

1. **A. CALL TO ORDER** –Mayor Soiseth called the meeting to order at 6:07 p.m.
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Matthew Jacob, Steven Nascimento, and Mayor Soiseth.
ABSENT: None

B. SALUTE TO THE FLAG

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

- A. Mayor Soiseth presented a Proclamation to Staff Services Technician Toni Cordell in recognition of Go Green Week, March 14-18, 2016. Ms. Cordell presented information on the City of Turlock’s Environmental Education program including an overview of the program, activities, accomplishments, and program partners including the Parks, Recreation & Public Facilities Department and Turlock Scavenger and Recycling.

Jesse Marchant of Turlock Scavenger spoke in favor of the program for many reasons including the impact it has on Turlock’s youth.

Brett Sutterly of Walnut Elementary Education Center thanked Toni Cordell and the City Council for their support of Go Green Week and spoke in favor of the important conservation message it provides throughout the community.

- B. Mayor Soiseth recommended that Staff Services Technician Toni Cordell be appointed as the City’s 2nd Alternate Representative to the Stanislaus County Local Task Force on Solid Waste.

Action: Motion by Councilmember Soiseth, seconded by Councilmember Bublak, appointing Staff Services Technician Toni Cordell as the City of Turlock’s 2nd Alternate Representative 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 Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- C. Stanislaus County Mental Health Board Members Ritta Sudnikoff, Jack Waldorf, and Annie Heinrich presented information on the services offered by Stanislaus County Mental Health, including the Board’s mission, membership, and activities.

Stanislaus County Board of Supervisors District 3 Representative Terry Withrow thanked Ms. Sudnikoff, Mr. Waldorf and Ms. Heinrich for their service and provided information about funding and Stanislaus County’s new Focus on Prevention initiative.

- D. Carnegie Art's Center Director Lisa McDermott presented the Center's annual report including the past year's art exhibitions, new programs such as the Ready, Set, Show art exhibition, Lightbox Theatre Company and Art Around Town art walks, ongoing programs and collaborations such as art class programs and school field trip programs, facility rentals, volunteers, attendance and participation statistics, media and marketing efforts, season program information, sponsors, membership, the new Carnegie Art Club for Kids membership program, and revenue/expense distribution for Fiscal Year 2014-15. Ms. McDermott noted that 2016 is start of the Carnegie's centennial year with scheduled activities that will include special events, exhibitions, new initiatives and goals. She highlighted the 2016 goal of attracting 100 new members with a special centennial membership rate of \$100.

Mayor Soiseth spoke in favor of the programs and activities and issued a kick-off challenge by providing a check to Director McDermott for his 2016 centennial membership.

3. A. SPECIAL BRIEFINGS: None

B. STAFF UPDATES

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

Development Services Director Mike Pitcock provided updates regarding the roads condition report, Fulkerth Interchange, West Main Street corridor improvements, Montana Park development, Brandon Koch Skate Park, Housing Element of the General Plan, infill master plan for the Montana-West area, South County Corridor Feasibility Study, Zoning Ordinance update, Parks Master Plan and Fee program update, and Electronic Plan Review software purchase.

Councilmember Nascimento stepped down from the dais at 6:52 p.m.

Parks, Recreation and Public Facilities director Allison Van Guilder provided updates on a Special Event Permit process and the Turlock Farmers Market Request for Proposal process. Director Van Guilder noted a special City Council meeting will be held on Saturday, February 20, 2016, at 1:00 p.m. regarding both of these items.

2. Development Services Director Mike Pitcock provided an update on Capital Projects and Building Activity, including the City Council Chamber Improvement project, Brandon Koch Skate Park project, and the Monte Vista Crossing South Phase 2 project.

Councilmember Nascimento returned to the dais at 7:00 p.m.

3. Assistant to the City Manager for Economic Development/Housing Program Services provided information on the CDBG Community Grant Selection Committee and application process.

C. PUBLIC PARTICIPATION

Turlock Librarian Dianne Bartlett provided information about upcoming library events and activities including story times, arts and crafts, Lego Days, an upcoming magic show by Shawn Durham, Teen Advisory Board, and family programs such as Book to Action. Ms. Bartlett provided information on the Friends of the Library annual book sale.

Milt Trieweiler commended Fire Marshal Mark Gomez for his efforts in seeing that an unsightly object was removed from West Main Street.

Turlock resident Wayne Beers and neighbors “Johnny” and “Marie” spoke regarding activity occurring in the 700 block of South Minaret Avenue near F Street, including break-ins, camping and waste being left behind. Mr. Beers requested City of Turlock approval to construct a commercial cyclone fence at his expense to block off the area to intruders. “Johnny” requested additional police presence in the area. “Maria” identified her efforts in reaching out to TID and the City of Modesto to gain their approval to allow the requested fencing. She also spoke regarding vehicles that have been speeding in the area and urged the City Council to take their request into consideration. Mayor Soiseth asked staff to make contact with the residents.

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

5. CONSENT CALENDAR:

Action: Motion by Councilmember DeHart, 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. 2016-021** Accepting Demands of 1/7/16 in the amount of \$418,232.91; Demands of 1/14/16 in the amount of \$1,932,739.84
- B. **Motion:** Accepting Minutes of the Special Joint City Council and Planning Commission Meeting of January 26, 2016; Accepting Minutes of the Regular Meeting of January 26, 2016
- C.
 - 1. **Motion:** Approving Contract Change Order No. 1 (Final) in the decreased amount of \$29,348.54 (Fund 246) for City Project No. 14-67, “Slurry Seals 2015,” bringing the contract total to \$530,658.46
 - 2. **Motion:** Accepting improvements for City Project No. 14-67, “Slurry Seals 2015,” and authorizing the City Engineer to file a Notice of Completion
- D.
 - 1. **Motion:** Approving a Cooperative Funding Agreement with the Stanislaus Council of Governments (StanCOG) for the South County Corridor Feasibility Study
 - 2. **Resolution No. 2016-022** Appropriating \$22,000 to account number 217-50-511.43347 “South County Corridor Feasibility Study” to be funded from unappropriated reserves in Fund 217 “Streets Gas Tax-Section 2103” monies for Turlock’s financial share of the South County Corridor Feasibility Study

- E. **Resolution No. 2016-023** Authorizing the closure of South Broadway, between A Street and West Main Street, for the swearing-in ceremony of the new Turlock City Manager, with the specific date and times of the closure to be identified by the Interim City Manager
- F. **Resolution No. 2016-024** Authorizing the closure of various street sections as further specified on Saturday, February 20, 2016, for the annual Kettle Dash events and authorizing the City Manager to apply appropriate conditions and restrictions
- G. Motion: Approving an amendment to the Professional Services Agreement between the City of Turlock and Todd Engineers, related to the services of conducting a detailed hydrogeologic characterization of a 115-square-mile portion of the Eastern Turlock Subbasin, to extend the term of the contract for an additional six (6) months
- H. Motion: Approving the City of Turlock’s Police Department participation in a Multidisciplinary County Wide Child Abuse and Neglect Investigation protocol and authorizing the Police Chief to sign the agreement
- I. Motion: Approving an addendum with Tyler Technologies, Inc., as successor-in-interest, to New World Systems for software and related services
- J. Motion: Rejecting Claim for Damages filed by Silvestre R. Lopez
- K. **Resolution No. 2016-025** Appropriating \$179,736 to various salary, benefits and equipment accounts per Exhibit “A” in 110-30-300 “Fire Services” from Fund 110 “General Fund” reserve balance for three (3) additional Firefighter positions as approved by Resolution No. 2015-268
- L. Motion: Approving an agreement, as well as future renewal agreements, between the City of Turlock and NorCal Services for the Deaf and Hard of Hearing to provide sign language interpretation services on an on call basis as needed by Turlock Police staff, in an amount not to exceed \$5,000

6. FINAL READINGS: None

7. PUBLIC HEARINGS

- A. Development Services Director Mike Pitcock and Parks, Recreation and Public Facilities Director Allison Van Guilder presented the staff report on the request to supersede and replace Council Resolution No. 2015-134 and adopt updated cost recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq.

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

Action: **Resolution No. 2016-026** Superseding and replacing Council Resolution No. 2015-134 and adopting updated cost recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq. was introduced by Councilmember Bublak, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

- B. Staff Services Technician Toni Cordell presented the staff report on the request to amend the Turlock Municipal Code Title 6, Chapter 3, Regarding Garbage, Rubbish and Organic Refuse.

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 3, Regarding Garbage, Rubbish and Organic Refuse and setting the final reading for March 22, 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. Regulatory Affairs Manager Garner Reynolds presented the staff report on the request to approve water conservation targets and penalties for exceeding water conservation targets and authorizing staff to proceed with the ordinance amendment for future City Council approval.

Council and staff discussion included whether consideration had been given to the number members in each household when identifying conservation targets and associated fines.

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

Additional Council discussion included the importance of educational outreach to Turlock residents on the proposed targets and penalties.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, Approving water conservation targets and penalties for exceeding the water conservation targets and authorizing staff to proceed with the ordinance amendment for future City Council approval. Motion carried 4/1 by the following vote:

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

- B. Parks, Recreation and Public Facilities Manager Erik Schulze presented the staff report on the request to approve an agreement for special services with The Sports Management Group for the purpose of developing a Sports & Recreation Facilities Prioritization and Feasibility Study in an amount not to exceed \$75,000.

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

Council and staff identified the funding source for this request as coming from Non-General Fund Capital Facilities Fees.

Action: Motion by Councilmember Jacob, seconded by Councilmember DeHart, Approving an agreement for special services with The Sports Management Group for the purpose of developing a Sports & Recreation Facilities Prioritization and Feasibility Study in an amount not to exceed \$75,000. Motion carried 5/0 by the following vote:

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

- C. Development Services Director Mike Pitcock presented the staff report on the request to accept a summary report of vehicle, bicycle and pedestrian collisions for calendar year 2015 and adopting a multi-pronged, collision reduction strategy for public safety.

Council discussion included safety concerns at Crowell Road/Monte Vista Avenue with the new student housing facility going in and at Covenant Village as residents move between the facility and the hospital.

Mayor Soiseth opened the public hearing.

Ann Strahm spoke regarding the traffic light at Olive and Tuolumne being rather short and that the elderly crossing in that area are slow to make it across the crosswalk in the allotted time, the need for more effective driver training, and providing education for children.

Ms. Bell spoke regarding traffic safety concerns related to the areas of Marshall Street by the Fire Department due to pedestrians suddenly appearing in the roadway and on Main Street, Thursday through Saturday nights, due to the number of intoxicated people in the area.

Mayor Soiseth closed the public hearing.

Mayor Soiseth noted his dissatisfaction with the number of accidents occurring within Turlock, the need to take immediate steps to reduce the number of accidents, and asked staff to work together with a sense of urgency to move up the implementation of collision reduction strategies.

Action: Motion by Councilmember Jacob, seconded by Councilmember DeHart, Accepting a summary report of vehicle, bicycle and pedestrian collisions for calendar year 2015 and adopting a multi-pronged, collision reduction strategy for public safety. Motion carried 5/0 by the following vote:

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

- D. Mayor Soiseth presented the staff report on the request to adopt the Million Acts of Kindness Initiative for the City of Turlock, as an organization and as a community, which included an informational video about the initiative and event kick-off.

Recreation Supervisor Karen Packwood provided information about the program roll-out and thanked the Mayor for their involvement. Ms. Packwood noted each school site and City Hall will have a “Million Acts of Kindness tree” on which participants will hang leaves denoting acts of kindness that have been exhibited.

Executive Assistant to the City Manager/City Clerk Trainee Jennifer Land noted the tree is representative of growing kindness in our community and provided information about the logo design and related printed material.

Mayor Soiseth noted he will be meeting with other mayors in Stanislaus County and will ask them to consider implementing the kindness initiative in their communities.

Mayor Soiseth asked for public comment.

Jeff Woods spoke in favor of the initiative and asked for consideration of adding the component of catching people in acts of kindness.

Mayor Soiseth closed the public hearing.

Council discussion included support for the program, the upcoming Inclusivity Summit being held at California State University, Stanislaus, involving CSUS students in the Million Acts of Kindness program, experience with receiving acts of kindness, and that the initiative is funded by the City of Turlock.

Action: **Resolution No. 2016-027** Adopting the Million Acts of Kindness Initiative for the City of Turlock, as an organization and as a community was introduced by Councilmember Soiseth, 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

9. **NON-AGENDA ITEMS:** None

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

11. COUNCIL COMMENTS:

Mayor Soiseth noted that on Friday, February 12, 2016, CSU Stanislaus will host a Summit on Inclusivity designed to celebrate the diverse backgrounds of those in our community. Representatives from diverse backgrounds and various walks of life will take part in discussions highlighting commonalities and what can be done to make Turlock a more inclusive place. Mayor Soiseth thanked Police Chief Robert Jackson, City Attorney Phaedra Norton and Interim City Manager Michael Cooke for their efforts in moving the summit forward.

12. CLOSED SESSION:

City Attorney Phaedra Norton introduced the Closed Session Item.

A. ***Continued from the January 12, 2016 City Council Meeting:***

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 DeHart, seconded by Councilmember Bublak, to adjourn at 8:21 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk