

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 and Staff Services Analyst Fallon Martin recognized Covenant Village for their water saving efforts and issued a Water Saving Hero Award to Executive Director Bob Howell.
- B. Mayor Soiseth recommended that he and Councilmember Jacob be appointed as members of an Ad Hoc Committee for Community Signage.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember Nascimento, appointing Mayor Soiseth and Councilmember Jacob as members of an Ad Hoc Committee for Community Signage. Motion carried 5/0 by the following vote:

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

Mayor Soiseth noted the Ad Hoc Committee will provide updates throughout the process.

3. **A. SPECIAL BRIEFINGS:**

1. **CALIFORNIA STATE UNIVERSITY STANISLAUS**

CSU Stanislaus Associated Students Inc. President Nicole Larson introduced the ASI Board of Directors who made self-introductions as Logan Martinez – Director of Student Clubs & Organization, Ron Noble – Dean of Students, Cristina Guevara – Director of Environment, Charisse Narain – Director of the College of Business, Bianca Gonzalez – Director of the College of Arts, Humanities & Social Services, Andrea Lucero – Director of Residential Life, Noriel Mostajo – Director at Large, Cymoril-Jessica P. Sonico – Director of the College of Science, and Cesar Rumayor – Executive Director and Advisor. Ms. Larson provided an update on outreach efforts by CSU Stanislaus students and spoke regarding internship opportunities, the transit system, developmental projects, and the recent downtown event that brought approximately 500 CSU Stanislaus students to downtown through the transit system.

Carlene Dyer, Executive Assistant to the ASI President, spoke regarding student interest in expanding the transit system to the downtown area noting the benefit of gas savings to students and the benefit of economic increase for downtown businesses.

CSU Stanislaus Student Government Relations Coordinator Maggie White thanked Council for the opportunity to represent the University and noted ASI's desire to collaborate on future activities.

**B. STAFF UPDATES**

1. City Manager Roy Wasden noted staff is aware of pending deadlines identified in the Mayor and City Council Policy Goals and Implementation Plan and is working to meet them. Mayor Soiseth advised the timeline document for tracking deadlines is nearing completion.
2. Parks, Recreation and Public Facilities Manager Erik Schulze provided an update on the Highway 99 On/Off Ramp Clean Up efforts including thanks to Turlock Scavenger for receiving 31 tons of trash and weeds at no charge and attempts to engage CalTrans in clean-up efforts and processes. Mayor Soiseth thanked City staff and Turlock Scavenger for their efforts.

**C. PUBLIC PARTICIPATION: None**

**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 the green sheet to Item 5B.

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Jacob, 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. 2015-215** Accepting Demands of 9/24/15 in the amount of \$871,456.21; Demands of 10/1/15 in the amount of \$674,718.10; Demands of 10/8/15 in the amount of \$1,110,877.24

- B. Motion: Accepting Minutes of Special City Council meeting of October 13, 2015; Minutes of Regular City Council meeting of October 13, 2015
- C. 1. Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$70,748.70 (Fund 215) for City Project No. 13-62, "Hawkeye Avenue Rehabilitation," bringing the contract total to \$1,330,783.20  
2. Motion: Accepting improvements for City Project No. 13-62, "Hawkeye Avenue Rehabilitation," and authorizing the City Engineer to file a Notice of Completion
- D. 1. Motion: Approving Contract Change Order No. 1 (Final) in the amount of \$31,382.03 (Fund 215) for City Project No. 13-63, "Geer Road Rehabilitation," bringing the contract total to \$1,067,860.03  
2. Motion: Accepting improvements for City Project No. 13-63, "Geer Road Rehabilitation" and authorizing the City Engineer to file a Notice of Completion
- E. Motion: Accepting improvements for City Project No. 15-68, "Emergency HVAC Replacement at Utilities Shop," and authorizing the City Engineer to file a Notice of Completion
- F. Motion: Approving Amendment No. 5 in the amount of \$85,807 to City Contract No. 08-544 with Omni-Means, Ltd., of Roseville, CA, in support of City Project No. 0828, "SR-99/Fulkerth Rd. Project Study Report (PSR)"
- G. Motion: Accepting a staff report outlining the scope of work, potential costs and funding concepts for the City of Turlock GIS base map upgrade and directing staff to begin the process of hiring consultants, collecting data and updating the GIS base map
- H. 1. **Resolution No. 2015-216** Appropriating \$505 to account number 110-61-622-16.44055 "Jr. Iron Chef – Supplies" and \$431 to the appropriate salary and benefit accounts under the Jr. Iron Chef program for part-time staffing costs to be funded from revenues received from the program  
2. Motion: Authorizing a reimbursement in the amount of \$503.46 to the Turlock Downtown Property Owners Association for expenses associated with the Jr. Iron Chef program
- I. Motion: Approving an agreement between the City of Turlock and the 38<sup>th</sup> District Agricultural Association for the purpose of parking and turn around for the participants in the Annual Christmas Parade on Friday, December 4, 2015
- J. Motion: Approving Amendment No. 1 to the Professional Services Agreement between the City of Turlock and WGR Southwest, Inc., for professional support services related to compliance with the State of California's storm water regulations and extending the term of the contract through June 30, 2016
- K. **Resolution No. 2015-217** Appropriating \$57,000 to account number 420-52-550.43320 "Special Services/Projects" to be funded from Water Enterprise Fund 420 "Operating Reserves" to fully fund the Hydrogeological and Water Quality Assessment Study
- L. **Resolution No. 2015-218** Appropriating \$32,000 to account number 420-52-550.43504 "PCE Monitoring and Remediation" to be funded by revenue received in account number 420-52-550.35507 "PCE Recovery" from an award of funds from the Cleanup and Abatement Account by the State Water Resources Control Board for the purpose of PCE remediation system optimization and groundwater monitoring and reporting in Downtown Turlock
- M. Motion: Approving an agreement with retired Deputy Chief Michael Bryant of Elite Command Training to provide Firefighter Bill of Rights Training to the Turlock Fire Department and other paid Fire Department attendees, in an amount not to exceed \$3,500
- N. **Resolution No. 2015-219** Accepting an \$8,000 donation from Sara Stinett toward the purchase of a replacement Animal Services Unit isolation trailer

- O. **Resolution No. 2015-220** Accepting a \$1,000 Save Mart/FoodMaxx gift card donation from Ms. Nakiya Bunk-Montgomery in support of the City’s Animal Services Unit
- P. **Motion:** Approving a Memorandum of Agreement between the County of Calaveras and the City of Turlock, pertaining to the assistance under the Law Enforcement Mutual Aid Plan, to facilitate reimbursement to the City of Turlock for assisting the County of Calaveras with law enforcement services on September 12 and 13, 2015 during the Butte fire, and authorizing the Police Chief to sign the agreement

**6. FINAL READINGS:**

- A. **Ordinance No. 1215-CS**, 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 as Introduced on October 13, 2015, was passed and adopted 5/0 by the following vote:

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

**7. PUBLIC HEARINGS**

- A. Deputy Director of Development Services/Planning Manager Debbie Whitmore presented the staff report on the request to determine the approval of Rezone 2015-02, Planned Development 273 being Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-fill Development Projects) of the CEQA Guidelines; Request to amend the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2015-02, Planned Development 273 (Turlock Walnut Company Expansion)]; and Request to establish Conditions of Approval for Planned Development No. 273 (PD-273) – Turlock Walnut Company Expansion.

Council discussion included curb setbacks, creating standards for future developments, pedestrian traffic concerns, and area roadway conditions.

Mayor Soiseth opened the public hearing.

Mike Warda, representing Turlock Walnut Company, spoke in favor of the project for reasons including the potential for further economic development in the area. Mr. Warda noted attempts to work with staff for consideration of bringing in utilities over the street to the project boundary, at which time utilities would then be located underground. Mr. Warda requested 5’ sidewalks instead of 10’ sidewalks and entering into some type of deferred improvement agreement to defer the installation of sidewalks on the lettered streets for a certain period of time.

Council and staff discussion regarding Mr. Warda’s requests included support for the 5’ sidewalks, the applicant entering into a lien agreement to construct the sidewalks within ten years of project approval or earlier if required by the City of Turlock, the lien agreement being based on the escalated value of the work to be performed over the term of the deferral period based on the Engineering News-Record (ENR) or CPI construction cost index, and that the lien agreement would include a provision that the property owner would be responsible to pay the City’s legal fees to enforce the provisions of the lien agreement should the property owner fail to perform at the end of the 10-year period or fail to perform in a timely manner to a notification by the City of Turlock to install the improvements prior to the end of the 10-year term.

Additional Council and staff discussion included the City Engineer’s authority to make modifications to street section standards.

Turlock resident Joshua Mallory spoke in favor of maintaining standards.

Mayor Soiseth closed the public hearing.

Additional Council discussion included the state of disrepair of the streets in the area, 5’ sidewalks being sufficient to accommodate shopping carts, City standards being important, and a timeline for installation of sidewalks if deferred.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, determining that the approval of Rezone 2015-02, Planned Development No. 273 is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-fill Development Projects) of the CEQA Guidelines. 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 Nascimento, introducing an Ordinance Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2015-02, Planned Development No. 273 (Turlock Walnut Company Expansion)] and setting the final reading for November 10, 2015. Motion carried 5/0 by the following vote:

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

Mayor Soiseth advised that the Resolution Establishing Conditions of Approval for Planned Development No. 273 (PD-273) – Turlock Walnut Company Expansion including recommended modifications, would be considered at the November 10, 2015 City Council meeting upon passage of the Ordinance.

Councilmember Jacob stepped down from the dais.

B. Deputy Director Of Development Services/Planning Manager Debbie Whitmore presented a brief overview and introduced Sophie Martin of Dyett & Bhatia who presented the staff report on the request to determine the approval of the 2014-2023 Housing Element and adoption of General Plan Amendment 2015-01 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15162 (Subsequent EIRs and Negative Declarations) and/or Section 15262 (Feasibility and Planning Studies) of the CEQA Guidelines; and Request to adopt the 2014-2023 Housing Element and amending the Turlock General Plan (General Plan Amendment 2015-01). Councilmember Jacob returned to the dais.

Councilmember Nascimento stepped down from the dais.

Council and staff discussion included fee deferrals for single family dwellings.

Councilmember Nascimento returned to dais.

Council discussion included special needs groups and the process that is used to determine projected housing needs for each jurisdiction.

Mayor Soiseth opened the public hearing.

Milt Trieweiler spoke against residential development for reasons including it does not pay for itself. Mr. Trieweiler provided information about greenhouse gas emissions, climate change, and water needs associated with residential growth.

Mayor Soiseth closed the public hearing.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember Jacob, determining that approval of the 2014-2023 Housing Element and adoption of General Plan Amendment 2015-01 is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15162 (Subsequent EIRs and Negative Declarations) and/or Section 15262 (Feasibility and Planning Studies) of the CEQA Guidelines. 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. 2015-221** Adopting the 2014-2023 Housing Element and amending the Turlock General Plan (General Plan Amendment 2015-01) was introduced by Councilmember Bublak, 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

**8. SCHEDULED MATTERS:**

*Mayor Soiseth handled Scheduled Matters Item 8C prior to Item 8A.*

- C. Regulatory Affairs Manager Garner Reynolds introduced the staff report on the request to accept the updated Water Rate Study and affirm the January 2016 water rate increase. Mr. Reynolds introduced Tom Pavletic of Municipal Financial Services, who presented the findings of the Water Rate Study

Council discussion included a request for staff to present conceptual ideas that may help to offset the increase of rates to senior citizens, low income residents and special needs groups, Proposition 218 restrictions, accuracy of the models used in the original study, debt service coverage, rate differences between residential and commercial customers, and clarification that the rates being discussed relate strictly to groundwater.

Mayor Soiseth asked for public comment.

Milt Trieweiler spoke in favor of a rate increase through and a tiered rate option.

Joshua Mallory spoke regarding the global water shortage and concerns over water use and rate projections, conflict of interest issues associated with lenders looking for a stable flow of income, and the future of our children.

Mayor Soiseth closed public comment.

Mayor Soiseth spoke regarding a surface water agreement, potential partners, and related rate studies. Mayor Soiseth noted a Sustainable Groundwater Management Act Workshop would be held at the Ceres Community Center at 6:00 p.m. on Thursday, October 29, 2015, and encouraged participation by community members.

Councilmember Bublak introduced the motion with the guidance that staff work on providing some type of assistance or special rates for senior citizens and those with fixed incomes.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember Jacob, accepting the updated Water Rate Study and affirming the January 2016 water rate increase. Motion carried 5/0 by the following vote:

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

- A. Executive Assistant to the City Manager for Economic Development/Housing Program Services Maryn Pitt presented the staff report on the request to adopt new policies and procedures for administering a monitoring program for the Community Development Block Grant Program (CDBG) by the City of Turlock.

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

**Action:**       **Resolution No. 2015-222** Adopting new policies and procedures for administering a monitoring program for the Community Development Block Grant Program (CDBG) by the City of Turlock was introduced by Councilmember Jacob, 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

- B. Deputy Director of Development Services/Planning Manager Debbie Whitmore presented the staff report on the request to 1) direct staff to issue a Request for Proposal, recommend a consultant and budget amendment for the update to the Downtown Design Guidelines and Zoning Regulations OR 2) request to postpone the update to the Downtown Design Guidelines and Zoning Regulations until an outside funding source can be identified and revisit in two years with the update to the Mayor and City Council Policy Goals and Implementation Plan.

Council and staff discussion included original funding source, concerns over moving forward with the project in a deficit budget cycle, the acknowledgement that the downtown area is thriving, the desire to see the request for funding for this item be handled as part of the budget process, and the need for an outside consultant to conduct the update.

Mayor Soiseth asked for public comment.

Milt Trieweiler spoke against subsidizing both residential and downtown growth.

Mayor Soiseth closed public comment.

Additional Council discussion included investing in the downtown area and the importance of taking into consideration the needs of the entire city before moving forward with funding.

**Action:**       Motion by Councilmember Bublak, seconded by Councilmember Jacob, postponing the update to the Downtown Design Guidelines and Zoning Regulations until an outside funding source can be identified and to revisit the item in no later than two years with the update to the Mayor and City Council Policy Goals and Implementation Plan. Motion carried 5/0 by the following vote:

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

*Mayor Soiseth handled Scheduled Matters Item 8C prior to Item 8A.*

- D. Parks, Recreation and Public Facilities Manager Erik Schulze presented the staff report on the request to affirm or modify the Community Events and Activities Grants Funding as submitted by the Parks, Arts and Recreation Commission.

Council discussion included Council being pleased with the results of the process, the importance of not deviating from the established process in order to honor the ranking process and the Commissioners who took the time to rank the applicants.

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

**Action:**        **Resolution No. 2015-223** Affirming the ranking of applicants of the Community Events and Activities Grants Funding as submitted by the Parks, Arts and Recreation Commission and fully funding the highest ranking applicant in the amount of \$2,000, with the remainder of \$3,750 being awarded to the second ranking applicant, was introduced by Councilmember Jacob, 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	Yes	Yes

- E. Mayor Soiseth noted this item, a request to 1) authorize three (3) full-time firefighter positions to Department 30-300 "Fire-Operations" OR 2) request to authorize dedicated supplemental overtime, for three (3) firefighter positions, for a six (6) month time-period beginning January 1, 2016 through June 30, 2016 and for Fiscal Year 2016-17, would be removed from tonight's agenda.

City Manager Wasden commented that as of the time of this meeting, the City has not received any grant award information from the United States Department of Homeland Security for Staffing for the Adequate Fire and Emergency Response (SAFER) grant to hire the three firefighters. Mr. Wasden noted that to avoid any confusion, this item would be pulled and brought forward at the November 10, 2015 City Council meeting.

- F. Administrative Services Director Kellie Jacobs-Hunter presented the staff report on the request to authorize the issuance of a Request for Proposal (RFP) to conduct an executive recruitment for the position of City Manager; authorize the Mayor to enter into a professional services agreement with a recruitment firm to conduct an executive recruitment for the position of City Manager, in an amount not to exceed \$30,000; and appropriate \$30,000 from Fund 110 "General Fund" reserve balance to account number 110-10-102.47090.

Council discussion included the competitive bid process.

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

**Action:**        Motion by Councilmember Nascimento, seconded by Councilmember DeHart, authorizing the issuance of a Request for Proposal (RFP) to conduct an executive recruitment for the position of City Manager. 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, authorizing the Mayor to enter into a professional services agreement with a recruitment firm to conduct an executive recruitment for the position of City Manager, in an amount not to exceed \$30,000. 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. 2015-224** Appropriating \$30,000 from Fund 110 “General Fund” reserve balance to account number 110-10-102.47090 “Testing & Recruitment” for the retention of a recruitment firm to conduct an executive recruitment for the position of City Manager 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

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

**10. COUNCIL COMMENTS:**

Councilmember DeHart presented a verbal report on his attendance at the recent League of California Cities Annual Convention which included discussions regarding water, homelessness, and community policing. Councilmember DeHart noted it was a wonderful experience, but that it is always good to return to Turlock.

Councilmember Jacob echoed Councilmember DeHart’s comments and noted his experience of various exposition vendors complimenting the City of Turlock.

Councilmember Bublak thanked all City staff who participated in the Public Safety Open House and noted Mayor Soiseth would be speaking at the Chamber of Commerce Economic Trends breakfast being held at the Turlock County Club at 7:30 a.m., on Wednesday, October 28, 2015.

Mayor Soiseth encouraged residents to attend the Sustainable Groundwater Management Act Workshop to be held at the Ceres Community Center at 6:00 p.m., on Thursday, October 29, 2015.

Mayor Soiseth commented on his recent presentation regarding the North Valley Regional Recycled Water Project at a meeting of the United States Conference of Mayors Water Council on which he sits. Mayor Soiseth noted the importance of being proactive and making investments for the future.

**11. CLOSED SESSION:**

City Attorney Phaedra Norton introduced Closed Session Items.

- A. 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.

- B. Conference with Real Property Negotiators, Cal. Gov't Code §54956.8  
*“Notwithstanding any other provisions of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease.”*

Property: 1030 East Avenue, Turlock, CA (APN No. 043-050-016-000)

Agency Negotiator: Roy W. Wasden

Negotiating Parties: Manuel Lima (Turlock Columbian Properties Incorporated)

Under Negotiation: Price and terms of payment

**Action:** No reportable action.

**12. ADJOURNMENT:**

Motion by Councilmember DeHart, seconded by Councilmember Jacob, to adjourn at 8:40 p.m.  
Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Kellie E. Weaver  
City Clerk