

Due to a clerical error, formal action was not taken on any of the items agendized for this meeting. Please see additional information listed on page 11 of these minutes for further clarification.

- 1. **A. CALL TO ORDER** – Vice Mayor Jacob called the meeting to order at 6:03 p.m.
 PRESENT: Councilmembers Gil Esquer, Bill DeHart, Amy Bublak, Matthew Jacob, and Mayor Gary Soiseth (*via teleconference*).
 ABSENT: None

B. SALUTE TO THE FLAG

Vice Mayor Jacob announced that Mayor Soiseth is participating via teleconference due to work obligations.

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

- A. Proclamation and Recognitions: Go Green Week, March 12 - March 16, 2018

Vice Mayor Jacob presented a Proclamation to Municipal Services Department Staff Services Technician Toni Cordell in recognition of Go Green Week, March 12 - March 16, 2018. Staff Services Technician Toni Cordell presented information about the Go Green Week program, activities, and partner promotions and recognized Turlock Scavenger & Recycling Company Alan Marchant, City staff members, and Walnut Elementary Education Center Bret Sutterley for their contributions to the program.

- B. Appointment: Ad Hoc Committee – Campaign Disclosure Requirements and Campaign Statement Filing

Mayor Soiseth recommended that he and Councilmember Esquer be appointed to the Ad Hoc Committee for Campaign Disclosure Requirements and Campaign Statement Filing.

Action: Motion by Councilmember DeHart, seconded by Councilmember Bublak, Appointing Mayor Soiseth and Councilmember Esquer to serve on the Ad Hoc Committee for Campaign Disclosure Requirements and Campaign Statement Filing. Motion carried 5/0 by the following vote:

Councilmember Esquer	Councilmember DeHart	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

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

B. PUBLIC PARTICIPATION

Jocelyn Marle spoke regarding school safety, thanked law enforcement for their hard work, and requested Council support of her project “Project Lemon Bars” to help kids feel safer and save Turlock from tragedy.

A member of the public (Angela) spoke regarding some of the marches in town, racism, sticker-gate, an art show at CSUS, and being called a white supremacist.

Brad Bates spoke regarding campaign finance, concerns about Resolution No. 2016-148 including provisions of the resolution being voluntary and involuntary, the Ad Hoc Committee established regarding this matter, Mayor Soiseth’s Form 460 reporting, and FPPC standards, and recommended rescinding the resolution.

Chris DeMott spoke regarding the upcoming road closure on Johnson Road for the baseball season, her support for children’s activities, concerns about the nearby baseball field including noise from the PA system, flood lights, and parking, and requested assistance in identifying solutions.

George Apostolopoulos provided information regarding the Wide Green Energy Fund (PACE financing program in California), legislative updates on consumer protections of the PACE industry, and requested Council consideration to adopt the program.

Supervisor Vito Chiesa spoke regarding the relocation of the Community Services Agency and commended Maryn Pitt for her assistance with this process, an upcoming meeting regarding the Turlock Library to choose an architect for the upgrade, the Board of Supervisors taking on a low barrier shelter, and the Morning Express Amtrak (services to Sacramento) to begin on May 7, 2018.

- 4. **A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None
- B. DISCLOSURE OF TOP TEN/MAXIMUM CONTRIBUTORS**

5. **CONSENT CALENDAR:**

Vice Mayor Jacob announced that at the request of Councilmember Dehart Consent Calendar Item 5J will be removed for separate consideration. Councilmember Bublak requested Consent Calendar Item 5M be removed for separate consideration.

Action: Motion by Councilmember DeHart, seconded by Councilmember Esquer, adopting the amended consent calendar. Motion carried 5/0 by the following vote:

Councilmember Esquer	Councilmember DeHart	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- A. **Resolution:** Accepting Weekly Demands of 2/1/18 in the amount of \$799,514.28; Weekly Demands of 2/8/18 in the amount of \$664,797.96
- B. **Motion:** Accepting Minutes of the Regular Meeting of January 9, 2018; Minutes of the Special Meeting of January 23, 2018
- C. **Motion:** Approving Amendment No. 2 to an Agreement with CTC, Inc. of Fort Worth, Texas, for engineering consulting services for railroad preemption for City Project No. 14-28 “Intersection Improvements at Golden State Blvd. and Fulkerth Rd” and increasing the total compensation in the amount of \$1,000

- D. Resolution: Adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for City Project No. 16-60 “Linwood Avenue ATP Improvements” based upon the evidence and analysis contained in the Initial Study and finding revisions have been made to the Project to avoid or mitigate potential new or significant effects to a point where clearly no significant effects would occur pursuant to Public Resources Code Sections 21080(c)(2) and California Environmental Quality Act Section 15168(c)(1)
 - E. Resolution: Amending the Fiscal Year 2017-18 Municipal Budget and appropriating \$11,400 to account number 217-50-511.44001_136 “Supplies Signs” from Fund 217 “Parks, Recreation, and Public Facilities Department Street Maintenance (Gas Tax)” unappropriated reserves for the purchase of signs, delineators, and other traffic control devices
 - F.
 1. Resolution: Determining the purchase and installation of electronic farebox equipment in support of transit service, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Existing Facilities) of the CEQA Guidelines
 2. Resolution: Approving future sole source procurements from SPX Genfare of Elk Grove Village, Illinois, for farebox related equipment, materials, and supplies, without compliance to bidding requirements in accordance with Section 2-7-08(b)(2) of the Turlock Municipal Code, contingent on availability of budgeted funds
 - G. Motion: Approving an Agreement with Condor Earth to update the California Accidental Release Prevention Risk Management Program (CalARP/RMP) for the City of Turlock Regional Water Quality Control Facility (TRWQCF), in an amount not to exceed \$24,900
 - H. Motion: Approving Amendment No. 1 to a Professional Services Agreement between the City of Turlock and Wood Rodgers, Inc. for On-Call Hydrogeological Engineering Services to modify the scope of work to include additional services for well rehabilitation, test holes, and monitoring wells as needed
 - I. Resolution: Appropriating \$50,000 to account number 217-50-511.47322 “Street Light & Traffic Signal Repairs & Maintenance” funded by a transfer from Fund 217 “Streets – Gas Tax” unallocated reserves for the purchase of traffic signal parts
 - J. Removed for separate consideration.
 - K. Motion: Approving a Memorandum of Understanding (MOU) between the City of Turlock and the Stanislaus County Behavioral Health and Recovery Services Agency (BHRS) for the creation of a Homeless Engagement Multi-Disciplinary Team (HEMDT)
 - L. Motion: Approving a Memorandum of Understanding (MOU) and Vehicle Use Agreement between the City of Turlock and the Federal Bureau of Investigations Stockton/Modesto Safe Street Task Force to delineate responsibilities, formalize relationships, and maximize inter-agency cooperation
 - M. Resolution: Approving modifications to the job description for the position of City Clerk, effective February 27, 2018
 - N. Motion: Rejecting Claim for Damages filed by John Eisavi
- Item 5J. Resolution: Approving the purchase and delivery of six (6) replacement marked Police vehicles, one (1) replacement CSO vehicle, one (1) replacement VIPS vehicle, one (1) replacement Cadet vehicle, one (1) replacement Animal Control vehicle caged, two (2) replacement Admin vehicles, and one (1) replacement Detective vehicle from Downtown Ford Sales, Sacramento, California, through the State of California Contract No. 1-16-23-10A, 1-16-23-20A, and 1-16-23-23A in a total amount not to exceed \$564,280.00 and approving the purchase and delivery of one (1) replacement Detective vehicle from Elk Grove Auto Group in Elk Grove, California, through the State of California Contract No. 1-16-23-10B, in a total amount not to exceed \$38,760.00, from account number 506-00-

000-213.51020 “Police Equipment Replacement” without compliance to the formal bid process in accordance with Turlock Municipal Code Section 2-7-08(b)(6) and declaring replaced vehicles surplus once replaced
 Council and staff discussed this item.

Council and staff discussed this item.

Vice Mayor Jacob opened public participation. No one spoke. Vice Mayor Jacob closed public participation.

Action: Resolution: Approving the purchase and delivery of six (6) replacement marked Police vehicles, one (1) replacement CSO vehicle, one (1) replacement VIPS vehicle, one (1) replacement Cadet vehicle, one (1) replacement Animal Control vehicle caged, two (2) replacement Admin vehicles, and one (1) replacement Detective vehicle from Downtown Ford Sales, Sacramento, California, through the State of California Contract No. 1-16-23-10A, 1-16-23-20A, and 1-16-23-23A in a total amount not to exceed \$564,280.00 and approving the purchase and delivery of one (1) replacement Detective vehicle from Elk Grove Auto Group in Elk Grove, California, through the State of California Contract No. 1-16-23-10B, in a total amount not to exceed \$38,760.00, from account number 506-00-000-213.51020 “Police Equipment Replacement” without compliance to the formal bid process in accordance with Turlock Municipal Code Section 2-7-08(b)(6) and declaring replaced vehicles surplus once replaced as introduced by Councilmember DeHart, seconded by Councilmember Esquer, and carried 5/0 by the following vote:

Councilmember Esquer	Councilmember DeHart	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

Item 5M. Resolution: Approving modifications to the job description for the position of City Clerk, effective February 27, 2018

Council and staff discussed this item.

Vice Mayor Jacob opened public participation. No one spoke. Vice Mayor Jacob closed public participation.

Action: Resolution: Approving modifications to the job description for the position of City Clerk, effective February 27, 2018 as introduced by Councilmember Bublak, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

Councilmember Esquer	Councilmember DeHart	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

6. **FINAL READINGS:** None

7. PUBLIC HEARINGS

Vice Mayor Jacob announced that Public Hearing Item 7A was continued from the February 13, 2018 City Council meeting.

- A. Interim Development Services Director Eric Picciano presented the staff report on the request to order the improvements and formation of the Parcel Map 16-04 Chevron/Mirage (Development Project No. 16-69) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Parcel Map 16-04 Chevron/Mirage (Development Project No. 16-69) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128. (*Picciano*)

Vice Mayor Jacob opened the public hearing. No one spoke. Vice Mayor Jacob closed the public hearing.

City Clerk Jennifer Land reported the only ballot received for this item is in favor of the district, no ballots were received in opposition of; therefore, no majority protest exists and the Council may form the district.

Action: *Resolution:* Ordering the improvements and formation of the Parcel Map 16-04 Chevron/Mirage (Development Project No. 16-69) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2017-2018 for the Parcel Map 16-04 Chevron/Mirage (Development Project No. 16-69) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128 as introduced by Councilmember Bublak, seconded by Mayor Soiseth, and carried 5/0 by the following vote:

Councilmember Esquer	Councilmember DeHart	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

8. SCHEDULED MATTERS:

Vice Mayor Jacob announced that Scheduled Matters Item 8B has been removed from the agenda.

- A. Interim Development Services Director Eric Picciano presented the staff report on the request to approve Contract Change Order No. 1 in the amount of \$9,775 for City Project No. 17-28 "Building Demolition at 323 Columbia Street," bringing the contract total to \$107,575.

Council and staff discussed this item and inquired about the lien process.

Vice Mayor Jacob opened public participation.

Frank Johnson spoke about putting the cart before the horse, the City not knowing the name of the owner, liability, and inquired about the City’s involvement with the lien process.

DJ Fransen spoke about this being a compounded issue, Council having to authorize expenses that have already expended, and setting policy.

Jocelyn Marle inquired if the City has assigned someone to find the missing pieces of the puzzle.

Vice Mayor Jacob closed public participation.

Action: Motion by Councilmember DeHart, seconded by Mayor Soiseth, Approving Contract Change Order No. 1 in the amount of \$9,775 for City Project No. 17-28 "Building Demolition at 323 Columbia Street," bringing the contract total to \$107,575. Motion carried 5/0 by the following vote:

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

- B. Removed from the agenda.
- C. Parks, Recreation and Public Facilities Director Allison Van Guilder presented the staff report on the request to determine the closure of Johnson Road, between the Julien Elementary School parking lot and Charles Place, for the Turlock American Little League to host the 2018 Little League Opening Ceremonies, 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 AND approve a Special Event Permit Application for the 2018 Little League Opening Ceremonies hosted by the Turlock American Little League, authorize the associated closure of Johnson Road, between the Julien Elementary School parking lot and Charles Place for pedestrian safety, on Saturday, March 3, 2018 from 7:30 a.m. to 11:00 a.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure.

Vice Mayor Jacob opened public participation.

A member of the public (Mr. Singh) provided information regarding the Sikh American Awareness event.

Vice Mayor Jacob closed public participation.

Action: Resolution: Determining the closure of Johnson Road, between the Julien Elementary School parking lot and Charles Place, for the Turlock American Little League to host the 2018 Little League Opening Ceremonies, 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 as introduced by Councilmember Bublak, seconded by Councilmember Esquer, and carried 5/0 by the following vote:

Councilmember Esquer	Councilmember DeHart	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

Resolution: Approving a Special Event Permit Application for the 2018 Little League Opening Ceremonies hosted by the Turlock American Little League, authorizing the associated closure of Johnson Road, between the Julien Elementary School parking lot and Charles Place for pedestrian safety, on Saturday, March 3, 2018 from 7:30 a.m. to 11:00 a.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure as introduced by Councilmember Bublak, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

Councilmember Esquer	Councilmember DeHart	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- D. Parks, Recreation and Public Facilities Director Allison Van Guilder presented the staff report on the request to determine the closure of North First Street [between West Main Street and "A" Street], West Main Street [between the Union Pacific Railroad Tracks and Market Street], and North Broadway [between West Main Street and North Front Street], for the Assyrian American Civic Club of Turlock to host the Assyrian New Year Parade, 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 AND approve a Special Event Permit Application for the Assyrian New Year Parade hosted by the Assyrian American Civic Club of Turlock, authorize the associated closure of North First Street [between West Main Street and "A" Street], West Main Street [between the Union Pacific Railroad Tracks and Market Street], and North Broadway [between West Main Street and North Front Street] for pedestrian safety, on Saturday, March 24, 2018 from 8:00 a.m. to 12:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure.

Vice Mayor Jacob opened public participation. No one spoke. Vice Mayor Jacob closed public participation.

Action: Resolution: Determining the closure of North First Street [between West Main Street and “A” Street], West Main Street [between the Union Pacific Railroad Tracks and Market Street], and North Broadway [between West Main Street and North Front Street], for the Assyrian American Civic Club of Turlock to host the Assyrian New Year Parade, 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 as introduced by Councilmember Bublak, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

Councilmember Esquer	Councilmember DeHart	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

Resolution: Approving a Special Event Permit Application for the Assyrian New Year Parade hosted by the Assyrian American Civic Club of Turlock, authorizing the associated closure of North First Street [between West Main Street and “A” Street], West Main Street [between the Union Pacific Railroad Tracks and Market Street], and North Broadway [between West Main Street and North Front Street] for pedestrian safety, on Saturday, March 24, 2018 from 8:00 a.m. to 12:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure as introduced by Councilmember DeHart, seconded by Councilmember Esquer, and carried 5/0 by the following vote:

Councilmember Esquer	Councilmember DeHart	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

9. STAFF UPDATES

1. Policy Goals and Implementation Plan (*Executive Staff*) – No updates provided.
2. Administrative Services – No updates provided.
3. Development Services Department – No updates provided.
4. Fire Department
 - a. Public Safety Briefing (*Carlson*)
 A written staff update was included in the agenda packet.
5. Municipal Services Department – No updates provided.
6. Parks, Recreation and Public Facilities – No updates provided.
7. Police Department
 - a. Public Safety Briefing (*Amirfar*)
 A written staff update was included in the agenda packet.

Vice Mayor Jacob opened public participation and invited Terri Shaver to the podium.

Chief Ninus C. Amirfar provided information about the staff updates now being provided to Council ahead of time (included in the agenda packet) and the Police Department's update being available at the back of the room.

Terri Shaver spoke regarding the total compensation report previously conducted for the City, the Police force shrinking because they can go elsewhere to get higher pay, reoccurring staffing cycles, the need for a multi-year contract for sustainability, Dispatchers also under compensated, and stated she hopes the City of Turlock supports public safety as a top financial priority.

Vice Mayor Jacob Closed public participation.

10. NON-AGENDA ITEMS: None

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Bublak stated she hopes the next agenda includes the topic discussed earlier.

Councilmember Esquer inquired about the maintenance of Califia. Parks, Recreation and Public Facilities Director Allison Van Guilder provided an update on staff's maintenance efforts, research, and exploration thus far and noted that more information will be provided to the Council at the first meeting in March.

Mayor Soiseth stated to please confer with the City Manager and himself regarding any items brought up during this section to determine timelines when the item will be brought forward.

12. COUNCIL COMMENTS:

Councilmember Bublak spoke regarding the mid-year budget review on March 10, 2018, not being able to attend the meeting due to it being held at an earlier time than she was available, all five of the Council not being available at the same time, and that she would try to arrive before it is over.

13. CLOSED SESSION:

City Attorney Phaedra A. Norton introduced the Closed Session Items.

- 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 Designated Representative: Interim City Manager Robert A. Talloni
Employee Organization: Turlock Associated Police Officers
Employee Organization: Turlock City Employee Association

Employee Organization: Turlock Firefighters Association-Local 2434
Employee Organization: Turlock Management Association-Public Safety
Unrepresented Employees: Accountant, Sr., Administrative Analyst, Administrative Services Director, Assistant to the City Manager for Economic Development/Community Housing, Chief Building Official, City Clerk, Community Housing Program Supervisor, Deputy Director Development Services/Planning, Development Services Director, Development Services Supervisor/City Surveyor, Executive Administrative Assistant/Deputy City Clerk, Executive Administrative Assistant/Municipal Services, Executive Administrative Assistant/Public Safety, Fire Chief, Human Resources Analyst, Sr., Human Resources Manager, Human Resources Technician, Legal Assistant, Municipal Services Director, Office Assistant I, Parks, Recreation and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Payroll Coordinator, Police Chief, Principal Civil Engineer, Regulatory Affairs Manager, Traffic Transportation Engineering Supervisor, Utilities Manager, and Water Quality Control Division Manager.

Action: No reportable action.

Closed Session Items B and C were handled concurrently.

- B. Public Employee Performance Evaluation, 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 of a public employee.

Title: City Attorney

Action: City Clerk Jennifer Land reported that the City Council has appointed Meyers Nave as the Interim City Attorney.

- C. 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: Mayor Gary Soiseth

Unrepresented Employees: City Attorney

Action: No reportable action.

- D. 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.

14. ADJOURNMENT:

Motion by Councilmember DeHart, seconded by Councilmember Bublak, to adjourn the open session of the regular meeting at 7:50 p.m. Motion carried unanimously.

Motion by Councilmember Bublak, seconded by Councilmember DeHart, to adjourn the closed session of the regular meeting at 9:05 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
City Clerk

Upon conclusion of this meeting, it was discovered that a clerical error had been made causing an incorrect teleconference location to be listed on the agenda. Out of an abundance of caution, to cure any potential issues arising from the clerical error, the action items presented at this meeting (with the exception of Public Hearing Item 7A) were later agendaized on March 10, 2018 for Council discussion, deliberation, and decision. Formal action was taken at the March 10, 2018 special City Council meeting and any Resolutions will reflect that date.

Public Hearing Item 7A will be heard at a future meeting date once the proper noticing has occurred.

Items not requiring Council action (such as the Proclamation, Disclosure of Top Ten/Maximum Contributors, Staff Updates, Council Items for Future Consideration, and Council Comments) were not brought back to the Council.