

1. **A. CALL TO ORDER** – Mayor Soiseth called the meeting to order at 6:00 p.m.
 PRESENT: Councilmembers Gil Esquer, William DeHart, Jr., 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 Certificate of Recognition to Nu Alpha Kappa, as a Million Acts of Kindness award recipient, for their dedication to the City of Turlock through inspirational community service. National Program Director Jose Diaz spoke about the fraternity’s efforts of giving back to the community and helping children.
- B. Mayor Soiseth presented a Certificate of Recognition to Information Technology Analyst, Sr. Carlo Grossman, as the City of Turlock Employee of the Month – December 2016 award recipient, for his outstanding employment, performance, productivity, and commitment to the City of Turlock. IT Analyst Grossman expressed his gratitude for the award and thanked the City Manager, co-workers, and his family for their support.
- C. Mayor Soiseth recommended that Jim Reape and Constance Anderson be appointed to fill vacancies on the Planning Commission for terms set to expire on December 31, 2020.

Action: Motion by Councilmember DeHart, seconded by Councilmember Jacob, appointing Jim Reape and Constance Anderson to fill vacancies on the Planning Commission for a term set to expire on December 31, 2020. Motion carried 5/0 by the following vote:

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

- D. Mayor Soiseth recommended that Sandra Loza and Jonathan Boulos be appointed to fill vacancies on the Parks, Arts and Recreation Commission for terms set to expire on December 31, 2019.

Action: Motion by Councilmember Jacob, seconded by Councilmember DeHart, appointing Sandra Loza and Jonathan Boulos to fill vacancies on the Parks, Arts and Recreation Commission for a term set to expire on December 31, 2019. Motion carried 5/0 by the following vote:

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

- E. Mayor Soiseth recommended that he be appointed as the City of Turlock’s representative to The Alliance.

Action: Motion by Councilmember DeHart, seconded by Councilmember Jacob, appointing Mayor Soiseth as the City of Turlock’s Representative to The Alliance. 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 he be appointed as Member and Councilmember Bublak be appointed as Alternate Member as the City of Turlock’s Representatives to the West Turlock Sub-basin Groundwater Sustainability Agency.

Action: Motion by Councilmember Jacob, seconded by Councilmember DeHart, appointing Mayor Soiseth as Member and Councilmember Bublak as Alternate Member, as the City of Turlock’s Representatives to the West Turlock Sub-basin Groundwater Sustainability Agency. Motion carried 5/0 by the following vote:

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

- G. PG&E Government Relations Representative Thomas Reeves provided information about PG&E projects in Turlock, thanked staff for their assistance, and presented the City of Turlock with a \$10,000 tree planting contribution in recognition of the City’s partnership and commitment to safety.

3. A. SPECIAL BRIEFINGS: None

B. STAFF UPDATES

1. Policy Goals and Implementation Plan – No updates provided.
2. Capital Projects and Building Activity

Development Services Director Mike Pitcock provided an update on Building Activity, Capital Projects, and Transit.

3. Stanislaus Regional Water Authority Update

Municipal Services Director Michael Cooke provided an update on the Stanislaus Regional Water Authority and introduced West Yost Associates Gerry Nakano who presented a PowerPoint presentation that provided an overview of the Surface Water Supply Project.

Mayor Soiseth opened public participation.

A member of the public spoke about the item.

4. Fiscal Year 2017-18 and 2018-19 Budget Process Outline

City Manager Gary Hampton provided information regarding the Fiscal Year 2017-18 and 2018-19 Budget Process Outline.

C. PUBLIC PARTICIPATION

Turlock Librarian Diane Bartlett thanked Mayor Soiseth for participating as a guest reader and provided information about upcoming events and activities at the library.

Robert Allen with Fired Up Ministry spoke about hate crimes against the homeless. Mayor Soiseth directed Acting Police Chief Nino Amirfar to coordinate with Mr. Allen.

Turlock Chamber of Commerce Board Chair Robert Rodarte provided information about membership with the Chamber and thanked the City for their support and partnership.

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

Action: Motion by Councilmember DeHart, seconded by Councilmember Bublak, waiving reading of all ordinances on the agenda, except by title. Motion carried unanimously.

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 a request by Milt Trieweller to remove Item 5J for separate consideration.

Action: Motion by Councilmember DeHart, seconded by Councilmember Jacob, to adopt 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 2017-001:** Accepting Demands of 11/10/16 in the amount of \$1,373,165.10; Demands of 11/17/16 in the amount of \$465,313.32; Demands of 11/24/16 in the amount of \$222,667.70; Demands of 12/1/16 in the amount of \$981,965.85; Demands of 12/8/16 in the amount of \$2,354,052.10; Demands of 9/30/16 in the amount of \$1,904,090.39
- B. **Motion:** Accepting minutes of Regular Meeting of December 13, 2016

- C. *Motion:* Approving the purchase of six (6) 2017 Ford F150 Regular Cab 4X2 Pickup Trucks and one (1) 2017 Ford F250 Crew Cab 4X2 Pickup Truck from Downtown Ford Sales of Sacramento, California, and one (1) 2017 Chevrolet Colorado 2 WD Crew Cab Pickup Truck from Elk Grove Auto/Winner Chevy for the City of Turlock Parks, Recreation and Public Facilities Department through the State of California Contract No. 1-16-23-20A, in an amount not to exceed \$214,500, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5); and declaring replaced vehicles surplus
- D. *Motion:* Approving the purchase of one (1) 2017 Toro Groundsmaster 3280D Turf Mower from Turfstar for the City of Turlock Parks, Recreation and Public Facilities Department through the CMAS Contract No. 4-07-51-0020A, in an amount not to exceed \$26,000, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5)
- E. **Resolution No. 2017-002:** Accepting a donation from PG&E in the amount of \$10,000 to replace trees at Pedretti Park in account number 269-60-614-382.35720 "Parks & Public Facilities Donation-PG&E Donation Revenue" and appropriating \$10,000 to account number 269-60-614-382.47124 "Parks & Public Facilities Donation-PG&E Donation Expenses"
- F. **Resolution No. 2017-003:** Approving the purchase of two (2) 2017 Ford Fusion Energi SE 2.9L Plug-in Hybrid vehicles for the City of Turlock Municipal Services Department from Downtown Ford Sales of Sacramento, California, through the State of California Contract No. 1-16-23-10A, in an amount not to exceed \$67,753, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5); and declaring replaced vehicles surplus
- G. *Motion:* Awarding RFP No. 16-367 and Contract No. 16-179 to Root Tamers, Inc. of Brookings, Oregon, for chemical root control of sewer lines for the City of Turlock Municipal Services Department, in an annual amount not to exceed \$20,000, having met all the specifications of RFP No. 16-367 and being the lowest responsive and responsible bidder pursuant to Turlock Municipal Code Section 2-7-09(c)(5)
- H. *Motion:* Awarding RFP No. 16-382 and Contract No. 16-185 to E.R. Vine & Sons, Inc. of Ceres, California, for lubricating oil and miscellaneous related products for the City of Turlock Municipal Services Department, in an annual amount not to exceed \$20,000 for a period of twelve (12) months, having met all the specifications of RFP No. 16-382 and being the lowest responsive and responsible bidder pursuant to Turlock Municipal Code Section 2-7-09(c)(5)
- I. 1. **Resolution No. 2017-004:** Rescinding Resolution No. 2016-279 and adopting a new Resolution approving standardization of all positive displacement residential and turbine meters for the City of Turlock fixed network Automated Meter Reading system, for the purchase of residential, commercial, and industrial water meters and parts from Badger Meter and National Meter & Automation, Inc., without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(6)
2. *Motion:* Approving Amendment No. 1 to an Agreement between the City of Turlock and Badger Meter and National Meter & Automation, Inc. for the purchase of all positive displacement residential and turbine meters and parts for the City of Turlock fixed network Automated Meter Reading system
- J. *Removed for separate consideration.*
- K. **Resolution No. 2017-005:** Authorizing the over-hire of one (1) Environmental Compliance Inspector in the City of Turlock Municipal Services Department due to the anticipated retirement of the incumbent on July 1, 2017

- L. Motion: Adopting the updated City of Turlock Emergency Operations Plan (EOP) which outlines the functions and duties of City of Turlock personnel in the event of a local emergency
- M. **Resolution No. 2017-006**: Approving modifications to the job description for the position of Fire Captain, effective January 10, 2017
- N. Motion: Authorizing the Mayor, City Manager or designee to execute an annual maintenance agreement with Konica Minolta Business Solutions, USA, for twelve (12) months on two (2) document scanners, in an amount not to exceed \$2,292
- O. Motion: Awarding RFP No. 16-383 and Contract No.16-188 to Robert Half International Inc. (Robert Half) of Modesto for Temporary Personnel Services, in an annual amount not to exceed \$25,000 for a period of three (3) years, having met all the specifications of RFP No.16-383 and being the lowest responsive and responsible bidder pursuant to Turlock Municipal Code Section 2-7-09(c)(5)
- P. Motion: Rejecting Claim for Damages filed by Juan Sostenes Bulgara
- Q. Motion: Rejecting Claim for Damages filed by Steve Crawford
- R. Motion: Rejecting Claim for Damages filed by Jose J. Davalos
- S. Motion: Rejecting Claim for Damages filed by Victoria Scott
- T. Motion: Rejecting Claim for Damages filed by Ronald M. Visco

Item 5J. Resolution: Approving the purchase of reserved wastewater capacity by Hilmar Cheese Company, Inc. for the dry milk processing facility located at 3600 W. Canal Drive, pursuant to Turlock Municipal Code Section 6-4-1112

Municipal Services Director Michael Cooke provided information regarding the process for buying and selling reserved wastewater capacity.

Members of the public spoke about the item.

Action: **Resolution No. 2017-007**: Approving the purchase of reserved wastewater capacity by Hilmar Cheese Company, Inc. for the dry milk processing facility located at 3600 W. Canal Drive, pursuant to Turlock Municipal Code Section 6-4-1112 was 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

Mayor Soiseth noted the Green Sheet for Item 5B.

6. FINAL READINGS: None

7. PUBLIC HEARINGS

Councilmember Jacob stepped down from the dais at 7:11 p.m.

- A. Development Services Director Mike Pitcock presented the staff report on the request to confirm Annexation of 2631 W. Tuolumne Road (088-026-002) PM 16-03, into the Monte Vista Crossings Landscaping and Lighting Assessment District and Street Maintenance Benefit Assessment Area, City Project No. 6308.

Mayor Soiseth opened the Public Hearing. No one spoke. Mayor Soiseth closed the Public Hearing.

Action: **Resolution No. 2017-008:** Confirming Annexation of 2631 W. Tuolumne Road (088-026-002) PM 16-03, into the Monte Vista Crossings Landscaping and Lighting Assessment District and Street Maintenance Benefit Assessment Area, City Project No. 6308 was introduced by Councilmember DeHart, seconded by Councilmember Esquer, and carried 4/1 by the following vote:

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

- B. Development Services Director Mike Pitcock presented the staff report on the request to amend Turlock Municipal Code Title 4, Chapter 7, Article 14, Section 02 regarding altered speed limits.

Council and staff discussed the item.

Mayor Soiseth opened the Public Hearing.

A member of the public spoke about the item.

Councilmember Jacob returned to the dais at 7:17 p.m.

Mayor Soiseth closed the Public Hearing.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, introducing an Ordinance Amending Turlock Municipal Code Title 4, Chapter 7, Article 14, Section 02 regarding altered speed limits and setting the final reading for January 24, 2017. Motion carried 5/0 by the following vote:

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

- C. Chief Building Official Eric Picciano presented the staff report on the request to adopt legislative findings supporting amendments and changes to the California State Building Standards Code as contained in the Turlock Municipal Code, Title 8, Chapters 1, 2, 5 and 6; AND amend Turlock Municipal Code Title 8, Chapter 1, Article 1, Section 02, Subsection (a) regarding Adoption; Title 8, Chapter 1, Article 1, Section 03, Subsection (a) regarding Finding of Necessity For Stricter Standard; Title 8, Chapter 1, Article 1, Section 04, Subsections (f), (g), (h), (i), (p), (q) and (r) regarding Amendments, Additions and Deletions to the California Building Code; Title 8, Chapter 1, Article 1, Section 05 regarding Amendments, Additions and Deletions to the California Residential Code; Title 8, Chapter 1, Article 1, Section 06 regarding Amendments, Additions and Deletions to the California Mechanical Code; Title 8, Chapter 1, Article 1, Section 07 regarding Amendments, Additions and Deletions to the California Plumbing Code; Title 8, Chapter 2, Section 02 Regarding Adoption of the Electrical Code of the City Of Turlock; Title 8, Chapter 2, Section 07 regarding Special Requirements: Residential; Title 8, Chapter 2, Section 08 regarding Special Requirements: Commercial and Industrial Buildings; Title 8, Chapter 5, Article 1, Section 02 regarding Adoption of the Plumbing Code of the City of Turlock; Title 8, Chapter 5, Article 1, Section 03 regarding Administrative Authority; Title 8, Chapter 6, Article 1, Section 02 regarding Adoption of the Mechanical Code of the City of Turlock.

Mayor Soiseth opened the Public Hearing. No one spoke. Mayor Soiseth closed the Public Hearing.

Action: **Resolution No. 2017-009:** Adopting legislative findings supporting amendments and changes to the California State Building Standards Code as contained in the Turlock Municipal Code, Title 8, Chapters 1, 2, 5 and 6 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

Motion by Councilmember Bublak, seconded by Councilmember DeHart, introducing an Ordinance Amending Turlock Municipal Code Title 8, Chapter 1, Article 1, Section 02, Subsection (a) regarding Adoption; Title 8, Chapter 1, Article 1, Section 03, Subsection (a) regarding Finding of Necessity For Stricter Standard; Title 8, Chapter 1, Article 1, Section 04, Subsections (f), (g), (h), (i), (p), (q) and (r) regarding Amendments, Additions and Deletions to the California Building Code; Title 8, Chapter 1, Article 1, Section 05 regarding Amendments, Additions and Deletions to the California Residential Code; Title 8, Chapter 1, Article 1, Section 06 regarding Amendments, Additions and Deletions to the California Mechanical Code; Title 8, Chapter 1, Article 1, Section 07 regarding Amendments, Additions and Deletions to the California Plumbing Code; Title 8, Chapter 2, Section 02 Regarding Adoption of the Electrical Code of the City Of Turlock; Title 8, Chapter 2, Section 07 regarding Special Requirements: Residential; Title 8, Chapter 2, Section 08 regarding Special Requirements: Commercial and Industrial Buildings; Title 8, Chapter 5, Article 1, Section 02 regarding Adoption of the Plumbing Code of the City of Turlock; Title 8, Chapter 5, Article 1, Section 03 regarding Administrative Authority; Title 8, Chapter 6, Article 1, Section 02

regarding Adoption of the Mechanical Code of the City of Turlock and setting the final reading for January 24, 2017. Motion carried 5/0 by the following vote:

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

- D. Regulatory Affairs Manager Garner Reynolds presented the staff report on the request to add Turlock Municipal Code Title 6, Chapter 5, Article 3, Section 04 entitled Excessive Water Use Targets and Penalties; Title 6, Chapter 5, Article 3, Section 05 entitled Appeal; and Title 6, Chapter 5, Article 3, Section 06 entitled Appeal Hearing Request; AND adopt an excessive water use target of forty thousand (40,000) gallons per month for single-family residential water customers and establish a penalty of twenty-five dollars (\$25.00) for those single-family residential water customers whose water use exceeds forty thousand (40,000) gallons per month.

Council and staff discussed the item.

Mayor Soiseth opened the Public Hearing.

A member of the public spoke about the item.

Mayor Soiseth closed the Public Hearing.

Prior to introduction of the Ordinance, Council directed staff to add language regarding allowing the first penalty to be waived if the owner or occupant attends a water conservation education workshop.

Action: Motion by Councilmember Bublak, seconded by Councilmember Esquer, introducing an Ordinance Adding Turlock Municipal Code Title 6, Chapter 5, Article 3, Section 04 entitled Excessive Water Use Targets and Penalties; Title 6, Chapter 5, Article 3, Section 05 entitled Appeal; and Title 6, Chapter 5, Article 3, Section 06 entitled Appeal Hearing Request, with an amendment allowing the first penalty to be waived if the owner or occupant attends a water conservation education workshop, and setting the final reading for January 24, 2017. Motion carried 4/1 by the following vote:

Councilmember Esquer	Councilmember DeHart	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	No	Yes

Resolution No. 2017-010: Adopting an excessive water use target of forty thousand (40,000) gallons per month for single-family residential water customers and establishing a penalty of twenty-five dollars (\$25.00) for those single-family residential water customers whose water use exceeds forty thousand (40,000) gallons per month as introduced by Councilmember Bublak, seconded by Councilmember Esquer, and carried 4/1 by the following vote:

Councilmember Esquer	Councilmember DeHart	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	No	Yes

Mayor Soiseth recessed the meeting at 8:26 p.m.

Mayor Soiseth reconvened the meeting at 8:33 p.m.

- E. Fire Operations Chief Gary Carlson presented the staff report on the request to amend Turlock Municipal Code Title 4, Chapter 2, creating Article 1, entitled Turlock Disaster Council, using existing Sections 01 through 08 and adding Article 2, entitled Stanislaus Disaster Council.

Mayor Soiseth opened the Public Hearing. No one spoke. Mayor Soiseth closed the Public Hearing.

Prior to introduction of the Ordinance, Council directed staff to change the reference of Chairman/Vice Chairman to Chair/Vice Chair.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, introducing an Ordinance Amending Turlock Municipal Code Title 4, Chapter 2, creating Article 1, entitled Turlock Disaster Council, using existing Sections 01 through 08 and adding Article 2, entitled Stanislaus Disaster Council, with amendments to Article I changing the reference of Chairman/Vice Chairman to Chair/Vice Chair, and setting the final reading for January 24, 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. City Attorney Phaedra A. Norton presented the staff report on the request to determine the proposed Ordinance regarding Medical and Nonmedical Marijuana Regulations is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (Review for Exemption) of the CEQA Guidelines; AND amend Turlock Municipal Code Title 5, Chapter 21, regarding Medical and Nonmedical Marijuana Regulations, creating Article 1 entitled Medical Marijuana Regulations, using existing Sections 01 through 04, creating Article 2 entitled Nonmedical Marijuana Regulations, and creating Article 3 entitled Nonmedical Marijuana Residential Cultivation for Personal Use, and amend Title 3, Chapter 1, Article 1, Section 01 regarding Statement and purpose of chapter: Prohibitions.

Council and staff discussed the item.

Mayor Soiseth opened the Public Hearing. No one spoke. Mayor Soiseth closed the Public Hearing.

Prior to introduction of the Ordinance, Council directed staff to amend Article 1, removing reference to indoor personal cultivation of nonmedical marijuana, amend Article 2, Section 5-21-202(d), removing reference to indoor personal cultivation of nonmedical marijuana, and not introduce Article 3, related to nonmedical marijuana residential cultivation for personal use.

Action: Motion by Councilmember Bublak, seconded by Councilmember Esquer, Determining the proposed Ordinance regarding Medical and Nonmedical Marijuana Regulations is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (Review for Exemption) of the CEQA Guidelines. 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 Bublak, seconded by Councilmember Esquer, introducing an Ordinance Amending Turlock Municipal Code Title 5, Chapter 21, regarding Medical and Nonmedical Marijuana Regulations, creating Article 1 entitled Medical Marijuana Regulations, using existing Sections 01 through 04, creating Article 2 entitled Nonmedical Marijuana Regulations, and amending Title 3, Chapter 1, Article 1, Section 01 regarding Statement and purpose of chapter: Prohibitions, with amendments to Article 1, removing reference to indoor personal cultivation of nonmedical marijuana, amendments to Article 2, Section 5-21-202(d), removing reference to indoor personal cultivation of nonmedical marijuana, and not introducing Article 3, related to nonmedical marijuana residential cultivation for personal use, and setting the final reading for January 24, 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. Transportation Engineering Supervisor Wayne York presented the staff report on the request to approve a University Pass Transit Funding Agreement with Associated Students, Inc. (ASI) of California State University, Stanislaus (CSUS), for a five (5) year period in which the City shall provide unlimited use of fixed-route bus service to all full-time or full-time equivalent CSUS students in exchange for quarterly payments totaling \$90,000 annually, with tiered discounts provided in the first eighteen (18) months of the Agreement.

Mayor Soiseth opened public participation.

Members of the public spoke about the item.

Mayor Soiseth closed public participation.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, Approving a University Pass Transit Funding Agreement with Associated Students, Inc. (ASI) of California State University, Stanislaus (CSUS), for a five (5) year period in which the City shall provide unlimited use of fixed-route bus service to all full-time or full-time equivalent CSUS students in exchange for quarterly payments totaling \$90,000 annually, with tiered discounts provided in the first eighteen (18) months of 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

- B. Transportation Engineering Supervisor Wayne York presented the staff report on the request to approve the purchase and delivery of two (2) 28' Class F Champion Low Floor Buses for use by Turlock Transit from Creative Bus Sales, Inc., of Chino, California, through the California Association for Coordinated Transportation (CalACT) and the Morongo Basin Transit Authority (MBTA) Purchasing Cooperative, to which the City of Turlock is a cooperative member, in an amount not to exceed \$337,290.46 (Fund 426), without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(5).

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

Action: Motion by Councilmember Jacob, seconded by Councilmember Esquer, Approving the purchase and delivery of two (2) 28' Class F Champion Low Floor Buses for use by Turlock Transit from Creative Bus Sales, Inc., of Chino, California, through the California Association for Coordinated Transportation (CalACT) and the Morongo Basin Transit Authority (MBTA) Purchasing Cooperative, to which the City of Turlock is a cooperative member, in an amount not to exceed \$337,290.46 (Fund 426), without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(5). Motion carried 5/0 by the following vote:

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

- C. Transportation Engineering Supervisor Wayne York presented the staff report on the request to approve an Agreement with Gillig LLC of Hayward, California, for the future purchase of a minimum of four (4) and maximum of ten (10) heavy duty buses for use in fixed-route transit service, as allowed by the Livermore Amador Valley Transit Authority (LAVTA) in their recent contract award to Gillig LLC in response to LAVTA Request for Proposals No. 2015-08, a contract to which the City of Turlock is a consortium member.

Mayor Soiseth opened public participation.

A member of the public spoke about the item.

Mayor Soiseth closed public participation.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, Approving an Agreement with Gillig LLC of Hayward, California, for the future purchase of a minimum of four (4) and maximum of ten (10) heavy duty buses for use in fixed-route transit service, as allowed by the Livermore Amador Valley Transit Authority (LAVTA) in their recent contract award to Gillig LLC in response to LAVTA Request for Proposals No. 2015-08, a contract to which the City of Turlock is a consortium member. Motion carried 5/0 by the following vote:

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

- D. Transportation Engineering Supervisor Wayne York presented the staff report on the request to direct staff to develop a program that allows local businesses and organizations to serve as an alternate, third-party point-of-sale location for the sale of Turlock Transit passes through direct, over-the-counter sales or through the placement of transit pass vending machines purchased, owned, installed and maintained by the City.

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

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, Directing staff to develop a program that allows local businesses and organizations to serve as an alternate, third-party point-of-sale location for the sale of Turlock Transit passes through direct, over-the-counter sales. Motion carried 5/0 by the following vote:

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

- E. Development Services Director Mike Pitcock presented the staff report on the request to authorize the addition of one (1) Associate Civil Engineer, one (1) Assistant Engineer, one (1) Engineering Technician, one (1) Public Works Construction Inspector, and one (1) Land Surveying Technician within the Development Services Department (Engineering Division), through an outside recruitment, to address future construction projects associated with successful passage of Measure L; authorize the City Manager to offer vacation and sick leave incentives, up to 120 and 80 hours respectively, to lateral employees from comparable agencies or engineering firms; and authorize the City Manager to award 16 hours of vacation to any City employee who recommends an applicant who is ultimately hired.

Council and staff discussed the item.

Mayor Soiseth opened public participation.

Members of the public spoke about the item.

Mayor Soiseth closed public participation.

Action: **Resolution No. 2017-011:** Authorizing the addition of one (1) Associate Civil Engineer, one (1) Assistant Engineer, one (1) Engineering Technician, one (1) Public Works Construction Inspector, and one (1) Land Surveying Technician within the Development Services Department (Engineering Division), through an outside recruitment, to address future construction projects associated with successful passage of Measure L; authorizing the City Manager to offer vacation and sick leave incentives, up to 120 and 80 hours respectively, to lateral employees from comparable agencies or engineering firms; and authorizing the City Manager to award 16 hours of vacation to any City employee who recommends an applicant who is ultimately hired 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

- F. Parks, Recreation and Public Facilities Manager Erik Schulze presented the staff report on the request to affirm or modify the second round funding cycle for Fiscal Year 2016-17 Community Events and Activities Grants Funding as submitted by the Parks, Arts and Recreation Commission.

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

Action: **Resolution No. 2017-012:** Modifying the second round funding cycle for Fiscal Year 2016-17 Community Events and Activities Grants Funding as submitted by the Parks, Arts and Recreation Commission, granting Turlock Jr. Rodeo \$2,500 and 2017 Central Valley Brewfest \$2,500; in the event Turlock Jr. Rodeo does not accept additional funding, Turlock Jr. Rodeo will receive \$2,000 and 2017 Central Valley Brewfest will receive \$3,000, 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

- G. Parks, Recreation, and Public Facilities Event Assistant Amber Traini presented the staff report on the request to determine the closure of North Soderquist Road, between Fulkerth Road and West Canal Drive, for Modesto Area A's to host a SWAP Meet, 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 authorize the closure of North Soderquist Road, between Fulkerth Road and West Canal Drive for pedestrian safety, for Modesto Area A's to host a SWAP Meet, beginning on Thursday, January 26, 2017 at 6:00 p.m. through Sunday, January 29, 2017 at 6:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure.

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

Action: **Resolution No. 2017-013:** Determining the closure of North Soderquist Road, between Fulkerth Road and West Canal Drive, for Modesto Area A's to host a SWAP Meet, 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 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

Resolution No. 2017-014: Authorizing the closure of North Soderquist Road, between Fulkerth Road and West Canal Drive for pedestrian safety, for Modesto Area A's to host a SWAP Meet, beginning on Thursday, January 26, 2017 at 6:00 p.m. through Sunday, January 29, 2017 at 6:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure as introduced by Councilmember Jacob, seconded by Councilmember DeHart, and 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:**

11. **COUNCIL COMMENTS:**

Mayor Soiseth noted his upcoming attendance at the US Conference of Mayors where he will be presenting on the Surface Water Supply Project.

12. **CLOSED SESSION:**

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

- A. Conference with Legal Counsel – Anticipated Litigation, Cal. Gov't Code §54956.9(d)(2)
"For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist... A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency."

Potential Cases: (4 cases)

Reportable Action: No reportable action.

- B. 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: (19 cases)

Reportable Action: No reportable action.

- C. Public Employee Appointment, Cal. Gov't Code §54957(b)(1)
"Subject to paragraph (2), this chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session."

Title: Interim City Manager

Reportable Action: Council designated City Attorney Phaedra A. Norton to the position of City of Turlock Interim City Manager during the period of absence of City Manager Gary R. Hampton.

- D. Conference with Labor Negotiators, Cal. Gov't Code §54957.6
"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 Employees: Interim City Manager

Reportable Action: This item was removed from the agenda.

13. ADJOURNMENT:

Motion by Councilmember Bublak, seconded by Councilmember DeHart, to adjourn the open session of the regular meeting at 9:58 p.m. Motion carried unanimously.

Motion by Councilmember Jacob, seconded by Councilmember DeHart, to adjourn the closed session of the regular meeting at 11:15 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
City Clerk