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1. **A. CALL TO ORDER** – Mayor Soiseth called the meeting to order at 6:04 p.m.
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Matthew Jacob, Steven Nascimento, and Mayor Gary Soiseth.
ABSENT: None
 - B. SALUTE TO THE FLAG:** Girls Scouts Troop 1731 led the Pledge of Allegiance to the United States Flag.

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

Mayor Soiseth handled Item 2C out of order.

- C. Girl Scout Troop 1731 presented information about their community service project in support of water conservation, shared methods and efforts for conserving water, and noted their slogans are “use water wisely” and “wasting is hating”.
- A. Mayor Soiseth presented a Proclamation to Turlock Fire Captain Frank Saldivar in recognition of Turlock Fire Department’s support for Breast Cancer Awareness Month, October 2016. Captain Saldivar spoke about the success of their 5-year campaign, assistance provided to others through funds raised, goal of bringing awareness to the community, and honoring those with cancer. Captain Saldivar also thanked Emanuel Hospital staff for their support and efforts.
- B. Mayor Soiseth presented a Certificate of Recognition to Million Acts of Kindness award recipient Michael Lopes for his generous spirit, selfless acts, and commitment to making a difference in the lives of others. Michael Lopes thanked the Mayor and Council for the recognition and spoke about the bloodless bullfighting group’s fundraising efforts to assist a local child battling cancer including an upcoming blood drive on October 1, 2016 from 9:00 a.m. to 2:00 p.m. to be held at Jams@209, being registered as a non-profit organization, and the importance of giving back to the community. Juan Vargas spoke about Mr. Lopes and the bullfighting group’s efforts in helping others and giving back to the community.
- D. Medic Alert was unable to be present at tonight’s meeting.
- E. Kendall Flint, Regional Government Services Authority and Mike Pitcock, Development Services Director presented information about the Measure L Transportation Tax including background of the proposed sales tax, 100% of the money staying local, proposed expenditure plans for Turlock, Modesto, and Stanislaus County, safeguards, and a 25-year sunset date for the measure.

Council, staff, and Ms. Flint discussed differences between Turlock, Modesto, and Stanislaus County expenditure plans/projects and clarified that arterials and collectors are local roads.

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

3. A. SPECIAL BRIEFINGS:

1. CALIFORNIA STATE UNIVERSITY STANISLAUS

Noriel Mostajo, CSUS Student Government Relations Coordinator provided post event updates for Warriors Explore Downtown and Stan Fest Community Carnival events, thanked the Mayor for continued efforts in improving relationships with CSUS and the City, and recognized today as National Voter Registration Day.

B. STAFF UPDATES

1. Fire Chief Robert Talloni provided an update on the Fire Department Training Grounds and Installation of Exhaust Removal Equipment projects including progress of construction plans and bid processes/timelines.
2. Parks, Recreation and Public Facilities Director Allison Van Guilder provided an update on City Landscape Irrigation Conservation Efforts including challenges with inefficient and outdated irrigation systems, citizen concerns regarding watering parks and public facilities during off times, and the importance of taking a more comprehensive approach to evaluate and potentially upgrade to newer systems that promote more efficient water use and conservation.

Council and staff discussion included inquiries regarding park maintenance during the drought and methods for receiving/soliciting creative ideas from the community relative to water conservation and park maintenance.

Milt Trieweller inquired about the type of water used to irrigate Donnelly Park.

An unidentified member of the public asked about logistical obstacles and the City's approach with using non-potable water.

3. Acting Police Chief Nino Amirfar and Animal Control Supervisor Glenna Jackson provided information about adoption fees sponsored by Turlock Management Association – Public Safety (TMAPS), the “Pet of the Month” Pet No. 9-34, a recently hired Animal Control Officer to assist with education and enforcement, October being Pet License Amnesty Month, and contact information, location, and hours of the Turlock Animal Shelter.
4. Acting Police Chief Nino Amirfar provided an update on crime trends in Turlock (year-to-date) including top 3 calls for service and top 3 crimes, increase and decrease in crimes, new projects such as the tip line, community meetings, and weekly crime reports, social media communication, proactive patrol to address safety concerns and quality of life issues, and special deployment efforts resulting in multiple arrests, recovery of numerous weapons, and addressing gang and drug related issues. Chief Amirfar also recognized Police Department staff for their diligent efforts in compiling information for this update.

Council and staff discussion included appreciation for the Police Department in providing a comprehensive report, their efforts to organize skate park community meetings, and the differences between theft and burglary crimes.

C. PUBLIC PARTICIPATION: None

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

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, to waive reading of all ordinances on the agenda, except by title. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	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:

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, to adopt the 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. 2016-226** Accepting Demands of 8/18/16 in the amount of \$789,031.64; Demands of 8/25/16 in the amount of \$1,312,497.87; Demands of 9/1/16 in the amount of \$99,159.08; Demands of 6/30/16 in the amount of \$1,101,154.28
- B. *Motion:* Accepting Minutes of Special Meeting of August 30, 2016; Minutes of Regular Meeting of September 13, 2016
- C. *Motion:* Approving a Subordination Agreement between Mildred R. Sweeten and the City of Turlock, in lieu of calling the lien on the property at 917 Ninth Street (APN 043-008-040), requiring the installation of frontage improvements
- D.
 - 1. **Resolution No. 2016-227** Determining the Fiscal Impact Analysis being prepared by Economic Planning Systems, re-examining the existing Public Service Mitigation Fee (Community Facilities District #2), is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15262 (Feasibility and Planning Studies) and/or Section 15273 (Rates, Tolls, Fares, and Charges)
 - 2. **Resolution No. 2016-228** Re-appropriating unspent funds of \$9,609 from Fiscal Year 2015-16 to account number 110-10-112.43060_008 "Contract Services Public Service Mitigation Fee CFD #2" from Fund 110 "General Fund" reserve balance to prepare a Fiscal Impact Analysis, re-examining the existing Public Service Mitigation Fee (Community Facilities District #2)
- E. *Motion:* Awarding RFP No. 16-355 and Contract No. 16-080 to Interstate Sales of Auburn, California, for traffic line paint, pavement markers, and miscellaneous supplies for the Parks, Recreation and Public Facilities Department, in an annual amount not to exceed \$40,000, having met all the specifications of the RFP No. 16-355 and being the lowest responsive and responsible bidder pursuant to Turlock Municipal Code Section 2-7-09(c)(5)
- F. **Resolution No. 2016-229** Appropriating \$3,500 to account number 110-61-624-073.44055 "Recreation Supplies" from Fund 110 "General Fund" reserve balance to provide funds for supplies to facilitate the flag football program

- G. **Resolution No. 2016-230** Appropriating \$2,235 to account number 120-10-120.44164 "Pedretti Park Sign" from Fund 120 "Tourism" reserve balance for the production and installation of a Welcome to Turlock sign at Pedretti Park
- H. 1. *Motion*: Approving the purchase of two (2) 2017 ¾ Ton Regular Cab 2WD Pickup Trucks with Utility Body, one (1) 2017 F-150 Regular Cab 2WD Longbed Pickup Truck, and one (1) 2017 F-150 Regular Cab 2WD Shortbed Pickup Truck for the Municipal Services Department from Downtown Ford Sales of Sacramento, California, through the State of California Contract No. 1-16-23-20A, in an amount not to exceed \$121,768, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5)
2. **Resolution No. 2016-231** Re-appropriating \$29,997 in unexpended 2015-16 funds to account number 506-00-000-223.51020 "Water Enterprise - Equipment Replacement" for the purchase of two (2) 2017 ¾ Ton Regular Cab 2WD Pickup Trucks with Utility Body from Downtown Ford Sales of Sacramento, California
- I. *Motion*: Approving Amendment No. 2 to an Agreement between the City of Turlock and Geoanalytical Laboratories for laboratory analysis services, increasing the compensation to an annual amount of \$137,000 during the term of the existing contract
- J. 1. **Resolution No. 2016-232** Approving modifications to the job classification for the position of Executive Administrative Assistant/Deputy City Clerk, effective October 1, 2016
2. **Resolution No. 2016-233** Approving a second amendment to the salary schedule of the existing Confidential Schedule of Benefit Plans and Policies, adopted by Resolution No. 2014-166 on October 14, 2014, and amended by Resolution No. 2016-157 on June 28, 2016, to update the schedule to include the modified Executive Administrative Assistant/Deputy City Clerk job classification and salary range and the addition of Office Assistant I/II job classifications and salary ranges
- K. 1. **Resolution No. 2016-234** Approving modifications to the job description for the position of Senior Lab Analyst, effective September 27, 2016
2. **Resolution No. 2016-235** Approving modifications to the job description for the position of Lab Analyst I/II, effective September 27, 2016
3. **Resolution No. 2016-236** Approving modifications to the job description for the position of Environmental Compliance Inspector, effective September 27, 2016
4. **Resolution No. 2016-237** Approving modifications to the job description for the position of Office Assistant I, effective September 27, 2016
5. **Resolution No. 2016-238** Approving modifications to the job description for the position of Office Assistant II, effective September 27, 2016
6. **Resolution No. 2016-239** Approving modifications to the job description for the position of Public Safety Communications Supervisor, effective September 27, 2016
- L. **Resolution No. 2016-240** Accepting the filing of the 2016 Local Agency Biennial Notice indicating no amendments are required to the Conflict of Interest Code for the Successor Agency to the Turlock Redevelopment Agency

6. FINAL READINGS:

- A. **Ordinance No. 1225-CS** Amending Turlock Municipal Code Title 6, Chapter 3, Article 1, Section 01 entitled Garbage, Rubbish, and Organic Refuse to reflect correct fees/charges for property related solid waste services adopted by the City Council on October 27, 2015, as a result of a Proposition 218 process, as introduced at the September 13, 2016 meeting was passed and adopted, 5/0 by the following vote:

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

7. PUBLIC HEARINGS

- A. Community Housing Program Supervisor Maria Ramos presented the staff report on the request to approve the Fiscal Year 2015-2016 Draft Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME), authorize submission of the CAPER to the United States Department of Housing and Urban Development (HUD), and authorize the Mayor, City Manager or designee to execute related necessary documents.

Councilmember Jacob stepped down from the dais at 7:22 p.m.

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

Action: Motion by Councilmember DeHart, seconded by Councilmember Nascimento, Approving the Fiscal Year 2015-2016 Draft Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME), authorizing submission of the CAPER to the United States Department of Housing and Urban Development (HUD), and authorizing the Mayor, City Manager, or designee to execute related necessary documents. Motion carried 4/1 by the following vote:

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

Councilmember Jacob returned to the dais at 7:25 p.m.

8. SCHEDULED MATTERS:

Mayor Soiseth stepped down from the dais for this item noting his professional relationship with Modesto Irrigation District and turned the meeting over to Vice Mayor Bublak.

- A. Municipal Services Director Michael Cooke presented the staff report on the request to state the Turlock City Council's opposition to the Draft Substitute Environmental Document (SED) released by the State Water Resources Control Board in support of updating the Bay-Delta Water Quality Control Plan.

Director Cooke introduced Michelle Reimers of Turlock Irrigation District who spoke about the negative impacts of the Draft SED, alternative solutions, public outreach efforts to promote educational awareness, their joint “Worth Your Fight” campaign with Modesto Irrigation District, and upcoming hearings.

Council, staff, and Ms. Reimers discussed inquiries about the types and/or validity of studies performed, clarification the Draft SED was developed by a regulatory body appointed by the Governor and not a piece of legislation, potential impacts this could have on the Water Sales Agreement between the City and TID, and additional information about upcoming hearings.

Milt Trieweiler spoke about the importance of this subject matter, analyzing the issue in a complete manner, and consideration for farmers, fishing industries, and people in Southern California.

Vice Mayor Bublak closed public comment.

Additional Council discussion included the responsibility as elected officials to protect the best interest of the City of Turlock, importance of advocating for the community, concerns about not employing science in predation control, and the negative impacts this would have on the Surface Water Supply Project.

Action: **Resolution No. 2016-241** Stating the Turlock City Council’s opposition to the Draft Substitute Environmental Document (SED) released by the State Water Resources Control Board in support of updating the Bay-Delta Water Quality Control Plan as introduced by Councilmember Nascimento, seconded by Councilmember DeHart, and carried 4/1 by the following vote:

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

- B. Principal Civil Engineer Nathan Bray presented the staff report on the request to determine City Project No. 15-57 "Broadway Parking Lot Reconstruction" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines; award bid and approve an Agreement, in the amount of \$334,941.30 (Fund 305), with MHK Construction, Inc. of Denair, California, for City Project No. 15-57 "Broadway Parking Lot Reconstruction"; re-appropriate \$297,900 to account number 305-40-442.51307 “129 S. Broadway Parking Lot” to be funded from unexpended Fiscal Year 2015-16 Fund 305 “Capital Facility Fees” and appropriating \$111,800 to account number 305-40-422.51307 “129 S. Broadway Parking Lot” to be funded from Fund 305 “Capital Facility Fee” reserves for City Project No. 15-57 “Broadway Parking Lot Reconstruction” to complete the necessary funding required for this project.

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

Council and staff discussion included clarification regarding project/construction costs, contingencies, and contract change orders.

Action: **Resolution No. 2016-242** Determining City Project No. 15-57 "Broadway Parking Lot Reconstruction" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines as 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

Motion by Councilmember Jacob, seconded by Councilmember DeHart, Awarding bid and approving an Agreement, in the amount of \$334,941.30 (Fund 305), with MHK Construction, Inc. of Denair, California, for City Project No. 15-57 "Broadway Parking Lot Reconstruction". 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. 2016-243 Re-appropriating \$297,900 to account number 305-40-442.51307 "129 S. Broadway Parking Lot" to be funded from unexpended Fiscal Year 2015-16 Fund 305 "Capital Facility Fees" and appropriating \$111,800 to account number 305-40-422.51307 "129 S. Broadway Parking Lot" to be funded from Fund 305 "Capital Facility Fee" reserves for City Project No. 15-57 "Broadway Parking Lot Reconstruction" to complete the necessary funding required for this project as introduced by Councilmember Jacob, 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

Councilmember Nascimento stepped down from the dais at 7:53 p.m.

Councilmember Nascimento returned to the dais at 7:55 p.m.

- C. Principal Civil Engineer Nathan Bray presented the staff report on the request to determine City Project No. 16-63 "Local Road Improvements - Slurry Seals" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Existing Facilities) of the CEQA Guidelines; award bid and approve an Agreement, in the amount of \$107,305.72 (Fund 217), with California Pavement Maintenance, Inc. of Sacramento, California, for City Project No. 16-63 "Local Road Improvements - Slurry Seals"; appropriate \$118,036.29 to account number 217-50-511.51270 "Construction Project" to be funded from Fund 217 "Section 2103 Gas Tax" reserves for City Project No. 16-63 "Local Road Improvements – Slurry Seals" to complete the necessary funding required for this project.

Council and staff discussion included constituent concerns regarding flooding in older streets, clarification that roads selected for this project are in good condition, and explanation of the slurry seal application and curing processes.

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

Additional Council discussion included appreciation for staff for their expeditious efforts with this project.

Action: **Resolution No. 2016-244** Determining City Project No. 16-63 "Local Road Improvements - Slurry Seals" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Existing Facilities) of the CEQA Guidelines as introduced by Councilmember Bublak, 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

Motion by Councilmember DeHart, seconded by Councilmember Nascimento, Awarding bid and approving an Agreement, in the amount of \$107,305.72 (Fund 217), with California Pavement Maintenance, Inc. of Sacramento, California, for City Project No. 16-63 "Local Road Improvements - Slurry Seals". 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. 2016-245 Appropriating \$118,036.29 to account number 217-50-511.51270 "Construction Project" to be funded from Fund 217 "Section 2103 Gas Tax" reserves for City Project No. 16-63 "Local Road Improvements – Slurry Seals" to complete the necessary funding required for this project as introduced by Councilmember DeHart, 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

- D.** Parks, Recreation and Public Facilities Director Allison Van Guilder presented the staff report on the request to reaffirm Resolution No. 2016-199 to determine the closure of portions of Canal Drive, Main Street, Center Street, Crane Avenue, and Minaret Avenue, for Turlock High School to host the Turlock High School Homecoming Parade, 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; rescind Resolution No. 2016-200 and adopt a new Resolution to authorize the closure of portions of Canal Drive, Main Street, Center Street, Crane Avenue, and Minaret Avenue for pedestrian safety, for Turlock High School to host the Turlock High School Homecoming Parade, on Friday, October 28, 2016 from 3:00 p.m. to 4:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure.

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

Action: **Resolution No. 2016-246** Reaffirming Resolution No. 2016-199 determining the closure of portions of Canal Drive, Main Street, Center Street, Crane Avenue, and Minaret Avenue, for Turlock High School to host the Turlock High School Homecoming Parade, 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 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

Resolution No. 2016-247 Rescinding Resolution No. 2016-200 and adopting a new Resolution authorizing the closure of portions of Canal Drive, Main Street, Center Street, Crane Avenue, and Minaret Avenue for pedestrian safety, for Turlock High School to host the Turlock High School Homecoming Parade, on Friday, October 28, 2016 from 3:00 p.m. to 4:00 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 Nascimento, and carried 5/0 by the following vote:

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

9. NON-AGENDA ITEMS: None

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION: None

11. COUNCIL COMMENTS:

Councilmember Dehart noted his and Councilmember Jacob's attendance at the upcoming League of California Cities Annual Conference in Long Beach, California.

Councilmember Bublak provided a reminder about the upcoming blood drive on October 1, 2016.

12. 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): (2 cases)

Action: No reportable action.

13. ADJOURNMENT:

Motion by Councilmember Nascimento, seconded by Councilmember DeHart, to adjourn the open session of the regular meeting at 8:11 p.m. Motion carried unanimously.

Motion by Councilmember Jacob, seconded by Councilmember DeHart, to adjourn the closed session of the regular meeting at 8:45 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
Deputy City Clerk