

1. **A. CALL TO ORDER** – Mayor Soiseth called the meeting to order at 6:08 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. Presentation: 9/11 Remembrance Ceremony Overview, presented by Fire Chief Robert A. Talloni
 Fire Chief Robert A. Talloni presented an overview of the morning’s 9/11 Remembrance Ceremony and presented a piece of steel from the World Trade Center (found at Ground Zero).

- B. Recognition: Employee of the Month, August 2018 – Fire Captain Shaun Walker
 Mayor Soiseth issued a Certificate of Recognition to Fire Captain Shaun Walker as the Employee of the Month award winner for August 2018.

- C. Appointment: Planning Commission – One Commissioner
 Mayor Soiseth nominated Anokeen Varani to fill a vacancy on the Planning Commission.
Action: Motion by Councilmember Jacob, seconded by Councilmember DeHart, appointing Anokeen Varani to fill a vacancy on the Planning Commission for a term set to expire on December 31, 2021. Motion carried 5/0 by the following vote:

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

- D. Presentation: Pet of the Month, presented by Animal Services Supervisor Glenna Jackson
 Animal Services Supervisor Glenna Jackson presented information about the Pet of the Month Program for September 2018 including adoption fees sponsored by Turlock Management Association – Public Safety (TMAPS), recent pet adoptions, monthly promotion, and contact information for the Turlock Animal Shelter.

3. A. SPECIAL BRIEFINGS: None

Mayor Soiseth announced that Scheduled Matters Item 8B would be heard at 6:30 p.m.

B. PUBLIC PARTICIPATION

The following members of the public spoke:

Andrew Nosrati
Stanislaus County Turlock Public Library Supervising Librarian Diane Bartlett

Mayor Soiseth recessed the City Council meeting at 6:30 p.m.
Mayor Soiseth reconvened the City Council meeting at 6:32 p.m.

Scheduled Matters Item 8B was taken out of order.

Item 8B. City Manager Robert A. Lawton presented the staff report on the request to approve the participation of the City of Turlock & Stanislaus State University Joint Task Force on Diversity and Inclusion.

CSUS President Ellen Junn (*via teleconference*) spoke on behalf of this item including examples of task forces and boards from other cities and the purpose, goals, and strategies of this task force.

Council and staff discussed this item.

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

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, Approving the City's participation in the City of Turlock & Stanislaus State University Joint Task Force on Diversity and Inclusion. 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 returned to Public Participation.

The following members of the public spoke:

Charlie Leffingwell

Council provided brief comment in response to public comments.

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 at the request of Councilmember DeHart Consent Calendar Items 5C, 5F, and 5P would be removed for separate consideration and noted a Green Sheet for Item 5F. Councilmember Esquer requested Consent Calendar Items 5E and 5H 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. 2018-245:** Accepting Weekly Demands of 7/12/18 in the amount of \$1,378,091.01; Weekly Demands of 7/26/18 in the amount of \$4,042,811.60; Weekly Demands of 8/2/18 in the amount of \$441,067.09; Weekly Demands of 8/9/18 in the amount of \$425,791.55; Monthly Demands of 4/30/18 in the amount of \$1,691,133.59
- B. **Motion:** Accepting Minutes of the Regular Meeting of April 24, 2018; Minutes of the Special Meeting of April 30, 2018; Minutes of the Special Meeting of May 4, 2018
- C. *Removed for Separate Consideration.*
- D. **Motion:** Approving Contract Change Order No 1 (Final) in the amount of \$2,450.00 for City Project 17-55 "Fire Department Live Fire Training Paving," bringing the contract total to \$27,022.50 and authorizing the City Engineer to file a Notice of Completion
- E. *Removed for Separate Consideration.*
- F. *Removed for Separate Consideration.*
- G. **Motion:** Approving a Temporary Construction Easement Agreement with Tony J. Morris and Delfina R. Morris for City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component" in the amount of \$5,000
- H. *Removed for Separate Consideration.*
- I. **Resolution No. 2018-246:** Approving a new job classification for the position of Transit Manager and reclassifying one employee from the position of Traffic/Transportation Engineering Supervisor to the position of Transit Manager and eliminating the position of Traffic/Transportation Engineering Supervisor, effective October 1, 2018

- J. **Resolution No. 2018-247:** Appropriating \$57,132 to account number 410-51-531.44001_000 "Supplies General" from Fund 410 "Water Quality Control" unallocated reserves for the Agreement between the City of Turlock and Shape, Inc. for the purchase, repair and service of Flygt brand submersible pumps and associated parts
- K. **Motion:** Approving Amendment No. 1 to an Agreement with Packet Fusion for the purchase of Acapela TTS Software and annual maintenance, increasing the compensation portion of the agreement from \$67,880 to \$75,526 and increasing the annual support fees from \$12,200 to \$13,550
- L. **Resolution No. 2018-248:** Appropriating funds to various GIS accounts from unallocated reserves in various Funds for the Agreement between the City of Turlock and Vestra Resources, Inc. for Consultant Services for a GIS Assessment
- M. 1. **Motion:** Approving a Ground Lease Agreement with Lewis and Dolores Baptista for Parcel No. 044-015-008 consisting of 10 acres, at the Southwest corner of 1300 S Kilroy Avenue and 2201 W Linwood Avenue, for agricultural purposes, for a period of thirty-nine (39) months, with three one-year options to extend the term of the Agreement
2. **Motion:** Approving a Ground Lease Agreement with Lewis and Dolores Baptista for Parcel No. 044-010-039 consisting of 20 acres, at the Northeast corner of Kilroy Avenue and W. Linwood Avenue, for agricultural purposes, for a period of thirty-nine (39) months, with three one-year options to extend the term of the Agreement
- N. **Resolution No. 2018-249:** Approving a new job description for the position of Water Quality Control Laboratory Supervisor and reclassifying one (1) employee from the position of Water Quality Control Laboratory Analyst, Sr., to the Water Quality Control Laboratory Supervisor position, effective September 16, 2018
- O. **Resolution No. 2018-250:** Re-appropriating unspent funds of \$562,530 from Fiscal Year 2017-18 to account number 506-00-000-213.51010 "Equipment Replacement" from Fund 506 "Vehicle/Equipment Replacement – Police Services" unallocated reserves for the purchase of Police vehicles
- P. *Removed for Separate Consideration.*
- Q. **Motion:** Approving Amendment No. 1 to an Agreement between the City of Turlock and Huntington Court Reporters and Transcription, Inc., clarifying that the annual compensation will not exceed \$60,000 annually
- R. **Motion:** Approving Amendment No. 1 to an Agreement between the City of Turlock and Clark Pest Control, clarifying that the annual compensation will not exceed \$19,000 annually
- S. **Motion:** Approving a Service Maintenance Agreement with Johnson Controls Inc. to provide preventive maintenance for the City of Turlock Public Safety Facility environmental controls systems, for a period of three (3) years in a total amount not to exceed \$15,000 annually, with three one-year options to extend the term of the Agreement, in a form approved by the Interim City Attorney
- T. **Resolution No. 2018-251:** Re-appropriating unspent funds of \$7,800 from FY 17-18 to FY 18-19 to account number 110-30-300.43120_005 "Building Maintenance Repairs" from Fund 110 "General Fund" unallocated reserves for roof repairs at Fire Stations 2 and 3
- U. **Resolution No. 2018-252:** Re-appropriating unspent funds from FY 17-18 to FY 18-19 from each respective Fund's unallocated reserves for the implementation of Executime and Mobile Inspection Software and an Engineering Replacement computer
- V. **Resolution No. 2018-253:** Designating the authorized signatures for the City of Turlock Flexible Spending Account with Westamerica Bank
- W. **Motion:** Approving an Agreement between the City of Turlock and GovernmentJobs.com, Inc. dba NEOGOV, for receiving and processing of online employment applications, in an annual amount not to exceed \$11,534 for a period of twelve (12) months, with three one-

- year options to extend the term of the Agreement, in a form approved by the Interim City Attorney
- X. 1. Motion: Approving a Software Services Renewal Agreement with Microbiz Security Company for Honeywell Pro-Watch Corporate Edition Software Licenses and Standard Software Support Agreement, covering the period of July 1, 2018 to June 30, 2019 in the annual amount of \$6,917.90
 - 2. Motion: Approving a Limited Maintenance Agreement with Microbiz Security Company for preventative maintenance service two times per year on the City’s Honeywell Pro-Watch security equipment, covering the period of July 1, 2018 to June 30, 2019 in the annual amount of \$15,142.40, with three one-year options to extend the term of the agreement, in a form approved by the Interim City Attorney
 - Y. Resolution No. 2018-254: Rescinding Resolution No. 2016-215 and adopting an amended Conflict of Interest Code for the City of Turlock to update the list of designated employees and reporting categories for filing of the Fair Political Practices Commission (FPPC) Statement of Economic Interests Form 700
 - 5C. 1. Resolution: Determining City Project No. 12-60D "Transit Center CCTV and Access Control" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Existing Facilities) and Section 15332 (In-Fill Development Projects) of the CEQA Guidelines
 - 2. Motion: Awarding bid and approving an Agreement in the amount of \$294,733 with Conti Corporation, Inc., of Sacramento, California, for City Project No. 12-60D "Transit Center CCTV and Access Control"

Council and staff discussed this item.

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

Action: Resolution No. 2018-255: Determining City Project No. 12-60D "Transit Center CCTV and Access Control" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Existing Facilities) and Section 15332 (In-Fill Development Projects) of the CEQA Guidelines 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

Motion by Councilmember DeHart, seconded by Councilmember Jacob, Awarding bid and approving an Agreement in the amount of \$294,733 with Conti Corporation, Inc., of Sacramento, California, for City Project No. 12-60D "Transit Center CCTV and Access Control". Motion carried 5/0 by the following vote:

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

- 5F. 1. **Motion:** Approving Amendment No. 1 to an Agreement with Packet Fusion Inc. for City Project No. 12-60C “Turlock Regional Transit Center Phase 2,” in the amount of \$11,827.13, bringing the contract total to \$252,043.56

Council discussed this item including a green sheet for this item which removed the Resolution action to appropriate funds.

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

Action: Motion by Councilmember DeHart, seconded by Councilmember Esquer, Approving Amendment No. 1 to an Agreement with Packet Fusion Inc. for City Project No. 12-60C “Turlock Regional Transit Center Phase 2,” in the amount of \$11,827.13, bringing the contract total to \$252,043.56. Motion carried 5/0 by the following vote:

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

- 5P. **Resolution:** Approving the purchase and delivery of four (4) replacement marked police vehicles, two (2) replacement administration vehicles, and one (1) replacement detective vehicle from Downtown Ford Sales, Sacramento, California, through the City of Sacramento Contract No. C2016-0531, and approving the purchase and delivery of two (2) replacement marked police vehicles and one (1) replacement detective vehicle from Winner Chevrolet, Sacramento, California, through the State of California Contract No.’s 1-18-23-10 and 1-18-23-23, in a total amount not to exceed \$476,380 from account number 506-00-000-213.51020 “Police Equipment Replacement”, without compliance to the formal bid process in accordance with Turlock Municipal Code Section 2-7-08(b)(4) and declaring vehicles surplus once replaced

Council and staff discussed this item.

Mayor Soiseth opened public participation.

A member of the public spoke.

Mayor Soiseth closed public participation

Action: **Resolution No. 2018-257:** Approving the purchase and delivery of four (4) replacement marked police vehicles, two (2) replacement administration vehicles, and one (1) replacement detective vehicle from Downtown Ford Sales, Sacramento, California, through the City of Sacramento Contract No. C2016-0531, and approving the purchase and delivery of two (2) replacement marked police vehicles and one (1) replacement detective vehicle from Winner Chevrolet, Sacramento, California, through the State of California Contract No.’s 1-18-23-10 and 1-18-23-23, in a total amount not to exceed \$476,380 from account number 506-00-000-213.51020 “Police Equipment Replacement”, without compliance to the formal bid process in accordance with Turlock Municipal Code Section 2-7-08(b)(4) and declaring

vehicles surplus once replaced 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

- 5H. **Resolution:** Approving the purchase and delivery of one (1) 2019 Ford Explorer from Downtown Ford Sales of Sacramento, California, to be used solely as a transit service management vehicle by City Transit staff, through the State of California Contract No. 1-18-23-23A, in an amount not to exceed \$31,440, without compliance to formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(4) under City Project No. 18-45

Council and staff discussed this item.

Mayor Soiseth opened public participation.

The following members of the public spoke:

Robert Puffer

Mayor Soiseth closed public participation

- Action:** **Resolution No. 2018-256:** Approving the purchase and delivery of one (1) 2019 Ford Explorer from Downtown Ford Sales of Sacramento, California, to be used solely as a transit service management vehicle by City Transit staff, through the State of California Contract No. 1-18-23-23A, in an amount not to exceed \$31,440, without compliance to formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(4) under City Project No. 18-45 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

Mayor Soiseth announced that although there is no conflict; however, to remain consistent with his position of the Regional Surface Water Project that he would not be participating in this item and turned the meeting over to Vice Mayor Jacob to handle this item.

Mayor Soiseth stepped out of the room at 7:17 pm.

- 5E. **Motion:** Approving a Purchase and Sale Agreement with Tom C. Mote and Freda J. Mote for City Project No. 17-29 “Regional Surface Water Supply Project” in the amount of \$18,300

Council and staff discussed this item.

Vice Mayor Jacob opened public participation. No one spoke. Vice Mayor Jacob closed public participation.

Action: Motion by Councilmember Esquer, seconded by Councilmember DeHart, Approving a Purchase and Sale Agreement with Tom C. Mote and Freda J. Mote for City Project No. 17-29 “Regional Surface Water Supply Project” in the amount of \$18,300. Motion carried 3/2 by the following vote:

Councilmember Esquer	Councilmember DeHart	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	No	Yes	Not Participating

Mayor Soiseth returned to the dais at 7:21 p.m.

6. FINAL READINGS:

A. **Ordinance No. 1246-CS**, Amending Turlock Municipal Code Title 5, Chapter 20, Articles 3 and 4, regarding the removal of any personal property unlawfully stored or found in a city park, any street, or any public parking lot or public area, improved or unimproved as introduced at the August 14, 2018 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

A. City Manager Robert C. Lawton presented the staff report on the request to supersede and replace Resolution No. 2017-227 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: **Resolution No. 2018-258**: Superseding and replacing Resolution No. 2017-227 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 Jacob, 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

8. SCHEDULED MATTERS:

A. Interim Development Services Director Nathan Bray presented that staff report on the request to determine City Project No. 13-65 “Intersection Improvements at N. Olive Avenue

and Wayside Drive” is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15183 (Projects Consistent with a Community Plan or Zoning) and Section 15301 (Existing Facilities) of the CEQA Guidelines AND appropriate \$560,000 to account numbers 215-40-420.38001_230 “Transfers In From Fund 305 Wayside/Olive Signal 1365” and 305-40-440.48001_230 “Transfers Out To Fund 215 Wayside/Olive Signal 1365” to be funded from Fund 305 “Capital Facility Fees-Roadways” unallocated reserves to provide local match funding for City Project No. 13-65 “Intersection Improvements at N. Olive Avenue and Wayside Drive.” AND award bid and approving an Agreement in the amount of \$697,295 (Fund 215) with George Reed, Inc., of Modesto, California, for City Project No. 13-65 “Intersection Improvements at North Olive Avenue and Wayside Drive”.

Council and staff discussed this item.

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

Action: **Resolution No. 2018-259:** Determining City Project No. 13-65 “Intersection Improvements at N. Olive Avenue and Wayside Drive” is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15183 (Projects Consistent with a Community Plan or Zoning) and Section 15301 (Existing Facilities) of the CEQA Guidelines as introduced by Councilmember DeHart, 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.2018-260: Appropriating \$560,000 to account numbers 215-40-420.38001_230 “Transfers In From Fund 305 Wayside/Olive Signal 1365” and 305-40-440.48001_230 “Transfers Out To Fund 215 Wayside/Olive Signal 1365” to be funded from Fund 305 “Capital Facility Fees-Roadways” unallocated reserves to provide local match funding for City Project No. 13-65 “Intersection Improvements at N. Olive Avenue and Wayside Drive” as introduced by Councilmember DeHart, seconded by Councilmember Esquer, and carried 5/0 by the following vote:

Motion by Councilmember DeHart, seconded by Councilmember Esquer, Awarding bid and approving an Agreement in the amount of \$697,295 (Fund 215) with George Reed, Inc., of Modesto, California, for City Project No. 13-65 “Intersection Improvements at North Olive Avenue and Wayside Drive”. Motion carried 5/0 by the following vote:

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

B. Scheduled Matters Item 8B was heard earlier in the meeting.

9. STAFF UPDATES

1. Policy Goals and Implementation Plan (*Executive Staff*) – No update provided.
2. Administrative Services – No update provided.
3. Development Services Department
 - a. Capital Projects, Building Activity, Transit, and Measure L

Interim Development Services Director Nathan Bray provided updates regarding Transit, Measure L, and Building Activity.

Council and staff discussed this item.

4. Fire Department – No update provided.
5. Municipal Services Department
 - a. Municipal Services Department Update
A written staff update was included in the agenda packet.
6. Parks, Recreation and Public Facilities – No update provided.
7. Police Department – No update provided.

10. CITY MANAGER COMMENTS: None

11. NON-AGENDA ITEMS: None

12. COUNCIL ITEMS FOR FUTURE CONSIDERATION: None

13. COUNCIL COMMENTS:

Councilmember Bublak spoke regarding a member of the public's comments earlier in the meeting regarding permit costs. City Manager Robert C. Lawton noted this matter would be looked into.

14. CLOSED SESSION:

Interim City Attorney Jose M. Sanchez introduced the Closed Session Items.

- A. 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 Attorney
- 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 Negotiator: Mayor Gary Soiseth
Unrepresented Employee: City Attorney

15. REPORTS FROM CLOSED SESSION:

No reportable action.

16. ADJOURNMENT

Motion by Councilmember DeHart, seconded by Councilmember Bublak, to adjourn the open session of the regular meeting at 7:39 p.m. Motion carried unanimously.

Motion by Councilmember Jacob, seconded by Councilmember DeHart, to adjourn the closed session of the regular meeting at 8:30 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Stacey Tonarelli, Deputy City Clerk