

1. **A. CALL TO ORDER** –Mayor Soiseth called the meeting to order at 6:00 p.m.  
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Matthew Jacob, Steven Nascimento and Mayor Gary Soiseth.  
ABSENT: None

Mayor Soiseth announced that Public Hearing Item 7C would be pulled from tonight's agenda and brought forward at a future time.

**B. SALUTE TO THE FLAG**

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

- A. Mayor Soiseth asked for nominations for Vice Mayor for the 2015 calendar year and nominated Councilmember Bublak.

**Action:** City Clerk Kellie Weaver conducted a roll call vote. Councilmember Bublak was elected by a 5/0 vote to fill the position of Vice Mayor for the 2015 calendar year:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- B. Mayor Soiseth recommended that Eric Gonsalves and Steve Hallam be appointed to fill vacancies on the Planning Commission for terms expiring December 31, 2018.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, appointing Eric Gonsalves and Steve Hallam to fill vacancies on the Planning Commission for terms to expire on December 31, 2018. Motion carried 4/1 by the following vote:

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

- C. Mayor Soiseth spoke regarding his desire to reduce the Parks, Arts & Recreation Commission membership from nine (9) members to seven (7) members. He recommended that Brent Bohlender be reappointed and Hannah Noonan be appointed to fill vacancies on the Parks, Arts & Recreation Commission for terms to expire on December 31, 2017. He indicated his desire to ultimately reduce the size of this commission from nine (9) members to seven (7) members.

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Jacob, reappointing Brent Bohlender and appointing Hannah Noonan to fill vacancies on the Parks, Arts & Recreation Commission for terms expiring December 31, 2017. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

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

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, appointing Mayor Soiseth as the City of Turlock’s representative to The Alliance. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

E. Mayor Soiseth noted that the request to appoint a representative to the Stanislaus County Economic Development Action Committee (EDAC) would be removed from the agenda.

F. Mayor Soiseth recommended that Councilmember DeHart be appointed as member, and Councilmember Jacob be appointed as alternate member, as the City of Turlock’s representatives to the League of California Cities, Central Valley Division, Executive Committee.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, appointing Councilmember DeHart as member and Councilmember Jacob as alternate member, as the City of Turlock’s representatives to the League of California Cities, Central Valley Division, Executive Committee. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

G. Mayor Soiseth recommended that he be appointed as member and Councilmember Bublak be reappointed as alternate member, as the City of Turlock’s representatives to the Regional Surface Water Supply Project Advisory Committee.

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Jacob, appointing Mayor Soiseth as member and Councilmember Bublak as alternate member, as the City of Turlock’s representatives to the Regional Surface Water Supply Project Advisory Committee. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- H. Mayor Soiseth recommended that he be appointed as member and Fire Chief Tim Lohman be appointed as alternate member, as the City of Turlock’s representatives to the City/County Disaster Council.

**Action:** Motion by Councilmember Nascimento, seconded by Councilmember DeHart, appointing Mayor Soiseth as member and Fire Chief Tim Lohman as alternate member, as the City of Turlock’s representatives to the City/County Disaster Council. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- I. Mayor Soiseth recommended that Councilmember Nascimento be appointed as member and Councilmember Jacob be appointed as alternate member, as the City of Turlock’s representatives to the San Joaquin Valley Air Pollution Control District Valley-Wide Special City Selection Committee.

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Jacob, appointing Councilmember Nascimento as member and Councilmember Jacob as alternate member, as the City of Turlock’s representative to the San Joaquin Valley Air Pollution Control District Valley-Wide Special City Selection Committee. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- J. Mayor Soiseth recommended that he be appointed as member and Councilmember DeHart be reappointed as member, as the City of Turlock’s representatives to the City of Turlock/Turlock Unified School District/California State University Stanislaus Joint Meeting Committee.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, appointing Mayor Soiseth as member and reappointing Councilmember DeHart as member, as the City of Turlock’s representatives to City of Turlock/Turlock Unified School District/California State University Stanislaus Joint Meeting Committee. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- K. Mayor Soiseth recommended that he be appointed as member and Councilmember Bublak be reappointed as alternate member, as the City of Turlock’s representatives to the East Stanislaus Regional Water Management Partnership (Management Group).

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Jacob, appointing Mayor Soiseth as member and reappointing Councilmember Bublak as alternate member, as the City of Turlock’s representatives to the East Stanislaus Regional Water Management Partnership (Management Group). Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

L. Mayor Soiseth recommended that he be appointed as the City of Turlock’s General Member representative to the Oversight Board to the Successor Agency to the Former Turlock Redevelopment Agency.

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Nascimento, appointing Mayor Soiseth as the City of Turlock’s General Member representative to the Oversight Board to the Successor Agency to the Former Turlock Redevelopment Agency. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

**3. A. SPECIAL BRIEFINGS:** None

**B. STAFF UPDATES**

1. Development Services Director Mike Pitcock provided an update on Capital Projects and Building Activity including the realignment of Diane Drive, Fulkerth Road overlay project, Colorado Avenue/East Main Street overlay project, and the Fosberg/Christoffersen Traffic Signal Project.
2. Police Chief Robert Jackson introduced Police Sgt. Neil Cervenka who provided an update on Traffic Activity including an overview of recent traffic fatalities, efforts to reduce vehicle accidents, and enforcement information.
3. Police Chief Robert Jackson introduced Crime Prevention Officer Michelle Backeroff who provided an update on the National Association of Town Watch Award Winners, including an overview of the 2014 National Night Out goals, activities, and awards. She also provided information on upcoming Crime Prevention activities, including upcoming citizen’s academies, rape aggression classes, and the Public Safety Open House.
4. Police Chief Robert Jackson introduced Police Captain Steve Williams who provided an update on a new mobile app for phones designed to enhance partnerships with community through consolidation of many sources into one convenient application, which contains information such as the daily activity log, crime maps, a direct dial directory for major units within the Police Department, Twitter, Facebook, alerts, online reporting, neighborhood issues, videos, Crime Stoppers, police report request information, and information on reporting probationers.

5. Municipal Services Director Michael Cooke provided an update on the impacts of the recent storm including amount of rain received, staff’s efforts to curtail localized flooding, road closures, coordination with Turlock Irrigation District to discharge storm water into their canal system, and possible plans to develop a storm collection system on Taylor with access to TID Lateral 3. Mr. Cooke thanked staff for their outstanding efforts and TID for allowing use of Lateral 4.

**C. PUBLIC PARTICIPATION:**

Alejandra Mendoza spoke against the new homeless shelter for reasons including the homeless causing issues such as “cussing out” local residents, defecating in public, littering, smoking, stealing fruit from resident’s trees, and nudity.

James Pegueros spoke regarding the homeless and availability of public restrooms, lack of staffing at the Public Safety Center, and the need to offer activities for Turlock teenagers.

“Robin” of Prodigal Sons & Daughters spoke regarding a youth mentoring program available to students that is overseen by adults who have been screened to provide mentoring services.

**4. A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATION:**

Councilmember Nascimento declared a conflict of interest regarding Consent Calendar Item 5G due to his wife’s employment with E & J Gallo Winery.

**B. DISCLOSURE OF EX PARTE COMMUNICATIONS**

1. Public Hearing Item 7A is a quasi-judicial proceeding. Council should disclose the following information if applicable
  - a. State for the public record the nature of the communication; and
  - b. With whom the ex parte communication was made; and
  - c. A brief statement as to the substance of the communication.

There were no disclosures of ex parte communications.

**5. CONSENT CALENDAR:**

Mayor Soiseth requested Consent Calendar Item 5G be removed from the Consent Calendar for separate consideration due to Councilmember Nascimento’s declared conflict of interest. Mayor Soiseth also noted greensheets to Items 5D and 5K.

**Action:** Motion by Councilmember Nascimento, seconded by Councilmember DeHart, to adopt the amended consent calendar. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- A. **Resolution No. 2015-001** Accepting Demands of 11/13/14 in the amount of \$816,186.05; Demands of 11/20/14 in the amount of \$1,256,300.98; Demands of 11/27/14 in the amount of \$1,549,501.84
- B. *Motion:* Accepting Minutes of Regular Meeting of December 9, 2014
- C. *Motion:* Approving Amendment No. 5 of Special Services Contract No. 10-824 for Economic & Planning Systems, Inc., to provide one (1) additional year of professional economic and planning consultant services for City Project No. 10-54, "Morgan Ranch Master Plan"
- D. *Motion:* Awarding an agreement in the amount of \$9,581 (Fund 305) with ASSA ABLOY, Elk Grove, California, for City Project No. 14-69, "Public Safety Facility - Door Replacement"
- E. *Motion:* Approving Amendment No. 1 to a retainer agreement with Economic & Planning Systems, Inc., (EPS) of Sacramento, CA, for economic planning and development fee services to allow for a maximum compensation of \$100,000
- F. *Motion:* Approving an agreement with Condor Earth Technologies, Inc., to provide environmental consulting services to assist with a 3-year compliance audit for the California Accidental Release Prevention (CalARP) Program for the Chlorine Facility at the City of Turlock Regional Water Quality Control Facility, in an amount not to exceed \$6,820, from Fund 410-51-530.43336 "CalARP Compliance Audit"
- G. *Removed for separate consideration.*
- H.
  1. *Motion:* Affirming the City Manager's action of signing and approving the purchase order for the purchase of firearms for Turlock Police Department with LC Action Police Supply for Fiscal Year 2014/15 and Approving the amended purchase price due to a sales tax calculation error for new firearms and related equipment including the trade-in of existing firearms with LC Action Police Supply of San Jose from \$36,254 to \$38,265.18 (difference of \$2,011.18)
  2. **Resolution No. 2015-002** Appropriating \$2,011.18 to account number 240-00-000-213.51153 "Police Services – Weapons" from Fund 240 "Small Equipment Replacement-Police Services" reserve balance for the purchase of new firearms and related equipment
- I. **Resolution No. 2015-003** Authorizing the Turlock Fire Department to apply for the Assistance to Firefighters Grant administered through the Federal Emergency Management Agency to purchase diesel exhaust removal systems for three (3) fire stations
- J. **Resolution No. 2015-004** Re-appropriating \$9,980 to account number 501-10-130.47095\_000 "IT Training" to be funded from unappropriated reserves in Fund 501 "Information Technology"
- K.
  1. *Motion:* Approving an agreement with Konica Minolta Business Solutions U.S.A., Inc. (KMBS-ECM) to upgrade the LibertyNET document management system to the Hyland OnBase Enterprise Content Management (ECM) Solution
  2. **Resolution No. 2015-005** Appropriating \$14,920 to account number 240-00-00-200.43226 "Document Imaging Conversion" from Fund 240 "Small Equipment Replacement-General Administration" reserve balance to upgrade the LibertyNET document management system to the Hyland OnBase Enterprise Content Management (ECM) Solution and \$3,400 to account number 501-10-130.47095\_000 "Training-General" from Fund 501 "Information Technology" reserve balance for system administrator training

Item 5G Request to accept a donation from E & J Gallo Winery in the amount of \$400 for the Police Explorer Program

**Action:**           **Resolution No. 2015-006** Accepting a donation from E & J Gallo Winery in the amount of \$400 for the Police Explorer Program was introduced by Councilmember DeHart, seconded by Councilmember Jacob, and carried 4/1 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Not Participating	Yes	Yes	Yes

6.       **FINAL READINGS:** None

7.       **PUBLIC HEARINGS**

A.       Fire Marshal Mark Gomez presented the staff report on the request for approval establishing a lien for payment for the abatement of certain weeds, obnoxious growth and other debris on property and abandoned vehicles that are a nuisance to the public. Mr. Gomez also provided an overview of the mission and processes of the Neighborhood Preservation Unit.

Mayor Soiseth opened the public hearing.

James Pegueros of 566 Florence Street spoke regarding people dumping garbage in his neighborhood.

Mayor Soiseth closed the public hearing.

**Action:**           **Resolution No. 2015-007** Assessing properties for abatement costs and establishing a lien for payment was introduced by Councilmember Bublak, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

B.       Development Services Director Mike Pitcock presented the staff report on the request to confirm the Benefit Assessment Report and levy assessments for the Parcel Map 14-02 (Doo) Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Subdivision Project No. 14-47.

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

**Action:**     **Resolution No. 2015-008** Confirming the Benefit Assessment Report and levying assessments for the Parcel Map 14-02 (Doo) Landscaping, Lighting, and Street Maintenance Benefit Assessment District, Subdivision Project No. 14-47 was introduced by Councilmember Bublak, seconded by Councilmember Nascimento, and carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

C. Mayor Soiseth requested Item 7C, a request to repeal and replace Turlock Municipal Code Title 9, Zoning Ordinance, in its entirety, be removed from the agenda due to identification of a potential defect in the process that, out of an abundance of caution, would be best resolved by referring the matter back to the Planning Commission. He also noted Councilmember DeHart’s request for additional information as the item is considered further.

**8. SCHEDULED MATTERS:**

A. Development Services Director Mike Pitcock presented the staff report on the request to accept a project status update on construction activities for Project 0804A, “Turlock Public Safety Facility – Off-Site Improvements,” and Project 0804B, “Turlock Public Safety Facility” and authorize the transfer of \$150,000 from Fund 305 CFF (Police) Reserve to account number 305-40-441.51270, “Construction Project.”

Mayor Soiseth asked for public comment. No one spoke. Mayor Soiseth closed public comment.

Council discussion included the timely use of RDA funding in relation to this project.

**Action:**     Motion by Councilmember Bublak, seconded by Councilmember DeHart, Accepting a project status update on construction activities for Project 0804A, “Turlock Public Safety Facility – Off-Site Improvements,” and Project 0804B, “Turlock Public Safety Facility.” Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

**Resolution No. 2015-009** Authorizing the transfer of \$150,000 from Fund 305 CFF (Police) Reserve to account number 305-40-441.51270, “Construction Project” was introduced by Councilmember Bublak, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- B. Police Captain Steve Williams presented the staff report on the request to authorize the approval and execution of an agreement between the City of Turlock and the California Department of Justice for data sharing through Smart Justice.

Council discussion included future fiscal liability for this program.

Mayor Soiseth asked for public comment. No one spoke. Mayor Soiseth closed public comment.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, Authorizing the approval and execution of an agreement between the City of Turlock and the California Department of Justice for data sharing through Smart Justice. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

*City Attorney Phaedra Norton advised that Councilmember Bublak would not participate in Item 8C due to her employment with the City of Modesto. Councilmember Bublak stepped down from the dais.*

- C. Police Chief Robert Jackson presented the staff report on the request to authorize the approval and execution of a Memorandum of Understanding between the City of Turlock Police Department, City of Ceres Police Department, City of Modesto Police Department, Stanislaus County Sheriff's Department, City of Oakdale Police Department, City of Newman Police Department, California State University – Stanislaus Police Department, and Stanislaus County Probation Department to work cooperatively to reduce alcohol related traffic collisions in Stanislaus County through the "Avoid the 12" Project # AL1520 MOU with the California Office of Traffic Safety.

Mayor Soiseth asked for public comment. No one spoke. Mayor Soiseth closed public comment.

**Action:** Motion by Councilmember Jacob, seconded by Councilmember Nascimento, Authorizing the approval and execution of a Memorandum of Understanding between the City of Turlock Police Department, City of Ceres Police Department, City of Modesto Police Department, Stanislaus County Sheriff's Department, City of Oakdale Police Department, City of Newman Police Department, California State University – Stanislaus Police Department, and Stanislaus County Probation Department to work cooperatively to reduce alcohol related traffic collisions in Stanislaus County through the "Avoid the 12" Project # AL1520 MOU with the California Office of Traffic Safety. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Not Participating	Yes	Yes

*Councilmember Bublak returned to the dais.*

- D. City Manager Roy Wasden presented the staff report on the request to adopt the 2015 City Council Meeting Schedule.

Mayor Soiseth spoke regarding the proposed special meetings and provided an overview of the items to be discussed at each workshop.

Mayor Soiseth asked for public comment. No one spoke. Mayor Soiseth closed public comment.

**Action:**            **Resolution No. 2015-010** Adopting the 2015 City Council Meeting Schedule was introduced by Councilmember DeHart, seconded by Councilmember Jacob, and carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

**9. COUNCIL ITEMS FOR FUTURE CONSIDERATION:**

Councilmember Jacob requested consideration for creation of a committee or the ability to work with staff to make improvements to the functionality of the City's website. City Manager Wasden noted that a staff driven task force was recently created and that the task force could report back to Council through Councilmember Jacob.

**10. COUNCIL COMMENTS:**

Councilmember Bublak commented on the recent announcement that the 4<sup>th</sup> of July Celebration will be returning to CSU Stanislaus. She thanked Dr. Sheley for his efforts in regard to this announcement.

Councilmember Nascimento commented on his "no" vote for the recommended appointments to the Planning Commission for reasons including his support for Elvis Dias, history of past appointments, and his concerns over possible perception issues regarding a link between campaign contributions and commission appointments. He asked that the Mayor be considerate of his concerns going forward and that he would like to discuss qualifications of candidates before they are appointed. Mayor Soiseth commented on his reasons for his recommendation that Eric Gonsalves and Steve Hallam be appointed as members, including their longstanding commitment to the Turlock community and lengthy experience.

Mayor Soiseth, in regard to the Strategic Plan discussion, encouraged all Councilmembers to examine where the city has been and where it is headed, to be prepared with edits and additions to the plan, and to work with directors and staff to be informed on topics of discussion before the workshop.

Mayor Soiseth congratulated all who were appointed to commissions and committees at tonight's meeting.

11. **CLOSED SESSION:**

City Attorney Phaedra 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 Case(s): (4 cases)

**Action:** No reportable action.

- 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 Negotiators: Roy W. Wasden/Dave Young

Employee Organization: Turlock Associated Police Officers

**Action:** No reportable action.

- C. **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: Turlock Associated Police Officers vs. City of Turlock

**Action:** No reportable action.

12. **ADJOURNMENT:**

Mayor Soiseth concluded the meeting by wishing newly appointed Vice Mayor Bublak a Happy Birthday.

Motion by Councilmember Bublak, seconded by Councilmember DeHart, to adjourn at 7:35 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Kellie E. Weaver  
City Clerk