

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 6:00 p.m.  
 PRESENT: Councilmembers Amy Bublak, Bill DeHart, Steven Nascimento, Forrest White, and Mayor John S. Lazar.  
 ABSENT: None

**B. SALUTE TO THE FLAG:** Vice-Mayor Forrest White led the salute to the flag.

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

- A. Mayor Lazar presented a Proclamation to Donald Babadalir in Support of Assyrian and Iraqi Christians Suffering Persecution in Iraq.
- B. Mayor Lazar recommended that Robert Fernandes, Buster Lucas, and Jerry Powell be reappointed to terms expiring on June 30, 2017, and Kyle Kirkes and Craig Pitau be appointed to vacant terms expiring on June 30, 2016, on the Development Collaborative Advisory Committee (DCAC).

**Action:** Motion by Councilmember DeHart, seconded by Councilmember White, reappointing Robert Fernandes, Buster Lucas, and Jerry Powell to terms expiring on June 30, 2017, and appointing Kyle Kirkes and Craig Pitau to vacant terms expiring on June 30, 2016, on the Development Collaborative Advisory Committee (DCAC). Motion carried 5/0 by the following vote:

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

- C. Mayor Lazar recommended that Garner Reynolds be appointed as Member, and Michael Cooke be appointed as Alternate Member as the City of Turlock’s representatives to the Stanislaus County Local Task Force on Solid Waste.

**Action:** Motion by Councilmember White, seconded by Councilmember DeHart, appointing Garner Reynolds as Member and Michael Cooke as Alternate Member as the City of Turlock’s representatives to the Stanislaus County Local Task Force on Solid Waste. Motion carried 5/0 by the following vote:

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

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

**B. STAFF UPDATES**

1. City Clerk Kellie Weaver provided an update on Board, Commission, and Committee vacancies.

2. Development Services Director Mike Pitcock provided an update on Capital Projects and Building Activity including the Dianne Drive/Fulkerth Road project and Road Overlay projects on Hawkeye Avenue from Dels Lane to Olive Avenue and Geer Road from Monte Vista Avenue to Taylor Road.
3. Municipal Services Director Michael Cooke provided an update on utility billing procedures, including online utility account information, automatic monthly payment and paperless billing options, account summary information, water usage trends and comparisons, and future options such as an online app and bankers draft for payment options.

**C. PUBLIC PARTICIPATION:** None

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

**5. CONSENT CALENDAR:**

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

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

- A. **Resolution No. 2014-179** Accepting Demands of 10/2/14 in the amount of \$543,563.51; Demands of 10/9/14 in the amount of \$1,244,076.19; Demands of 10/16/14 in the amount of \$739,108.77
- B. Motion: Accepting Minutes of Regular Meeting of October 28, 2014
- C.
  1. Motion: Approving Amendment No. 1 to the Retainer Agreement (Contract No. 11-035) with Bureau Veritas North America, Inc. of Sacramento, California, for plan check services, in an amount not to exceed \$125,000
  2. Motion: Approving Amendment No. 1 to the Retainer Agreement (Contract No. 11-36) with 4Leaf, Inc. of Pleasanton, California, for plan check services, in an amount not to exceed \$70,000
  3. Motion: Approving Amendment No. 1 to the Retainer Agreement (Contract No. 11-037) with Interwest Consulting Group of Sacramento, California, for plan check services, in an amount not to exceed \$75,000
- D.
  1. Motion: Approving a professional services agreement in an amount not to exceed \$27,522 with Omni-Means Ltd., of Roseville, California, for traffic count data collection services, associated with City Project No. 14-63, "Traffic Count Data Collection"
  2. **Resolution No. 2014-180** Appropriating \$31,650 to account number 217-50-511.43060\_010 "Contract Services – Traffic Count Data Collection" from Fund 217 "Gas Tax – Section 2103 Reserves," associated with City Project No. 14-63, "Traffic Count Data Collection"
- E. **Resolution No. 2014-181** Authorizing the City Manager to sign and execute all documents related to an application for grant funds from the San Joaquin Valley Air Pollution Control District, under the Public Benefit Grants Program, for the purchase of five (5) CNG-powered pickup trucks

- F. Motion: Accepting the Capital Facility Fee Program report for Fiscal Year 2013/14
- G. 1. Motion: Approving a purchase and sale agreement with Turlock Real Estate Investors 1, LLC, for the purchase of portions of the Property in Fee (78,812 square feet) and portions of the Property as right-of-way for street purposes (3,980 square feet) of land described as 2618 Fulkerth Road (APN Nos. 089-019-027, 089-019-028 & 089-019-029), for the Fulkerth Road/Hwy 99 Interchange Project, in the amount of \$827,920 plus half of escrow closing costs, with a total cost not to exceed \$830,000 and authorizing the City Manager to sign all necessary documents to complete the transaction  
2. **Resolution No. 2014-182** Appropriating \$830,000 to account number 305-40-440.51270 "Construction Projects" to be funded from Fund 305 (Transportation) unappropriated reserves for the purchase of portions of the Property in Fee (78,812 square feet) and portions of the Property as right-of-way for street purposes (3,980 square feet) of land described as 2618 Fulkerth Road (APN Nos. 089-019-027, 089-019-028 & 089-019-029), for the Fulkerth Road/Hwy 99 Interchange Project
- H. Motion: Approving the agreement with Polydyne, Inc., of Riceboro, Georgia, for cationic emulsion polymer, for the Turlock Regional Water Quality Control Facility for a period of twelve (12) months, in an amount not to exceed \$142,000
- I. Motion: Approving Amendment No. 2 to the agreement between the City of Turlock and Applied Pest Management, Inc., to include Municipal Services' Harding Drain Pump Station and the Northwest Water Storage Tank, and the Turlock Public Safety Facility, for pest control services, increasing the annual contract amount to \$4,965
- J. Motion: Approving the agreement between the City of Turlock and the 38<sup>th</sup> District Agricultural Association for the purpose of parking and turn around for the participants in the Annual Christmas Parade on Friday, December 5, 2014
- K. **Resolution No. 2014-183** Authorizing the City Manager to execute of the State of California Standard Agreement for Housing Related Parks Grant Program
- L. **Resolution No. 2014-184** Appropriating \$1,200 to account number 227-40-135.51011 "Computer Software" from Fund 227 "Public Safety Tax" reserve balance for New World Systems to refine converted data
- M. 1. Motion: Approving the agreement with New World Systems for licensed standard software and implementation services of a third party applicant interface  
2. **Resolution No. 2014-185** Appropriating \$5,100 to account number 240-00-000-200.51005\_002 "Communications Financial Software" from Fund 240 "Small Equipment Replacement-General Administration" reserve balance for a third party interface for electronic applicant tracking
- N. **Resolution No. 2014-186** Making certain findings and determinations in compliance with Section XIII.B of the California Constitution and Section 7910 of the California Government Code and setting the Appropriation Limit for the City of Turlock for the Fiscal Year 2014/15
- O. Motion: Rejecting Claim for Damages filed by Russell Stanley Avilla

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS**

- A. Mayor Lazar requested Public Hearing Item 7A, "Repealing and Replacing Turlock Municipal Code Title 9, Zoning Ordinance, in its entirety," originally noticed for the November 18, 2014 City Council meeting, be continued to the January 13, 2015 meeting.

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Nascimento, to continue Public Hearing Item 7A, “Repealing and Replacing Turlock Municipal Code Title 9, Zoning Ordinance, in its entirety,” originally noticed for the November 18, 2014 City Council meeting, to the January 13, 2015 meeting. Motion carried 5/0 by the following vote:

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

- B. Mayor Lazar requested that Public Hearing Item 7B, “Establishing a Trench Restoration Fund and Trench Restoration Fees in accordance with Turlock Municipal Code Title 7, Chapter 4, Article 2 and amending Turlock Municipal Code Title 7, Chapter 4, Article 2 regarding Excavation,” originally noticed for the November 18, 2014 City Council meeting, be continued to the January 27, 2015 meeting.

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Nascimento, to continue Public Hearing Item 7B, “Establishing a Trench Restoration Fund and Trench Restoration Fees in accordance with Turlock Municipal Code Title 7, Chapter 4, Article 2 and amending Turlock Municipal Code Title 7, Chapter 4, Article 2 regarding Excavation,” originally noticed for the November 18, 2014 City Council meeting, to the January 27, 2015 meeting. Motion carried 5/0 by the following vote:

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

- C. Associate Planner Katie Quintero presented the staff report on the request to adopt a Mitigated Negative Declaration of Environmental Effect pursuant to the California Environmental Quality Act (CEQA), amend the Land Use Diagram of the Turlock General Plan [GPA 2014-01 (East Tuolumne Master Plan Amendment)] and Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2014-01 (East Tuolumne Master Plan Amendment)], and establish Conditions of Approval for Rezone 2014-01 (East Tuolumne Master Plan Amendment).

Council discussion included the planned bioswale, traffic impacts and mitigation measures, and dual use basins.

Mayor Lazar opened the public hearing.

Scott Dorius, representative of the project applicant, spoke in favor of the project and thanked all parties for working together.

Mayor Lazar closed the public hearing.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, Adopting a Mitigated Negative Declaration of Environmental Effect pursuant to the California Environmental Quality Act (CEQA). Motion carried 5/0 by the following vote:

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

**Resolution No. 2014-187** Amending the Land Use Diagram of the Turlock General Plan [GPA 2014-01 (East Tuolumne Master Plan Amendment)] was introduced by Councilmember Bublak, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

Motion by Councilmember 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 [Rezone 2014-01 (East Tuolumne Master Plan Amendment)] and setting the final reading for December 9, 2014. Motion carried 5/0 by the following vote:

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

Mayor Lazar advised the Resolution Establishing Conditions of Approval for Rezone 2014-01 (East Tuolumne Master Plan Amendment) would be considered at the December 9, 2014 meeting, following approval of the Ordinance.

**8. SCHEDULED MATTERS:**

- A. Assistant to the City Manager for Economic Development and Housing Services Maryn Pitt presented the staff report on the request to accept the Convention and Visitors Bureau (CVB) 2014 Budget.

Council discussion included the connection between the Chamber of Commerce and CVB in relation to funding.

Chamber of Commerce CEO Sharon Silva provided information regarding the Chamber/CVB connection, history, staffing changes, activities, partnerships and future goals.

Additional discussion included analytical tools used by the CVB to determine website traffic/interests, advertising, and maps.

Mayor Lazar asked for public comment.

Donald Babadalir spoke regarding the need to attract more businesses and encourage more individuals to shop in Turlock, and requested additional information about the allocation of funding for marketing.

Desa Cammack of the CVB spoke regarding marketing strategies including advertising in national sports magazine, the California Visitors Guide, and digital and media marketing efforts.

Chamber of Commerce CEO Sharon Silva spoke regarding future goals, including becoming more technologically savvy, reaching out to travel agencies, and hosting a hospitality conference for both outside users and local hoteliers/restaurateurs to showcase venues in Turlock.

Sergio Alvarado spoke regarding the limited information contained in the agenda and against excessive administrative costs.

Additional Council discussion included hotel tax funding, administrative fees, and the importance of bringing major events to Turlock.

Mayor Lazar confirmed the close of the public hearing.

Additional Council discussion included the need for additional information to be provided with the staff report, recommendations for collaboration opportunities with hoteliers and CSUS regarding maps and providing information to the public, a desire to increase funding and activities, and the importance of capturing hotel occupancy statistics to determine transient occupancy tax numbers/funding which helps to ensure the success of the CVB.

Mayor Lazar closed public comment.

Action: Motion by Councilmember Nascimento, seconded by Councilmember White, Accepting the Convention and Visitors Bureau (CVB) 2014 Budget with the condition that the Chamber of Commerce and Convention and Visitor's Bureau provide an action plan with cost estimates and a proposal to shift their budget in line with the City of Turlock's fiscal year budget, prior to adoption of the City's 2015/16 budget. Motion carried 4/1 by the following vote:

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

- B. Development Services Director Mike Pitcock presented the staff report on the request to approve Contract Change Order No. 2 in the amount of \$210,255.15 (Fund 217) for City Project No. 12-45, "Monte Vista Avenue Rehabilitation" and appropriate the necessary funding required for the project.

Council and staff discussion included the success of the rubberized asphalt material being used for the project and grant funding received as a result of the use of the material.

*Mayor Lazar stepped down from the dais and turned the meeting over to Vice Mayor White.*

Vice Mayor White asked for public comment. No one spoke. Vice Mayor White closed public comment.

Mayor Lazar returned to the dais.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, Approving Contract Change Order No. 2 in the amount of \$210,255.15 (Fund 217) for City Project No. 12-45, "Monte Vista Avenue Rehabilitation." Motion carried 5/0 by the following vote:

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

**Resolution No. 2014-188** Appropriating \$150,000 to account number 215-40-420.51210 "Federal Street Projects" to be funded via a transfer of Section 2103 Gas Tax Monies from Fund 217 "Gas Tax Fund" for City Project No. 12-45, "Monte Vista Avenue Rehabilitation," to complete the necessary funding required for the project was introduced by Councilmember Bublak, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

Mayor Lazar resumed control of the meeting.

- C. Assistant to the City Manager for Economic Development and Housing Services Maryn Pitt Request to approve the Memorandum of Understanding with the Stanislaus Economic Development and Workforce Alliance and the City of Turlock for the purpose of working together to implement a Countywide Economic Development Plan and Marketing Strategy.

Steven Ames of the Stanislaus Economic Development and Workforce Alliance spoke regarding strategies, marketing campaign, and readiness to assist the City of Turlock.

Council discussion included parity of representation with other agencies the Alliance represents.

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

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, Approving the Memorandum of Understanding with the Stanislaus Economic Development and Workforce Alliance and the City of Turlock for the purpose of working together to implement a Countywide Economic Development Plan and Marketing Strategy. Motion carried 5/0 by the following vote:

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

- D. City Manager Roy Wasden presented the staff report on the request to amend the City of Turlock Fiscal Year 2014/15 General and Non-General Fund Budgets. Mayor Lazar noted a green sheet to this item.

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

**Action:**           **Resolution No. 2014-189** Amending the City of Turlock Fiscal Year 2014/15 General and Non-General Fund Budgets was introduced by Councilmember Lazar, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

- E. Development Services Director Mike Pitcock presented the staff report on the request to approve a Lien Agreement for deferred payment of Capital Facility Fees between the City of Turlock and S & B Holdings (Owner of 1851 Lander Avenue, Turlock CA 95380).

Council discussion included the types of businesses expected to reside in the development.

Mayor Lazar asked for public comment.

Dave Romano, S & B Holdings representative, spoke in favor of the project, noting the future development of a Hampton Inn and four outparcels which will include an allergy clinic.

Mayor Lazar closed public comment.

**Action:**           Motion by Councilmember DeHart, seconded by Councilmember Nascimento, Approving a Lien Agreement for deferred payment of Capital Facility Fees between the City of Turlock and S & B Holdings (Owner of 1851 Lander Avenue, Turlock CA 95380). Motion carried 5/0 by the following vote:

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

*Mayor Lazar invited Milt Trieweiler to speak regarding Turlock Roads. Mr. Trieweiler advised he would defer his comments to a future meeting.*

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

**10. COUNCIL COMMENTS:**

Councilmember Bublak congratulated the CSU Stanislaus Women’s Soccer Team and encouraged community support as the team moves on to the “Sweet 16” Soccer Championships.

Councilmember Forrest White thanked the citizens of Turlock for giving him the opportunity to serve and thanked the City of Turlock employees he has worked with during his time on the City Council.

Mayor Lazar commented on the excellent staff he has worked with over the years and acknowledged and thanked Councilmember White for his service to the community.

**11. CLOSED SESSION:**

City Attorney Phaedra Norton introduced Closed Session Items 11A, 11B, and 11C.

- A. 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 Negotiators: Roy W. Wasden/Dave Young  
Employee Organization: Turlock Associated Police Officers

**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."*  
Property: 147 & 153 South Broadway, Turlock, CA (APN No. 061-016-046-000)  
Agency Negotiator: Roy W. Wasden  
Negotiating Parties: Bonander Properties, Marilyn R. Bessey, Special Master  
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.

**12. ADJOURNMENT:**

Motion by Councilmember Dehart, seconded by Councilmember Nascimento, to adjourn at 7:39 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Kellie E. Weaver  
City Clerk