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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 Soiseth.
ABSENT: None

B. SALUTE TO THE FLAG: Girl Scout Troop 3289 led the Salute to the American Flag.

2. **PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:** None

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

B. STAFF UPDATES

1. Municipal Services Director Michael Cooke provided a 2014 Water Use Report which included City of Turlock 2013-14 water production statistics, a historical perspective on water production, 2013-14 residential water use statistics, Turlock water usage comparisons to statewide averages, proposed ordinance changes related to conservation, and concerns over well production and declining groundwater levels.

C. PUBLIC PARTICIPATION

Vernon Price spoke regarding his appreciation to Mayor Soiseth for attending the U.S. Conference of Mayors meeting held in Washington, D.C., working together to provide for a better community, community policing recommendations, building community and police trust, the Homeless Challenge Project, and homeless voting rights.

Turlock Librarian Diane Bartlett provided an update on current programs including story times, crafts, Lego day, "One Thousand Books Before Kindergarten" program, teen programs, an adult book club, and an upcoming chocolate tasting event. Ms. Bartlett also spoke regarding the need for a new library facility due to limited space.

4. **A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None

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:

Councilmember DeHart requested that Item 5E be removed for separate consideration.

Action: Motion by Councilmember Bublak, seconded by Councilmember Nascimento, 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. 2015-011** Accepting Demands of 12/4/14 in the amount of \$978,504.89; Demands of 12/11/14 in the amount of \$784,263.70; Demands of 12/18/14 in the amount of \$1,697,478.65
- B. Motion: Accepting Minutes of Regular Meeting of January 13, 2015
- C. 1. Motion: Approving Contract Change Order No. 3 (Final) in the amount of \$3,613.67 (Fund 217) for City Project No. 12-45, "Monte Vista Avenue Rehabilitation," bringing the contract total to \$1,144,890.23
 2. Motion: Accepting improvements for City Project No. 10-65, "Rehabilitation of Golden State Boulevard and West Main Street," and authorizing the City Engineer to file a Notice of Completion
- D. Motion: Accepting improvements for City Project No. 14-41, "Rube Boesch Center HVAC Improvements," and authorizing the City Engineer to file a Notice of Completion
- E. *Removed for separate consideration.*
- F. Motion: Approving a Professional Services Agreement between the City of Turlock and Eler and Kalinowski, Inc. (EKI), for the preparation of a Treatment or Alternative Salinity Reduction Workplan for the Turlock Regional Water Quality Control Facility, in an amount not to exceed \$42,900, from Fund 410-51-530.43316 "NPDES Permit Studies"
- G. 1. Motion: Authorizing the City Manager to execute a software license agreement with Nitro Software, Inc., to renew an existing thirty-two (32) licenses in the amount of \$778.56 and purchasing sixteen (16) new user licenses in the amount of \$1,981.04
 2. **Resolution No. 2015-012** Authorizing the City Manager to initiate renewals annually with Nitro Software, Inc.
- H. **Resolution No. 2015-013** Appropriating \$1,500 to account number 266-20-255-350.44001_000 "Supplies-General" from Fund 266 "Police Services Grants-OTS Vehicle Impound" reserve balance for a software upgrade, equipment, radar calibration and supplies
- I. 1. Motion: Authorizing the City Manager to execute a maintenance agreement with NetMotion Wireless, to provide wireless connectivity maintenance on one hundred and two (102) devices for a period of three (3) years, effective June 27, 2014 to June 26, 2017, in an amount not to exceed \$9,168
 2. **Resolution No. 2015-014** Authorizing the City Manager to initiate renewals as necessary with NetMotion Wireless
- J. 1. Motion: Authorizing the City Manager to execute a maintenance agreement with Advanced Public Safety, to provide support and maintenance on thirteen (13) PocketCitation devices, used by the Turlock Police Department, in the amount of \$4,249.20
 2. **Resolution No. 2015-015** Authorizing the City Manager to initiate renewals annually with Advanced Public Safety
- K. **Resolution No. 2015-016** Rescinding Resolution No. 2007-242 and approving the use of facsimile signatures on specific accounts at Westamerica Bank

- L. **Resolution No. 2015-017** Rescinding Resolution No. 2011-108 and designating the authorized signatures for the City of Turlock bank accounts with Westamerica Bank
- M. **Resolution No. 2015-018** Approving an agreement appointing U.S. Bank National Association Dissemination Agent for the City of Turlock in connection with the Turlock Public Financing Authority, Sewer Revenue Bonds Series 2012
- N. Motion: Authorizing the City Manager to correct page 8 of the TMAPS Memorandum of Understanding Resolution No. 2014-165 adopted on 10/14/14
- O. **Resolution No. 2015-019** Rescinding Resolution No. 2014-164 and adopting a revised Memorandum of Understanding between the City of Turlock and Turlock City Employees Association (TCEA) covering the period July 1, 2014 through October 31, 2017 and adding Master's Degree Pay language to Section 10:05
- P. Motion: Rejecting Claim for Damages filed by Steven Singh

Items 5E Development Services Director Mike Pitcock presented the staff report on the request to approve a Transportation Development Act (TDA) claim for Non-Transit expenses for Fiscal Year 2014-15 in the amount of \$989,167 and adjusting the Projected Local Transportation Revenue in Fund 216 to current StanCOG estimates.

Council and staff discussion included clarification of funding and use of funding.

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

Action: **Resolution No. 2015-020** Approving a Transportation Development Act (TDA) claim for Non-Transit expenses for Fiscal Year 2014-15 in the amount of \$989,167 and adjusting the Projected Local Transportation Revenue in Fund 216 to current StanCOG estimates was introduced by Councilmember DeHart, seconded by Councilmember Bublak, and carried 5/0 by the following vote:

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

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

Action: **Resolution No. 2015-021** 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. *This item was continued from the November 18, 2014 City Council Meeting.*
 Request to establish a Trench Restoration Fund and Trench Restoration Fees in accordance with Turlock Municipal Code Title 7, Chapter 4, Article 2 and amend Turlock Municipal Code Title 7, Chapter 4, by adding Article 2 regarding excavations.

Council and staff discussion included clarification on fees, fines, and moratorium and warranty issues.

Mayor Soiseth opened the public hearing.

Milt Trieweiler spoke regarding recommended fees covering necessary repairs.

Mayor Soiseth closed the public hearing.

Additional Council discussion included allowing private developers to enter into warranty agreements and the inclusion of roadway cutting information being included in future capital project and building activity updates.

Action: Motion by Councilmember Bublak, seconded by Councilmember Nascimento, Amending Turlock Municipal Code Title 7, Chapter 4, by adding Article 2 regarding Excavations (with clarification language to be provided by the City Attorney to Section 7-4-207 related to providing Pavement and Concrete Life Performance Warranty agreement opportunities for developers other than public utility companies), and setting the final reading for February 10, 2015. Motion carried 5/0 by the following vote:

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

Mayor Soiseth advised the Resolution Establishing a Trench Restoration Fund and Trench Restoration Fees in accordance with Turlock Municipal Code Title 7, Chapter 4, Article 2, would be considered at the February 10, 2015 meeting following approval of the Ordinance.

8. SCHEDULED MATTERS:

- A. Accountant II Nadine Silva presented the staff report on the request to authorize the City Manager to enter into a contract for banking services with West America Bank for three (3) years through January 31, 2018, in an amount not to exceed \$216,000 per year.

Westamerica Bank Regional Vice-President Robert Baker spoke in favor of the agreement and thanked Council and staff for continuing the longstanding relationship with the City of Turlock.

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 City Manager to enter into a contract for banking services with West America Bank for three (3) years through January 31, 2018, in an amount not to exceed \$216,000 per year. Motion carried 5/0 by the following vote:

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

- B. Parks, Recreation & Public Facilities Director Allison Van Guilder presented the staff report on the request to adopt a policy prohibiting the use of tobacco, including vapor related products and electronic cigarettes in all public parks, facilities and adjacent public parking lots in the City of Turlock.

Girl Scout Troop 3289 spoke in support of the item and provided statistical information about the detriments of tobacco use.

Ken Fitzgerald of the Stanislaus County Office of Education spoke regarding the Smoke Free Initiative and in support of the prohibition of the use of tobacco in all public parks, facilities and adjacent public parking lots in the City of Turlock. Mr. Fitzgerald congratulated the Girl Scouts on their advocacy and leadership on the issue.

Council discussion included staffing considerations in regard to enforcement of the prohibition, signage being the main tool for education and enforcement, and trends of other cities related to banning e-cigarettes.

Mayor Soiseth asked for public comment.

Milt Trieweiler spoke in favor of the ban for reasons including the harmful chemicals that are contained in cigarettes.

Vernon Price spoke regarding accountability and responsibility in regard to smoking in public areas, the personal rights of smokers, and asked the Council to take both sides into consideration.

Mayor Soiseth closed public comment.

Additional Council discussion included the use of smokeless tobacco, concerns over infringing on an individual's right to use smokeless tobacco, and the importance of creating "community" and a safe space to enjoy City parks.

Action: **Resolution No. 2015-022** Adopting a policy prohibiting the use of tobacco, including vapor related products and electronic cigarettes in all public parks, public facilities and adjacent public parking lots in the City of Turlock 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

- C. Parks, Recreation & Public Facilities Director Allison Van Guilder presented the staff report on the request to approve the transfer of \$24,000 from account number 110-61-630.38001_004 "Transfer in from Fund 116 (PD) for Prevention Services" to account number 270-61-635-391.38001_004 "Transfer in from Fund 116 (PD) for Youth Prevention Programs" funded by the budgeted transfer of funds from Fund 116 "Special Public Safety" reserve balance for PAL youth prevention programs and activities.

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

Action: **Resolution No. 2015-023** Approving the transfer of \$24,000 from account number 110-61-630.38001_004 "Transfer in from Fund 116 (PD) for Prevention Services" to account number 270-61-635-391.38001_004 "Transfer in from Fund 116 (PD) for Youth Prevention Programs" funded by the budgeted transfer of funds from Fund 116 "Special Public Safety" reserve balance for PAL youth prevention programs and activities 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

- D. City Manager Roy Wasden presented the staff report on the request to receive the 2014-15 Mid-Year Budget Review and provided a budget format overview.

Mr. Wasden introduced Marie Lorenzi who provided information regarding General Fund Revenues for Fiscal Year End 2013-14, a comparison of 2013-14 General Fund Revenue with 2006-07 General Fund Revenue, and an overview of General Fund Revenue for the 2014-15 Fiscal Year Budget.

City Manager Roy Wasden presented the Fiscal Year 2014-15 General Fund Expenses for Administration, including that Administration is operating well within the projected budget. Mr. Wasden spoke regarding capital improvement budgeting and provided information on Non-General Fund budgets related to workers compensation, health care, and casualty insurance fund.

Police Chief Robert Jackson spoke regarding the Fiscal Year 2014-15 General Fund Expenses for Police and provided information about staffing, overtime expenses, building maintenance costs of the Public Safety Center, equipment purchases, employee cash-outs, and maintenance contract costs.

Fire Chief Tim Lohman spoke regarding the Fiscal Year 2014-15 General Fund Expenses for Neighborhood Services and Fire and provided information about salary savings in Neighborhood Services and fuel cost increases. Chief Lohman provided information regarding the Fire budget, including salaries and benefits, overtime costs for making up vacancies, and equipment purchases.

Parks, Recreation & Public Facility Director Allison Van Guilder spoke regarding the Fiscal Year 2014-15 General Fund Expenses for Parks, Recreation & Public Facilities, including that budget expenditures are on track with no major issues anticipated through the end of the fiscal year. Ms. Van Guilder also provided information about programs and services, and the Non-General Fund budget including City parks, sports facilities, gas tax funds, landscape assessment.

Municipal Services Director Michael Cooke spoke regarding the Fiscal Year 2014-15 General Fund Expenses for Municipal Services and provided information regarding integrated waste management, industrial water use being up due to economic development, cost saving efforts, debt repayment, future budgetary concerns over water treatment costs, completed and future capital projects, and the Fleet Maintenance budget.

Development Services Director Mike Pitcock spoke regarding the Fiscal Year 2014-15 General Fund Expenses for Development Services and provided information about staffing levels and his plan for a future request to hire an additional full-time employee to keep the front counter open on a full-time basis. Mr. Pitcock provided an overview of the Planning, Engineering and Building Department budgets and plans to being repayment of General Fund debt.

Assistant to the City Manager for Economic Development and Housing Program Services spoke regarding the Fiscal Year 2014-15 General Fund Expenses for Housing Services and provided information about their high level of federal funding and management of Federal and State programs. Ms. Pitt spoke regarding issues related to administrative fees, expenditure timeliness deadlines, and provided an overview of Housing programs and services.

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

Mayor Soiseth announced his intention of appointing two members of the City Council to a budget subcommittee to complete a line-by-line review of the budget. Mayor Soiseth noted that subcommittee appointments will be made at the February 10, 2015 meeting and that the meetings will be open to the public.

Action: Motion by Councilmember Nascimento, seconded by Councilmember DeHart, Receiving the 2014-15 Mid-Year Budget Review. Motion 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 Bublak requested future consideration for discussion of the use of police resources regarding aggressive panhandling activities in Turlock.

Mayor Soiseth requested future consideration that as the budget is examined throughout the upcoming workshops, that Council and staff be critical of every line item expenditure, including the competitiveness of contracts. He advised that at the next meeting he will bring forward an agenda item to begin the 90-day process for termination of the current Convention & Visitors Bureau contract and provide direction to staff to begin the request for proposal (RPF) process to initiate a new contract for those services.

10. COUNCIL COMMENTS:

Councilmember Bublak commented on the recent "Best of Turlock" event, including that it was an amazing and humbling event. Councilmember Bublak also noted her attendance at the 1st Valley Hackathon that highlighted high quality programmers from the Central Valley.

Mayor Soiseth spoke regarding his attendance at the recent U.S. Conference of Mayors Winter Meeting and the activities in which he participated, including lectures and seminars designed to make cities more livable, his appointments to the Community & Housing, the Water Council, and the Task Force on Veterans Affairs standing committees, meeting with U.S. Congressman Jeff Denham. Mayor Soiseth noted he will be attending the next U.S. Conference of Mayors Annual Meeting in San Francisco, California, in June 2015.

Mayor Soiseth also commented that he will be giving four different State of the City messages, including addresses to City staff on February 12, 2015 at 7:00 a.m., Covenant Village on February 12, 2015 at 6:00 p.m., Turlock Joint Noon on February 17, 2015, and at the annual Chamber Membership Breakfast on February 18, 2015, at 7:30 a.m.

11. CLOSED SESSION: None

12. ADJOURNMENT:

Motion by Councilmember Bublak, seconded by Councilmember Jacob, to adjourn at 8:51 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk