

1. A. **CALL TO ORDER** - Mayor Soiseth called the meeting to order at 11:05 a.m.
PRESENT: Councilmembers Gil Esquer, Bill DeHart, Amy Bublak, Matthew Jacob, and Mayor Gary Soiseth.
ABSENT: None

City Attorney Phaedra A. Norton announced that the items set forth in this meeting agenda were heard at the February 27, 2018 City Council meeting. Upon conclusion of that meeting, it was discovered that an inadvertent clerical error had been made related to the teleconference location listed on the agenda. Out of an abundance of caution, to cure any potential issues arising from the clerical error, the following action items are presented to the Council for discussion, deliberation, and decision. Items that did not require action by the Council such as the Proclamation, Disclosure of Top Ten/Maximum Contributors, Staff Updates, Council Items for Future Consideration, and Council Comments have not been included in this agenda. In addition, certain items throughout the agenda will be brought back at a later date.

City Clerk Jennifer Land added that any resolution actions taken at this meeting will be updated to reflect a March 10, 2018 adopted date.

B. SALUTE TO THE FLAG

2. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS & PRESENTATIONS

- A. Appointment: Ad Hoc Committee – Campaign Disclosure Requirements and Campaign Statement Filing

Mayor Soiseth recommended that he and Councilmember Esquer be appointed to serve on the Ad Hoc Committee.

Action: Motion by Councilmember Jacob, seconded by Councilmember DeHart, appointing Mayor Soiseth and Councilmember Esquer to serve on the Ad Hoc Committee for Campaign Disclosure Requirements and Campaign Statement Filing. Motion carried 5/0 by the following vote:

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

3. **PUBLIC PARTICIPATION:** None

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

5. CONSENT CALENDAR:

Councilmember DeHart requested consent calendar item 5J be removed from the agenda for separate consideration. Councilmember Bublak requested consent calendar item 5M be removed from the agenda for separate consideration.

Action: Motion by Councilmember DeHart, seconded by Councilmember Jacob, 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. 2018-031:** Accepting Weekly Demands of 2/1/18 in the amount of \$799,514.28; Weekly Demands of 2/8/18 in the amount of \$664,797.96
- B. **Motion:** Accepting Minutes of the Regular Meeting of January 9, 2018; Minutes of the Special Meeting of January 23, 2018
- C. **Motion:** Approving Amendment No. 2 to an Agreement with CTC, Inc. of Fort Worth, Texas, for engineering consulting services for railroad preemption for City Project No. 14-28 “Intersection Improvements at Golden State Blvd. and Fulkerth Rd” and increasing the total compensation in the amount of \$1,000
- D. **Resolution No. 2018-032:** Adopting a Mitigated Negative Declaration and Mitigation Monitoring Program for City Project No. 16-60 “Linwood Avenue ATP Improvements” based upon the evidence and analysis contained in the Initial Study and finding revisions have been made to the Project to avoid or mitigate potential new or significant effects to a point where clearly no significant effects would occur pursuant to Public Resources Code Sections 21080(c)(2) and California Environmental Quality Act Section 15168(c)(1)
- E. **Resolution No. 2018-033:** Amending the Fiscal Year 2017-18 Municipal Budget and appropriating \$11,400 to account number 217-50-511.44001_136 “Supplies Signs” from Fund 217 “Parks, Recreation, and Public Facilities Department Street Maintenance (Gas Tax)” unappropriated reserves for the purchase of signs, delineators, and other traffic control devices
- F.
 - 1. **Resolution No. 2018-034:** Determining the purchase and installation of electronic farebox equipment in support of transit service, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Existing Facilities) of the CEQA Guidelines
 - 2. **Resolution No. 2018-035:** Approving future sole source procurements from SPX Genfare of Elk Grove Village, Illinois, for farebox related equipment, materials, and supplies, without compliance to bidding requirements in accordance with Section 2-7-08(b)(2) of the Turlock Municipal Code, contingent on availability of budgeted funds
- G. **Motion:** Approving an Agreement with Condor Earth to update the California Accidental Release Prevention Risk Management Program (CalARP/RMP) for the City of Turlock Regional Water Quality Control Facility (TRWQCF), in an amount not to exceed \$24,900
- H. **Motion:** Approving Amendment No. 1 to a Professional Services Agreement between the City of Turlock and Wood Rodgers, Inc. for On-Call Hydrogeological Engineering Services to modify the scope of work to include additional services for well rehabilitation, test holes, and monitoring wells as needed
- I. **Resolution No. 2018-036:** Appropriating \$50,000 to account number 217-50-511.47322 “Street Light & Traffic Signal Repairs & Maintenance” funded by a transfer from Fund 217 “Streets – Gas Tax” unallocated reserves for the purchase of traffic signal parts

- J. *Removed for separate consideration.*
- K. **Motion:** Approving a Memorandum of Understanding (MOU) between the City of Turlock and the Stanislaus County Behavioral Health and Recovery Services Agency (BHRS) for the creation of a Homeless Engagement Multi-Disciplinary Team (HEMDT)
- L. **Motion:** Approving a Memorandum of Understanding (MOU) and Vehicle Use Agreement between the City of Turlock and the Federal Bureau of Investigations Stockton/Modesto Safe Street Task Force to delineate responsibilities, formalize relationships, and maximize inter-agency cooperation
- M. *Removed for separate consideration.*
- N. **Motion:** Rejecting Claim for Damages filed by John Eisavi

- 5J. **Resolution:** Approving the purchase and delivery of six (6) replacement marked Police vehicles, one (1) replacement CSO vehicle, one (1) replacement VIPS vehicle, one (1) replacement Cadet vehicle, one (1) replacement Animal Control vehicle caged, two (2) replacement Admin vehicles, and one (1) replacement Detective vehicle from Downtown Ford Sales, Sacramento, California, through the State of California Contract No. 1-16-23-10A, 1-16-23-20A, and 1-16-23-23A in a total amount not to exceed \$564,280.00 and approving the purchase and delivery of one (1) replacement Detective vehicle from Elk Grove Auto Group in Elk Grove, California, through the State of California Contract No. 1-16-23-10B, in a total amount not to exceed \$38,760.00, from account number 506-00-000-213.51020 "Police Equipment Replacement" without compliance to the formal bid process in accordance with Turlock Municipal Code Section 2-7-08(b)(6) and declaring replaced vehicles surplus once replaced

Council and staff discussed this item.

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

Action: **Resolution No. 2018-037:** Approving the purchase and delivery of six (6) replacement marked Police vehicles, one (1) replacement CSO vehicle, one (1) replacement VIPS vehicle, one (1) replacement Cadet vehicle, one (1) replacement Animal Control vehicle caged, two (2) replacement Admin vehicles, and one (1) replacement Detective vehicle from Downtown Ford Sales, Sacramento, California, through the State of California Contract No. 1-16-23-10A, 1-16-23-20A, and 1-16-23-23A in a total amount not to exceed \$564,280.00 and approving the purchase and delivery of one (1) replacement Detective vehicle from Elk Grove Auto Group in Elk Grove, California, through the State of California Contract No. 1-16-23-10B, in a total amount not to exceed \$38,760.00, from account number 506-00-000-213.51020 "Police Equipment Replacement" without compliance to the formal bid process in accordance with Turlock Municipal Code Section 2-7-08(b)(6) and declaring replaced vehicles surplus once replaced 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

- 5M. Resolution: Approving modifications to the job description for the position of City Clerk, effective February 27, 2018

Council and staff discussed this item.

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

Action: Resolution No. 2018-038: Approving modifications to the job description for the position of City Clerk, effective March 10, 2018 as introduced by Councilmember Bublak, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

6. FINAL READINGS: None

7. PUBLIC HEARINGS:

- A. Public Hearing Item 7A will be brought back to the Council at a future meeting date.

8. SCHEDULED MATTERS:

- A. Interim Development Services Director Eric Picciano presented the staff report on the request to approve Contract Change Order No. 1 in the amount of \$9,775 for City Project No. 17-28 "Building Demolition at 323 Columbia Street," bringing the contract total to \$107,575.

Council and staff discussed this item including information regarding the lien process.

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

Action: Motion by Councilmember Jacob, seconded by Councilmember DeHart, Approving Contract Change Order No. 1 in the amount of \$9,775 for City Project No. 17-28 "Building Demolition at 323 Columbia Street," bringing the contract total to \$107,575. Motion carried 4/1 by the following vote:

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

- B. Scheduled Matters Item 8B was removed from the February 27, 2018 agenda during the meeting. This item will be heard by the Council at a future meeting date.

- C. Parks, Recreation and Public Facilities Director Allison Van Guilder presented the staff report on the request to determine the closure of Johnson Road, between the Julien Elementary School parking lot and Charles Place, for the Turlock American Little League to host the 2018 Little League Opening Ceremonies, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND approve a Special Event Permit Application for the 2018 Little League Opening Ceremonies hosted by the Turlock American Little League, authorize the associated closure of Johnson Road, between the Julien Elementary School parking lot and Charles Place for pedestrian safety, on Saturday, March 3, 2018 from 7:30 a.m. to 11:00 a.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure.

Council and staff discussed this item.

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

Action: **Resolution No. 2018-039:** Determining the closure of Johnson Road, between the Julien Elementary School parking lot and Charles Place, for the Turlock American Little League to host the 2018 Little League Opening Ceremonies, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines as introduced by Councilmember DeHart, seconded by Councilmember Esquer, and carried 5/0 by the following vote:

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

Resolution No. 2018-040: Approving a Special Event Permit Application for the 2018 Little League Opening Ceremonies hosted by the Turlock American Little League, authorizing the associated closure of Johnson Road, between the Julien Elementary School parking lot and Charles Place for pedestrian safety, on Saturday, March 3, 2018 from 7:30 a.m. to 11:00 a.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure as introduced by Councilmember Jacob, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

- D. Parks, Recreation and Public Facilities Director Allison Van Guilder presented the staff report on the request to determine the closure of North First Street [between West Main Street and "A" Street], West Main Street [between the Union Pacific Railroad Tracks and Market Street], and North Broadway [between West Main Street and North Front Street], for the Assyrian American Civic Club of Turlock to host the Assyrian New Year 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 AND approve a Special Event Permit Application for the Assyrian New Year Parade hosted by the Assyrian American Civic Club of Turlock, authorize the associated closure of North First

Street [between West Main Street and “A” Street], West Main Street [between the Union Pacific Railroad Tracks and Market Street], and North Broadway [between West Main Street and North Front Street] for pedestrian safety, on Saturday, March 24, 2018 from 8:00 a.m. to 12:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure. (*Van Guilder*)

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

Action: **Resolution No. 2018-041:** Determining the closure of North First Street [between West Main Street and “A” Street], West Main Street [between the Union Pacific Railroad Tracks and Market Street], and North Broadway [between West Main Street and North Front Street], for the Assyrian American Civic Club of Turlock to host the Assyrian New Year 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 Jacob, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

Resolution No. 2018-042: Approving a Special Event Permit Application for the Assyrian New Year Parade hosted by the Assyrian American Civic Club of Turlock, authorizing the associated closure of North First Street [between West Main Street and “A” Street], West Main Street [between the Union Pacific Railroad Tracks and Market Street], and North Broadway [between West Main Street and North Front Street] for pedestrian safety, on Saturday, March 24, 2018 from 8:00 a.m. to 12:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure 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

Mayor Soiseth recessed the Special City Council meeting at 11:24 a.m. and noted the Closed Session items would be heard after the budget workshop.

Mayor Soiseth reconvened the Special City Council meeting at approximately 2:35 p.m.

9. CLOSED SESSION:

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

- A. Public Employee Appointment, Cal. Gov't Code §§54957 and 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 of a public employee.

Title: Interim City Attorney

Action: City Clerk Jennifer Land reported that by a vote of 4/1 (with Councilmember Bublak being a no vote) the City Council appointed Meyers Nave to serve as the Interim City Attorney.

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

Potential Cases: (1 case)

Action: City Attorney Phaedra A. Norton reported that the City Council authorized the initiation of litigation, if necessary, to abate the illegal operation of Dry Lake Wellness Dispensary in the City of Turlock.

10. ADJOURNMENT:

Motion by Councilmember DeHart, seconded by Councilmember Esquer, to adjourn the open session of the special meeting at 2:35 p.m. Motion carried unanimously.

Motion by Councilmember Bublak, seconded by Councilmember Esquer, to adjourn the closed session of the special meeting at 2:54 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
City Clerk