

-
1. **A. CALL TO ORDER** – Mayor Soiseth called the meeting to order at 6:03 p.m.
PRESENT: Councilmembers Gil Esquer, Bill DeHart, Amy Bublak (*via teleconference*),
Matthew Jacob, and Mayor Gary Soiseth.
ABSENT: None

B. SALUTE TO THE FLAG

Mayor Soiseth noted Councilmember Bublak is participating via teleconference.

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

- A. Mayor Soiseth presented a Certificate of Recognition to Senior Accountant Julie Burke as the City of Turlock Employee of the Month - September 2017 award winner for her contributions with preparing and managing budgetary functions and being the City's lead liaison to Tyler Technologies. Senior Accountant Burke expressed thanks, spoke about the mentors she's worked with and learned from, and noted the City is full of dedicated and hard-working employees and that she's happy to be part of that team.
- B. Mayor Soiseth presented a Proclamation to Scotty Faubert in recognition of National Childhood Cancer Awareness Month - September 2017 and spoke about Scotty being five years cancer free. Scotty spoke about the Firefighters celebrating Breast Cancer Awareness in October and inquired about the Police Officers (Cops) supporting Childhood Cancer in September.
- C. Mayor Soiseth presented a Proclamation to Spiritual Assembly of the Baha'is of Turlock Ken and Mary Allen in recognition of the Bicentennial Birthday of Baha'u'llah - October 22, 2017. Mr. Allen thanked the Mayor, Council, and esteemed guests and spoke about the pleasure of celebrating this exciting event and thanked the City of Turlock for the opportunity of religious freedom and freedom of expression for community members.
- D. Mayor Soiseth presented a Proclamation to Police Department Detective and Turlock Associated Police Officer President (TAPO) Brandon Bertram in recognition of "Movember" Men's Health Movement - November 2017. Detective Bertram spoke on behalf of TAPO and expressed thanks for the support and recognition of this event.
- E. Mayor Soiseth presented a Certificate of Recognition to one of the owners of Turlock Express Jay Fiorini and Head Coach Art Pulido in recognition of Turlock Express being Turlock's only professional sports team, congratulated them on their athleticism, and expressed enthusiastic support for the upcoming 2017-2018 season. Owner Jay Fiorini spoke about him being one of five owners, the talent of the players behind the team's success, competing against major cities across the United States and Mexico, and expressed thanks for the support from the City. Head Coach Art Pulido spoke about being in business for 15 years, team growth, their special needs program – "Soccer Pals", support from the community, the home game opener to be held on November 3, 2017, and how the Express became a professional team.

- F. Jim Damkowitch from Kimley-Horn presented information about Valley Vision Stanislaus - Regional Transportation Plan/Sustainable Communities Strategies including mobility and accessibility within the County, state and federal regulations, reflecting shared vision of all the cities and the county, linking transportation investments with regional land use, development, housing, and employment goals/plans, purpose of the plan, prioritizing the list of projects, regional planning, public outreach, revenue streams, key milestones, and scenario development to meet goals.

Council and the Consultant discussed this item.

Rosa Parks from StanCOG spoke about Turlock’s involvement with this process and spoke about the work of the Valley Vision Stanislaus Committee to assist with scenario planning.

- G. Councilmember DeHart spoke about an opportunity to serve as the Chair of the Community Services Policy Committee for the League of California Cities, noted that due to this opportunity he will no longer be able to serve as the Vice Mayor, and encouraged the Mayor to consider appointment one of his colleagues. Mayor Soiseth expressed thanks and appreciation for Councilmember DeHart, spoke about the impacts, benefit, time, and commitment the Councilmember has had with the League, the instruction to staff to make a budget adjustment from the Mayor’s travel to the Councilmember’s travel to allow continued participation and leadership with the League, and recommended that Councilmember Jacob be appointed as Vice Mayor for the remainder of the 2017 year.

Action: Motion by Councilmember DeHart, seconded by Councilmember Bublak, appointing Councilmember Jacob as Vice Mayor for the remainder of the 2017 year. Motion carried 5/0 by the following vote:

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

Councilmember Jacob stated that he looks forward to the opportunity of serving the community and the thanked the Mayor, Vice Mayor, and Council for the vote of confidence.

Mayor Soiseth announced that Jose Sanchez from Meyers Nave is filling in as the City Attorney for this meeting and spoke about recent changes to the agenda regarding public participation and staff updates.

3. A. SPECIAL BRIEFINGS: None

B. PUBLIC PARTICIPATION

Frank Johnson provided clarification to a press report regarding correspondence between his organization (NAAAP) and the City of Turlock relative to Freedom of Information Act requests and spoke about public comment being a time for the public to speak without any form of threat, retaliation, or comment, a comment made by the Mayor at the last City Council meeting regarding the Mayor’s willingness to meet with him, that same Council meeting ending badly, and concerns that if he met with the Mayor he would experience the same thing, and questioned if the Mayor was paying attention to his comments.

Mayor Soiseth requested staff follow-up with Mr. Johnson.

Brad Bates spoke about his three questions asked at the last City Council meeting regarding the City Manager recruitment, employment status of the City Attorney, and if the City is paying for two sets of legal counsel, misconception that people cannot ask questions during public participation, his previous request that these items (questions) be agendaized, his belief that these updates are not confidential, wish that the press would take more of an interest in these matters, suggested that there might be other parties who will express interest in this process such as the FPPC or Professional Licensing agencies, and stated he will wait until the Closed Session meeting to know more.

Outside Legal Counsel Jose Sanchez stated the City Manager recruitment is on Closed Session as allowed and authorized by the Brown Act, the City Attorney is currently out on leave as previously reported, and that his law firm has been retained by the City to help during this time. Mr. Bates inquired again about paying two sets of legal services. Legal Counsel Sanchez responded that he does not have the answer to that question.

DJ Fransen spoke about the last City Council meeting regarding the review of the Chamber building at Central Park, clarified his discussion regarding the loan, building lease for \$1/per year, and the request for a sublet to repay the loan, stated he has nothing against the Turlock Downtown Property Owners Association or the Chamber, requested an investigation of the City Attorney regarding these matters and for not taking care of the legalities of the City, spoke about political action occurring in the Chamber building, the CVB audit, rumors of the City Attorney going out for the City Manager job, and noted his hope that there might have been an item on the agenda regarding the City Attorney.

Milt Trieweiler commented on the previous speaker's discussion, spoke about being a former member of the Turlock Chamber of Commerce, his recollection that the Chamber building was built by funds received through donations, and the building lease charge. Mr. Trieweiler also spoke about water being a necessity - not a commodity, the proposed water rate schedules, the potential burden that one of the rates might have seniors and low income families, not being able to support the one-rate water schedule, and reminded citizens about an upcoming meeting on Thursday (October 12, 2017).

Turlock Public Library Supervising Librarian Diane Bartlett provided information about upcoming events at the Turlock Library including Safety Day, an informational workshop on completing FASFA applications, Python Ron show, and the Annual Halloween story time parade.

Mayor Soiseth noted the Boy Scouts Troop sitting in the audience. Members of Troop 33 spoke about working on their Citizenship in the Community Merit Badge and one of the requirements of the badge being to attend a City Council meeting.

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

Action: Motion by Councilmember DeHart, seconded by Councilmember Esquer, 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 5N, 5O action items 1 and 2 only, and 5R would be removed from the agenda and that Consent Calendar item 5J 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. 2017-265:** Accepting Weekly Demands of 08/24/17 in the amount of \$451,922.78; Weekly Demands of 08/31/17 in the amount of \$1,140,745.63; and Weekly Demands of 09/07/17 in the amount of \$611,216.91
- B. **Motion:** Accepting Minutes of Regular Meeting of September 12, 2017
- C. **Motion:** Accepting notification of Contract Change Order No. 1, in the amount of \$20,198.98, for City Project No. 12-60C "Turlock Regional Transit Center Phase 2," bringing the contract total to \$5,210,198.98
- D.
 - 1. **Motion:** Approving Contract Change Order No. 4 (Final), in the amount of \$44,836.98 (Fund 420), for City Project No. 14-29 "Water Line Replacement on Palm Street and Mitchell Avenue," bringing the contract total to \$755,864.63
 - 2. **Motion:** Accepting improvements for City Project No. 14-29 "Water Line Replacement on Palm Street and Mitchell Avenue" and authorizing the City Engineer to file a Notice of Completion
 - 3. **Resolution No. 2017-266:** Appropriating \$13,000 to account number 420-52-551.51303 "Palm & Mitchell-Replace Steel with C-900" to be funded from Fund 420 "Water Enterprise" Unallocated Reserves for City Project No.14-29 "Water Line Replacement on Palm Street and Mitchell Avenue" to complete the necessary funding required for this project
- E.
 - 1. **Resolution No. 2017-267:** Determining City Project No. 14-40 "Curb Ramp Installation at Various Locations" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines

2. **Motion:** Awarding bid and approving an Agreement in the amount of \$59,520 (Fund 301) with United Pavement Maintenance Inc., of Hughson, California for City Project No. 14-40 "Curb Ramp Installation at Various Locations"
 3. **Resolution No. 2017-268:** Appropriating \$14,463 to account number 301-50-520.51304 "ADA Construction Projects" to be funded via a transfer from Fund 217 "Gas Tax Section 2103" unallocated reserves for City Project No. 14-40 "Curb Ramp Installation at Various Locations" to complete the necessary funding required for this project
- F.
1. **Motion:** Accepting notification of Contract Change Order No. 1 (Final) in the amount of \$11,197.79 (Fund 305), for City Project No. 15-57 "Broadway Parking Lot Reconstruction," bringing the contract total to \$346,139.09
 2. **Motion:** Accepting improvements for City Project No. 15-57 "Broadway Parking Lot Reconstruction" and authorizing the City Engineer to file a Notice of Completion
 3. **Resolution No. 2017-269:** Appropriating \$38,980 to account number 305-40-442.51307 "129 S. Broadway Parking Lot" to be funded from unallocated reserves in Fund 305 "Capital Facility Fees" for City Project No. 15-57 "Broadway Parking Lot Reconstruction" to complete the necessary funding required for this project
- G. **Motion:** Accepting improvements for City Project No. 16-37A "Fire Department Live Fire Training Facility" and authorizing the City Engineer to file a Notice of Completion
- H. **Motion:** Rejecting all bids submitted for City Project No. 16-75 "Turlock Municipal Airport Improvements"
- I.
1. **Motion:** Accepting notification of Contract Change Order No. 1 (Final), in the amount of \$36,731.60 (Fund 246), for City Project No. 17-32 "Slurry Seals 2017," bringing the contract total to \$197,557.89
 2. **Motion:** Accepting improvements for City Project No. 17-32 "Slurry Seals 2017" and authorizing the City Engineer to file a Notice of Completion
 3. **Resolution No. 2017-270:** Appropriating \$34,121 to account number 246-60-600.43700 "Slurry Seals" to be funded via a transfer from Fund 217 "Gas Tax Section 2103" unallocated reserves for City Project No. 17-32 "Slurry Seals" to complete the necessary funding required for this project
- J. *Removed for separate consideration*
- K. **Motion:** Approving a Sales and Service Agreement between the City of Turlock and ARC Document Solutions for maintenance on one (1) large format printer identified as Océ TCS300 and one (1) large format printer and scanner identified as Océ TDS450, on a month to month basis in a total amount not to exceed \$20,000
- L. **Resolution No. 2017-271:** Appropriating \$30,000 to account number 241-00-000-211.44090 "Office Equipment and Furniture" from Fund 241 "Asset Replacement Planning" unallocated reserves to purchase office equipment and modify cubicle layouts for the relocation of the Planning Division
- M. **Motion:** Approving Amendment No. 1 to an Agreement between the City of Turlock and Bureau Veritas North America, Inc. for building inspection services related to the Vista Apartment project, increasing the compensation amount by \$42,223.75 for an amount not to exceed \$234,323.75 (Fund 405) and extending the term
- N. *Removed from the agenda*
- O.
1. *Removed from the agenda*
 2. *Removed from the agenda*
 3. **Motion:** Approving an Agreement between the City of Turlock and the 38th District Agricultural Association for the purpose of parking and turn around for the participants in the annual Christmas Parade, to be held on Friday, December 1, 2017

- P. Motion: Approving an Agreement between the City of Turlock and Shred-It USA, LLC for document destruction and purge services, offered at a free community event hosted by the City of Turlock on Saturday, October 14, 2017, in an amount not to exceed \$1,100
 - Q. Motion: Approving Amendment No. 1 to an Agreement between the City of Turlock and HD Supply Waterworks, Ltd. for the purchase of three-inch (3") and larger ultrasonic water meters, changing the supplier's name
 - R. *Removed from the agenda*
 - S. Motion: Approving a Memorandum of Understanding (MOU) between the City of Turlock and Modesto Junior College (MJC) Regional Fire Training Center, for the use of City of Turlock facilities to host various Public Safety and Emergency Services courses
 - T. Motion: Approving a Memorandum of Understanding between the City of Turlock and the Stanislaus County Behavioral Health and Recovery Services Agency (BHRS) for the creation of a Homeless Engagement Multi-Disciplinary Team (HEMDT)
 - U.
 1. **Resolution No. 2017-272**: Accepting donations made to the City of Turlock Police Department from various donors during the second, third, and fourth quarters of Fiscal Year 2016-17 in the amount of \$20,176.95 (monetary donations) and \$14,095.29 (in-kind donations) utilized in support of the City's Operation Blue Santa Program, Annual Public Safety Open House, K-9 Unit, and Volunteers In Police Services
 2. **Resolution No. 2017-273**: Appropriating \$15,750 to account number 266-20-255-351.47157_001 "Police Donations Expenses Operation Blue Santa" to be funded by revenue received in account number 266-20-255-351.37200_003 "Donations Operation Blue Santa"
 - V. **Resolution No. 2017-274**: Authorizing the Mayor or City Manager to approve individual equipment maintenance agreements for newly purchased or leased copiers from Mo-Cal Office Solutions
 - W. **Resolution No. 2017-275**: Authorizing the release of unclaimed checks to the City of Turlock pursuant to California Government Code Sections 50050 and 50053
 - X. **Resolution No. 2017-276**: Rescinding Resolution No. 2015-019 and adopting a new Resolution approving a Tentative Agreement which implements a Memorandum of Understanding (MOU) between the City of Turlock and Turlock City Employees Association (TCEA), covering the period of November 1, 2017 through June 30, 2018
- Item 5J. 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 into the Fiscal Year 2017-18 Budget

Development Services Mike Pitcock provided information about SB1 including it being additional funding for the cities, counties, and the state for road maintenance purposes, requirements to compile a project list and amend the budget to show SB1 dollars coming in/going out, and examples of projects. Councilmember Jacob spoke about some of the projects on this list also being covered by Measure L, inquired about the ability to make modifications to the list after approved, and noted concerns received from a constituent regarding the quality of the road at Wayside Drive. Director Pitcock clarified that the project list can be modified by notifying the state at the end of year and provided information about the location/condition of Wayside and Hedstrom. Mayor Soiseth noted he would like the department to pursue other options such as grants to free up some of SB1 dollars for roads. Director Pitcock noted a future item will be brought to Council to discuss year two projects.

Resolution No. 2017-277: 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 into the Fiscal Year 2017-18 Budget as introduced by Councilmember Jacob, 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:

- A. **Ordinance No. 1236-CS**, 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 as introduced at the September 26, 2017 City Council meeting was passed and adopted 5/0 by the following vote:

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

7. PUBLIC HEARINGS: None

8. SCHEDULED MATTERS:

- A. Development Services Director Mike Pitcock presented the staff report on the request to approve a Conditional Bike Sharing Agreement with Zagster, Inc. of Cambridge Massachusetts, to investigate the feasibility and if feasible, implementation of a bike share program within the City of Turlock.

Director Pitcock introduced Brian Patnode from Zagster, Inc. who presented information about the bike sharing program including Zagster being the nationwide leader in bike sharing, bike share growth in the United States, description of bike share, use cases similar to Turlock, methods of how Zagster helps to promote the program, and potential planning areas or points of interest for bike share stations.

Council, staff, the consultant, and Outside Legal Counsel discussed this item.

Mayor Soiseth opened public participation.

Ricardo Perez spoke about a recent experience he had in San Francisco with reduced car lanes and concerns he has with bike lanes, managing traffic congestion, limiting parking in downtown, and responsibility for expenses associated with marking bike lanes.

A member of the public spoke about discussions he had in one of his classes pertaining to the concerns for the community regarding lighting for pedestrians and bike lanes, the need for those concerns to be addressed before implementing this type of program, and stated this program would also work well for the people who live in the center of Turlock.

Mayor Soiseth closed public participation.

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

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, Approving a Conditional Bike Sharing Agreement with Zagster, Inc. of Cambridge Massachusetts, to investigate the feasibility of a bike share program within the City of Turlock. Motion carried 5/0 by the following vote:

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

- B. Senior Planner Katie Quintero presented the staff report on the request to determine connection of the existing property at 111 South Berkeley Avenue, located outside the jurisdictional boundary of the City of Turlock, to existing City of Turlock water and sewer lines is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facility), Section 15303 (New Construction or Conversion of Small Structures), and/or Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND approve an Out of Boundary Service Agreement for Water and/or Sanitary Sewer Connection Affecting Real Property located at 111 South Berkeley Avenue, Turlock, California (Stanislaus County Assessor’s Parcel Number 043-027-009) establishing the conditions under which the City would provide water and sanitary sewer services to the property and authorize the City Manager to sign an Out of Boundary Service Agreement for Water and/or Sanitary Sewer Connection Affecting Real Property upon approval of the Out of Boundary Service Application by the Stanislaus LAFCO, and to execute all documents, applications, assurances, agreements, and statements that may be required to implement the agreement AND authorize the City Manager to certify a Stanislaus LAFCO Out of Boundary Service Application, requesting LAFCO approval for the property located at 111 South Berkeley Avenue, Turlock, California, (Stanislaus County APN 043-027-009) a property located outside the City of Turlock jurisdictional boundary and within its Sphere of Influence, to connect to the City of Turlock water and sewer system.

Council and staff discussed this item.

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

Action: **Resolution No. 2017-278:** Determining connection of the existing property at 111 South Berkeley Avenue, located outside the jurisdictional boundary of the City of Turlock, to existing City of Turlock water and sewer lines is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facility), Section 15303 (New Construction or Conversion of Small Structures), and/or Section 15304 (Minor Alterations to Land) of the CEQA Guidelines as introduced by Councilmember Jacob, seconded by Councilmember Esquer, and carried 5/0 by the follow vote:

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

Motion by Councilmember DeHart, seconded by Councilmember Esquer, Approving an Out of Boundary Service Agreement for Water and/or Sanitary Sewer Connection Affecting Real Property located at 111 South Berkeley Avenue, Turlock, California (Stanislaus County Assessor’s Parcel Number 043-027-009) establishing the conditions under which the City would provide water and sanitary sewer services to the property and authorizing the City Manager to sign an Out of Boundary Service Agreement for Water and/or Sanitary Sewer Connection Affecting Real Property upon approval of the Out of Boundary Service Application by the Stanislaus LAFCO, and to execute all documents, applications, assurances, agreements, and statements that may be required to implement 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 |

Motion by Councilmember DeHart, seconded by Councilmember Esquer, Authorizing the City Manager to certify a Stanislaus LAFCO Out of Boundary Service Application, requesting LAFCO approval for the property located at 111 South Berkeley Avenue, Turlock, California, (Stanislaus County APN 043-027-009) a property located outside the City of Turlock jurisdictional boundary and within its Sphere of Influence, to connect to the City of Turlock water and sewer system. Motion carried 5/0 by the following vote:

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

- C. Fire Captain David Bickle presented the staff report on the request to accept an allocation of funds, authorize the execution of a Grant Agreement for the Fiscal Year 2017 Assistance to Firefighters Grant (AFG) with the Department of Homeland Security (DHS) in the amount of \$312,000, and amend the 2017-18 budget for Fund 265 “Fire Grants” to properly account for grant and required matching funds.

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

Action: **Resolution No. 2017-279**: Accepting an allocation of funds, authorizing the execution of a Grant Agreement for the Fiscal Year 2017 Assistance to Firefighters Grant (AFG) with the Department of Homeland Security (DHS) in the amount of \$312,000, and amending the 2017-18 budget for Fund 265 “Fire Grants” to properly account for grant and required matching funds as introduced by Councilmember DeHart, 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 |

9. STAFF UPDATES

- 1. Policy Goals and Implementation Plan (*Executive Staff*) – No updates provided.
- 2. Administrative Services
 - a. Economic Development

Assistant to the City Manager for Economic Development and Housing Maryn Pitt provided an update on Economic Development including the opening of Loza’s Wine and Crepes, remodeling at an empty bank building on Lander near Main as the future tenant of Oak Valley Bank Monte Vista, Dos Coyotes almost complete and in the process of hiring employees, foundation work currently underway for the Ten Pin Fun Center, entitlements submitted for a retail center located at Tuolumne and Countryside for retail and food related pads, Halloween Store located in the old Office Maxx building, working with large industries to potentially occupy a portion of one of the older industrial areas, Valley Milk remains on schedule to run product after the first of the year, and also working with groups to potentially bring new visitors and amenities to community in collaboration with CSUS.

- 3. Development Services Department
 - a. Capital Projects, Building Activity, & Transit

Development Services Director Mike Pitcock provided an update on Building Permit and Inspection Activity for the month of September and Capital projects including the intersection at Fulkerth and Golden State, the Transit Center building, and twenty bus shelters and solar powered lights that will be installed in different areas throughout town.

Council and staff discussed this item.

b. Measure L Planning (*Pitcock*)

Development Services Director Mike Pitcock provided a Measure L Planning update including continuing to work on bid documents, final calculations on quantities, and timelines.

4. Fire Department – No updates provided.

5. Municipal Services Department

a. Water Rate Workshop

Municipal Services Director Michael Cooke provided information on an upcoming community meeting to be held on Thursday, October 12, 2017 at 6:00 p.m. at Turlock City Hall Yosemite Community Room (Council Chambers) regarding the proposed water rate increases and noted that he and staff are available to make presentations to civic groups or other organizations.

6. Parks, Recreation and Public Facilities

a. Turlock Regional Sports Complex Lighting Feasibility Study Public Hearing

Parks, Recreation and Public Facilities Director Allison Van Guilder provided information about an upcoming public hearing to be held on Wednesday, October 11, 2017 at 6:00 p.m. at the Pitman High School Cafeteria regarding the Turlock Regional Sports Complex Lighting Feasibility Study and noted that staff is available to take comments or questions via email or telephone.

7. Police Department

a. CAD Systems

Police Chief Ninus C. Amirfar provided information about the CAD and RMS Systems including establishing a team/committee to review the systems, identify potential vendors, identify a list of needs and priorities, perform site visits to observe demonstration of available systems, the committee's unanimous selection of TriTech, and continued efforts to bring forward an item to the City Council regarding the TriTech system, options, and cost.

Chief Amirfar also spoke about bringing back the Police Activity League (PAL) and noted that PAL will take on the promotion of Childhood Cancer in September.

b. Halloween Safety Tips (*Amirfar*)

Police Chief Ninus C. Amirfar spoke about Halloween safety, provided handouts, reminded parents of Halloween safety for children, presented a Halloween Safety video, and noted PAL will be engaged with trick or treat activities in the downtown.

10. NON-AGENDA ITEMS: None

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Bublak stated she would be stepping down from the negotiations subcommittee. Mayor Soiseth noted this would be for a Closed Session item.

12. COUNCIL COMMENTS:

Councilmember Esquer spoke about his recent attendance at the Public Safety Open House and commended the Fire and Police Departments for their efforts, stated he is happy to see the PAL program coming back, inquired about flag registration before Veterans Day, and provided information about an upcoming Turlock Firefighters Union barbeque to be held on Saturday, October 14, 2017 at Columbia Park.

Councilmember DeHart extended gratitude to Planning Commission Chair Victor Pedroza and Stanislaus County Supervisor Vito Chiesa for their assistance in setting up a meeting with CalTrans to establish new signage and visibility of Turlock.

Mayor Soiseth provided information about the Mayor's Youth Conference to be held on October 26, 2017.

13. CLOSED SESSION:

Outside Legal Counsel Jose Sanchez 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: (5 cases)

Action: No reportable action.

Closed Session Item 12C was taken out of order.

- 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.

- B. Conference with Legal Counsel – Existing Litigation, Cal. Gov't Code §54956.9(d)(1)
"For purposes of this section, litigation shall be considered pending when any of the following circumstances exist... Litigation, to which the local agency is a party, has been initiated formally."
Name of Case: MCI Engineering, Inc., a California corporation v. City of Turlock, a Public Entity and Does 1 to 50, inclusive, Stanislaus County Superior Court Case No. 2018743

Action: No reportable action.

- D. 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: Outside Legal Counsel Jose Sanchez reported that after much deliberation, the City Council has unanimously decided to end the current City Manager recruitment and start the process over. Although the City received interest from many qualified individuals, the City Council would like to modify the process in order to attract even more applicants. The new recruitment process will be placed on the November 14 agenda for Council discussion. The Council feels comfortable under the continued leadership of Interim City Manager Bob Talloni while the City conducts the new recruitment.

14. ADJOURNMENT:

Motion by Councilmember DeHart, seconded by Councilmember Esquer, to adjourn the open session of the regular meeting at 8:21 p.m. Motion carried unanimously.

Motion by Councilmember DeHart, 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