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1. **A. CALL TO ORDER** –Mayor Soiseth called the meeting to order at 6:04 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 recognized Turlock Fire Battalion Chief Bill Becker; Turlock Fire Captains Dave Bickle and Kain Packwood; Fire Fighters Dale Melden, Nate Benner and Steven Kramer; Turlock Police Sergeant Scott Ellis and Police Officers Joe Dusel and Michael Stapler for their efforts in fighting fires and providing mutual aid throughout the State of California.
 - B. Director of Parks, Recreation & Public Facilities Allison Van Guilder introduced Gina Loretelli of the Turlock Downtown Property Owners Association and City of Turlock Recreation Supervisor Mark Crivelli who provided information about the Jr. Iron Chef Competition held on September 19, 2015 and introduced competition winners Zach Blood, Magalia Uriarte, and Aidan Cooke.

Mayor Soiseth handled Section 11, Closed Session, out of order.

11. CLOSED SESSION:

- A. 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: (6 cases)
Action: None – Item heard and concluded at the 5:00 p.m. Special City Council Meeting.
- B. 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: None – Item removed from the agenda.

- C. 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, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session."
Title: City Manager

Action: None – Item heard and concluded at the 5:00 p.m. Special City Council Meeting.

- D. Conference with Labor Negotiators, Cal. Gov't Code §54957.6
"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 Manager

Action: No reportable action.

3. A. SPECIAL BRIEFINGS:

1. CALIFORNIA STATE UNIVERSITY STANISLAUS

Student Government Relations Coordinator Maggie White introduced herself to the Council and thanked the Council for collaborating with the Associate Student Government. She reported that the Student Board of Directors will be attending a future Council meeting to report on future activities and upcoming events at the University.

B. STAFF UPDATES

1. Development Services Director Mike Pitcock provided an update on the Policy Goals and Implementation Plan including the completed goals of implementation of the Traffic Calming program, relocation of the Brandon Koch Memorial Skate Park to Donnelly Park, and updated Housing Element of the General Plan. Mr. Pitcock noted items in progress are public meetings being held for the preferred routes and preferred option for the environmental review of the South County Corridor Feasibility Study, and the Active Transportation, RFPs being prepared for the Downtown Parking Plan and the purchase of the new electronic plan review software. Mr. Pitcock reviewed action items and implementation measures that would be coming before Council at the next meeting including a report providing the scope of work, potential cost, and funding concepts for the GIS base map and a report on funding options for the update to the Downtown Plan.
2. Development Services Director Mike Pitcock provided an update on Capital Projects and Building Activity including permit tracking, inspections conducted, Council Chambers Improvement project, Pedestrian Crosswalk Striping projects, North Tegner at Taylor Rd. closure, the Brandon Koch Skate Park contract execution, A Street Alley Improvement, Slurry Seal Annual project, and the East Main Water Line project.

3. Parks, Recreation & Public Facilities Director Allison Van Guilder provided an update on the upcoming 41st annual Turkey Trot Fun Run to be held November 21 2015 with participants ranging from all ages.
4. Municipal Services Director Michael Cooke provided an update on the Sustainable Groundwater Management Act Workshop scheduled to be held at 6:00 p.m. on October 29, 2015 at the City of Ceres at 6 pm. Mr. Cooke reported the purpose of the workshop is to start to inform the public of sustainable groundwater issues.

C. PUBLIC PARTICIPATION

Turlock Library Branch Manager Diane Bartlett spoke regarding upcoming library events including the Teen Advisory Board meeting next Tuesday at 6:30 p.m. and thanked Police Officers Backeroff and White and Neighborhood Services Officer Fortado for their concerted efforts on making the Library a safe place to visit.

Milt Trieweiler spoke regarding an article on water reduction, industrial water usage and water conservation efforts.

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

5. CONSENT CALENDAR:

Mayor Soiseth noted a request to remove Item 5G 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. 2015-206** Accepting Demands of 9/10/15 in the amount of \$1,238,554.73; Demands of 9/17/15 in the amount of \$611,939.96
- B. **Motion:** Accepting Minutes of Special Joint Council/Parks, Arts & Recreation Commission Meeting of September 22, 2015; Minutes of Special Meeting of September 22, 2015; Minutes of Regular Meeting of September 22, 2015; Minutes of Special Meeting of September 24, 2015
- C.
 1. **Motion:** Approving Contract Change Order No. 2 (Final) in the amount of \$2,240 (Fund 410) for City Project No.15-23, "Hedstrom Road Storm Drain Improvements," bringing the contract total to \$81,783
 2. **Motion:** Accepting improvements for City Project No. 15-23, "Hedstrom Road Storm Drain Improvements," and authorizing the City Engineer to file a Notice of Completion
 3. **Resolution No. 2015-207** Appropriating \$30,900 to account number 410-51-534.51300 "Construction Repairs/Improvements," to be funded via a transfer from Fund

- 410 "Water Quality Control (WQC)" reserves, for City Project No. 15-23, "Hedstrom Road Storm Drain Improvements," to complete the necessary funding required for this project
- D. Motion: Reaffirming the declaration of emergency made by the City Manager and declaring that there is a need to continue with the replacement of the HVAC facilities at the utilities shop
- E. **Resolution No. 2015-208** Extending the Adopted Fee Deferral Program for the CFF, NWTSP and WISP Impact Fees for an additional twenty-four (24) months
- F. **Resolution No. 2015-209** Approving the purchase of reserved wastewater capacity for Hilmar Cheese Company, Inc., for the dry milk processing facility located at 3600 W. Canal Drive, pursuant to Turlock Municipal Code § 6-4-1111
- G. *Removed for Separate Consideration*
- H. 1. Motion: Accepting the staff report on proposed recycled water program rules and regulations
2. **Resolution No. 2015-210** Adopting the Recycled Water Program establishing the rules, regulations, standard specifications and drawings governing the use of recycled water produced and distributed by the City of Turlock
- I. Motion: Approving Amendment No. 1 to the airport consulting services agreement between the City of Turlock and Stantec Consulting Services, Inc.
- J. Motion: Authorizing the Mayor or City Manager or designee to execute the service maintenance agreement with Park Place Technologies to provide full preventive maintenance for City of Turlock server systems, in a total amount not to exceed \$2,580.48 for a twelve (12) month period
- K. **Resolution No. 2015-211** Appropriating \$10,000 to account number 240-00-000-213.44030_054 "Minor Equipment-Public Safety Facility Repairs & Improvement" from Fund 240 "Small Equipment Replacement-Police Services" reserve balance for equipment and supplies necessary for the repair and maintenance of the Public Safety Facility
- L. Motion: Approving the purchase of four (4) replacement unmarked/staff vehicles for the Turlock Police Department from the National Auto Fleet Group, through the National Joint Power Alliance (NJPA) National Automotive Contract No. 102811-NAF, pursuant to the Turlock Municipal Code, Title 2, Chapter 7, Section 08(b)(5), without compliance to the formal bid procedure, in an amount not to exceed \$108,380
- M. Motion: Approving the City of Turlock's participation in a countywide investigation protocol for Commercially Sexually Exploited Children and authorizing the Police Chief to sign the agreement
- N. **Resolution No. 2015-212** Appropriating \$14,765 to account number 116-30-305.44030_000 "Minor Equipment Miscellaneous" from Fund 116 "Special Public Safety – Fire" reserve balance for the purchase of three (3) thermal imaging cameras
- O. **Resolution No. 2015-213** Affirming the City Manager's action of having signed and submitted an acceptance of an allocation of funds and the execution of a grant agreement, and appropriating funds for the Federal Fiscal Year 2015, Edward Byrne Memorial Justice Assistance Grant (JAG) funds from the United States Department of Justice, Office of Justice Programs, in the amount of \$27,668
- P. **Resolution No. 2015-214** Approving modifications to the job description for the position of Firefighter, effective October 13, 2015
- Q. Motion: Approving minor modifications to the agreement between the City of Turlock and the Stanislaus Regional Water Authority ("SRWA") for interim legal services and authorizing the Mayor or City Manager to execute said agreement

Item 5G. Municipal Services Director Michael Cooke answered questions related to the First Amended and Restated Joint Powers Agreement (JPA) for the North Valley Regional Recycled Water Program (NVRWP).

Mayor Soiseth asked for Public Comment.

General Manager Anthea Harris of the Del Puerto Water District spoke regarding the importance of the North Valley Regional Recycled Water Program, reported the celebration of the adoption of the Environmental Impact Report, the employment opportunities the project will create and conveyed her thanks on behalf of the Del Puerto Water District to Council and City staff.

Mayor Soiseth closed Public Comment.

Action: Motion by Councilmember Bublak, seconded by Councilmember Nascimento, approving the First Amended and Restated Joint Powers Agreement (JPA) for the North Valley Regional Recycled Water Program (NVRWP). Motion 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: None

7. PUBLIC HEARINGS

A. Municipal Services Director Michael Cooke presented the staff report on the request to accept the results of the Proposition 218 process for the consideration of increasing the monthly solid waste fees/charges effective December 1, 2015 and amending the Turlock Municipal Code Title 6, Chapter 3, Article 1, Section 01 titled Garbage, Rubbish, and Garden Refuse to implement updated fees/charges for property related solid waste services. Mr. Cooke presented a brief history on rate increases, operational costs for Turlock Scavenger, a summary of proposed rates, and reviewed the process of public notices and ballot protest for Proposition 218, including education and outreach efforts.

Council discussion included previous negotiations with Stanislaus County waste management, prior City rate increases and the effects on seniors and those with fixed incomes.

Mayor Soiseth opened the public hearing.

Michael Theis spoke against a rate increase for reasons including lack of cost of living increases to senior citizens living on a fixed income.

Additional citizen participation included opposition to a rate increase for reasons including burdens on those with fixed incomes and Turlock Scavenger truck route efficiency.

Mayor Soiseth closed the public hearing.

Council discussion included the process of advertising senior rate discounts, the franchise agreement with Turlock Scavenger, and the possibility of consolidation of a three-can waste system collection to a two-can system.

Mayor Soiseth re-opened the Public Hearing.

Alan Marchant of Turlock Scavenger spoke regarding the pros and cons of a three can collection system, state requirements of recycling with a 2020 projection of zero waste for the state of California, and cross-contamination of recyclables contributing to additional waste.

Mayor Soiseth announced that anyone wishing to submit a Proposition 218 protest ballot would need to do so prior to the end of the Public Hearing.

Mayor Soiseth closed the public hearing.

Deputy City Clerk Stacey Tonarelli certified that 424 protest ballots were received.

Action: Motion by Councilmember Bublak, seconded by Councilmember Nascimento, Accepting the results of the Proposition 218 process for the consideration of increasing the monthly solid waste fees/charges effective December 1, 2015. 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 Bublak, seconded by Councilmember DeHart, introducing an Ordinance Amending Turlock Municipal Code Title 6, Chapter 3, Article 1, Section 01 titled Garbage, Rubbish, and Garden Refuse to implement updated fees/charges for property related solid waste services and setting the final reading for October 27, 2015. 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: None

9. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Mayor Soiseth stepped down from the dais and turned the meeting over to Vice Mayor Bublak. Mayor Soiseth noted the reason for his early departure was to travel to the U.S. Conference of Mayors Water Council Meeting in Los Angeles.

Vice Mayor Bublak called upon Ashley Connoly, Sharif Sulieman and Rugene Cabanting who spoke on behalf of CSUS Stanislaus students participating in the Crime Prevention through Environmental Design project. Ms. Connoly noted the project goal is to enhance the surrounding environment of local businesses through various measures including lighting, safety, and security. Ms. Connoly reported efforts that have taken place at the Turlock Library and their collaboration with the Turlock Police Department and Neighborhood Services.

Vice-Mayor Bublak invited the students to give an update on their project at a future Council meeting.

10. COUNCIL COMMENTS:

Councilmember DeHart reported the AD Hoc Committee for Sidewalks and Trees will present their recommendation to the City Council in November.

11. CLOSED SESSION:

Handled previously in the meeting after Section 2, Proclamations, Presentations, Recognitions, Announcements & Appointments.

12. ADJOURNMENT:

Motion by Councilmember DeHart, seconded by Councilmember Jacob, to adjourn at 7:49 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Stacey Tonarelli
Deputy City Clerk