

1. **A. CALL TO ORDER** – Mayor Soiseth called the meeting to order at 6:05 p.m.
PRESENT: Councilmembers Gil Esquer, Bill DeHart, Amy Bublak, Matthew Jacob, and Mayor Gary Soiseth.
ABSENT: None

B. SALUTE TO THE FLAG

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

- A. Mayor Soiseth presented a Proclamation in recognition of Breast Cancer Awareness Month, October 2017 to Fire Captain Frank Saldivar. Fire Captain Saldivar thanked the City Council, spoke about this being the sixth year the Firefighters have supported this cause of which they have raised a total of \$183,000 for the endowment through continued support of the community, and presented this year's pink tee shirt.
- B. Assistant to the City Manager for Economic Development and Housing Maryn Pitt introduced Pat Portwood, Diane Bartlett, and Carmen Ingols who provided information about Measure S – renewal of a 1/8 cent sales tax to support the Stanislaus County Library.

Mayor Soiseth opened public comment. No one spoke. Mayor Soiseth Closed public comment.

Council discussed this item.

Action: **Resolution No. 2017-242**: Supporting the extension of a 1/8 cent sales tax to fund the Stanislaus County Library 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

- C. Councilmember DeHart spoke about the September 12, 2017 City Council meeting of which community members shared experiences of acts of discrimination and presented a document regarding anti-discrimination for Council's support and consideration.

Mayor Soiseth opened public comment.

Community Members Cathy Doo, Jordan Alvarado, Frank Johnson, Ann Strahm, Donna Endsley, and Danielle Ray-Reyes shared experiences of discrimination, spoke about the importance of teaching people not to stereotype, being accepted, there only being one race, actions and inactions that allow for hatred, symbolism of the resolution for the community, Turlock needing to be a safe place, today being a historic day for Turlock, and standing together, and requested the City Council's support of the resolution.

Mayor Soiseth closed public comment.

Council discussed this item.

Action: **Resolution No. 2017-243:** Supporting the resolution “Not In Our Community” opposing any acts of discrimination as introduced by Councilmember Esquer

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

D. Mayor Soiseth recommended that Councilmember DeHart be appointed as a Director of the Stanislaus Regional Water Authority.

Action: Motion by Councilmember Jacob, seconded by Councilmember Esquer, appointing Councilmember DeHart as a Director of the Stanislaus Regional Water Authority, effective October 1, 2017. Motion carried 5/0 by the following vote:

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

E. Mayor Soiseth recommended that Councilmember Esquer be appointed as an Alternate Member of the West Turlock Subbasin Groundwater Sustainability Agency.

Action: Motion by Councilmember DeHart, seconded by Councilmember Jacob, appointing Councilmember Esquer as an Alternate Member of the West Turlock Subbasin Groundwater Sustainability Agency, effective October 1, 2017. Motion carried 5/0 by the following vote:

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

F. Mayor Soiseth recommended that Councilmember Jacob be appointed as a Member of the City/County Liaison Committee.

Councilmember Bublak commented about people being treated differently and removing the only female from three different boards. Mayor Soiseth responded this was not gender related, that there needed to be more equitable appointments amongst Councilmembers.

Action: Motion by Councilmember DeHart, seconded by Councilmember Esquer, appointing Councilmember Jacob as a Member of the City/County Liaison Committee, effective October 1, 2017. 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 Department – No updates were provided.
3. Development Services Department
 - a. Measure L Planning

Development Services Director Mike Pitcock provided an update on Measure L Planning including the West Main project update and timeline.

4. Fire Department
 - a. Public Safety Briefing

Acting Fire Chief Gary Carlson presented information about the Fire Department – Public Safety Briefing for August 3, 2017 through September 18, 2017 including call incident types, major calls within the period, strike team season, grant award for radio equipment, 9-11 ceremony, training highlights, prevention highlights, neighborhood services highlights, social media efforts, and the pink tee shirt campaign.

5. Municipal Services Department – No updates were provided.
6. Parks, Recreation and Public Facilities – No updates were provided.
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 October 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. Public Safety Briefing

Police Chief Ninus C. Amirfar presented information about the Police Department – Public Safety Briefing for the month of August 2017 including top 3 calls for service, burglaries by type, response times, tops 3 calls for service by voting districts, service demands, special deployments, proactive patrol efforts, crime prevention efforts, traffic accidents, primary traffic collision factors, social media efforts, and part one crimes (5-year average).

c. Traffic Task Force

Police Chief Ninus C. Amirfar and Development Services Director Mike Pitcock spoke about a traffic safety plan that was presented to the City Council in 2016, provided information about recent meetings with Councilmember DeHart, City staff, and community members to develop a plan to address issues surrounding vehicle/pedestrian/bicyclist accidents including a multi-faceted approach (and efforts) of education, enforcement, engineering, evaluation, and partnerships, and concluded by noting that traffic safety requires the attention of all stakeholders and sustainable enforcement.

Council and staff discussed this item.

C. PUBLIC PARTICIPATION:

Frank Johnson President of the NAAAP spoke about his involvement with Turlock for many years, an incident in February 2013 where he went before the Chamber of Commerce regarding a racial issue, and recent concerns of leadership, accountability, not working with the Council, unilateral decisions, employee complaints, noncompliance with the Freedom of Information Act, violations of the Brown Act, financial spending, retaliation, and questions about the Mayor resigning.

Mayor Soiseth stated he is available to meet with Mr. Johnson.

Brad Bates spoke about the front page headline of the Modesto Bee regarding the Modesto City Manager selection and inquired about the Turlock City Manager selection process, the status of the City Attorney, and if we are paying for two City Attorneys.

Mayor Soiseth responded that the City Manager selection process is confidential and that the Council cannot comment on the questions Mr. Bates asked regarding the City Attorney during public participation.

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

Action: Motion by Councilmember DeHart, seconded by Councilmember Jacob, 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:

Mayor Soiseth noted that Consent Calendar Items 5D, 5H, and 5N would be removed for separate consideration.

Action: Motion by Councilmember DeHart, seconded by Councilmember Esquer, adopting the amended consent calendar. Motion carried 5/0 by the following vote:

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

- A. **Resolution No. 2017-244:** Accepting Weekly Demands of 08/17/17 in the amount of \$472,759.94; Monthly Demands of 05/31/17 in the amount of \$1,947,176.93
- B. **Motion:** Approving Amendment No. 1 to an Agreement with CTC, Inc. of Fort Worth, Texas, for engineering consulting services for railroad preemption for City Project No. 14-28, "Intersection Improvements at Golden State Blvd. and Fulkerth Rd", extending the term of the agreement to February 28, 2018
- C. **Motion:** Accepting improvements for City Project No. 17-25 "Column Replacement at Covered Storage Building at Corporation Yard" and authorizing the City Engineer to file a Notice of Completion
- D. *Removed for separate consideration/Removed from the agenda*
- E. **Resolution No. 2017-245:** Authorizing the Purchasing Officer to dispose of transit fleet vehicles destroyed in a February 2017 bus fire as directed by the City Manager pursuant to the terms set forth in Turlock Municipal Code Section 2-7-04(j)
- F.
 - 1. **Motion:** Awarding Request for Proposal (RFP) No. 17-513 and approving an Agreement with Holt of California for planned maintenance services (Kohler Emergency Generator) at the City of Turlock Public Safety Facility, in an annual amount not to exceed \$9,357
 - 2. **Resolution No. 2017-246:** Appropriating \$1,300 to account number 110-20-200.43125_025 "Maintenance Generator Repair and Maintenance" from Fund 110 "General Fund" unallocated reserves for planned maintenance services (Kohler Emergency Generator) at the Public Safety Facility
- G. **Resolution No. 2017-247:** Accepting donations made to the City of Turlock Parks, Recreation and Public Facilities Department from various donors between June and August 2017 in the amount of \$27 in account number 270-61-635-399.37200_000 "Donations General" to fund a variety of Parks, Recreation and Public Facilities Department programs, scholarships, and activities
- H. *Removed for separate consideration*
- I.
 - 1. **Motion:** Awarding Request for Proposal (RFP) No. 17-500 and approving a Custom Software Support Agreement with Packet Fusion for an Interactive Voice Response (I.V.R.) platform and a mass text (SMS) and voice messaging notification system that integrates with the City of Turlock's current utility customer billing system, in an initial amount not to exceed \$67,880 with annual support fees of \$12,200, to be funded by Fund 410 Water Quality and Fund 420 Water Enterprise

2. **Resolution No. 2017-248**: Appropriating \$40,000 to account number 410-51-534.51183 “Phone System Interactive Voice Response” from Fiscal Year 2018/19 account number 410-51-534.51183 “Phone System Interactive Voice Response” and transferring \$6,100 to account number 410-51-530.44010_010 “Computer Software Maintenance-IVR” and \$6,100 to account number 420-52-550.44010_010 “Computer Software Maintenance-IVR” from account number 410-51-534.51183 “Phone System Interactive Voice Response” for annual maintenance software support
- J. **Motion**: Approving Amendment No. 1 to the Maintenance Agreement between the City of Turlock and HSQ Technology for maintenance service of the Telemetry software/hardware, increasing the compensation to an annual amount of \$22,992 to include parts
- K. **Resolution No. 2017-249**: Authorizing the Mayor or City Manager to apply for and accept grant funds administered by the San Joaquin Valley Air Pollution Control District for activities that are consistent with the City of Turlock 2015-2019 Mayor and City Council Policy Goals and Implementation Plan
- L. 1. **Resolution No. 2017-250**: Approving modifications to the job description for the position of Water Quality Control Supervisor, effective September 26, 2017
2. **Resolution No. 2017-251**: Approving modifications to the job description for the position of Utilities Supervisor, effective September 26, 2017
3. **Resolution No. 2017-252**: Approving modifications to the job description for the position of Utilities Supervisor, Assistant, effective September 26, 2017
4. **Resolution No. 2017-253**: Approving modifications to the job description for the position of Electrical/Mechanical Maintenance Supervisor, Assistant, effective September 26, 2017
- M. **Resolution No. 2017-254**: Appropriating \$65,000 to account number 116-30-305.44030_000 “Minor Equipment Miscellaneous” from Fund 116 “Special Public Safety – Fire” unallocated reserves for the purchase of safety, rescue, and alerting equipment
- N. Removed for separate consideration
- O. **Motion**: Approving revisions to the City of Turlock Injury and Illness Prevention Program
- P. **Motion**: Approving revisions to the City of Turlock Safety Program
- Q. **Resolution No. 2017-255**: Approving modifications to the job description for the position of Firefighter, effective September 26, 2017
- R. **Motion**: Approving Amendment No. 1 to an Agreement between the City of Turlock and HCI Systems, Inc. for fire sprinkler and suppression system inspections, repairs, and maintenance services, increasing the compensation to an annual amount of \$20,000
- S. **Resolution No. 2017-256**: Authorizing the Purchasing Officer to dispose of surplus supplies and/or equipment as directed by the City Manager pursuant to the terms set forth in Turlock Municipal Code Section 2-7-04(j)
- T. **Motion**: Rejecting Claim for Damages filed by David Benson
- U. **Motion**: Rejecting Claim for Damages filed by Trey West
- Item 5D. **Resolution**: Approving the list of projects to be funded with Senate Bill (SB) 1 “The Road Repair and Accounting Act of 2017” and incorporating the list of projects to appropriate revenues and expenditures in the Fiscal Year 2017-18 Budget

Mayor Soiseth inquired about the submittal deadline and requested this item be brought back at the October 10, 2017 City Council meeting. Councilmember Esquer requested clarification on how the projects are selected. Development Services Director Mike Pitcock responded with submission deadlines and provided information about the selection process. No formal action was taken.

Item 5H. Motion: Approving a Master Sales Agreement with Itron, Inc. for water fixed network Automatic Meter Reading (AMR) maintenance and software support and the purchase of components for a period of twelve (12) months, in an annual amount of \$180,000, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(2)

Municipal Services Director Michael Cooke provided information about the Agreement with Itron including an overview of the equipment and software provided for the fixed network automatic meter reading system. Councilmember DeHart clarified his request to remove this item for separate consideration was due to the item being in excess of \$100,000 and noted he was in favor of updating technology.

Action: Motion by Councilmember DeHart, seconded by Councilmember Jacob, Approving a Master Sales Agreement with Itron, Inc. for water fixed network Automatic Meter Reading (AMR) maintenance and software support and the purchase of components for a period of twelve (12) months, in an annual amount of \$180,000, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(2). Motion carried 5/0 by the following vote:

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

Item 5N. Resolution: Appropriating \$25,000 to account number 110-30-300.41100_007 “Overtime Department Business” funded by increased revenue in the amount of \$25,000 in account number 110-30-300.35100 “Fire Fees-Prevention” for overtime costs associated with staffing an apprentice to the Fire Marshal in the City of Turlock Fire Department, Fire Prevention Division

Acting Fire Chief Gary Carlson spoke about the assistance needed in the Fire Prevention Division and the Fire Marshal’s Office to keep up with increased demands, provide faster service to customers, and fulfill succession planning. Councilmember Bublak spoke about challenges the Fire Department was having and their ability to find solutions which will provide a quicker turnaround.

Resolution No. 2017-257: Appropriating \$25,000 to account number 110-30-300.41100_007 “Overtime Department Business” funded by increased revenue in the amount of \$25,000 in account number 110-30-300.35100 “Fire Fees-Prevention” for overtime costs associated with staffing an apprentice to the Fire Marshal in the City of Turlock Fire Department, Fire Prevention Division 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

6. **FINAL READINGS:** None

7. PUBLIC HEARINGS

- A. Assistant to the City Manager for Economic Development and Housing Maryn Pitt provided the staff report request to approve the Fiscal Year 2016-2017 Draft Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME), authorize submission of the CAPER to the United States Department of Housing and Urban Development (HUD), and authorize the Mayor, City Manager, or designee to execute related necessary documents.

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

Action: Motion by Councilmember Jacob, seconded by Councilmember Bublak, Approving the Fiscal Year 2016-2017 Draft Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME), authorizing submission of the CAPER to the United States Department of Housing and Urban Development (HUD), and authorizing the Mayor, City Manager, or designee to execute related necessary documents. Motion carried 5/0 by the following vote:

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

- B. Development Services Director provided the staff report on the request to determine amendments to Turlock Municipal Code Title 6, Chapter 4, adding a definition of lot or parcel, clarifying when the City may furnish sewer service, clarifying ownership of sewer lines, clarifying responsibilities for maintenance of sewer lines, modifying requirements for connecting to sewer service inside and outside the City limit, and modifying requirements for extending sewer mains outside the City limit and amendments to Turlock Municipal Code Title 6, Chapter 5, modifying definition of water main, modifying requirements for connecting to the City's water system inside and outside the City limit, clarifying when the City may furnish water, clarifying requirements for installation of water meters, clarifying ownership of water lines, clarifying maintenance of water lines, and modifying requirements for extending water mains outside the City limit are Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines AND amend Turlock Municipal Code Title 6, Chapter 4, adding a definition of lot or parcel, clarifying when the City may furnish sewer service, clarifying ownership of sewer lines, clarifying responsibilities for maintenance of sewer lines, modifying requirements for connecting to sewer service inside and outside the City limit, and modifying requirements for extending sewer mains outside the City limit and amend Turlock Municipal Code Title 6, Chapter 5, modifying definition of water main, modifying requirements for connecting to the City's water system inside and outside the City limit, clarifying when the City may furnish water, clarifying requirements for installation of water meters, clarifying ownership of water lines, clarifying maintenance of water lines, and modifying requirements for extending water mains outside the City limit.

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

Action: **Resolution No. 2017-258:** Determining amendments to Turlock Municipal Code Title 6, Chapter 4, adding a definition of lot or parcel, clarifying when the City may furnish sewer service, clarifying ownership of sewer lines, clarifying responsibilities for maintenance of sewer lines, modifying requirements for connecting to sewer service inside and outside the City limit, and modifying requirements for extending sewer mains outside the City limit and amendments to Turlock Municipal Code Title 6, Chapter 5, modifying definition of water main, modifying requirements for connecting to the City’s water system inside and outside the City limit, clarifying when the City may furnish water, clarifying requirements for installation of water meters, clarifying ownership of water lines, clarifying maintenance of water lines, and modifying requirements for extending water mains outside the City limit are Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) 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

Motion by Councilmember DeHart, seconded by Councilmember Esquer, introducing an Ordinance Amending Turlock Municipal Code Title 6, Chapter 4, adding a definition of lot or parcel, clarifying when the City may furnish sewer service, clarifying ownership of sewer lines, clarifying responsibilities for maintenance of sewer lines, modifying requirements for connecting to sewer service inside and outside the City limit, and modifying requirements for extending sewer mains outside the City limit and amending Turlock Municipal Code Title 6, Chapter 5, modifying definition of water main, modifying requirements for connecting to the City’s water system inside and outside the City limit, clarifying when the City may furnish water, clarifying requirements for installation of water meters, clarifying ownership of water lines, clarifying maintenance of water lines, and modifying requirements for extending water mains outside the City limit and setting the final reading for October 10, 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:

- A. Parks, Recreation and Public Facilities Event Coordinator Amber Traini presented the staff report on the request to determine the closure of Oak Street (between Cooper Avenue and Lyons Avenue) and Lyons Avenue (between North Rose Street and Oak Street), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, 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 Fatima

Celebration Procession hosted by Sacred Heart Catholic Church, authorize the associated closure of Oak Street (between Cooper Avenue and Lyons Avenue) and Lyons Avenue (between North Rose Street and Oak Street) for pedestrian safety, on Sunday, October 1, 2017 from 7:15 p.m. through 8:30 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure.

Council and staff discussed this item.

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

Action: **Resolution No. 2017-259**: Determining the closure of Oak Street (between Cooper Avenue and Lyons Avenue) and Lyons Avenue (between North Rose Street and Oak Street), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, 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 Esquer, 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. 2017-260: Approving the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorizing the associated closure of Oak Street (between Cooper Avenue and Lyons Avenue) and Lyons Avenue (between North Rose Street and Oak Street) for pedestrian safety, on Sunday, October 1, 2017 from 7:15 p.m. through 8:30 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure as introduced by Councilmember Esquer, 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

Mayor Soiseth noted a green sheet for Scheduled Matters Item 8B.

- B. Parks, Recreation and Public Facilities Director Allison Van Guilder presented the staff report on the request to authorize the rental of the Chamber of Commerce facility located at 115 South Golden State Boulevard by the Turlock Downtown Property Owners Association and other organizations.

Council and staff discussed this item.

Mayor Soiseth opened public participation.

Chamber of Commerce Chair Robert Rodarte thanked the City Council for their consideration and support.

David Fransen spoke about ongoing concerns he has with the Chamber of Commerce building located in Central Park, Chamber of Commerce local candidate endorsements, CVB services and the termination of that agreement, inquired about the current partnership with the Chamber of Commerce and why the Chamber is only paying \$1/per year for use of the building, and requested an investigation of the Chamber and the City Attorney and to hold off on compounding another organization like the Turlock Downtown Property Owners Association.

Mayor Soiseth closed public participation.

Council and Outside Legal Counsel discussed this item.

Chamber of Commerce Chair Robert Rodarte spoke about seeking partnerships and ways to fulfill obligations of the payment plan and expand relationships in the community.

Executive Director of Downtown Property Owners Association Molly Amant spoke about concerns she has with occupying the space and then potentially having to move out if there were to be an investigation.

Council discussed a modified action for this item and introduced the modified language.

Action: **Resolution No. 2017-261:** Authorizing the rental of the Chamber of Commerce facility located at 115 South Golden State Boulevard by the Turlock Downtown Property Owners Association and also encouraging all those with information and documentation on the Centennial Celebration and the Chamber of Commerce Building to bring this information to the law firm of Meyers Nave within 30 days as introduced by Councilmember Bublak, seconded by Councilmember Jacob, 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 Director Allison Van Guilder presented the staff report on the request to approve Amendment No. 4 to the Revocable License Agreement between the City of Turlock and Golden State Farmers' Market Association (GSFMA) for the operation, management and marketing of a certified farmers market located on City of Turlock property, amending the Time of Operation to allow GSFMA to host seasonal events in Central Park on the following dates: November 4, 2017, December 9, 2017, February 3, 2018, March 3, 2018 and April 7, 2018, between 10:00 a.m. and 1:00 p.m., with set up to begin at 9:00 a.m. and teardown from 1:00 p.m. to 2:00 p.m.

Valeria Jimenez spoke about the next market season, celebrating our community, diversity within the market, and the various themes of the market.

Council discussed this item.

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

Action: Motion by Councilmember Jacob, seconded by Councilmember DeHart, Approving Amendment No. 4 to the Revocable License Agreement between the City of Turlock and Golden State Farmers' Market Association (GSFMA) for the operation, management and marketing of a certified farmers market located on City of Turlock property, amending the Time of Operation to allow GSFMA to host seasonal events in Central Park on the following dates: November 4, 2017, December 9, 2017, February 3, 2018, March 3, 2018 and April 7, 2018, between 10:00 a.m. and 1:00 p.m., with set up to begin at 9:00 a.m. and teardown from 1:00 p.m. to 2:00 p.m. Motion carried 5/0 by the following vote:

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

Mayor Soiseth recessed the meeting at 8:57 p.m.

Mayor Soiseth reconvened the meeting at 9:05 p.m.

- D. Traffic Transportation Engineering Supervisor Wayne York presented the staff report on the request to approve an Agreement between the City of Turlock and Storer Transit Systems of Modesto, California, for management and operation of fixed-route and paratransit (Dial-a-Ride) services for the City of Turlock, operating as Turlock Transit, for a base term of forty-three (43) months and six (6) days, with compensation based on a combination of a fixed monthly fee and a variable revenue hourly fee as specified in the Agreement AND amend the 2017-18 and 2018-19 Municipal Budgets as outlined in the resolution to reflect increased revenues and expenses associated with the selection of a new contracted transit operator.

President and CEO of Storer Transportation Donald Storer spoke about the family business founded in 1952, being committed to providing services to special needs, disabled, and elderly citizens, and their business being known for providing quality service, and stated he is proud to have this opportunity with the City.

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

Action: Motion by Councilmember Bublak, seconded by Councilmember Esquer, Approving an Agreement between the City of Turlock and Storer Transit Systems of Modesto, California, for management and operation of fixed-route and paratransit (Dial-a-Ride) services for the City of Turlock, operating as Turlock Transit, for a base term of forty-three (43) months and six (6) days, with compensation based on a combination of a fixed monthly fee and a variable revenue hourly fee as specified in the Agreement. Motion carried 5/0 by the following vote:

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

Resolution No. 2017-262: Amending the 2017-18 and 2018-19 Municipal Budgets as outlined in the resolution to reflect increased revenues and expenses associated with the selection of a new contracted transit operator 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

- E. Traffic Transportation Engineering Supervisor Wayne York presented the staff report on the request to approve the purchase and delivery of two (2) 35-foot long Compressed Natural Gas (CNG) powered low floor transit buses from Gillig LLC of Hayward, California, in an amount not to exceed \$1,187,996 (Fund 426), as authorized under City Contract No. 16-177 for City Project No. 17-52 “Purchase of Gillig Buses September 2017” AND amend the 2017-18 Municipal Budget (Fund 426) as outlined in the resolution to reflect increased FTA Section 5307 grant revenues and increased expenses associated with the purchase of two (2) buses from Gillig LLC of Hayward, California.

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

Action: **Resolution No. 2017-263:** Approving the purchase and delivery of two (2) 35-foot long Compressed Natural Gas (CNG) powered low floor transit buses from Gillig LLC of Hayward, California, in an amount not to exceed \$1,187,996 (Fund 426), as authorized under City Contract No. 16-177 for City Project No. 17-52 “Purchase of Gillig Buses September 2017” as introduced by Councilmember Esquer, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

Resolution No. 2017-264: Amending the 2017-18 Municipal Budget (Fund 426) as outlined in the resolution to reflect increased FTA Section 5307 grant revenues and increased expenses associated with the purchase of two (2) buses from Gillig LLC of Hayward, California as introduced by Councilmember Esquer, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

- F. Municipal Services Director Michael Cooke presented the staff report on the request to accept the 2017 Water Rate Study that establishes the water rates necessary for Turlock to make improvements to its drinking water system, including the development of a surface water supply AND authorize staff to proceed with the property owner notification requirements of Proposition 218 for the consideration of increasing water rates necessary to make improvements to the drinking water system and for the construction of the Turlock portion of the Stanislaus Regional Water Authority's (SRWA) Regional Surface Water Supply Project, and establishing a public hearing date of December 12, 2017.

Director Cooke introduced Municipal Financial Services Tom Pavletic who provided an overview of the proposed water rates, the existing 5-year plan (groundwater only), and the recommended 5-year plan.

Mayor Soiseth opened public participation.

Milt Trieweiler spoke about being penalized for those who are using more water and recommended a tiered rate.

Regional Government Services Kendall Flint provided an overview of the rate setting process (Proposition 218) as required by state law.

Bob Puffer inquired about the minimum monthly charge and whether it will go up with the new rates.

Milt Trieweiler spoke about the minimum base rate being much higher than his bill for actual water usage and compared other utility bills to his water bill.

Council, Consultants, and staff discussed this item.

Mayor Soiseth closed public participation.

Mayor Soiseth encouraged those who have more questions to attend the public meeting to be held on October 12, 2017.

Action: Motion by Councilmember Jacob, seconded by Councilmember Esquer, Accepting the 2017 Water Rate Study that establishes the water rates necessary for Turlock to make improvements to its drinking water system, including the development of a surface water supply. Motion carried 5/0 by the following vote:

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

Motion by Councilmember Jacob, seconded by Councilmember Esquer, Authorizing staff to proceed with the property owner notification requirements of Proposition 218 for the consideration of increasing water rates necessary to make improvements to the drinking water system and for the construction of the Turlock portion of the Stanislaus Regional Water Authority's (SRWA) Regional Surface Water Supply Project, and establishing a public hearing date of December 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

9. NON-AGENDA ITEMS: None

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Bublak requested a special meeting to discuss the open positions of the City Manager, Finance Officer, and City Attorney. Mayor Soiseth responded that it is inappropriate to discuss these personnel matters in a public meeting and that the topic of the City Manager recruitment will be brought back on October 10, 2017.

11. COUNCIL COMMENTS:

12. CLOSED SESSION:

Outside Legal Counsel Sky Woodruff introduced the Closed Session Items and noted he would not be participating in Closed Session Item 12A due to his firm also representing the City of Modesto.

- 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: 1600 Auto Mall Drive, Turlock, CA (APN No. 088-010-048)
 Agency Negotiator: Interim City Manager Robert A. Talloni
 Negotiating Parties: Bains Property Investments, LLC.
 Under Negotiation: Price and terms of payment for the purchase

Property: 2450 Fulkerth Road, Turlock, CA (APN No. 089-019-023)
Agency Negotiator: Interim City Manager Robert A. Talloni
Negotiating Parties: Pradeep & Kokila Khatri
Under Negotiation: Price and terms of payment for the purchase

Property: 2400 Fulkerth Road, Turlock, CA (APN No. 089-019-022)
2500 Fulkerth Road, Turlock, CA (APN No. 089-019-021)
Agency Negotiator: Interim City Manager Robert A. Talloni
Negotiating Parties: Julia Paul, et al
Under Negotiation: Price and terms of payment for the purchase

Action: No reportable action.

- C. 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.

13. **ADJOURNMENT:**

Motion by Councilmember DeHart, seconded by Councilmember Esquer, to adjourn the open session of the regular meeting at 10:03 p.m. Motion carried unanimously.

Motion by Councilmember Jacob, seconded by Councilmember Esquer, to adjourn the closed session of the regular meeting at 10:55 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land, City Clerk