. Development Services Director Mike Pitcock presented the staff report on the request to adopt the 2013 Storm Water Master Plan in accordance with General Plan Implementation Policy 3.3-w, "Stormwater Master Plan" and the 2013 Sewer System Master Plan with General Plan Implementation Policy 3.3r "Sanitary Sewer Master Plan."

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

Action: **Resolution No. 2016-062** Adopting the 2013 Storm Water Master Plan in Accordance with General Plan Implementation Policy 3.3-w, "Stormwater Master Plan," was introduced by Councilmember Nascimento, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

Resolution No. 2016-063 Adopting the 2013 Sewer System Master Plan in Accordance with General Plan Implementation Policy 3.3-r, "Sanitary Sewer Master Plan," 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

E. *Continued from the March 15, 2016 City Council Meeting:*

Parks, Recreation & Public Facilities Director Allison Van Guilder presented the staff report on the request to approve either a combined proposal and agreement between the City of Turlock, Turlock Certified Farmers Market and Golden State Farmers Market Association to operate, manage and market a certified farmers market located on City of Turlock property; OR request to select a single proposal and awarding an agreement to operate, manage and market a certified farmers market located on City of Turlock property to either Turlock Certified Farmers Market (TCFM) or Golden State Farmers' Markets Association (GSFMA).

Director Van Guilder also provided information that she had received a formal written notice from TCFM that they would be formally withdrawing from the process. Both Director Van Guilder and Mayor Soiseth highlighted green sheets for this item.

Council discussion included booth rental charges for future seasons and the \$5,000 contractual obligation by GSFMA. Peter Cipponeri noted that previous vendors would be grandfathered in, a committee would be created for establishing future rates, and that the \$5,000 obligation was included as a way to give back to the community and would be earmarked for a community event.

Mayor Soiseth asked for public comment.

Michelle Park spoke regarding the Mayor and Council's role of protecting and defending the community, RFP process only being used for new markets and not for existing markets, community support for the TCFM, unethical practices, adoption of a tin cup ordinance, and community loss of faith in elected leaders.

Scott Snyder questioned Council's support of the GSFMA, and spoke regarding the importance of reputation and contributing to the community. Mr. Snyder spoke in favor of TCFM for reasons including their volunteerism and urged Council to vote in favor of their proposal.

Debbe Bailey spoke regarding the processes involved in scoring the proposals, the appearance that it was arbitrarily decided, and recommended not awarding the downtown market to anyone.

George Kapor, TCFM Board Member and market vendor, spoke in favor of TCFM, against the unprecedented RFP process, Peter Cipponeri's limited outreach to TCFM, limited efforts by Councilmembers to reach out to TCFM members, the community division that has occurred, and asked the Council to admit the City made an error, throw out both applications, and allow TCFM to continue to serve the community.

Council and staff discussion included use of the RFP process for farmers markets, status of the TCFM application, past practice of handling road closures, handling competing requests, honoring valued partners, clarification on how the process started, Council's authority to choose one road closure permit over another, lack of documentation provided by the TCFM, Council's responses and reactions to constituents.

Michael Puffer spoke in favor of a farmers market and the importance of maintaining a neutral perspective.

Doug Hayden spoke regarding nonprofit organizations, concerns over Peter Cipponeri bringing in and keeping vendors from coastal areas, and the importance of community support in sustaining a market.

Gail Hayden spoke regarding her efforts to meet with representatives of both markets and her feeling that there is still room for both markets to work together.

Hillary Smith of La Mo Restaurant spoke in favor of downtown area business interaction with TCFM, the importance of the market to their business economy, and asked Council to meet with business owners to hear their concerns before making a decision.

Mike Warda spoke regarding Gail Hayden's comments related to meeting with representatives from both markets and market effects on downtown business owners.

Carl Hillberg spoke regarding the ability of Council to close roads, the goal of the Turlock Downtown Property Owners Association of revitalizing the downtown area, the TCFM being dedicated to improving downtown, and the importance of the Council listening to its citizens.

Nick Schuller spoke regarding his wife not receiving a response from the Mayor sent via Facebook. Mayor Soiseth provided an explanation and noted he would be happy to meet with Mr. Schuller's wife.

Mr. Johnson of Modesto NAACP provided information about the differences between types of non-profit organizations and responsibilities and related costs associated with the use of volunteers.

Debbe Bailey noted her opposition to the use of a City street by a for-profit entity, questioned how the \$5,000 contribution would be realized, and reiterated her position that she would prefer having no market at all rather than having a for-profit market.

Patty Kapor praised Elizabeth Claes, Jeanie Ferrari and Brandon Follett of the Turlock Farmers Market Board for their efforts, noted the community would be paying attention to future Council decisions, and noted efforts by Council to meet with her.

Mayor Soiseth closed public comment.

Council discussion included the desire for a successful market, commitments from vendors to GSFMA, potential market owner/vendor conflict of interest by Peter Cipponeri of GSFMA, and commitments by GSFMA to clear roadways for downtown businesses after the market closes.

Mayor Soiseth recessed the meeting at approximately 9:40 p.m. and asked representatives from both groups to meet in his office to see if an agreement between the two parties could be reached. Mayor Soiseth reconvened the meeting at 9:47 p.m., noting no resolution could be reached.

Council discussion included concerns over the inexperience of the applicant, concern over future volunteers wanting to attempt to do anything great for city based upon this action, the award of a three year contract deepening negative impacts this issue has generated, and a recommendation that a moratorium be declared until the end of 2016.

Additional Council discussion included frustration over the parties not being able to come together and their inability to compromise, awarding the bid to GSFMA with a recommendation that collaboration be attempted for 30 days, and the hope that both markets can work together to form a better market.

Action: Motion by Councilmember Soiseth, seconded by Councilmember Bublak, Selecting a single proposal and awarding an agreement to operate, manage and market a certified farmers market located on City of Turlock property to Golden State Farmers’ Market Association (GSFMA) Motion carried 3/2 by the following vote:

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

9. NON-AGENDA ITEMS: None

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Bublak asked for future consideration for the creation of a recreational adult swim program.

Councilmember Nascimento asked for future consideration for clarification of the Council Code of Conduct in relation to Code references to bylaws and parliamentary procedure.

11. COUNCIL COMMENTS:

Councilmember DeHart noted he will be attending a League of California Cities Policy Committee April 7-8, 2016, which will include the public safety impacts of AB 109 and Proposition 47.

12. **CLOSED SESSION:**

City Attorney Phaedra Norton introduced the Closed Session Items.

A. **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: (2 cases)

Action: No reportable action.

B. **Conference with Labor Negotiators, Cal. Gov't Code §54957.6**

“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: Mayor Gary Soiseth

Unrepresented Employees: City Manager

Action: No reportable action.

C. **Public Employee Appointment, Cal. Gov't Code §54957(b) (1)**

“Subject to paragraph (2), this chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session.”

Title: City Manager

Action: Mayor Soiseth reported out that Gary Hampton was unanimously selected as City Manager for the City of Turlock.

D. **Conference with Legal Counsel – Existing Litigation, Cal. Gov't Code**

§54956.9(d)(1) *“For purposes of this section, litigation shall be considered pending when any of the following circumstances exist... Litigation, to which the local agency is a party, has been initiated formally.”*

Name of Case: County of Stanislaus v. City of Modesto, City of Turlock; Modesto Garbage Co., Inc.; and Does 1 through 100, inclusive

Action: No reportable action.

13. ADJOURNMENT:

Motion by Councilmember Bublak, seconded by Councilmember Nascimento, to adjourn at 10:09 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk