

1. **A. CALL TO ORDER** –Mayor Lazar called the meeting to order at 6:02 p.m.
 PRESENT: Councilmembers Amy Bublak, Bill DeHart, Steven Nascimento, and Mayor John S. Lazar.
 ABSENT: Councilmember Forrest White

B. SALUTE TO THE FLAG

C. RECOGNITION OF OUTGOING MAYOR AND COUNCILMEMBER

Dana Ferreira of U.S. Congressman Jeff Denham’s Office made presentations recognizing the service of Mayor Lazar and Councilmember Forrest White.

Emily Kincheloe of Assemblymember Kristin Olsen’s Office provided a certificate to Mayor Lazar.

Councilmember Nascimento read a Proclamation and presented an award to Mayor Lazar honoring his service to the City of Turlock.

2. ELECTION RESULTS

- A. City Clerk Kellie Weaver recited the facts of the General Municipal Election.

Action: **Resolution No. 2014-190** Reciting the facts of the General Municipal Election held in said City of Turlock on the 4th day of November, 2014, declaring the results thereof and such other matters as are provided by law was introduced by Councilmember Bublak, seconded by Councilmember Nascimento, and carried 4/1 by the following vote:

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

- B. City Clerk Kellie Weaver administered the Oath of Office to Mayor Gary Soiseth.

- C. City Clerk Kellie Weaver administered the Oath of Office to Councilmember Matthew Jacob and Councilmember Bill DeHart, Jr.

- D. New Council Seated

3. A. PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:

1. Mayor Soiseth recommended that he and Councilmember Bublak be appointed as the City’s Council representatives to the City/County Liaison Committee.

Action: Motion by Councilmember DeHart, seconded by Councilmember Nascimento, appointing Mayor Soiseth and Councilmember Bublak as the City of Turlock’s representatives to the City/County Liaison Committee. Motion carried 5/0 by the following vote:

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

2. Mayor Soiseth recommended that he be appointed as member and Councilmember Nascimento be reappointed as alternate member as the City of Turlock’s representative to the Stanislaus Council of Governments (StanCOG).

Action: Motion by Councilmember DeHart, seconded by Councilmember Nascimento, appointing Mayor Soiseth as member and Councilmember Nascimento as alternate member as the City of Turlock’s representatives to the Stanislaus Council of Governments (StanCOG). Motion carried 5/0 by the following vote:

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

B. SPECIAL BRIEFINGS: None

C. STAFF UPDATES

1. Development Services Director Mike Pitcock provided an update on Capital Projects and Building Activity including the Dianne Drive Realignment project and Hilmar Cheese development.

D. PUBLIC PARTICIPATION:

Milton Trieweiller spoke in favor of bringing back the “Fix Our Roads” measure in 2015.

Tim Guerrino, Executive Director of Turlock Gospel Mission spoke regarding the Homeless Assistance Ministry and provided information regarding the assistance provided through their ministry over the last three years, including counseling, housing assistance, and rehabilitation services. He thanked the City Council and City staff for their assistance.

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

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

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

B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS: None

5. CONSENT CALENDAR:

Mayor Soiseth noted green sheets to Consent Calendar Items 5K, 5O, and 5U.

City Attorney Phaedra Norton explained that Mayor Soiseth and Councilmember Jacob would not be participating in approval of Item 5B as they were not members of the legislative body as reflected in the minutes of the November 18, 2014 City Council Meeting. City Attorney Norton noted that though there appears to be no express legal impediment to their participation on this item, non-participation by both appears to be appropriate for this transitional meeting.

Mayor Soiseth asked that Items 5C, 5D, 5J, 5K, and 5V be removed from the Consent Calendar for separate consideration.

Action: Motion by Councilmember DeHart, seconded by Councilmember Nascimento, to adopt the amended 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. 2014-191** Accepting Demands of 10/23/14 in the amount of \$484,846.55; Demands of 10/30/14 in the amount of \$389,930.36; Demands of 11/6/14 in the amount of \$481,160.51
- B. *Removed for separate consideration*
- C. *Removed for separate consideration.*
- D. *Removed for separate consideration.*
- E. Motion: Approving the final map and agreement conditioned upon construction of improvements of Traditions No. 6, Subdivision Project No. 14-32, developed by Fitzpatrick Homes-Traditions, LLC
- F. **Resolution No. 2014-192** Considering Intention to Levy and Collect Assessments for the Parcel Map 14-02 (Doo) Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Subdivision Project No. 14-47
- G. Motion: Accepting improvements for City Project No. 14-51, "901 Hedstrom Road Curb Return Repair," and authorizing the City Engineer to file a Notice of Completion
- H. Motion: Approving a Professional Services Agreement between the City of Turlock and Larry Walker and Associates for National Pollutant Discharge Elimination System Permit Renewal and Compliance Support Services for the Turlock Regional Water Quality Control Facility, in an amount not to exceed \$50,000, from Fund 410-51-530.43316 "NPDES Permit Studies"
- I. Motion: Approving a Professional Services Agreement between the City of Turlock and WGR Southwest, Inc., for Support Services with Phase II Small MS4 NPDES Permit Compliance for Year 2 as required by the State Water Resources Control Board, in an amount not to exceed \$20,000 from Fund 410-51-532.47500 "NPDES Phase II MS4 Storm Compliance"
- J. *Removed for separate consideration.*
- K. *Removed for separate consideration.*

- L. **Resolution No. 2014-193** Accepting donations received from July through October Fiscal Year 2014/15 to be deposited for a variety of Parks, Recreation & Public Facilities Department programs, scholarships, and activities
- M. Motion: Approving the renewal of a Memorandum of Understanding between the City of Turlock and the Turlock Unified School District to offer youth basketball programs within the community
- N. **Resolution No. 2014-194** Approving a Memorandum of Understanding between the Turlock Police Department and the Sacramento Internet Crimes Against Children Task Force and authorizing the City Manager to sign the agreement
- O. Motion: Approving a sole source agreement with IBM Credit LLC, for the lease/purchase of an IBM Power S814, associated equipment, and installation to be paid on a sixty (60) month payment schedule of \$999.10 per month, in an amount not to exceed \$59,946
- P. Motion: Authorizing the approval and execution of an agreement between the City of Turlock and Utility Telephone Company for internet service for the police department, in an amount not to exceed \$772.40 per month, and authorizing the City Manager or his designee to execute renewal agreements as necessary
- Q.
 1. Motion: Approving the purchase of new firearms and related equipment, including the trade-in of existing firearms and awarding the bid to LC Action Police Supply of San Jose, California, in an amount not to exceed \$36,254
 2. **Resolution No. 2014-195** Appropriating an additional \$6,254 to account number 240-00-000-213.51153 "Police Services – Weapons" from Fund 240 "Small Equipment Replacement-Police Services" reserve balance for the purchase of new firearms and related equipment
- R. **Resolution No. 2014-196** Accepting monetary donations of \$3,125 and various property donations valued at \$3,455, received July through September of Fiscal Year 2014/15 from various donors, to be utilized in support of the City's Crime Prevention Unit, Volunteers in Police Services (VIPS), and Public Safety Open House
- S.
 1. **Resolution No. 2014-197** Authorizing the sole source procurement of Holmatro tools and equipment from Fire Service Specifications & Supply (FS3) of Santa Ana, California, in an amount not to exceed \$57,000, without compliance to the formal bid procedure in accordance with Section 2-7-08(b)(2) of the Turlock Municipal Code, and appropriating \$6,300 to account number 240-00-000-306.44030_000 "Minor Equipment Maintenance" from Fund 240 "Small Equipment Replacement-Fire Equipment Replacement" reserve balance for the purchase of two (2) rescue tool systems
 2. **Resolution No. 2014-198** Approving the sole source procurement of Holmatro rescue tools and equipment for future purchases from Fire Service Specifications & Supply (FS3) of Santa Ana, California, for the Turlock Fire Department, without compliance to the formal bid procedure in accordance with Section 2-7-08(b)(2) of the Turlock Municipal Code
- T. **Resolution No. 2014-199** Authorizing the City Manager to enter into an agreement with US Bank and to sign State of California Participating Addendum No. 7-14-99-22 for continued use of the Cal Card program
- U. **Resolution No. 2014-200** Conducting a Citywide Total Compensation Study that will be completed on or about January 2017 and will include all unrepresented employees and all bargaining groups wishing to participate
- V. *Removed for separate consideration.*
- W. Motion: Rejecting Claim for Damages filed by Albert Souza

Item 5B Mayor Soiseth noted that he and Councilmember Jacob would not be participating in approval of the minutes of the November 18, 2014 City Council meeting.

Mayor Soiseth turned the meeting over to Councilmember Bublak.

Action: Motion by Councilmember DeHart, seconded by Councilmember Nascimento, Accepting Minutes of Regular Meeting of November 18, 2014. Motion carried 3/2 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Not Participating	Not Participating

Mayor Soiseth resumed control of the meeting.

Note: Consent Calendar Items 5C and 5D were heard concurrently.

Item 5C Development Services Director Mike Pitcock presented the staff report on Consent Calendar Item 5C, City Project No. 13-62, "Hawkeye Avenue Rehabilitation," and provided information about funding sources.

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

Action: Motion by Councilmember Nascimento, seconded by Councilmember DeHart, Making the determination that City Project No. 13-62, "Hawkeye Avenue Rehabilitation," is exempt from the provisions of CEQA in accordance with Section 15301. Motion carried 5/0 by the following vote:

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

Motion by Councilmember Nascimento, seconded by Councilmember DeHart, Awarding bid and approving an agreement in the amount of \$1,260,034.50 with Teichert Construction, Inc. of Stockton, California, for City Project No. 13-62, "Hawkeye Avenue Rehabilitation." Motion carried 5/0 by the following vote:

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

Resolution No. 2014-201 Appropriating \$520,000 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. 13-62, "Hawkeye Avenue Rehabilitation," to complete the necessary funding required for the project was introduced by Councilmember Nascimento, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

Item 5D Development Services Director Mike Pitcock presented the staff report on Consent Calendar Item D, City Project No. 13-63, “Geer Road Rehabilitation,” and provided information about funding sources.

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

Action: Motion by Councilmember Nascimento, seconded by Councilmember DeHart, Making the determination that City Project No. 13-63, “Geer Road Rehabilitation” is exempt from the provisions of CEQA in accordance with Section 15301. Motion carried 5/0 by the following vote:

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

Motion by Councilmember Nascimento, seconded by Councilmember DeHart, Awarding bid and approving an agreement in the amount of \$1,036,478 with Teichert Construction, Inc. of Stockton, California, for City Project No. 13-63, “Geer Road Rehabilitation.” Motion carried 5/0 by the following vote:

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

Resolution No. 2014-202 Appropriating \$205,000 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. 13-63, “Geer Road Rehabilitation,” to complete the necessary funding required for the project was introduced by Councilmember Nascimento, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

Item 5J City Manager Roy Wasden presented the staff report on the request to authorize the City Manager to enter into standard Non-Disclosure Agreements with potential new industry representative(s).

Council discussion included safeguard provisions relating to environmental issues and review.

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

Action: **Resolution No. 2014-203** Authorizing the City Manager to enter into standard Non-Disclosure Agreements with potential new industry representative(s) was introduced by Councilmember DeHart, seconded by Councilmember Jacob, and carried 5/0 by the following vote:

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

Item 5K

Assistant to the City Manager for Economic Development and Housing Services Maryn Pitt presented the staff report on Consent Calendar Item 5 K, Approving an agreement between the City of Turlock and the Turlock Downtown Property Owners Association (TDPOA) for the implementation of a Management District Plan and authorizing the City Manager to execute the agreement for a term of ten (10) years, expiring on December 31, 2023.

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

Councilmember Bublak spoke regarding her request to remove this item for separate consideration in order to be consistent with her past voting record due to this item's reference to coordination with the Chamber of Commerce.

Action: Motion by Councilmember Nascimento, seconded by Councilmember DeHart, Approving an agreement between the City of Turlock and the Turlock Downtown Property Owners Association (TDPOA) for the implementation of a Management District Plan and authorizing the City Manager to execute the agreement for a term of ten (10) years, expiring on December 31, 2023. Motion carried 4/1 by the following vote:

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

Item 5V

City Manager Roy Wasden presented the staff report on Consent Calendar Item 5V, Designating Council Member Matthew Jacob as the Council representative for District 1 and Council Member Bill DeHart, Jr. as the Council representative for District 3 pursuant to City of Turlock Ordinance 1197-CS [Turlock Municipal Code §2-1-06(c)], and provided a historical timeline of actions taken related to district elections in Turlock.

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

Action: **Resolution No. 2014-204** Designating Council Member Matthew Jacob as the Council representative for District 1 and Council Member Bill DeHart, Jr. as the Council representative for District 3 pursuant to City of Turlock Ordinance 1197-CS [Turlock Municipal Code §2-1-06(c)] was introduced by Councilmember Nascimento, seconded by Councilmember Jacob, and carried 5/0 by the following vote:

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

6. FINAL READINGS:

City Attorney Phaedra Norton explained that Mayor Soiseth and Councilmember Jacob would not be participating in approval of Item 6A as they did not take place in the introduction of the item. City Attorney Norton noted that though there appears to be no express legal impediment to their participation on this item, non-participation by both appears to be appropriate for this transitional meeting.

Mayor Soiseth turned the meeting over to Councilmember Bublak.

- A. **Ordinance No. 1204-CS**, 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)] as Introduced on November 18, 2014 was passed and adopted 3/2 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Not Participating	Not Participating

Resolution No. 2014-205 Establishing Conditions of Approval for Rezone 2014-01 (East Tuolumne Master Plan Amendment) was introduced by Councilmember DeHart, seconded by Councilmember Nascimento, and carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Not Participating	Not Participating

7. PUBLIC HEARINGS: None

8. SCHEDULED MATTERS: None

9. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Nascimento requested future consideration for a presentation by Municipal Services Director Michael Cooke regarding City water conservation efforts.

Councilmember DeHart requested future consideration of exploration of net metering as it relates to Turlock Irrigation District.

10. COUNCIL COMMENTS:

Councilmember Bublak thanked everyone in attendance at tonight's meeting and welcomed new and re-elected Councilmembers.

Mayor Soiseth asked City Manager Roy Wasden to explain the upcoming two week City Hall closure and noted that City Hall would be closed beginning Monday, December 22, 2014, and would reopen Monday, January 5, 2015.

Mayor Soiseth commented that his “100 day commitment” period will move forward beginning the week of January 19, 2015, with scheduled workshops to explore the strategic plan, water, roads, and a line by line analysis of the budget.

Mayor Soiseth noted he is looking forward to working with the Council and City staff and will strive to create an open, candid and collaborative environment at City Hall. He thanked family and friends who encouraged him in the election process and thanked the voters of Turlock who have entrusted him to this position.

11. CLOSED SESSION: None

12. ADJOURNMENT:

Motion by Councilmember Nascimento, seconded by Councilmember DeHart, to adjourn at 7:00 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk