

1. **A. CALL TO ORDER** – Mayor Soiseth called the meeting to order at 6:03 p.m.
PRESENT: Councilmembers Gil Esquer, Bill DeHart, Amy Bublak, Matthew Jacob (*arrived at 6:21 p.m.*) 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 Electrical Mechanical Maintenance Supervisor Rob Winters as the City of Turlock Employee of the Month – October 2017 award winner for his dedication, professionalism, and service with a smile. Supervisor Winters spoke about his appreciation of staff and them being a reflection of who we are and what we do, thanked Allison Martin for this nomination, noted he has a lot of great memories working for the City, and stated he comes to work every day to try make to someone happy.

 - B. Mayor Soiseth issued a Proclamation to Sikh Coalition Member Jaydeep Singh and other members of the Sikh community in recognition of California Sikh Awareness & Appreciation Month - November 2017. Jaydeep Singh thanked the Council, the Mayor, and the citizens of this great City for recognizing the contributions of Sikh Americans who have called Turlock home for over 70 years and spoke about the journey of the Sikh American story. Members of the Sikh community thanked the Mayor and the Council for this honor, spoke about the Sikh's past, continued growth, the importance of coming together as a community, the misconception of wearing turbans, there being enough room for everyone in this great nation, and great achievements of recognizing Sikhs as contributors of the City, thanked the Mayor, the City, and the Chief for their efforts in keeping them safe, and requested the Council and the Mayor recognize June 1984 as a Sikh Genocide Day.

 - C. Mayor Soiseth issued a Proclamation to Turlock Downtown Business Owners Jennifer Jensen and Lori Smith and Parks, Recreation and Public Facilities Director Allison Van Guilder in recognition of the 1,000 Flags Initiative and expressed gratitude to the community for helping reach this goal. Dr. Ram Saini requested a standing ovation for Mayor Soiseth and his efforts. Director Van Guilder spoke about what an honor it is to be part of this initiative and expressed gratitude to the community and City staff for their support and efforts. Jennifer Jensen and Lori Smith spoke about displaying their flag every day, their efforts of promoting and encouraging others to display their flags in the downtown, and noted they love Turlock and the USA.

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

B. PUBLIC PARTICIPATION:

Brad Bates spoke about being a lifelong resident of Turlock and a former Mayor, his attendance over the last three years to speak to the City Council regarding several community issues and the results being unacceptable, stated he has chosen to pursue an alternate path to seek changes that he and others in the community seek, announced that he will be a candidate for Mayor in the next general election, noted his intention to announce a more traditional campaign launch in the next few weeks, and provided his contact information.

Frank Johnson spoke about it being an honor to be part of a ceremony/meeting/gathering that is opened with a prayer, Turlock being in the Guinness Book of World Records based on religion, his attendance at a previous meeting of which the Mayor offered to meet with him and at that same meeting the Mayor having displayed language toward a Councilwoman that defies what the City stands for, no apologies having been made, his disappointment toward the men that sit on the dais seat, and noted he will not meet with the Mayor until there is a significant change to his status quo.

Ryan Schambers presented pictures from an art gallery at CSU Stanislaus, expressed opposition to this type of art due to it being controversial and potentially creating racial divide and tension, and stated he does not want to see this type of art within the City.

Angela Mineni shared stories about her family history, expressed opposition to the art exhibit at CSU Stanislaus, and spoke about Turlock being a great place, her belief that the College needs to be looked at, and this type of art being unacceptable to the public and a discredit to Veterans.

David Fransen spoke regarding policy setting of the City Council including Council comments during public participation, process for placing matters on the agenda, agenda posting timelines, decisions being made without sufficient information or answers, Council appointments and potential Brown Act violations, alleged Brown Act Violations for other matters, road tax mailer in 2014, political action with a government, and how laws are followed through.

Mayor Soiseth requested the Acting City Attorney to provide information about public participation. Outside Legal Counsel Sky Woodruff provided information about the public comment portion of the agenda as it pertains to the Brown Act.

Ricardo Perez spoke about traffic safety concerns near Osborn School and proposed the installation of stationary delineator posts similar to those installed at the front of the school.

Mayor Soiseth requested Interim Development Services Director Eric Picciano to follow up with Mr. Perez.

Stanislaus County Turlock Public Library Supervising Librarian Diane Bartlett spoke about the recent approval of the extension of funding for the library, thanked members of the community for investing in the library, and provided information about upcoming events and activities at the library.

Ron Hillberg spoke about agenda item 5D regarding ADA compliance, his long standing concerns with detectable warnings (truncated domes) including them not being helpful to the blind and on occasion even dangerous, his opportunity as an Attorney to work with many senior citizens and others with mobility issues, safety hazards created by these domes, and requested Council to ask staff to do everything they can to end the use of these domes.

Mayor Soiseth noted agenda item 5D will be removed from the Consent Calendar and addressed as a Scheduled Matters item.

Mayor Soiseth invited Mr. Vincent to the podium, presented him with a copy of the Proclamation for the 1,000 Flags Initiative, and thanked him for turning his negative experience into something positive for the community. Mr. Vincent thanked the Council and the Mayor, spoke about the experience of his flag being burned, and stated he would like to see the City get another 1,000 flags to show we are a patriotic town and love our City and Country.

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

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

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 Item 5D would be removed from the Consent Calendar and heard under Scheduled Matters and requested Councilmember DeHart indicate the items he would like removed for separate consideration. Councilmember DeHart requested Consent Calendar Items 5C, 5F, 5Q, 5R, 5S, 5AD, and 5AE be removed for separate consideration. Councilmember Bublak requested Consent Calendar Item 5E be removed for separate consideration.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, adopting 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. 2017-280:** Accepting Weekly Demands of 9/14/17 in the amount of \$708,956.56, Weekly Demands of 9/21/17 in the amount of \$1,044,863.54, Weekly Demands of 9/28/17 in the amount of \$1,160,159.18, Weekly Demands of 10/5/17 in the amount of \$852,553.02, Weekly Demands of 10/12/17 in the amount of \$527,367.52, Monthly Demands of 6/30/17 in the amount of \$1,616,919.88
- B. **Motion:** Accepting Minutes of Special Meeting of September 26, 2017; Accepting Minutes of Regular Meeting of September 26, 2017
- C. *Removed for separate consideration.*
- D. *Moved to Scheduled Matters.*
- E. *Removed for separate consideration.*
- F. *Removed for separate consideration.*

- G. **Resolution No. 2017-281**: Determining City Project No. 17-58 “Safe Route to Schools Americans with Disabilities Act Pedestrian Improvements at Various Locations” is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15332 (In-Fill Development Projects) of the CEQA Guidelines
- H. **Resolution No. 2017-282**: Initiating Proceedings for the formation of the Monte Verde subdivision (Development Project No. 14-21) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area and directing the Senior Civil Engineer to act as the Engineer of Work and produce an Engineer’s Report which details the annual costs to the development
- I. **Resolution No. 2017-283**: Initiating Proceedings for the formation of The Fairbanks Ranch subdivision (Development Project No. 14-73) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area and directing the Senior Civil Engineer to act as the Engineer of Work and produce an Engineer’s Report which details the annual costs to the development
- J. **Resolution No. 2017-284**: Initiating Proceedings for the formation of the Les Chateaux subdivision (Development Project No. 14-76) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area and directing the Senior Civil Engineer to act as the Engineer of Work and produce an Engineer’s Report which details the annual costs to the development
- K. **Resolution No. 2017-285**: Rescinding Resolution No. 2016-166 and adopting a new Resolution authorizing the Mayor, City Manager, or Development Services Director to sign all documents, applications, assurances, and statements in regard to any and all Federal Highway Administration, Federal Transit Administration, or any other federally-funded or state-funded projects
- L. **Motion**: Approving Amendment No. 3 to an Agreement with Tyler Technologies, Inc. for the purchase of the myCommunity Server and myInspections software including implementation and migration services, increasing the total compensation by \$41,292
- M. **Resolution No. 2017-286**: Approving the purchase of one (1) 2017 Toro Groundsmaster 3280D Turf Mower from Turfstar for the Parks, Recreation and Public Facilities Department through the CMAS Contract No. 4-07-51-0020A, in the amount not to exceed \$26,442, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5)
- N.
 1. **Motion**: Approving Amendment No. 1 to an Agreement with Community Pass of Ridgewood, New Jersey for Parks and Recreation Management Software System, amending the scope of services
 2. **Resolution No. 2017-287**: Appropriating \$6,900 to account number 110-61-620.44010_009 “Computer Recreation Management Software Maintenance” to be funded from Fund 110 unallocated reserves designated for Recreation Equipment to provide funds for the purchase of hardware and services for the Parks and Recreation Management Software System
- O. **Motion**: Adopting the Turlock Municipal Airport updated Airport Layout Plan regarding future development at the airport
- P.
 1. **Resolution No. 2017-288**: Determining the closure of Main Street, between Palm Street and Market Street, while allowing cross traffic on Golden State Boulevard to continue, for the Turlock Downtown Property Owners Association in partnership with the City of Turlock to host the 19th Annual Festival of Lights, 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

2. **Resolution No. 2017-289**: Approving a Special Event Permit Application for the 19th Annual Festival of Lights hosted by the Turlock Downtown Property Owners Association in partnership with the City of Turlock, authorizing the associated closure of Main Street, between Palm Street and Market Street for pedestrian safety, while allowing cross traffic on Golden State Boulevard to continue, on Friday, November 24, 2017 from 2:00 p.m. to 10:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure
- Q. *Removed for separate consideration.*
- R. *Removed for separate consideration.*
- S. *Removed for separate consideration.*
- T. 1. **Resolution No. 2017-290**: Approving the purchase of one (1) new truck-mounted Single Turner Valve Maintenance Skid for the Municipal Services Department, Utility Maintenance Division from E.H. Wachs, in an amount not to exceed \$65,992, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(2)
2. **Resolution No. 2017-291**: Re-appropriating unspent funds of \$65,992 from Fiscal Year 2016-17 to account number 506-00-000-223.51020 "Equipment Replacement" funded by a transfer from Fund 420 "Water" unallocated reserves for the purchase of a truck-mounted Single Turner Valve Maintenance Skid for the Municipal Services Department from E.H. Wachs
- U. **Motion**: Approving an Agreement between the City of Turlock and Aqua-Aerobic Systems, Inc. for tertiary filter media, parts, and services at the Turlock Regional Water Quality Control Facility, in an annual amount of \$90,000, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Sections 2-7-08(b)(2) and 2-7-08(b)(3)
- V. **Resolution No. 2017-292**: Appropriating \$160,000 to account number 416-51-540.43361 "North Valley Regional Recycling Water Project Implementation Support" funded by a transfer from Fund 410 "Water Quality Control" unallocated reserves for the North Valley Regional Recycled Water Project (NVRWP) with Del Puerto Water District
- W. **Resolution No. 2017-293**: Re-appropriating unspent funds of \$58,739 from Fiscal Year 2016-17 to account number 410-51-534.51322 "Sewer Lateral Camera" funded by a transfer from Fund 410 "Water Quality Control" unallocated reserves for the purchase of a sewer lateral inspection system, GEN 2 Dual X-BOB, including three (3) types of cameras, six (6) wheel drive vehicle, controllers, cables, miscellaneous parts, and labor from 3T Equipment Company, Inc.
- X. **Resolution No. 2017-294**: Authorizing the form of and the execution and delivery of a construction installment sale agreement and grant with the State Water Resources Control Board for the North Valley Regional Recycled Water Program and approving certain actions in connection therewith
- Y. **Motion**: Approving an Agreement between the City of Turlock and McCann Associates for written examination test rentals in the recruitment, promotional, and hiring process for the Fire Department
- Z. **Resolution No. 2017-295**: Appropriating \$38,000 to 266-20-255-362.47095_000 "Training", \$21,815 to 266-20-255-362.41100_001 "Overtime", \$978 to 266-20-255-362.42007 "Workers Comp", and \$316 to 266-20-255-362.42010 "Medicare" from Fund 266 "Police Services Grant-Realignment" unallocated reserves for Crisis Intervention Team training
- AA. **Motion**: Approving a Memorandum of Understanding (MOU) between the City of Turlock and the Stanislaus County Regional Apprehension Team to locate noncompliant offenders within Stanislaus County through proactive enforcement and authorizing the City Manager and the Chief of Police to execute the MOU

- AB. Motion: Approving an Agreement between the City of Turlock and the California Department of Corrections & Rehabilitation, Division of Adult Parole Operations, Delta District allowing parole officers and employees to use Turlock radio frequencies
- AC. Resolution No. 2017-296: Rescinding Resolution No. 2010-205 and adopting a new Resolution approving updated civil parking penalties for violations of any regulation governing the standing or parking of a vehicle, under the authority of the City of Turlock Municipal Code Section 4-7-112, as set forth on the attached Schedule of Parking Penalties; and approving the imposition of a late penalty fee assessment
- AD. *Removed for separate consideration.*
- AE. *Removed for separate consideration.*
- AF. Resolution No. 2017-297: Adopting policies, procedures, and standards for the City of Turlock Lead Hazard and Asbestos Control Program relative to all funding sources
- AG. Motion: Approving Amendment No. 3 to an Agreement between the City of Turlock and Champion Industrial Contractors, Inc. for preventive maintenance, filter change out, and repair services for HVAC units for City owned and leased buildings, increasing the compensation to an annual amount of \$60,000
- AH. Resolution No. 2017-298: Authorizing the Purchasing Officer to dispose of surplus supplies and/or equipment as directed by the City Manager pursuant to the terms set forth in Turlock Municipal Code Section 2-7-04(j)
- AI. Resolution No. 2017-299: Rescinding Resolution No. 2015-062 and adopting a new Resolution approving a Tentative Agreement to the Memorandum of Understanding (MOU) between the City of Turlock and Turlock Associated Police Officers, covering the period of August 1, 2017 through June 30, 2018
- AJ. Resolution No. 2017-300: Rescinding Resolution No. 2014-165 and adopting a new Resolution approving a Tentative Agreement to the Memorandum of Understanding (MOU) between the City of Turlock and Turlock Management Association-Public Safety (TMAPS), covering the period of July 1, 2017 through June 30, 2018
- AK. Resolution No. 2017-301: Rescinding Resolution No. 2014-167 and adopting a new Resolution approving a Tentative Agreement to the Schedule of Benefits between the City of Turlock and Turlock Management Group, covering the period of July 1, 2017 through June 30, 2018
- AL. Resolution No. 2017-302: Rescinding Resolution No. 2014-166 and adopting a new Resolution approving a Tentative Agreement to the Schedule of Benefits between the City of Turlock and Turlock Confidential Group, covering the period of July 1, 2017 through June 30, 2018
- AM. Resolution No. 2017-303: Approving modifications to the job description for the position of Developmental Services Director/City Engineer, effective November 14, 2017
- AN. Motion: Rejecting Claim for Damages filed by Sergio Gutierrez
- AO. Motion: Rejecting Claim for Damages filed by Debbie Silveira
- AP. Motion: Rejecting Claim for Damages filed by Nirmal Singh
- Item 5C. Resolution: Appropriating \$315,402 to account number 305-40-440.48001_108 "Transfer Out to Fund 215 GSB & F St Signal" and to account number 215-40-420.38001_108 "Transfer In From Fund 305 GSB & F St Signal" to be funded from Fund 305 Unallocated Reserves (CFF - Roadways) for City Project No. 11-20 "Golden State Boulevard and F Street Intersection Improvements"

Councilmember DeHart requested clarification of receiving the final billing three years after the project was completed.

Interim Development Services Director Eric Picciano presented information about this item including the invoicing received from the railroad for this project and the reasonable justification process undertaken for these expenses.

Council and staff discussed this item.

Action: **Resolution No. 2017-304**: Appropriating \$315,402 to account number 305-40-440.48001_108 "Transfer Out to Fund 215 GSB & F St Signal" and to account number 215-40-420.38001_108 "Transfer In From Fund 305 GSB & F St Signal" to be funded from Fund 305 Unallocated Reserves (CFF - Roadways) for City Project No. 11-20 "Golden State Boulevard and F Street Intersection Improvements" 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

- Item 5E.
1. **Motion**: Authorizing the Mayor or City Manager to execute all documents associated with amending San Joaquin Valley Air Pollution Control District (SJVAPCD) Agreement No. C-40321-A with the City of Turlock under the SJVAPCD Public Benefit Grants Program for the partial funding of alternative fuel vehicles to change the type of vehicles covered under the grant and extend the duration for expending the grant funds, as well as any associated changes, modifications, or amendments as appropriate, in support of City Project No. 17-56 "Purchase of Five (5) Alternative Fuel Vehicles"
 2. **Resolution**: Rescinding Resolution No. 2015-265 and adopting a new Resolution for the purchase and delivery of five (5) 2018 Ford Fusion Energi Plug-in Hybrid vehicles from Downtown Ford Sales of Sacramento, California, through the State of California Contract No. 1-16-23-10A, in an amount not to exceed \$179,016, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5) and in support of City Project No. 17-56 "Purchase of Five (5) Alternative Fuel Vehicles"
 3. **Resolution**: Appropriating \$15,804 to account number 506-00-000-221.51020 "Equipment Replacement" to be funded from Fund 506 Unallocated Reserves for City Project No. 17-56 "Purchase of Five (5) Alternative Fuel Vehicles" to complete the necessary funding required for the purchase of one (1) 2018 Ford Fusion Energi Plug-in Hybrid Electric vehicle

Councilmember Bublak spoke about checks and balances, the opportunity to have the Department Head, City Manager, or City Attorney sign these types of documents for liability and accountability purposes, and the inappropriateness of having the Mayor sign. Councilmember Esquer inquired if any notice will be given when these types of documents are signed or need to be signed. Mayor Soiseth stated the item is to authorize the Mayor or City Manager to sign documents and that this authority has occurred numerous times before and also spoke about the process of working with the City Manager and Department Heads beforehand to brief on this item.

Interim Development Services Director Eric Picciano presented information about this item including the purchasing process of alternate vehicles.

Milt Trieweiler spoke about this item only giving authorization to the Mayor and City Manager to execute documents associated with this item and not giving universal power.

Mayor Soiseth clarified that the City Manager is the top staff member of this organization and that he is expected to work with the individuals that these items are affecting and noted that he (as Mayor) also does his due diligence when signing these types of documents.

Action: Motion by Councilmember Jacob and seconded by Councilmember DeHart, Authorizing the Mayor or City Manager to execute all documents associated with amending San Joaquin Valley Air Pollution Control District (SJVAPCD) Agreement No. C-40321-A with the City of Turlock under the SJVAPCD Public Benefit Grants Program for the partial funding of alternative fuel vehicles to change the type of vehicles covered under the grant and extend the duration for expending the grant funds, as well as any associated changes, modifications, or amendments as appropriate, in support of City Project No. 17-56 “Purchase of Five (5) Alternative Fuel Vehicles”. Motion carried 4/1 by the following vote:

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

Action: **Resolution No. 2017-305:** Rescinding Resolution No. 2015-265 and adopting a new Resolution for the purchase and delivery of five (5) 2018 Ford Fusion Energi Plug-in Hybrid vehicles from Downtown Ford Sales of Sacramento, California, through the State of California Contract No. 1-16-23-10A, in an amount not to exceed \$179,016, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5) and in support of City Project No. 17-56 “Purchase of Five (5) Alternative Fuel Vehicles” as introduced by Councilmember Jacob, seconded by Councilmember DeHart, and carried 4/1 by the following vote:

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

Action: **Resolution No. 2017-306:** Appropriating \$15,804 to account number 506-00-000-221.51020 “Equipment Replacement” to be funded from Fund 506 Unallocated Reserves for City Project No. 17-56 “Purchase of Five (5) Alternative Fuel Vehicles” to complete the necessary funding required for the purchase of one (1) 2018 Ford Fusion Energi Plug-in Hybrid Electric vehicle as introduced by Councilmember Jacob, seconded by Councilmember DeHart, and carried 4/1 by the following vote:

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

- Item 5F.
1. **Motion:** Approving a Retainer Agreement with DF Engineering, of Modesto, CA for engineering and surveying services, under City Project No. 17-57 “Retainer Agreement for Engineering and Surveying Services,” in an amount not to exceed \$150,000
 2. **Motion:** Approving a Retainer Agreement with GDR Engineering, of Ceres, CA for engineering and surveying services, under City Project No. 17-57 “Retainer Agreement for Engineering and Surveying Services,” in an amount not to exceed \$150,000

3. **Motion:** Approving a Retainer Agreement with Northstar Engineering, of Modesto, CA for engineering and surveying services, under City Project No. 17-57 “Retainer Agreement for Engineering and Surveying Services,” in an amount not to exceed \$150,000
4. **Motion:** Approving a Retainer Agreement with O’Dell Engineering, of Modesto, CA for engineering and surveying services, under City Project No. 17-57 “Retainer Agreement for Engineering and Surveying Services,” in an amount not to exceed \$150,000
5. **Motion:** Approving a Retainer Agreement with Quad Knopf (DBA QK), of Merced, CA for engineering and surveying services, under City Project No. 17-57 “Retainer Agreement for Engineering and Surveying Services,” in an amount not to exceed \$150,000
6. **Motion:** Approving a Retainer Agreement with TJKM, of Sacramento, CA for engineering and surveying services, under City Project No. 17-57 “Retainer Agreement for Engineering and Surveying Services,” in an amount not to exceed \$150,000
7. **Motion:** Approving a Retainer Agreement with Willdan, of Fresno, CA for engineering and surveying services, under City Project No. 17-57 “Retainer Agreement for Engineering and Surveying Services,” in an amount not to exceed \$150,000

Councilmember DeHart clarified his request to remove this item for separate consideration was due to the combined \$1,000,000 cost and inquired about the retainer agreement process.

Interim Development Services Director Eric Picciano presented information about this item including the contracted amounts, no payments being made until services are provided, and these agreements being part of some of the changes in the Engineering Division to utilize more outside contractors to expedite workload.

Council and staff discussed this item.

Action: Motion by Councilmember Esquer, seconded by Councilmember DeHart, Approving a Retainer Agreement with DF Engineering, of Modesto, CA for engineering and surveying services, under City Project No. 17-57 “Retainer Agreement for Engineering and Surveying Services,” in an amount not to exceed \$150,000. Motion carried 5/0 by the following vote:

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

Action: Motion by Councilmember Esquer, seconded by Councilmember DeHart, Approving a Retainer Agreement with GDR Engineering, of Ceres, CA for engineering and surveying services, under City Project No. 17-57 “Retainer Agreement for Engineering and Surveying Services,” in an amount not to exceed \$150,000. Motion carried 5/0 by the following vote:

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

Action: Motion by Councilmember Esquer, seconded by Councilmember DeHart, Approving a Retainer Agreement with Northstar Engineering, of Modesto, CA for engineering and surveying services, under City Project No. 17-57 “Retainer Agreement for Engineering and Surveying Services,” in an amount not to exceed \$150,000. Motion carried 5/0 by the following vote:

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

Action: Motion by Councilmember Esquer, seconded by Councilmember DeHart, Approving a Retainer Agreement with O’Dell Engineering, of Modesto, CA for engineering and surveying services, under City Project No. 17-57 “Retainer Agreement for Engineering and Surveying Services,” in an amount not to exceed \$150,000. Motion carried 5/0 by the following vote:

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

Action: Motion by Councilmember Esquer, seconded by Councilmember DeHart, Approving a Retainer Agreement with Quad Knopf (DBA QK), of Merced, CA for engineering and surveying services, under City Project No. 17-57 “Retainer Agreement for Engineering and Surveying Services,” in an amount not to exceed \$150,000. Motion carried 5/0 by the following vote:

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

Action: Motion by Councilmember Esquer, seconded by Councilmember DeHart, Approving a Retainer Agreement with TJKM, of Sacramento, CA for engineering and surveying services, under City Project No. 17-57 “Retainer Agreement for Engineering and Surveying Services,” in an amount not to exceed \$150,000. Motion carried 5/0 by the following vote:

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

Action: Motion by Councilmember Esquer, seconded by Councilmember DeHart, Approving a Retainer Agreement with Willdan, of Fresno, CA for engineering and surveying services, under City Project No. 17-57 “Retainer Agreement for Engineering and Surveying Services,” in an amount not to exceed \$150,000

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

Consent Calendar Items 5Q, 5R, and 5S were handled concurrently.

Item 5Q. Resolution: Approving the purchase of one (1) new Caterpillar Wheel Loader, Model 950GC for the Municipal Services Department, Water Quality Control Division from Holt of California, in an amount not to exceed \$251,582, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5), and declaring the replaced loader as surplus

Municipal Services Director Michael Cooke presented information about this item including the use of this type of equipment, need for replacement equipment, and how funds are budgeted each year for these types of purchases.

Councilmember DeHart clarified his request to remove this item for separate consideration was to highlight this type of major equipment and that General Fund dollars are not used for these purchases.

Milt Trieweiler inquired about the bid process not being used for these purchases and commented about General Fund dollars not being used, but instead coming from water and sewer bills.

Director Cooke provided information about the use of government pricing and contracts to ensure best pricing for ratepayers.

Action: Resolution No. 2017-307: Approving the purchase of one (1) new Caterpillar Wheel Loader, Model 950GC for the Municipal Services Department, Water Quality Control Division from Holt of California, in an amount not to exceed \$251,582, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5), and declaring the replaced loader as surplus 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

Item 5R. 1. Resolution: Approving the purchase of a new Caterpillar Model 420F2 HRC Backhoe Loader for the Municipal Services Department, Utility Maintenance Division from Holt of California, in an amount not to exceed \$130,163, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5), and declaring the replaced backhoe as surplus

2. Resolution: Appropriating \$60,219 to account number 506-00-000-223.51020 "Equipment Replacement" from account number 420-52-551.51291 "Water Meters" for the purchase of one (1) Caterpillar Model 420F2 HRC Backhoe Loader for the Municipal Services Department from Holt of California

Municipal Services Director Michael Cooke presented information about this item including the use of this type of equipment, need for replacement equipment, and how funds are budgeted each year for these types of purchases.

Councilmember DeHart clarified his request to remove this item for separate consideration was to highlight this type of major equipment and that General Fund dollars are not used for these purchases.

Milt Trieweiler inquired about the bid process not being used for these purchases and commented about General Fund dollars not being used, but instead coming from water and sewer bills.

Director Cooke provided information about the use of government pricing and contracts to ensure best pricing for ratepayers.

Action: **Resolution No. 2017-308:** Approving the purchase of a new Caterpillar Model 420F2 HRC Backhoe Loader for the Municipal Services Department, Utility Maintenance Division from Holt of California, in an amount not to exceed \$130,163, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5), and declaring the replaced backhoe as surplus 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

Action: **Resolution No. 2017-309:** Appropriating \$60,219 to account number 506-00-000-223.51020 "Equipment Replacement" from account number 420-52-551.51291 "Water Meters" for the purchase of one (1) Caterpillar Model 420F2 HRC Backhoe Loader for the Municipal Services Department from Holt of California 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

Item 5S. **Resolution:** Approving the purchase of one (1) new 2018 International Construction Dump Truck Model 7400 SBA 6X4 (SF625) for the Municipal Services Department, Water Quality Control Division from Interstate Truck Center, in an amount not to exceed \$125,449, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5), and declaring the replaced dump truck as surplus

Municipal Services Director Michael Cooke presented information about this item including the use of this type of equipment, need for replacement equipment, and how funds are budgeted each year for these types of purchases.

Councilmember DeHart clarified his request to remove this item for separate consideration was to highlight this type of major equipment and that General Fund dollars are not used for these purchases.

Milt Trieweiler inquired about the bid process not being used for these purchases and commented about General Fund dollars not being used, but instead coming from water and sewer bills.

Director Cooke provided information about the use of government pricing and contracts to ensure best pricing for ratepayers.

Action: **Resolution No. 2017-310:** Approving the purchase of one (1) new 2018 International Construction Dump Truck Model 7400 SBA 6X4 (SF625) for the Municipal Services Department, Water Quality Control Division from Interstate Truck Center, in an amount not to exceed \$125,449, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5), and declaring the replaced dump truck as surplus 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

Item 5AD. **Motion:** Awarding bid, approving an Agreement in the amount of \$446,300.00 (Fund 256-41-486.47225_002) with ANV Contractors, Inc. of Atwater, California, and expending HOME Consortium funds in the amount of \$86,455 for additional costs associated with City Project 209 “A” St. Turlock, California

Assistant to the City Manager for Economic Development and Housing Maryn Pitt presented information about this item including this project as well as future projects to be used for Veterans, transitional, and low barrier housing types.

Councilmember DeHart spoke about the importance of the City being involved with these types of projects.

Action: Motion by Councilmember DeHart, seconded by Councilmember Esquer, Awarding bid, approving an Agreement in the amount of \$446,300.00 (Fund 256-41-486.47225_002) with ANV Contractors, Inc. of Atwater, California, and expending HOME Consortium funds in the amount of \$86,455 for additional costs associated with City Project 209 “A” St. Turlock, California. Motion carried 5/0 by the following vote:

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

Item 5AE. **Motion:** Approving the seven (7) Annual Funding Agreements between the City of Turlock and each of the HOME Consortium sub-recipients for the purpose of undertaking HOME eligible housing assistance activities pursuant to Title II of the Cranston-Gonzales National Affordable Housing Act of 1990 for FY 2017-2018 in the amount of \$953,712

Assistant to the City Manager for Economic Development and Housing Maryn Pitt presented information about this item including this being an annual item, the City of Turlock being a lead agency in the City of Turlock/Stanslaus County Home Consortium, and the fiduciary responsibility to enter into agreements with the jurisdictions for the accountability of funds.

Councilmember DeHart inquired about what type of tracking is used to ensure that the funds of each agency are used as designated.

Assistant to the City Manager for Economic Development and Housing Maryn Pitt provided information about the required scope of work for the eligible activities, expenditure deadlines, and the City’s responsibility to ensure the dollars are programmed and expended.

Action: Motion by Councilmember DeHart, seconded by Councilmember Jacob, Approving the seven (7) Annual Funding Agreements between the City of Turlock and each of the HOME Consortium sub-recipients for the purpose of undertaking HOME eligible housing assistance activities pursuant to Title II of the Cranston-Gonzales National Affordable Housing Act of 1990 for FY 2017-2018 in the amount of \$953,712. Motion carried 5/0 by the following vote:

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

6. FINAL READINGS: None

Councilmember DeHart stepped down from the dais at approximately 7:46 p.m.
Councilmember DeHart returned to the dais at 7:49 p.m.

PUBLIC HEARINGS

- A. Deputy Director of Development Services/Planning Manager Debbie Whitmore presented the staff report on the request to Determine Ordinance Amendment 2016-03 (Sign Ordinance) including amendments to Turlock Municipal Code Title 9, Chapter 2, Article 1, Section 04, Subsection (g) to remove sign standards for service stations; Adding Title 9, Chapter 2, Article 1, Section 28 regarding Attention-Getting Devices; Amend the Chapter index for Title 9, Chapter 2; Amend Title 9, Chapter 2, Article 04 to renumber it as Article 3; Add Title 9, Chapter 2, Article 4 regarding Sign Regulations for Public Property; Repeal Title 9, Chapter 2, Article 5 (Signs); Add Title 9, Chapter 2, Article 5 regarding Sign Regulations for Private Property are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines AND Adopt Ordinance Amendment 2016-03 (Sign Ordinance) including amendments to Turlock Municipal Code Title 9, Chapter 2, Article 1, Section 04, Subsection (g) to remove sign standards for service stations; Add Title 9, Chapter 2, Article 1, Section 28 regarding Attention-Getting Devices; Amend the Chapter index for Title 9, Chapter 2; Amend Title 9, Chapter 2, Article 04 to renumber it as Article 3; Add Title 9, Chapter 2, Article 4 regarding Sign Regulations for Public Property; Repeal Title 9, Chapter 2, Article 5 (Signs); Add Title 9, Chapter 2, Article 5 regarding Sign Regulations for Private Property.

Council and staff discussed this item.

Mayor Soiseth opened the public hearing.

Milt Trieweiler spoke about his attendance at previous Planning Commission meetings when these discussions took place and his concerns with signs on private property, inquired about the use of iconic signs, and noted the amendment looks good overall.

DJ Fransen inquired about someone wanting to use paint or content material on their roof or their building and noted that there is Convention and Visitors Bureau sign that points to the Chamber Building and that service no longer being ran by them.

Mayor Soiseth closed the public hearing.

Councilmember Esquer and Mayor Soiseth thanked Deputy Director Whitmore for her efforts.

Action: **Resolution No. 2017-311:** Determining Ordinance Amendment 2016-03 (Sign Ordinance) including amendments to Turlock Municipal Code Title 9, Chapter 2, Article 1, Section 04, Subsection (g) to remove sign standards for service stations; Adding Title 9, Chapter 2, Article 1, Section 28 regarding Attention-Getting Devices; Amending the Chapter index for Title 9, Chapter 2; Amending Title 9, Chapter 2, Article 04 to renumber it as Article 3; Adding Title 9, Chapter 2, Article 4 regarding Sign Regulations for Public Property; Repealing Title 9, Chapter 2, Article 5 (Signs); Adding Title 9, Chapter 2, Article 5 regarding Sign Regulations for Private Property are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines as introduced by Councilmember Esquer, 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

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Motion by Councilmember Bublak, seconded by Councilmember Jacob, Introducing Ordinance Amendment 2016-03 (Sign Ordinance) including amendments to Turlock Municipal Code Title 9, Chapter 2, Article 1, Section 04, Subsection (g) to remove sign standards for service stations; Adding Title 9, Chapter 2, Article 1, Section 28 regarding Attention-Getting Devices; Amending the Chapter index for Title 9, Chapter 2; Amending Title 9, Chapter 2, Article 04 to renumber it as Article 3; Adding Title 9, Chapter 2, Article 4 regarding Sign Regulations for Public Property; Repealing Title 9, Chapter 2, Article 5 (Signs); Adding Title 9, Chapter 2, Article 5 regarding Sign Regulations for Private Property and setting the final reading for November 28, 2017. Motion carried 5/0 by the following vote:

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

Councilmember Jacob stepped down from the dais at 8:13 p.m.
Councilmember Jacob returned to the dais at 8:24 p.m.

- B. Deputy Director of Development Services/Planning Manager Debbie Whitmore presented the staff report on the request to consider options for adoption of regulations mitigating the cost of providing public services to new residential developments and introducing ordinance Adding Turlock Municipal Code Title 3, Chapter 9, Article 8 setting forth Regulations for Mitigating the Costs of providing Public Services to New Residential Development through Annexation to Community Facilities District No. 2 .

Deputy Director Whitmore introduced Brad Neal with Stradling, Yocca, Carlson, and Rauth who provided information about the legal aspects of this study including CFD No. 2 being governed under the Mello Roos Act of 1982, provides financing mechanism for additional services such as Police & Fire, procedure for annexing additional future developments into the CFD No. 2, the City not being able to require property owners to vote yes on an annexation, alternative method attempt to replicate offset costs of additional services, and types of development that can be included in the CFD No. 2.

Deputy Director Whitmore provided information about the three (3) ordinance options.

Council and staff discussed this item.

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

Action: Motion by Councilmember DeHart, seconded by Councilmember Esquer, Selecting Ordinance Option 1 (Required for All New Residential Projects subject to a Discretionary Act). 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 DeHart, seconded by Councilmember Esquer, Introducing and Ordinance Adding Turlock Municipal Code Title 3, Chapter 9, Article 8 setting forth Regulations for Mitigating the Costs of providing Public Services to New Residential Development through Annexation to Community Facilities District No. 2 or an Alternative Method and setting the final reading for November 28, 2017. Motion carried 5/0 by the following vote:

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

*Councilmember Esquer stepped down from the dais at approximately 8:27 p.m.
 Councilmember Esquer returned to the dais at 8:30 p.m.*

8. SCHEDULED MATTERS:

Consent Calendar Item 5D.

- 5D. Interim Development Services Director Eric Picciano presented the staff report on the request to adopt an Americans with Disabilities Act (ADA) Self-Evaluation Report under City Project No. 11-27 "ADA Self-Evaluation and Transition Plan Update.

Interim Director Picciano introduced Michael Carvana with Sally Swanson Architects who provided information about the self-evaluation process including the programs, services, and activities that are part of City Government, California State Law, general prohibitions against discrimination, ADA Title II mandates, guidelines for and surveys that were performed with City staff, and stated these improvements will make the City stronger and more resilient in dealing with the population.

Council and the Consultant discussed this item.

Mayor opened public participation.

Frank Johnson inquired about the ADA Coordinator Position as mentioned by Mr. Carvana.

Mayor Soiseth closed public participation.

Action: **Resolution No. 2017-312:** Adopting an Americans with Disabilities Act (ADA) Self-Evaluation Report under City Project No. 11-27 “ADA Self-Evaluation and Transition Plan Update” as introduced by Councilmember Esquer, 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

- A. Parks, Recreation and Public Facilities Director Allison Van Guilder presented the staff report on the request to approve a Career Technical Education Work Experience program between the City of Turlock and Turlock Unified School District and approving the terms of the CTE/Employer Training Agreement.

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

Action: Motion by Councilmember Jacob, seconded by Councilmember Bublak, Approving a Career Technical Education Work Experience program between the City of Turlock and Turlock Unified School District and approving the terms of the CTE/Employer Training 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. Municipal Services Director Michael Cooke presented the staff report on the request to authorize an exception to the 180-day wait period pursuant to California Government Code Sections 7522.56 and 21224 and approving the interim appointment of retired City employee Marie Lorenzi as a part-time Senior Accountant of the City of Turlock to provide accounting assistance to the Stanislaus Regional Water Authority and the City of Turlock’s Transit Division.

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

Action: **Resolution No. 2017-313:** Authorizing an exception to the 180-day wait period pursuant to California Government Code Sections 7522.56 and 21224 and approving the interim appointment of retired City employee Marie Lorenzi as a part-time Senior Accountant of the City of Turlock to provide accounting assistance to the Stanislaus Regional Water Authority and the City of Turlock’s Transit Division as introduced by Councilmember Esquer, 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

Mayor Soiseth recessed the City Council meeting at 8:56 p.m.

Mayor Soiseth reconvened the City Council meeting at 9:03 p.m.

- C. Assistant to the City Manager for Economic Development and Housing Maryn Pitt presented the staff report on the request to accept the Marketing, Branding, and Tourism Report and associated recommendations from North Star Destination Strategies of Nashville, Tennessee and provide direction to staff with regard to implementation.

Mayor Soiseth stepped down from the dais at 9:05 p.m.

Mayor Soiseth returned to the dais at 9:07 p.m.

Mayor Soiseth stepped down from the dais at 9:32 p.m.

Mayor Soiseth returned to the dais at 9:33 p.m.

Assistant to the City Manager for Economic Development and Housing Maryn Pitt introduced North Star Destination Strategies Ed Barlow who provided information about the research, brand barometer, consumer awareness & perception study, qualitative influencer perception study, strategy, and next steps of the project.

Mayor Soiseth opened public participation.

DJ Fransen inquired about the survey process, implementation costs, and examples of campaigns to market restaurants and shops.

Mayor Soiseth closed public participation.

Council and the Consultant discussed this item.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, Accepting the Marketing, Branding, and Tourism Report and associated recommendations from North Star Destination Strategies of Nashville, Tennessee and providing direction to staff with regard to implementation. Motion carried 5/0 by the following vote:

Councilmember Esquer	Councilmember DeHart	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 approve the amended 2018 wage scale for the Parks, Recreation and Public Facilities Department part-time employees in accordance with the City of Turlock Personnel System Rules and Regulations Section 13.01.

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

Action: **Resolution No. 2017-314**: Approving the amended 2018 wage scale for the Parks, Recreation and Public Facilities Department part-time employees in accordance with the City of Turlock Personnel System Rules and Regulations Section 13.01 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

9. STAFF UPDATES

1. Policy Goals and Implementation Plan (*Executive Staff*) – No updates provided.
2. Administrative Services Department
 - a. Board, Commission, and Committee Vacancies
 City Clerk Jennifer Land provided the biannual update regarding upcoming Board, Commission, and Committee vacancies.
3. Development Services Department
 - a. Capital Projects, Building Activity, Transit, and Measure L Planning
 A written staff update was included in the agenda packet.
4. Fire Department – No updates provided.
5. Municipal Services Department
 - a. Municipal Services Monthly Update
 A written staff update was included in the agenda packet.
6. Parks, Recreation and Public Facilities Department – No updates provided.
7. Police Department – No updates provided.

10. NON-AGENDA ITEMS: None

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember DeHart spoke about the Resolution adopted by the City Council in September, the ongoing issues of concern from the core group that presented this information to Council regarding incidents of acts of hate, and proposed the establishment of a task force. Mayor Soiseth spoke about follow-up meetings with the group and concurred with Councilmember DeHart's proposal.

Councilmember Esquer spoke about an article in the newspaper regarding the school district changing boundaries for Wakefield School and inquired about reexamining the Measure L street list to prioritize some of the safety concerns. Mayor Soiseth responded that the roads prioritized by Measure L are locked in and noted that Councilmember's Esquer intent could potentially be met by SB1 or other funds.

12. COUNCIL COMMENTS:

Councilmember Bublak spoke about succession planning and recommended implementation of a succession plan that allows each department head to fill in during the absence of the City Manager to provide an opportunity to find out what the position entails and to be fair and equitable.

Councilmember DeHart spoke about his recent attendance at a CalPERS Conference pertaining to discounted rates and amortization and noted the information provided by Senior Accountant Julie Burke was very consistent with other cities of like size. Mayor Soiseth thanked Councilmember DeHart, noted he was one of 50 witnesses statewide in attendance, and thanked Julie Burke for providing this information. Councilmember Bublak stated it would behoove all of the Council to have this information to help decide how to vote on upcoming matters.

Councilmember Esquer thanked Interim City Manager Robert A. Talloni and City Clerk Jennifer Land for their assistance and guidance with the process for placing matters on the agenda and the Brown Act and apologized to Councilmember Bublak regarding an appointment that was made at a previous meeting, noting he was not aware that she was unaware of the appointment.

Mayor Soiseth spoke about Movember and thanked those for wearing blue shirts and showing support for the Police Officers.

13. CLOSED SESSION:

Outside Legal Counsel Sky Woodruff 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: (2 cases)

Action: No reportable action.

- B. Conference with Legal Counsel – Anticipated Litigation, Cal. Gov't Code §54956.9(d)(4)
“For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist... Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.

Potential Cases: (1 case)

Action: The City Council authorized cooperating with the County to clear the title to the Courthouse property, including potentially filing a quiet title 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: City Manager

Action: No reportable action.

14. ADJOURNMENT:

Motion by Councilmember Jacob, seconded by Councilmember Esquer, to adjourn the open session of the regular meeting at 10:12 p.m. Motion carried unanimously.

Motion by Councilmember DeHart, seconded by Councilmember Esquer, to adjourn the closed session of the regular meeting at 11:00 p.m. p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
City Clerk