

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 (*arrived at 6:23 p.m.*).
ABSENT: None
- B. SALUTE TO THE FLAG** – Presentation of Colors and Salute to the Flag lead by the Turlock Combined Honor Guard.

Vice Mayor Jacob announced that Mayor Soiseth is attending an event of which he is presenting a proclamation in recognition of University of California, Merced Chancellor Dorothy Leland.

2. **PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:**
 - A. Proclamation: Vietnam Veterans Day, accepted by Wardee Bruce - American Legion Post 88 Commander, Stanislaus Military Advisory Commission District 2 Member

Vice Mayor Matthew Jacob presented a Proclamation in recognition of Vietnam Veterans Day to Wardee Bruce - American Legion Post 88 Commander, Stanislaus Military Advisory Commission District 2 Member.

3. **A. SPECIAL BRIEFINGS:** None
- B. PUBLIC PARTICIPATION**

Brandi LaForti spoke on behalf of Assemblyman Heath Flora regarding his accomplishments in agriculture and farming.

Sam Regalado spoke regarding his concerns of the street condition and repairs needed at Wayside Drive.

Milt Trieweiler spoke regarding the planet's average temperature, Turlock's rainfall records, and water conservation.

DJ Fransen spoke regarding policy setting, timelines within the Mayor and City Council Policy Goals and Implementation Plan related to the replacement of the CAD/RMS system, body worn camera system, and the radio system, road maintenance and available funding, and requested the City Council to direct staff to identify money to be included in the budget amendment for roads.

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

5. CONSENT CALENDAR:

Mayor Soiseth announced Consent Calendar Items 5B and 5K would be removed for separate consideration. Councilmember Esquer requested Consent Calendar Item 5A be removed for separate consideration.

Action: Motion by Councilmember Jacob, seconded by Councilmember DeHart, 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. Removed for separate consideration.
- B. Removed for separate consideration.
- C. **Motion:** Approving Amendment No. 5 to the Agreement with Pires, Lipomi, and Navarro Architects, and extending the term of the agreement to December 31, 2018 for City Project No. 12-60B "Turlock Regional Transit Center Phase 2 Design and Master Plan"
- D. **Motion:** Accepting notification of Contract Change Order No. 2, in the amount of \$23,065.37, for City Project No. 12-60C "Turlock Regional Transit Center Phase 2," bringing the contract total to \$5,233,257.35
- E. **Motion:** Accepting improvements for City Project No. 17-28 "Building Demolition at 323 Columbia Street" and authorizing the City Engineer to file a Notice of Completion
- F.
 1. **Resolution No. 2018-058:** Approving the Engineer's Report for the Parcel Map 17-02 "Turlock Corners LLC" (Development Project No. 17-63) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
 2. **Resolution No. 2018-059:** Declaring the City Council's intention to order the formation of and to levy and collect assessments for the Parcel Map 17-02 "Turlock Corners LLC" (Development Project No. 17-63) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
- G.
 1. **Resolution No. 2018-060:** Approving the Engineer's Report for the Parcel Map 17-03 "Scott" (Development Project No. 17-64) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
 2. **Resolution No. 2018-061:** Declaring the City Council's intention to order the formation of and to levy and collect assessments for the Parcel Map 17-03 "Scott" (Development Project No. 17-64) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
- H.
 1. **Resolution No. 2018-062:** Approving the Engineer's Report for the Parcel Map 17-04 "Kuo" (Development Project No. 17-65) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
 2. **Resolution No. 2018-063:** Declaring the City Council's intention to order the formation of and to levy and collect assessments for the Parcel Map 17-04 "Kuo" (Development Project No. 17-65) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
- I.
 1. **Resolution No. 2018-064:** Approving the Engineer's Report for the Parcel Map 17-05 "680 D Street LLC" (Development Project No. 17-67) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
 2. **Resolution No. 2018-065:** Declaring the City Council's intention to order the formation of and to levy and collect assessments for the Parcel Map 17-05 "680 D Street

LLC” (Development Project No. 17-67) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area

- J. **Resolution No. 2018-066**: Accepting donations made to the City of Turlock Parks, Recreation and Public Facilities Department from various donors in November 2017 through January 2018 in the amount of \$1,166 in account number 270-61-635-399.37200_000 “Donations General” to fund a variety of Parks, Recreation and Public Facilities Department programs, scholarships, and activities
- K. Removed for separate consideration.
- L. **Motion**: Approving an Easement Agreement between the City of Turlock and the City of Modesto for the North Valley Regional Recycled Water Pipeline allowing Turlock to construct a portion of its recycled water pipeline on Modesto’s property known as Jennings Road and Jennings Ranch
- M. **Motion**: Approving an Agreement between the City of Turlock and Embassy Consulting Services LLC, to provide three (3), eight (8) hour Crisis Intervention and Behavioral Health Trainings to members of the Turlock Police Department
- N.
 1. **Resolution No. 2018-067**: Accepting donations made to the City of Turlock Police Department from various donors during the first and second quarters of Fiscal Year 2017-18 in the amount of \$16,408.31 (monetary donations) and \$17,226.75 (in-kind donations) utilized in support of the City’s Operation Blue Santa Program, Annual Public Safety Open House, and National Night Out Program
 2. **Resolution No. 2018-068**: Accepting donations made to the City of Turlock Police Department from various donors during the second quarter of Fiscal Year 2017-18 in the amount of \$405 (monetary donations) utilized in support of the City’s Volunteers in Police Services
 3. **Resolution No. 2018-069**: Appropriating \$8,000 to account number 266-20-255-351.47157_001 “Police Donations Expenses Operation Blue Santa” to be funded by revenue received in account number 266-20-255-351.37200_003 “Donations Operation Blue Santa” and appropriating \$660 to account number 266-20-255-351.47157_005 “Police Donations Expenses National Night Out” to be funded by revenue received in account number 266-20-255-351.37200_005 “Donations National Night Out” and appropriating \$365 to account number 266-20-255-351.47157_006 “Police Donations Expenses Public Safety Open House” to be funded by revenue received in account number 266-20-255-351.37200_006 “Donations Public Safety Open House”
- O. **Resolution No. 2018-070**: Authorizing the Purchasing Officer to dispose of surplus supplies and/or equipment as directed by the City Manager pursuant to the terms set forth in Turlock Municipal Code Section 2-7-04(j) and authorizing the City Manager, or his/her designee to direct the disposal of the surplus property by any means determined to be in the best interest of the City of Turlock
- P. **Resolution No. 2018-071**: Rescinding Resolution No. 2002-173 and approving an updated City-Wide Records Retention Schedule and authorizing the City Clerk to update the Retention Schedule on as needed basis

Item 5A. **Resolution**: Accepting Weekly Demands of 3/1/18 in the amount of \$496,639.16; Accepting Monthly Demands of 8/31/17 in the amount of \$1,038, 649.29

Council and staff discussed this item.

Mayor Soiseth opened public participation. No one spoke. Mayor Soiseth closed public participation.

Action: **Resolution No. 2018-072:** Accepting Weekly Demands of 3/1/18 in the amount of \$496,639.16; Accepting Monthly Demands of 8/31/17 in the amount of \$1,038,649.29 as introduced by Councilmember Esquer, 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

Item 5B. **Resolution:** Appropriating \$175,000 to account number 215-50-511.51270 “Construction Project” from Fund 217 “Parks, Recreation, and Public Facilities Department Street Maintenance (Section 2103 Gas Tax)” unallocated reserves for City Project No. 10-47 “Preliminary Engineering for Various Road Rehabilitation” to complete the necessary funding required for this project

Council and staff discussed this item.

Mayor Soiseth opened public participation. No one spoke. Mayor Soiseth closed public participation.

Action: **Resolution No. 2018-073:** Appropriating \$175,000 to account number 215-50-511.51270 “Construction Project” from Fund 217 “Parks, Recreation, and Public Facilities Department Street Maintenance (Section 2103 Gas Tax)” unallocated reserves for City Project No. 10-47 “Preliminary Engineering for Various Road Rehabilitation” to complete the necessary funding required for this project 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 5K. **Motion:** Approving an Agreement with Badger Meter, Inc. dba National Meter & Automation for the purchase of all positive displacement residential and turbine water meters for the City of Turlock fixed network Automated Meter Reading system, in an annual amount not to exceed \$154,500

Council and staff discussed this item.

Mayor Soiseth opened public participation.

Milt Trieweiler inquired about the meter replacement fee paid by rate payers and if any of this money is going toward new construction.

Mayor Soiseth closed public participation.

Action: Motion by Councilmember DeHart, seconded by Councilmember Jacob, Approving an Agreement with Badger Meter, Inc. dba National Meter & Automation for the purchase of all positive displacement residential and turbine water meters for the City of Turlock fixed network Automated Meter Reading system, in an annual amount not to exceed \$154,500. Motion 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:** None

8. **SCHEDULED MATTERS:**

- A. Acting Fire Chief Gary Carlson presented the staff report on the request to appropriate \$72,214 to account number 110-30-300.41001 "Full Time Salaries" and associated benefit accounts from Fund 110 "General Fund" unallocated reserves for the addition of three (3) new firefighter positions effective April 1, 2018 and amend the two (2) year budget to reflect the new staffing additions OR appropriate \$130,000 to account number 110-30-300.41100_001 "Overtime Standard" from Fund 110 "General Fund" unallocated reserves to cover additional overtime costs for FY 2017-18 and increase the allocation in the FY 2018-19 budget by \$130,000 OR authorize the Fire Chief to reduce minimum daily staffing levels for the remainder of FY 2017-18 in order to adhere to the adopted budget.

Council and staff discussed this item.

Mayor Soiseth opened public participation. No one spoke. Mayor Soiseth closed public participation.

Action: **Resolution No. 2018-074:** Appropriating \$72,214 to account number 110-30-300.41001 "Full Time Salaries" and associated benefit accounts from Fund 110 "General Fund" unallocated reserves for the addition of three (3) new firefighter positions effective April 1, 2018 and amending the two (2) year budget to reflect the new staffing additions as introduced by Councilmember Jacob, seconded by Councilmember Esquer, and carried 4/1 by the following vote:

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

- B. Acting Fire Chief Gary Carlson presented the staff report on the request to accept the City of Turlock Fire Department 2017 Annual Report.

Mayor Soiseth opened public participation. No one spoke. Mayor Soiseth closed public participation.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, Accepting the City of Turlock Fire Department 2017 Annual Report. Motion carried 5/0 by the following vote:

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

- C. Administrative Services Director Kellie Jacobs-Hunter presented the staff report on the request to appropriate \$802,230 to salary and benefit accounts as detailed in Attachment “A” from each respective Fund’s unallocated reserves as the result of adoption of tentative agreements with Turlock Associated Police Officers (TAPO), Turlock Management Association-Public Safety (TMAPS), Turlock City Employees Association (TCEA), Turlock Management Group, and Turlock Confidential Group for the period 7/1/17-6/30/18.

Council and staff discussed this item.

Mayor Soiseth opened public participation. No one spoke. Mayor Soiseth closed public participation.

Action: **Resolution No. 2018-075:** Appropriating \$802,230 to salary and benefit accounts as detailed in Attachment “A” from each respective Fund’s unallocated reserves as the result of adoption of tentative agreements with Turlock Associated Police Officers (TAPO), Turlock Management Association-Public Safety (TMAPS), Turlock City Employees Association (TCEA), Turlock Management Group, and Turlock Confidential Group for the period 7/1/17-6/30/18 as introduced by Councilmember Jacob, 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. Administrative Services Director Kellie Jacobs-Hunter presented the staff report on the request to authorize the City Manager and City Attorney to finalize agreements with Vernon Construction & Roofing, Inc. to repair the roofs at Fire Stations 2 and 3 and direct the City Manager to execute all documents and agreements necessary for the roof repairs in forms approved by the City Attorney, in an amount not to exceed \$7,800 AND appropriate \$7,800 to account number 110-30-300.43120_005 “Building Maintenance Repairs” from Fund 110 “General Fund” unallocated reserves for roof repairs at Fire Stations 2 and 3.

Council discussed this item.

Mayor Soiseth opened public participation. No one spoke. Mayor Soiseth closed public participation.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, Authorizing the City Manager and City Attorney to finalize agreements with Vernon Construction & Roofing, Inc. to repair the roofs at Fire Stations 2 and 3 and directing the City Manager to execute all documents and agreements necessary for the roof repairs in forms approved by the City Attorney, in an amount not to exceed \$7,800. Motion carried 5/0 by the following vote:

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

Resolution No. 2018-076: Appropriating \$7,800 to account number 110-30-300.43120_005 “Building Maintenance Repairs” from Fund 110 “General Fund” unallocated reserves for roof repairs at Fire Stations 2 and 3 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

Mayor Soiseth noted the Green Sheet for Scheduled Matters Item 8E.

- E. Assistant to the City Manager for Economic Development/Housing Maryn Pitt presented the staff report on the request to approve the forgivable loan agreement, promissory note, regulatory agreement, and deed of trust with United Samaritans Foundation in the amount not to exceed \$ 175,000 for the rehabilitation of bathrooms for City Project 219 South Broadway and authorizing the City Manager to sign all documents required to effectuate the loan and complete this project on behalf of the City of Turlock AND award bid and approve a Construction Agreement with Gomez & Sons General Contractors Inc. or the lowest responsible bidder for City Project 219 South Broadway, Turlock, California, in the amount of \$109,870 AND appropriate \$75,000 to account number 255-41-485.47210_006 “Housing Program Services Program Public Improvements” to be funded via a transfer from account number 255-41-485.47210_001 “Housing Program Services Program Affordable Housing Development” to complete the necessary funding required for this project. (*Pitt*)

Mayor Soiseth opened public participation. No one spoke. Mayor Soiseth closed public participation.

Action: Motion by Councilmember Jacob, seconded by Councilmember DeHart, Approving the forgivable loan agreement, promissory note, regulatory agreement, and deed of trust with United Samaritans Foundation in the amount not to exceed \$175,000 for the rehabilitation of bathrooms for City Project 219 South Broadway and authorizing the City Manager to sign all documents required to effectuate the loan and complete this project on behalf of the City of Turlock. Motion carried 5/0 by the following vote:

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

Motion by Councilmember Jacob, seconded by Councilmember DeHart, Awarding bid and approving a Construction Agreement with Gomez & Sons General Contractors Inc. or the lowest responsible bidder for City Project 219 South Broadway, Turlock, California, in the amount of \$109,870. Motion carried 5/0 by the following vote:

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

Resolution No. 2018-077: Appropriating \$75,000 to account number 255-41-485.47210_006 “Housing Program Services Program Public Improvements” to be funded via a transfer from account number 255-41-485.47210_001 “Housing Program Services Program Affordable Housing Development” to complete the necessary funding required for this project as introduced by Councilmember Jacob, 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

9. STAFF UPDATES

1. Policy Goals and Implementation Plan (*Executive Staff*) – No update provided.
2. Administrative Services – No update provided.
3. Development Services Department – No update provided.
4. Fire Department
 - a. Public Safety Briefing
A written staff report was included in the agenda packet.
 - b. Fire Marshal Mark Gomez provided an update on the status of the lien process for the property located at 323 Columbia Street.
5. Municipal Services Department – No update provided.

6. Parks, Recreation and Public Facilities – No update provided.
7. Police Department
 - a. Public Safety Briefing
A written staff update was included in the agenda packet.
 - b. Police Chief Ninus C. Amirfar provided information regarding the TATE Radio System used by the County and an update on the current power system for the radio system.

10. NON-AGENDA ITEMS: None

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

- A. Interim City Manager Robert A. Talloni presented the staff report on the request to provide direction to staff to consider whether staff time and City resources should be expended on the request of Councilmember Bublak for future consideration of every dead tree removed that additional lighting is installed in its place to address safety concerns AND provide direction to staff to consider whether staff time and City resources should be expended on the request of Councilmember Bublak for future consideration of establishment of an ordinance regarding a four (4) week department director rotation of the Interim City Manager position.

Council and staff discussed this item.

Mayor Soiseth opened public participation. No one spoke. Mayor Soiseth closed public participation.

Action: No formal action was taken on either topic (*Motion*) presented within this item. The Council requested staff to identify cost effective options to improve lighting in the City for discussion on a future agenda.

- B. Interim City Manager Robert A. Talloni presented the staff report on the request to provide direction to staff to consider whether staff time and City resources should be expended on the request of Councilmember Esquer for future consideration to conduct a one-time half-day Council retreat.

Council and staff discussed this item.

Mayor Soiseth opened public participation. No one spoke. Mayor Soiseth closed public participation.

Action: No formal action was taken on this item. Mayor Soiseth noted that he and Councilmember Esquer will continue discussions and brainstorm ideas regarding this topic.

12. COUNCIL COMMENTS:

Councilmember DeHart spoke about the series of meetings held by the Ad Hoc Committee to discuss matters regarding the Chamber.

Councilmember Esquer inquired about the SB1 list and if that list can be provided to Council.

Mayor Soiseth spoke about discussion in the community regarding Turlock being a Sanctuary City and that he has requested the Interim City Attorney to bring forward an informational item regarding this matter on a future date.

13. CLOSED SESSION:

Interim City Attorney Jose M. Sanchez 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.

B. 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.

14. ADJOURNMENT:

Motion by Councilmember DeHart, seconded by Councilmember Esquer, to adjourn the open session of the regular meeting at 8:11 p.m. Motion carried unanimously.

Motion by Councilmember DeHart, seconded by Councilmember Esquer, to adjourn the closed session of the regular meeting at 9:45 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
City Clerk