

1. **A. CALL TO ORDER** – Mayor Soiseth called the meeting to order at 6:09 p.m.  
PRESENT: Councilmembers Gil Esquer, Bill DeHart, Amy Bublak, Matthew Jacob, and Mayor Gary Soiseth.  
ABSENT: None

**B. PRESENTATION OF COLORS BY TURLOCK FIRE DEPARTMENT HONOR GUARD**

**C. SALUTE TO THE FLAG**

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

- A. Mayor Soiseth presented a Proclamation to Acting Fire Chief Gary Carlson and the Turlock Fire Department in recognition of fallen U.S. Forest Service Firefighter Brent M. Witham. Acting Fire Chief Carlson thanked the Mayor and Council for honoring Firefighter Witham and provided statistics of firefighters lost in the line of duty in 2017 compared to the average. Mayor Soiseth noted that the Proclamation will be sent to the County Supervisor in Firefighter Witham’s hometown.
- B. Mayor Soiseth presented a Proclamation to Golden Valley Health Centers Director of Government Affairs Mary-Michal Rawling in recognition of National Health Center Week, August 13-19, 2017. Ms. Rawling thanked the Mayor for his recent attendance at the grand opening for the Health Center in West Turlock, thanked the Council for their recognition, and spoke about expanded facilities and services provided at the Main Street and Olive Avenue locations and the Health Centers’ desire to open more facilities in Turlock to continue partnerships and to help residents meet their primary health care needs.
- C. Mayor Soiseth recognized Senior Planner Katie Quintero as the City of Turlock Employee of the Month – July award winner for her positive attitude, dedication to customer service, and willingness to take on new challenges. Senior Planner Quintero thanked the Council for supporting the employee of the month program, spoke about what an honor it is to receive this award, stated that the City of Turlock is blessed with fantastic employees, and thanked Mike Pitcock and Debbie Whitmore for the growth opportunities and challenges, thanked her family for their support, and thanked her coworkers for their team work.
- D. Mayor Soiseth recommended that Citizen Joel Bernard be appointed as the City of Turlock representative to the Measure L Citizens Oversight Committee.

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Bublak, Appointing Citizen Joel Bernard as the City of Turlock representative to the Measure L Citizens Oversight Committee. 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. STAFF UPDATES

1. Policy Goals and Implementation Plan – No updates were provided.

2. Administrative Services

a. Economic Development

Assistant to the City Manager for Economic Development/Community Housing Maryn Pitt provided an update on Economic Development including recent openings of the Get Air Trampoline Park and Habit Burger (soft opening), construction status of Hobby Lobby and the Ten Pin Fun Center, predevelopment meetings regarding vacancies in the downtown, data gathering meetings with the marketing and branding strategies consultant, and an upcoming visit by the City of Chowchilla to observe and learn about City of Turlock best practices.

3. Development Services Department

a. Capital Projects, Building Activity, and Transit

Development Services Director Mike Pitcock provided an update on Building Permit and Inspection Activity for the month of July 2017, Capital Projects, and Transit.

b. Measure L Planning

Development Services Director Mike Pitcock provided an update on Measure L Planning including project updates and timelines and the utilization of consultants on these projects to address staffing shortages.

Council and staff discussed this item.

4. Fire Department

a. Public Safety Briefing

Acting Fire Chief Gary Carlson presented information about the Fire Department – Public Safety Briefing for July 20, 2017 through August 2, 2017 including call incident types, number of calls by district, operations highlights, training highlights, fire prevention highlights, neighborhood services highlights, and social media efforts.

Mayor Soiseth thanked those who attended the Stand Behind the Line event.

b. Fire Prevention Division

Acting Fire Chief Gary Carlson presented information regarding the Fire Prevention Division including the lack of a succession plan for the Fire Marshal/Prevention Division, services/assignments provided by the Fire Marshal, Fire Prevention commitments and activities from 2015 through 2017, an overview of the Fire

Prevention Division staffing in comparison to 2008, and recommendations for providing faster customer service and expedited review including projected budget savings that could potentially help fund additional staff.

Council and staff discussed this item.

Fire Marshal Mark Gomez thanked the Council for the opportunity to work for the City of Turlock, spoke about the challenges over the last few years, and stated that with more staffing better service could be provided.

5. Municipal Services Department

- a. Municipal Services Director Michael Cooke presented an update of the Stanislaus Regional Water Authority (SRWA) Regional Surface Water Supply Project including the recent unveiling of the estimated project cost at the last SRWA Board meeting, project drivers and benefits, Turlock groundwater system, groundwater quality impacts, well rehabilitation projects, monitoring wells and test holes, estimated rate impacts, project funding opportunities, and project schedule.

Council and staff discussed this item.

6. Parks, Recreation and Public Facilities

- a. 1,000 Flags Campaign

Parks Recreation and Public Facilities Director Allison Van Guilder presented information about the 1,000 Flags Campaign including flag displays at some of the Councilmember's homes, various City facilities including the Pedretti Sports Complex, and local businesses, the number of registered flags having increased since the last update, and encouraged others to fly and/or register their flag and provide pictures for future presentations.

Council and staff discussed this item.

7. Police Department

- a. Pet of the Month

Animal Control Services Supervisor Glenna Jackson presented information about the Pet of the Month program for the month of September 2017 including adoption fees sponsored by Turlock Management Association – Public Safety (TMAPS), recent pet adoptions, monthly promotions, and contact information for the Turlock Animal Shelter.

- b. Police Chief Ninus C. Amirfar presented information about the Police Department – Public Safety Briefing for the month of July 2017 including top 3 calls for service including fireworks violations, suspicious persons, burglaries by type, arrests, response times, top 3 calls for service by district, special deployments, proactive patrol, National Night Out event, social media efforts, part one crimes, traffic accidents, and primary collision factors.

Council and staff discussed this information and requested a future staff update on traffic safety and enforcement relative to school sites being back in session.

Chief Amirfar also presented information about the SJAVPCD grant that will fund the purchase of T3 mobility vehicles to assist with community oriented policing and traffic enforcement.

**C. PUBLIC PARTICIPATION**

Turlock Librarian Diane Bartlett provided information about the summer reading program held at the Marty Yerby Center and an upcoming meeting on August 17, 2017 regarding the Turlock Library expansion.

Milt Trieweiler spoke about water conservation and climate change.

Nick Hackler spoke about the positive direction the City is headed, provided information about a project he is developing in the downtown and the notification he received regarding the establishment of an assessment district for this development, inquired about the City of Turlock not having to form an assessment district for a development nearby his project, and commented on the Engineering Division and Fire Department plan review processes and timelines associated with his project.

Mayor Soiseth directed Deputy Director of Development Services/Planning Manager Debbie Whitmore to follow-up with Mr. Hackler regarding his comments and concerns.

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

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

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

**B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS: None**

**C. DISCLOSURE OF TOP TEN/MAXIMUM CONTRIBUTORS**

**5. CONSENT CALENDAR:**

**Action:** Motion by Councilmember Jacob, seconded by Councilmember Bublak, adopting the 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 No. 2017-196:** Accepting Demands of 6/29/17 in the amount of \$370,248.92; Demands of 7/06/17 in the amount of \$388,641.55;
- B. *Motion:* Accepting Minutes of Special Meeting of July 11, 2017; Regular Meeting of July 11, 2017; Special Meeting of July 17, 2017
- C. *Motion:* Accepting improvements for City Project No. 17-34 "Emergency Repair at Pedretti Park" and authorizing the City Engineer to file a Notice of Completion
- D. *Motion:* Accepting improvements for City Project No. 16-38 "Fire Station Exhaust Removal" and authorizing the City Engineer to file a Notice of Completion
- E. **Resolution No. 2017-197:** Approving the purchase and delivery of one (1) 2017 Ford F-250 truck from Downtown Ford Sales of Sacramento, California, to be used solely as a non-revenue, fixed-route bus stop and bus shelter maintenance vehicle by City maintenance staff, through the State of California Contract No. 1-16-23-20A, in an amount not to exceed \$36,300, without compliance to formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5)
- F. **Resolution No. 2017-198:** Re-appropriating unspent funds of \$15,000 from Fiscal Year 2016-17 to account number 110-10-112.43060\_008 "Contract Services Public Service Mitigation Fee CFD #2" from Fund 110 "General Fund" unallocated reserves to develop written procedures, policies, and/or ordinances for the administration of Community Facilities District #2 (CFD #2)
- G. **Resolution No. 2017-199:** Adopting the Stanislaus Council of Governments (StanCOG) State Route 99 Corridor Enhancement Plan as the official landscape and architectural guidance document for future projects implemented on State Route 99
- H.
  1. *Motion:* Approving Amendment No. 1 to a Memorandum of Understanding (MOU) among City of Modesto, City of Turlock, City of Hughson, City of Ceres, City of Waterford, and Stanislaus County for Integrated Regional Water Management Planning (IRWMP)
  2. *Motion:* Approving a Cost Sharing Agreement to defray expenses associated with the preparation of the East Stanislaus Integrated Regional Water Management Plan (ESIRWMP)
- I. *Motion:* Approving an Agreement between the City of Turlock and Kidz Love Soccer, Inc. to offer youth soccer programs within the community, in the total amount of \$72,000 for a period of thirty-six (36) months
- J. *Motion:* Approving an Agreement between the City of Turlock and the Dragon Sports to offer youth self defense programs within the community, in the total amount of \$45,000 for a period of thirty-six (36) months
- K. *Motion:* Approving an Agreement between the Stanislaus County Office of Education, the City of Turlock, and the Turlock Unified School District authorizing the acceptance of an allocation of funds and execution of a grant agreement to implement the After School Education and Safety (ASES) Program
- L. *Motion:* Approving an Agreement between the City of Turlock and Jocelyn E. Roland, PH.D., to provide counseling/psychotherapy services to all sworn firefighters employed by the Turlock Fire Department at no cost to the covered employee, for the period of July 1, 2017, through June 30, 2018
- M. **Resolution No. 2017-200:** Authorizing submittal of a San Joaquin Valley Air Pollution Control District (SJVAPCD) grant application for the purchase of four (4) fully funded 2017 T3 Motion Patroller electric stand up vehicles, at \$18,313 per vehicle including accessories and shipping, for a total amount of \$73,252

- N.
  1. *Motion*: Approving Amendment No. 2 to the Agreement with Tyler Technologies, Inc for Standard Software License and Services to include Executime Time & Attendance Software and Executime Advanced Scheduling Software, increasing the total compensation by \$153,850
  2. **Resolution No. 2017-201**: Appropriating \$153,850 to 110-10-112.51027 funded by transfers from departments based on Schedule "A" to fund the purchase of Executime Time & Attendance Software & Executime Advanced Scheduling Software
- O. *Motion*: Approving an Agreement for Management and Administrative Services between the City of Turlock and Regional Government Services to provide management assistance and outreach services during a potential water rate setting process for Turlock's participation in the Stanislaus Regional Water Authority (SRWA) Regional Surface Water Supply Project in a total amount not to exceed \$9,000
- P.
  1. **Resolution No. 2017-202**: Determining City Project No. 16-76 "Swanson Centennial Park Playground Improvements" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines
  2. *Motion*: Awarding bid and approving an Agreement in the amount of \$260,403.50 (Fund 228) with Sinclair General Engineering of Oakdale, California, for City Project No. 16-76 "Swanson Centennial Park Playground Improvements"
  3. **Resolution No. 2017-203**: Appropriating \$112,485 to account number 228-60-606.51270 "Construction Project" to be funded via a transfer from Fund 228 "Neighborhood Park" unallocated reserves for City Project No. 16-76 "Swanson Centennial Park Playground Improvements" to complete the necessary funding required for this project
- Q. *Motion*: Awarding Request for Proposal (RFP) No. 17-503 and approving an Agreement with Roadrunner Drilling & Pump Company, Inc. for Multiple-Completion Monitoring Wells (3) & Exploratory Test Holes (2) in a total amount not to exceed \$248,276 from Fund 420-52-550.43320 "Special Services/Projects"
- R. *Motion*: Authorizing issuance of Request of Qualifications (RFQ) for professional engineering design and construction services for the City of Turlock Municipal Services Department for various Capital Improvement Projects
- S. *Motion*: Rejecting Claim for Damages filed by Eilbaron Gevergizian

**6. FINAL READINGS:**

- A. **Ordinance No.1234-CS**, Adding Turlock Municipal Code Title 8, Chapter 12 regarding expedited permitting procedures for electric vehicle charging stations as introduced at the July 25, 2017 City Council meeting and adopted 5/0 by the following vote:

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

**Resolution No. 2017-204**: Adopting a checklist regarding expedited permitting procedures for electric vehicle charging stations 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

**7. PUBLIC HEARINGS**

- A. Development Services Director Mike Pitcock presented the staff report on the request to order the improvements and formation of The Classics subdivision (Development Project No. 16-78) 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 Classics subdivision (Development Project No. 16-78) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution 97-128.

Mayor Soiseth opened the public hearing. No one spoke. Mayor Soiseth closed the public hearing.

**Action:** **Resolution No. 2017-205:** Ordering the improvements and formation of The Classics subdivision (Development Project No. 16-78) 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 Classics subdivision (Development Project No. 16-78) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution 97-128 as introduced by Councilmember Jacob, seconded by Councilmember Bublak, and carried 5/0 by the following vote:

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

- B. Administrative Services Director Kellie Jacobs-Hunter presented the staff report on the request to supersede and replace Resolution No. 2016-108 and adopt updated cost recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq.

Mayor Soiseth opened the public hearing. No one spoke. Mayor Soiseth closed the public hearing.

**Action:** Superseding and replacing Resolution No. 2016-108 and adopting updated cost recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq. 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

*Note: Upon conclusion of the City Council meeting, staff determined that a potential procedural error may exist relative to public noticing requirements for Public Hearing item 7B. Based upon this determination, the action taken by the Council during this meeting will be canceled and the previously approved fees and charges (adopted by the City Council in May 2016) will remain in effect. This item will be brought back to the City Council on September 12, 2017.*

- C. Police Chief Ninus C. Amirfar presented the staff report on the request to amend Turlock Municipal Code Title 6, Chapter 1, Article 7, Section 05 Regarding Retail Sale of Dogs and Cats to replace the word “chapter” with the word “article”.

Mayor Soiseth opened the public hearing. No one spoke. Mayor Soiseth closed the public hearing.

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Jacob, introducing an Ordinance Amending Turlock Municipal Code Title 6, Chapter 1, Article 7, Section 05 Regarding Retail Sale of Dogs and Cats to replace the word “chapter” with the word “article” and setting the final reading date for September 12, 2017. Motion 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:**

*Mayor Soiseth noted a green sheet for Scheduled Matters item 8A.*

- A. Parks, Recreation and Public Facilities Event Assistant Amber Traini presented the staff report on the request to determine the closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street), for the Feast of our Lady of Assumption Procession Celebration hosted by Sacred Heart Catholic Church, 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 the Special Event Permit Application for the Feast of Our Lady of Assumption Procession Celebration hosted by Sacred Heart Catholic Church, authorize the associated closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street) for pedestrian safety, on Tuesday, August 15, 2017 from 5:00 p.m. to 8:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure.

Assistant Traini provided information about feedback received from concerned community members in opposition of this closure.

Ms. Rocha from Sacred Heart Catholic Church thanked the Council for the opportunity to be here and spoke about the long standing tradition of this event and the route.

Mayor Soiseth opened public participation.



Milt Triweiler spoke in favor of the event.

Mayor Soiseth closed public participation.

Council discussed this item including concerns for the residents in this area.

**Action:**        **Resolution No. 2017-206:** Determining the closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street), for the Feast of our Lady of Assumption Procession Celebration hosted by Sacred Heart Catholic Church, 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 No. 2017-207:** Approving the Special Event Permit Application for the Feast of Our Lady of Assumption Procession Celebration hosted by Sacred Heart Catholic Church, authorizing the associated closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street) for pedestrian safety, on Tuesday, August 15, 2017 from 5:00 p.m. to 8:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure 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

- B. Parks, Recreation and Public Facilities Event Assistant Amber Traini presented the staff report on the request to determine the closure of portions of Canal Drive, Main Street, Center Street, Crane Avenue, and Minaret Avenue, for Turlock High School to host the Turlock High School Homecoming 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 Turlock High School Homecoming Parade hosted by Turlock High School, authorize the associated closure of portions of Canal Drive, Main Street, Center Street, Crane Avenue, and Minaret Avenue for pedestrian safety, on Friday, September 29, 2017 from 2:30 p.m. to 4:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure.

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

**Action:**        **Resolution No. 2017-208:** Determining the closure of portions of Canal Drive, Main Street, Center Street, Crane Avenue, and Minaret Avenue, for Turlock High School to host the Turlock High School Homecoming 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 Jacob, seconded by Councilmember Bublak, and carried 5/0 by the following vote:

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

**Resolution No. 2017-209:** Approving a Special Event Permit Application for the Turlock High School Homecoming Parade hosted by Turlock High School, authorizing the associated closure of portions of Canal Drive, Main Street, Center Street, Crane Avenue, and Minaret Avenue for pedestrian safety, on Friday, September 29, 2017 from 2:30 p.m. to 4:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure as introduced by Councilmember Jacob, seconded by Councilmember Bublak, and carried 5/0 by the following vote:

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

- C. Parks, Recreation and Public Facilities Department Director Allison Van Guilder presented the staff report on the request to rescind Resolution No. 2016-208 and adopt a new Resolution approving updates to the City of Turlock Special Event Permit Application, adopted fees, and proposed policies for event applications received on or after August 8, 2017.

Council and staff discussed this item including the additional action to remove sidewalk sales from this process.

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

**Action:**        **Resolution No. 2017-210:** Rescinding Resolution No. 2016-208 and adopting a new Resolution approving updates to the City of Turlock Special Event Permit Application, adopted fees, and proposed policies for event applications received on or after August 8, 2017 as introduced by Councilmember Jacob, seconded by Councilmember Bublak, and carried 5/0 by the following vote:

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

- D. Deputy Director of Development Service/Planning Debbie Whitmore presented the staff report on the request to oppose proposed amendments to Conditions of Approval #35 and #73 of County Use Permit 2012-0017 (Dan Avila & Sons) and authorize the City Manager to transmit the City Council's action to Stanislaus County.

Mr. Dan Avila spoke about concerns with having to improve the canal in the future.

Council and staff discussed this item.

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

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Esquer, Opposing proposed amendments to Conditions of Approval #35 and #73 of County Use Permit 2012-0017 (Dan Avila & Sons) and authorizing the City Manager to transmit the City Council's action to Stanislaus County. Motion carried 5/0 by the following vote:

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

9. **NON-AGENDA ITEMS:** None

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

11. **COUNCIL COMMENTS:** None

12. **CLOSED SESSION:**

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

- 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: (2 Cases)

**Action:** No reportable action

- B. 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: 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/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

- C. Public Employee Appointment, 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:** No reportable action

- D. 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 Employee: City Manager

**Action:** No reportable action

**13. ADJOURNMENT:**

Motion by Councilmember Bublak, seconded by Councilmember Esquer, to adjourn the open session of the regular meeting at 8:41 p.m. Motion carried unanimously.

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

RESPECTFULLY SUBMITTED

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Jennifer Land  
City Clerk