

1. **A. CALL TO ORDER** – Mayor Soiseth called the meeting to order at 6:07 p.m.
PRESENT: Councilmembers Gil Esquer, Bill DeHart (*arrived at 6:36 p.m.*), Amy Bublak (*via teleconference*), Matthew Jacob, and Mayor Gary Soiseth.
ABSENT: None

B. SALUTE TO THE FLAG

Mayor Soiseth announced that Councilmember Bublak is participating via teleconference at the location described on the agenda.

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

- A. Recognition: Employee of the Month, June 2018 - Electronic Instrumentation Technician Ignacio Torres

Mayor Soiseth issued a Certificate of Recognition to Electronic Instrumentation Technician Ignacio Torres as the Employee of the Month award winner for June 2018.

- B. Presentation: Pet of the Month, presented by Animal Services Supervisor Glenna Jackson

Animal Services Supervisor Glenna Jackson presented information about the Pet of the Month Program for July 2018 including adoption fees sponsored by Turlock Management Association – Public Safety (TMAPS), recent pet adoptions, monthly promotion, and contact information for the Turlock Animal Shelter.

Mayor Soiseth introduced Kate Cook from the Interim City Attorney's Office.

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

B. PUBLIC PARTICIPATION

The following members of the public spoke:

Stanislaus County Turlock Public Library Supervising Librarian Diane Bartlett
Gurjoban Hayer
DJ Fransen
Michael Puffer
Supervisor Vito Chiesa

Council provided brief comment in response to public comments.

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

B. DISCLOSURE OF TOP TEN/MAXIMUM CONTRIBUTORS

5. CONSENT CALENDAR:

Action: Motion by Councilmember Jacob, seconded by Councilmember Esquer, adopting the 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. 2018-192:** Accepting Weekly Demands of 5/31/18 in the amount of \$1,858,874.93; Weekly Demands of 6/7/18 in the amount of \$523,166.34; Weekly Demands of 6/14/18 in the amount of \$657,682.33
- B. **Motion:** Accepting Minutes of the Special Meeting of April 6, 2018 and Minutes of the Special Meeting of April 10, 2018
- C. **Resolution No. 2018-193:** Authorizing the sole source approval of Microbiz Security Company to provide configuration and programming services for City Project No. 12-60D "Transit Center CCTV and Access Control" without compliance to formal bidding procedures pursuant to Turlock Municipal Code Section 2-7-08(b)(6)
- D. **Motion:** Approving an Agreement between the City of Turlock and Turlock Community Theatre, Inc. for the purpose of utilizing the Turlock Community Theatre for recreation dance classes and the end of session recital, from July 11, 2018 to September 21, 2018, in the amount of \$110 per day not to exceed twenty one (21) uses
- E. **Motion:** Approving an Agreement between the City of Turlock and Tom Clark (dba TC Concessions) for the purpose of providing concession services at the Pedretti Sports Complex for sporting activities
- F. **Motion:** Approving an Agreement with Justin Gioletti, dba Robert Gioletti and Sons, to Take Delivery of Trench Dewatering Water during the construction of the Turlock component of the North Valley Regional Recycled Water Program in the total amount not to exceed \$110,500
- G. **Resolution No. 2018-194:** Accepting an allocation of funds and appropriating funds for the 2018 Animal Homelessness and Cruelty Fund (AHCF) award from the California Department of Food and Agriculture (CDFA) in the amount of \$7,500 to be appropriated into the appropriate revenue and expenditure accounts in Fund 266 "Police Grants", Program 348 "Animal Services - Spay & Neuter Grant"
- H. **Motion:** Rejecting Claim for Damages filed by Phyllis Simpson
- I. **Motion:** Rejecting Claim for Damages filed by The Struck Firm (Lindsay Lough)

6. FINAL READINGS: None

7. PUBLIC HEARINGS: None

8. SCHEDULED MATTERS:

- A. Parks, Recreation and Public Facilities Director Allison Van Guilder presented the staff report on the request to determine the closure of Sandstone Street [between Mountain View Road and Tegner Road] and Tegner Road [between Sandstone Street and Golden Oak Court], for the Pitman Preview of Champions Band Review hosted by Pitman High School

Band Boosters, 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 Pitman Preview of Champions Band Review hosted by Pitman High School Band Boosters, authorizing the associated closure of Sandstone Street [between Mountain View Road and Tegner Road] and Tegner Road [between Sandstone Street and Golden Oak Court] for pedestrian safety, on Saturday, September 29, 2018 from 7:00 a.m. to 1:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure.

Mayor Soiseth invited President of Pitman High Marching Band Boosters Patty Ellen to the podium who presented an overview and a video clip of the 2017 Pitman Preview of Champions Band Review and spoke regarding this year’s event and their future goal of having this parade on Christffersen Pkwy.

Council and staff discussed this item.

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

Action: **Resolution No. 2018-195:** Determining the closure of Sandstone Street [between Mountain View Road and Tegner Road] and Tegner Road [between Sandstone Street and Golden Oak Court], for the Pitman Preview of Champions Band Review hosted by Pitman High School Band Boosters, 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 Council 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. 2018-196: Approving a Special Event Permit Application for the Pitman Preview of Champions Band Review hosted by Pitman High School Band Boosters, authorizing the associated closure of Sandstone Street [between Mountain View Road and Tegner Road] and Tegner Road [between Sandstone Street and Golden Oak Court] for pedestrian safety, on Saturday, September 29, 2018 from 7:00 a.m. to 1:00 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 |

- B. Administrative Services Director Kellie Jacobs-Hunter presented the staff report on the request to rescind Resolution No. 2017-300 and adopt a new Resolution approving the Memorandum of Understanding between the City of Turlock and Turlock Management Association – Public Safety, covering the period of July 1, 2018 through June 30, 2019 AND appropriate \$222,842 to fiscal year 2018/2019 salary and benefit accounts from Fund 110 “General Fund” unallocated reserves due to the adoption of the Memorandum of Understanding with the Turlock Management Association – Public Safety, covering the period of 7/1/18-6/30/19.

Mayor Soiseth opened public participation.

The following member of the public spoke:

Brad Bates

Mayor Soiseth closed public participation.

Council and staff discussed this item.

Action: **Resolution No. 2018-197:** Rescinding Resolution No. 2017-300 and adopting a new Resolution approving the Memorandum of Understanding between the City of Turlock and Turlock Management Association – Public Safety, covering the period of July 1, 2018 through June 30, 2019 as introduced by Councilmember DeHart, seconded by Councilmember Jacob, 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. 2018-198: Appropriating \$222,842 to fiscal year 2018/2019 salary and benefit accounts from Fund 110 “General Fund” unallocated reserves due to the adoption of the Memorandum of Understanding with the Turlock Management Association – Public Safety, covering the period of 7/1/18-6/30/19 as introduced by Councilmember DeHart, seconded by Councilmember Jacob, 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 noted a green sheet for Scheduled Matters Item 8C.

- C. Interim Development Services Director Nathan Bray presented the staff report on the request to direct the City Manager to impose the adopted fee for Residential Street Closure Permits for applications associated with the 2018 National Night Out event OR direct the City Manager to fully subsidize the adopted Residential Street Closure Permit fee for applications associated with the 2018 National Night Out event through an appropriation from Fund 110 “General Fund” unallocated reserves AND appropriate \$520 to account number 110-10-112.47456 “National Night Out Street Closure” from Fund 110 “General Fund” unallocated

reserves to fully subsidize the cost to applicants for Residential Street Closure Permits associated with the 2018 National Night Out event.

Councilmember Bublak spoke regarding this being a City sanctioned event, it not making sense to charge people who participate, and recommended additional funding options of using the City Manager’s budget or Council travel, instead of the General Fund.

Councilmember Esquer suggested seeking donations for this particular year’s event and indicated he would be willing to contribute.

Council and staff discussed this item including being in favor of not using the General Fund reserves, identifying alternative funding sources and methods for these types of events, and making this a City sponsored event since it is recognized nationally. Council directed allocation from the General Fund and also noted that donations would be accepted to backfill permit costs that are sought between now and the event.

Councilmember Bublak indicated that she would also be willing to donate.

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

Action: Motion by Councilmember Esquer, seconded by Councilmember Jacob, Directing the City Manager to fully subsidize the adopted Residential Street Closure Permit fee for applications associated with the 2018 National Night Out event through an appropriation from Fund 110 “General Fund” unallocated reserves, but will be backfilled with donations sought for the National Night Out event before the event occurs. Motion carried 5/0 by the following vote:

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

Resolution No. 2018-199: Appropriating \$520 to account number 110-10-112.47456 “National Night Out Street Closure” from Fund 110 “General Fund” unallocated reserves to fully subsidize the cost to applicants for Residential Street Closure Permits associated with the 2018 National Night Out event, but will be backfilled with donations sought for the National Night Out event before the event occurs as introduced by Councilmember Esquer, seconded by Councilmember Jacob, 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 update provided.
2. Administrative Services – No update provided.
3. Development Services Department
 - a. Capital Projects, Building Activity, Transit, and Measure L
A written staff update was included in the agenda packet.
4. Fire Department
 - a. 4th of July Call Volume

Acting Fire Chief Gary Carlson provided an update on the call volume surrounding the 4th of July holiday.
5. Municipal Services Department – No update provided.
6. Parks, Recreation and Public Facilities – No update provided.
7. Police Department – No update provided.

10. NON-AGENDA ITEMS: None

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember DeHart spoke regarding future reinstatement of the Central Valley Division Executive Committee monthly dues, the risk of losing funding to due to the repeal of SB 1, and requested that Council adopt a Resolution of support against the repeal.

Councilmember Bublak spoke regarding a member of the public's comments and potential solutions about Measure L funding, road projects, and the City having a paving crew to eliminate the use of contractors.

Councilmember Esquer provided an update on the ad hoc committee for cannabis research and suggested a workshop in the near future.

12. COUNCIL COMMENTS: None

13. CLOSED SESSION:

Kate Cook from the Interim City Attorney's Office introduced the Closed Session Items and noted she will be recusing herself from Items 13C and 13D.

- 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: (3 cases)
- B. Conference with Labor Negotiators, Cal. Gov't Code §54957.6(a)
“Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation.”
Agency Designated Representative: Interim City Manager Robert A. Talloni
Employee Organization: Turlock Associated Police Officers
Employee Organization: Turlock City Employee Association
Employee Organization: Turlock Firefighters Association-Local 2434
Employee Organization: Turlock Management Association-Public Safety
Unrepresented Employees: Accountant, Sr., Administrative Analyst, Administrative Services Director, Assistant to the City Manager for Economic Development/Community Housing, Chief Building Official, City Clerk, Community Housing Program Supervisor, Deputy Director Development Services/Planning, Development Services Director, Development Services Supervisor/City Surveyor, Executive Administrative Assistant/Deputy City Clerk, Executive Administrative Assistant/Municipal Services, Executive Administrative Assistant/Public Safety, Fire Chief, Human Resources Analyst, Sr., Human Resources Manager, Human Resources Technician, Legal Assistant, Municipal Services Director, Office Assistant I, Parks, Recreation and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Payroll Coordinator, Police Business Unit Supervisor, Police Chief, Principal Civil Engineer, Regulatory Affairs Manager, Traffic Transportation Engineering Supervisor, Utilities Manager, and Water Quality Control Division Manager.
- 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 Attorney
- D. Conference with Labor Negotiators, Cal. Gov't Code §54957.6(a)
“Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation.”
Agency Negotiator: Mayor Gary Soiseth
Unrepresented Employee: City Attorney

Mayor Soiseth, on behalf of the City, expressed thanks to Interim City Manager (Fire Chief) Robert A. Talloni for filling in the greater part of the last year and for keeping progress moving forward.

14. REPORTS FROM CLOSED SESSION:

No reportable action.

15. ADJOURNMENT

Motion by Councilmember DeHart, seconded by Councilmember Esquer, to adjourn the open session of the regular meeting at 7:32 p.m. Motion carried unanimously.

Motion by Councilmember Jacob, seconded by Councilmember Esquer, to adjourn the closed session of the regular meeting at 8:14 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
City Clerk