

1. **A. CALL TO ORDER** – Vice Mayor Jacob called the meeting to order at 6:03 p.m.
 PRESENT: Councilmembers Gil Esquer, Bill DeHart, and Vice Mayor Matthew Jacob.
 ABSENT: Councilmember Amy Bublak and Mayor Gary Soiseth.

B. SALUTE TO THE FLAG

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

- A. Recognition: Employee of the Month, October 2018, Evidence and Property Specialist II Deanna Shaw

Vice Mayor Jacob issued a Certificate of Recognition to Evidence and Property Specialist II Deanna Shaw as the Employee of the Month award winner for October 2018.

Vice Mayor Jacob announced that Mayor Soiseth and Councilmember Bublak are not in attendance at tonight's meeting.

- B. Appointment: Stanislaus County Local Task Force on Solid Waste

Vice Mayor Jacob recommended that Toni Cordell be appointed to serve as an alternate member of the Stanislaus County Local Task Force on Solid Waste.

Action: Motion by Councilmember DeHart, seconded by Councilmember Esquer, Appointing Toni Cordell to serve as an alternate member of the Stanislaus County Local Task Force on Solid Waste for a term set to expire on December 31, 2020. Motion carried 3/0 by the following vote:

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

- C. Appointment: Stanislaus County Hazardous Waste Management Advisory Committee

Vice Mayor Jacob recommended that Toni Cordell be appointed to serve as a member of the Stanislaus County Hazardous Waste Management Advisory Committee.

Action: Motion by Councilmember Esquer, seconded by Councilmember DeHart, Appointing Toni Cordell to serve as a member of the Stanislaus County Hazardous Waste Management Advisory Committee. Motion carried 3/0 by the following vote:

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

- D. Recognition: Central San Joaquin Valley Risk Management Authority Safety Award, received by Staff Services Technician Toni Cordell for having an active role in the City of Turlock Safety Program

Municipal Services Deputy Director Garner Reynolds spoke regarding the Central San Joaquin Valley Risk Management Authority having recognized and awarded Staff Services Technician Toni Cordell with the 2017-18 Safety Award for her work with the City of Turlock Central Safety Committee.

3. A. SPECIAL BRIEFINGS: None

CITY MANAGER COMMENTS:

Vice Mayor Jacob announced that City Manager Comments would be taken out of order. City Manager Robert C. Lawton spoke about his recent attendance at a Turlock Community Charities meeting, spoke regarding the program, and invited Staff Services Technician Toni Cordell and Parks, Recreation and Public Facilities Manager Erik Schulze to the podium to further discuss the program.

Parks, Recreation and Public Facilities Manager Erik Schulze and Staff Services Technician Toni Cordell presented information regarding the Turlock Community Charities programs including various partners, community groups assisted, and events, expressed thanks to the partners, and welcomed volunteers to help assist with the upcoming shopping event for children.

B. PUBLIC PARTICIPATION

The following members of the public spoke:

Liz Padilla with Rock Bottom Riders
Jason Freitas
Ed Maze
Mike Armendariz
Sylvia De La Cruz
Maria Amarillas
Ramon Montenegro
Allyson Fletcher
David Said
DJ Fransen
Randel Montenegro

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 3/0 by the following vote:

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

B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS: None

C. DISCLOSURE OF TOP TEN/MAXIMUM CONTRIBUTORS

5. CONSENT CALENDAR:

Vice Mayor Jacob announced that at the request of Councilmember Esquer Consent Calendar Item 5F would be removed for separate consideration. Councilmember DeHart spoke regarding Consent Calendar Item 5H being subject to the adoption of the TCEA MOU which will be heard later in the meeting.

Action: Motion by Councilmember DeHart, seconded by Councilmember Esquer, adopting the amended consent calendar. Motion carried 3/0 by the following vote:

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

- A. **Resolution No. 2018-310:** Accepting Weekly Demands of 10/25/18 in the amount of \$1,848,862.18; Weekly Demands of 11/1/18 in the amount of \$632,817.93; Weekly Demands of 11/8/18 in the amount of \$387,595.64; Monthly Demands of 7/31/18 in the amount of \$1,908,672.26
- B. **Motion:** Accepting Minutes of the Regular Meeting September 11, 2018; Minutes of the Regular Meeting of September 25, 2018
- C.
 - 1. **Resolution No. 2018-311:** Approving the Engineer’s Report for Parcel Map 18-02 “Castle” (Development Project No. 18-47) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
 - 2. **Resolution No. 2018-312:** Declaring the City Council’s Intention to order the formation of and to levy and collect assessments for Parcel Map 18-02 “Castle” (Development Project No. 18-47) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
- D. **Resolution No. 2018-313:** Appropriating \$5,000 to account number 120-10-120.47317_009 “City Sponsored Events Stanislaus County Fair Traffic Control” to be funded from Fund 120 “Tourism” unallocated reserves for temporary traffic control services for the Stanislaus County Fair during fiscal year 2018/19
- E. **Motion:** Approving an Amendment No. 1 to the Agreement between the City of Turlock and Linko Technology Inc. for the LinkoHW Liquid Hauled Waste software for pretreatment/FOG/Hauled waste programs, adding a one-time software license fee of \$7,007 and increasing the professional service fee from \$2,995 to \$5,000, and increasing the annual support fees from \$5,345 to \$6,645

- F. *Removed for separate consideration.*
- G. **Resolution No. 2018-314**: Approving the addition of one (1) new Fleet Maintenance Mechanic I/II position, effective November 27, 2018 and amending the Fiscal Year 2018-19 allocated positions to reflect the new staffing addition
- H.
 1. **Resolution No. 2018-315**: Approving modifications to the job description for the position of Wastewater Plant Operator I/II, effective November 27, 2018, subject to the adoption of the Resolution approving the Memorandum of Understanding with the Turlock City Employees Association (TCEA), covering the period of July 1, 2018 through June 30, 2019
 2. **Resolution No. 2018-316**: Approving modifications to the job description for the position of Wastewater Plant Operator, Senior, effective November 27, 2018, subject to the adoption of the Resolution approving the Memorandum of Understanding with the Turlock City Employees Association (TCEA), covering the period of July 1, 2018 through June 30, 2019
- I. **Resolution No. 2018-317**: Accepting an allocation of funds, authorizing the execution of a grant agreement and commitments necessary to administer the 2017 FY Edward Byrne Memorial Justice Assistance Grant (JAG) funds from the United States Department of Justice, Office of Criminal Justice Programs in the amount of \$27,143, and appropriating said funds to account number 266-20-255-341.35720 "Revenue" and account number 266-20-255-341.51107_006 "JAG Expenses 2017-DJ-BX-0920" in Fund 266 "Police Services Grants"
- J. **Motion**: Approving Amendment No. 1 between the City of Turlock and Central Sanitary Supply for janitorial paper and cleaning supplies, increasing the annual compensation from \$20,000 to \$30,000 over the remaining term of the Agreement to include three (3) optional additional one-year renewal terms
- K. **Motion**: Approving Amendment No. 1 to an Agreement with West America Bank, Inc. for the addition of eBox and Lockbox Image Scan Services to the current Lockbox Service
- L. **Resolution No. 2018-318**: Appropriating \$30,000 to account number 110-10-109.43010_000 "Contract Attorney" from Fund 110 "General Fund" unallocated reserves in the fiscal year 2018/2019 adopted budget for legal services related to the fiscal year 2018/2019 labor negotiations with the Turlock Associated Police Officers, Turlock City Employees Association, Turlock Management Association – Public Safety, Confidential Employee Group, and Unrepresented Management Group
- 5F. **Motion**: Approving a Professional Services Agreement template for Disposal of Liquid Waste at the Turlock Regional Water Quality Control Facility and authorizing staff to enter into such agreements for future users

Councilmember Esquer deferred to member of the public Milt Trieweiler to discuss his questions regarding this item.

Vice Mayor Jacob opened public participation.

The following members of the public spoke:

Milt Trieweiler
Robert Puffer

Council and staff discussed this item including postponing (tabling) the item to a future meeting date, fiscal impact and/or revenue generated by this service, and any potential impacts on capital facilities.

Vice Mayor Jacob closed public participation.

Action: Motion by Councilmember DeHart, seconded by Councilmember Esquer, tabling the item. Motion carried 3/0 by the following vote:

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

6. FINAL READINGS: None

Vice Mayor Jacob recessed the City Council meeting at 7:55 p.m.
Vice Mayor Jacob reconvened the City Council meeting at 8:03 p.m.

7. PUBLIC HEARINGS

- A. Associate Planner Adrienne Werner presented the staff report on the request for the City Clerk confirm: a) Proof of Publication of Notice of Public Hearing; b) Signed Waiver and Consent; c) Completed and Signed Ballot and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and Ballot Declaring Election Results (Project Planner to prompt and facilitate these steps) AND Mayor and City Council conduct public hearing confirming that no protests have been received – close hearing and adopt the two resolutions below AND call a Special, Mailed-Ballot Election respecting Proposed Annexation Number 26 to existing Community Facilities District Number 2 (Services Mitigation) AND declare the results of Mailed-Ballot Election respecting Proposed Annexation Number 26 to Community Facilities District Number 2 (Services Mitigation) and ordering annexation.

City Clerk Jennifer Land confirmed a) Proof of Publication of the Notice of Public Hearing; b) Signed Waiver and Consent form; c) Completed and Signed Ballot, noting the ballot received from the property owner authorized the annexation of the property to the existing Community Facilities District No. 2; and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and the Ballot Declaring Election Results.

Vice Mayor Jacob opened the public hearing. No one spoke. Vice Mayor Jacob closed the public hearing.

Action: **Resolution No. 2018-319:** Calling a Special, Mailed-Ballot Election respecting Proposed Annexation Number 26 to existing Community Facilities District Number 2 (Services Mitigation) as introduced by Councilmember Esquer, seconded by Councilmember DeHart, and carried 3/0 by the following vote:

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

Resolution No. 2018-320: Declaring the results of Mailed-Ballot Election respecting Proposed Annexation Number 26 to Community Facilities District Number 2 (Services Mitigation) and ordering annexation as introduced by Councilmember Esquer, seconded by Councilmember DeHart, and carried 3/0 by the following vote:

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

- B. Administrative Services Director Kellie Jacobs-Hunter presented the staff report on the request to In the matter of adopting an Urgency Ordinance reauthorizing Section 3-8-1701 of the Turlock Municipal Code, reauthorizing the collection of Public, Educational, and Governmental Access Fees (“PEG Fees”) on State Cable Franchises operating within the City (Requires 4/5 Vote of the City Council) AND In the matter of adopting an Ordinance reauthorizing Section 3-8-1701 of the Turlock Municipal Code, reauthorizing the collection of Public, Educational, and Governmental Access Fees (“PEG Fees”) on State Cable Franchises operating within the City.

Interim City Attorney Jose M. Sanchez provided clarification regarding the two different ordinance types (urgency and regular), spoke regarding the urgency ordinance requiring 4/5 vote of the Council, only having three Councilmembers in attendance therefore the urgency ordinance would not be introduced, and that staff would continue to look into the matter to determine the need to bring back the urgency ordinance at the next Council meeting to expedite the effective date.

Council and staff discussed this item.

Vice Mayor Jacob opened the public hearing.

The following members of the public spoke:

Robert Puffer

Vice Mayor Jacob closed the public hearing.

(Waiving First Reading and Introducing Ordinance)

Action: Motion by Councilmember DeHart, seconded by Councilmember Esquer, In the matter of adopting an Ordinance reauthorizing Section 3-8-1701 of the Turlock Municipal Code, reauthorizing the collection of Public, Educational, and Governmental Access Fees (“PEG Fees”) on State Cable Franchises operating within the City and setting the final reading date for December 11, 2018. Motion carried 3/0 by the following vote:

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

8. SCHEDULED MATTERS:

- A. Municipal Services Deputy Director Garner Reynolds presented the staff report on the request to approve Amendment No. 1 to an Agreement with AECOM for professional engineering services, increasing the annual not-to-exceed compensation from a maximum of \$747,900 to an annual not-to-exceed compensation maximum of \$966,060 AND appropriate \$601,060 to account number 420-52-534.43359 "Professional Engineering Services" funded by a transfer from Fund 420 "Water Operations" unallocated reserves for Capital Improvement Projects.

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

Action: Motion by Councilmember DeHart, seconded by Councilmember Esquer, Approving Amendment No. 1 to an Agreement with AECOM for professional engineering services, increasing the annual not-to-exceed compensation from a maximum of \$747,900 to an annual not-to-exceed compensation maximum of \$966,060. Motion carried 3/0 by the following vote:

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

Resolution No. 2018-321: Appropriating \$601,060 to account number 420-52-534.43359 "Professional Engineering Services" funded by a transfer from Fund 420 "Water Operations" unallocated reserves for Capital Improvement Projects as introduced by Councilmember DeHart, seconded by Councilmember Esquer, and carried 3/0 by the following vote:

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

- B. Administrative Services Director Kellie Jacobs-Hunter presented the staff report on the request to rescind Resolution No. 2017-276 and adopt a new Resolution approving the Memorandum of Understanding (MOU) between the City of Turlock and Turlock City Employees Association (TCEA), covering the period of July 1, 2018 through June 30, 2019 AND appropriate \$171,959 of General Fund unallocated reserves and \$760,165 of Non-General Fund unallocated reserves for a total of \$932,124 to fiscal year 2018/2019 salary and benefit accounts due to the adoption of the Memorandum of Understanding with the Turlock City Employees Association, covering the period of July 1, 2018 through June 30, 2019.

Council and staff discussed this item.

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

Action: **Resolution No. 2018-322:** Rescinding Resolution No. 2017-276 and adopting a new Resolution approving the Memorandum of Understanding (MOU) between the City of Turlock and Turlock City Employees Association (TCEA), covering the period of July 1, 2018 through June 30, 2019 as introduced by Councilmember Esquer, seconded by Councilmember DeHart, and carried 3/0 by the following vote:

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

Resolution No. 2018-323: Appropriating \$171,959 of General Fund unallocated reserves and \$760,165 of Non-General Fund unallocated reserves for a total of \$932,124 to fiscal year 2018/2019 salary and benefit accounts due to the adoption of the Memorandum of Understanding with the Turlock City Employees Association, covering the period of July 1, 2018 through June 30, 2019 as introduced by Councilmember Esquer, seconded by Councilmember DeHart, and carried 3/0 by the following vote:

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

- C. Councilmembers DeHart and Esquer presented a report from the Commercial Cannabis Ad Hoc Committee including their efforts of gathering information from other municipalities and state regulations, visits to dispensaries and grow locations, contacts with other city and municipal leaders, and fielding citizen concerns and input, clarified that they have not yet sought input from law enforcement, and their recommendation to consider ongoing discussions and further research regarding this matter.

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 DeHart, seconded by Councilmember Esquer, Accepting a report from the Commercial Cannabis Ad Hoc Committee. Motion carried 3/0 by the following vote:

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

9. STAFF UPDATES

1. Policy Goals and Implementation Plan
 - a. Policy Goals & Implementation Plan Closing Report

A written report was included in the agenda packet.

City Manager Robert C. Lawton spoke regarding adoption of the Policy Goals and Implementation Plan in September 2015, staff having provided progress reports to the Council from time to time, and the purpose of providing a closing report.

City Manager Lawton also spoke regarding the Economic Development Strategic Plan and his hope in 2019 that staff will be able to encourage the new Council to incorporate Economic Development as one of the elements of a larger strategic plan.

Vice Mayor Jacob expressed thanks to staff for their efforts.

2. Administrative Services Department
 - a. Economic Development Strategic Plan Update

A written staff update was included in the agenda packet.

3. Development Services Department – No update provided.

4. Fire Department
 - a. Public Safety Briefing

A written staff update regarding the Fire Department Public Safety Briefing was included in the agenda packet.

Fire Marshal Mark Gomez provided an update regarding the enforcement activities and property removal that occurred at Broadway Park and the services/resources available within the community.

City Manager Lawton clarified that any items collected by City staff were not destroyed and can be retrieved.

Vice Mayor Jacob opened public participation.

The following members of the public spoke:

Pam Franco

Vice Mayor Jacob closed public participation.

5. Municipal Services Department – No update provided.
6. Parks, Recreation and Public Facilities – No update provided.
7. Police Department
 - a. Public Safety Briefing

A written staff update was included in the agenda packet.

b. Park Closure Update

Police Chief Ninus C. Amirfar provided an update regarding the results of park hour changes for public safety purposes including calls for service, citations, and incidents, parks closing at dusk being an extra tool for law enforcement, and noted that a final update would be provided to Council in January 2019.

Council and staff discussed this item.

10. CITY MANAGER COMMENTS:

City Manager Robert C. Lawton spoke regarding the member of the public who expressed concerns with street conditions and noted the various manners in which the City finances street maintenance/repairs including landscaping and lighting assessment districts. City Manager Lawton also spoke regarding all of the other cities and counties working to address homelessness issues, available resources to help define consistent and coherent policies for addressing housing and service provisions, federal and state program funding, a future agenda item for Council consideration of declaring a shelter crisis in the City, and expressed thanks to the Police, Fire, and Parks and Recreation Departments for their engagement in the community and making a difference.

11. NON-AGENDA ITEMS: None

12. COUNCIL ITEMS FOR FUTURE CONSIDERATION: None

13. COUNCIL COMMENTS: None

14. CLOSED SESSION: None

15. REPORTS FROM CLOSED SESSION: None

16. ADJOURNMENT

Motion by Councilmember DeHart, seconded by Councilmember Esquer, to adjourn the regular meeting at 9:29 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
City Clerk