

1. **A. CALL TO ORDER** – Mayor Soiseth called the meeting to order at 6:06 p.m.  
PRESENT: Councilmembers Gil Esquer, Bill DeHart, Amy Bublak, Matthew Jacob, and Mayor Gary Soiseth.  
ABSENT: None

**B. SALUTE TO THE FLAG**

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

- A. Proclamation: National Night Out - August 7, 2018, accepted by Police Chief Ninus C. Amirfar

Mayor Soiseth issued a Proclamation to Police Chief Ninus C. Amirfar in recognition of National Night Out – August 7, 2018.

- B. Appointment: 2018 Special Event Policy Ad Hoc Committee

Mayor Soiseth recommended that Councilmember DeHart and Councilmember Jacob be appointed to serve as members of the 2018 Special Event Policy Ad Hoc Committee.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember Esquer, Appointing Councilmember DeHart and Councilmember Jacob to serve as members of the 2018 Special Event Policy Ad Hoc Committee. Motion carried 5/0 by the following vote:

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

- C. Presentation: SEITY Health Program, presented by Romeo Medical Clinic Dr. Sam Romeo and Dr. Chris Hawley

Administrative Services Director Kellie Jacobs-Hunter introduced Romeo Medical Clinic Doctors Sam Romeo and Chris Hawley who presented information regarding the SEITY Health Program.

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

**B. PUBLIC PARTICIPATION**

The following members of the public spoke:

Curt Olesen  
Jim Cordero

DJ Fransen  
 Terri Shaver  
 Brad Bates  
 Nick Hackler  
 Lori Smith

Council and staff provided brief comment in response to public comments.

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

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Bublak, 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:**

Mayor Soiseth noted he would be recusing himself from a matter heard later in the meeting.

**C. DISCLOSURE OF TOP TEN/MAXIMUM CONTRIBUTORS**

**5. CONSENT CALENDAR:**

*Councilmember Bublak requested Consent Calendar Item 5J be removed 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. 2018-200:** Accepting Weekly Demands of 6/21/18 in the amount of \$703,194.87 and Weekly Demands of 6/28/18 in the amount of \$2,321,149.10
- B. **Motion:** Accepting Minutes of the Regular Meeting of April 10, 2018 and Minutes of the Special Meeting of April 20, 2018
- C. **Motion:** Accepting notification of Contract Change Order No. 3, for a credit of (\$29,121.44), for City Project No. 12-60C "Turlock Regional Transit Center Phase 2," bringing the contract total to \$5,204,135.91
- D. **Motion:** Approving Amendment No. 2 to an Agreement with Kleinfelder, Inc. of Modesto, California in the amount of \$4,000 (Fund 413) for materials testing and inspection services for City Project No. 15-39E "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification," bringing the contract total amount to \$118,500
- E. **Motion:** Approving a Memorandum of Understanding (MOU) between the Stanislaus County Office of Education, the City of Turlock, and the Turlock Unified School District authorizing

- the acceptance of an allocation of funds and execution of a grant agreement to implement the After School Education and Safety (ASES) Program
- F. Motion: Approving Amendment No. 1 to an Agreement with Crane & Hoist Services, Ltd. for additional hoist and crane services, increasing the annual not-to-exceed amount from \$8,470 to \$10,750
- G. Resolution No. 2018-201: Re-appropriating unspent funds of \$73,062 from Fiscal Year 2017-18 to account number 506-00-000-222.51020 "Equipment Replacement" from Fund 506 "Vehicle/Equipment Replacement" unallocated reserves in Program 222 "WQC" and Program 223 "Water Enterprise" for the purchase of two (2) 2017 Ford F250 Regular Cab Pick Ups for the Municipal Services Department from Downtown Ford Sales of Sacramento, California
- H. Resolution No. 2018-202: Approving the purchase of one (1) 2019 Ford Interceptor Utility AWD for the Fire Department from Downtown Ford Sales in Sacramento, California, through the City of Sacramento Contract No. C2016-0531 in a total amount not to exceed \$60,000 from account number 506-00-000-304.51020 "Fire Services Equipment Replacement", without compliance to the formal bid process in accordance with Turlock Municipal Code Sections 2-7-08 (b)(5) and 2-7-08 (b)(6) and declaring the replaced vehicle surplus
- I. 1. Resolution No. 2018-203: Appropriating \$33,247 to account number 506-00-000-213.51020 "Equipment Replacement" funded by an insurance payout received in account number 506-00-000-213.37100 "Reimb Damaged Vehicle"
2. Resolution No. 2018-204: Approving the purchase and delivery of one (1) replacement marked Police vehicle from Winner Chevrolet, Elk Grove, California, through the State of California contract number 1-18-23-23 in a total amount not to exceed \$60,000 from account number 506-00-000-213.51020 "Police Equipment Replacement" without compliance to the formal bid process in accordance with Turlock Municipal Code Sections 2-7-08(b)(5) and 2-7-08(b)(6) and declaring the replaced vehicle as damaged beyond repair
- J. *Removed for separate consideration.*
- K. Motion: Approving an Agreement with SEITY, LLC (herein referred to as SEITY) to provide a Wellness Program for regular City of Turlock employees and their spouses/domestic partners, for the period covering July 1, 2018 to July 1, 2019, in an amount not to exceed \$96,660, for FY 18/19
- L. Motion: Rejecting Claim for Damages filed by Jorge Luis Alonso Tello and Humberto Santiago Tello
- M. Resolution No. 2018-205: Appropriating \$229,615 to account number 110-30-300.41100\_028 Overtime FLSA Settlement, \$2,896 to account number 110-30-300.42010 Medicare, \$6,068 to account number 110-30-300.42008 City Liability Insurance, \$8,470 to account number 110-30-300.42007 Workers Comp Insurance, to the City of Turlock Fiscal Year 2018/2019 General Fund Budget from General Fund unallocated reserves to make payments as agreed to under the Settlement and Release of Claims between the City of Turlock and Turlock Firefighters Local 2434
- 5J. Resolution: Rescinding Resolution No. 2016-295 and adopting a new Resolution designating the authorized signatures for the City of Turlock bank accounts with Westamerica Bank

Council and staff discussed this item

Mayor Soiseth opened public participation.

The following members of the public spoke:

Brad Bates  
 DJ Fransen

Mayor Soiseth closed public participation.

Council and staff further discussed this item including clarification that the action requested was to add the new City Manager and provided direction to staff to further review this matter and bring back for continued discussion.

**Action:**        **Resolution No. 2018-206:** Rescinding Resolution No. 2016-295 and adopting a new Resolution designating the authorized signatures for the City of Turlock bank accounts with Westamerica Bank as introduced by Councilmember DeHart, seconded by Councilmember Jacob, and carried 4/1 by the following vote:

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

**6. FINAL READINGS:** None

**7. PUBLIC HEARINGS**

- A. Interim Development Services Director Nathan Bray presented the staff report on the request to confirm Diagrams, Assessments, the Engineer’s Report, and the Levying and Collection of Assessments as originally proposed for Fiscal Year 2018-19 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock pursuant to Resolution No. 97-128.

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

**Action:**        **Resolution No. 2018-207:** Confirming Diagrams, Assessments, the Engineer’s Report, and the Levying and Collection of Assessments as originally proposed for Fiscal Year 2018-19 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock pursuant to Resolution No. 97-128 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

- B. Principal Planner Katie Quintero presented the staff report on the request to determine the approval of Rezone 2018-01, Planned Development 275 (Mission Ranch) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines AND amend the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal

Code [Rezone 2018-01, Planned Development 275 (Mission Ranch)] AND establish conditions of approval for Planned Development No. 275 (PD-275) [Rezone 2018-01, Mission Ranch]

Council and staff discussed this item.

Mayor Soiseth opened the public hearing.

The following members of the public spoke:

Nick Hackler  
 Ann Strohm

Mayor Soiseth closed the public hearing.

**Action:**        **Resolution No. 2018-208:** Determining the approval of Rezone 2018-01, Planned Development 275 (Mission Ranch) is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-Fill Development Projects) of the CEQA Guidelines as introduced by Councilmember DeHart, seconded by Councilmember Esquer, and carried 4/1 by the following vote:

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

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Motion by Councilmember DeHart, seconded by Councilmember Esquer, introducing an Ordinance Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2018-01, Planned Development 275 (Mission Ranch)] and setting the final reading date for August 14, 2018. Motion carried 4/1 by the following vote:

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

**Resolution:** Establishing conditions of approval for Planned Development No. 275 (PD-275) [Rezone 2018-01, Mission Ranch]

Mayor Soiseth noted that no action would be taken on the Resolution (establishing conditions of approval...) as it will be taken at the August 14, 2018 City Council meeting.

- C. Staff Services Analyst Fallon Martin presented the staff report on the request to amend Turlock Municipal Code Title 6, Chapter 3, Article 1, Section 01 regarding Collection Charges for Garbage, Rubbish, and Organic Refuse as related to Commercial Box Services.

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 Bublak, seconded by Councilmember DeHart, introducing an Ordinance Amending Turlock Municipal Code Title 6, Chapter 3, Article 1, Section 01 regarding Collection Charges for Garbage, Rubbish, and Organic Refuse as related to Commercial Box Services and setting the final reading date for August 14, 2018. Motion carried 5/0 by the following vote:

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

**8. SCHEDULED MATTERS:**

*Mayor Soiseth announced Scheduled Matters Item 8I would be taken out of order.*

- I. Interim City Attorney Jose M. Sanchez presented the staff report on the request to approve a New Building and Ground Lease between the City of Turlock and the Turlock Chamber Foundation for the Building Located at 114 S. Golden State Blvd. AND approve a First Amendment to the Reimbursement Agreement between the City of Turlock and the Turlock Chamber Foundation related to the Convention and Visitors Bureau AND rescind Resolution No. 2008-141 and Closing Out Issues Regarding the Centennial Committee Loan/Appropriation and Regarding the Sales and Licensing From the Centennial DVD Between the City of Turlock, the Turlock Chamber of Commerce, and the Turlock Historical Society.

Council discussed this item.

Mayor Soiseth opened public participation.

The following members of the public spoke:

Member of the public  
 Chamber Chairman of the Board Craig Pitau  
 DJ Fransen

Mayor Soiseth closed public participation.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, Approving a New Building and Ground Lease between the City of Turlock and the Turlock Chamber Foundation for the Building Located at 114 S. Golden State Blvd. 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 Bublak, seconded by Councilmember DeHart, Approving a First Amendment to the Reimbursement Agreement between the City of Turlock and the Turlock Chamber Foundation related to the Convention and Visitors Bureau. 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. 2018-209:** Rescinding Resolution No. 2008-141 and Closing Out Issues Regarding the Centennial Committee Loan/Appropriation and Regarding the Sales and Licensing From the Centennial DVD Between the City of Turlock, the Turlock Chamber of Commerce, and the Turlock Historical Society 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

*Mayor Soiseth noted Scheduled Matters Items 8A through 8E will be discussed concurrently.*

- A. Parks, Recreation and Public Facilities Event Coordinator Amber Traini presented the staff report on the request to determine the closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street), for the Feast of our Lady of Assumption Procession Celebration hosted by Sacred Heart Catholic Church, 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 the Special Event Permit Application for the Feast of Our Lady of Assumption Procession Celebration hosted by Sacred Heart Catholic Church, authorizing the associated closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street) for pedestrian safety, on Wednesday, August 15, 2018 from 5:30 p.m. to 7:30 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure.

Event Coordinator Traini invited applicant Edwina Rocha to the podium who spoke regarding the parade routes and event security.

Council and staff discussed this item.

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

**Action:** **Resolution No. 2018-210:** Determining the closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street), for the Feast of our Lady of Assumption Procession Celebration hosted by Sacred

Heart Catholic Church, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines as introduced by Councilmember Bublak, seconded by Councilmember Esquer, 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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**Resolution No. 2018-211:** Approving the Special Event Permit Application for the Feast of Our Lady of Assumption Procession Celebration hosted by Sacred Heart Catholic Church, authorizing the associated closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and Oak Street) for pedestrian safety, on Wednesday, August 15, 2018 from 5:30 p.m. to 7:30 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure as introduced by Councilmember Bublak, 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. Parks, Recreation and Public Facilities Event Coordinator Amber Traini presented the staff report on the request to determine the closure of Oak Street (between Cooper Avenue and Lyons Avenue), Lyons Avenue (between Oak Street and North Rose Street), and North Rose Street (between Lyons Avenue and Cooper Avenue), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, 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 the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorizing the associated closure of Oak Street (between Cooper Avenue and Lyons Avenue), Lyons Avenue (between Oak Street and North Rose Street), and North Rose Street (between Lyons Avenue and Cooper Avenue) for pedestrian safety, on Saturday, October 6, 2018 from 7:30 p.m. through 10:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure.

Event Coordinator Traini invited applicant Edwina Rocha to the podium who spoke regarding the parade routes and event security.

Council and staff discussed this item.

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

**Action:**        **Resolution No. 2018-212:** Determining the closure of Oak Street (between Cooper Avenue and Lyons Avenue), Lyons Avenue (between Oak Street and North Rose Street), and North Rose Street (between Lyons Avenue and Cooper Avenue), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines as introduced by Councilmember Bublak, seconded by Councilmember Esquer, 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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**Resolution No. 2018-213:** Approving the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorizing the associated closure of Oak Street (between Cooper Avenue and Lyons Avenue), Lyons Avenue (between Oak Street and North Rose Street), and North Rose Street (between Lyons Avenue and Cooper Avenue) for pedestrian safety, on Saturday, October 6, 2018 from 7:30 p.m. through 10:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure as introduced by Councilmember Jacob, seconded by Councilmember Esquer, and carried 5/0 by the following vote:

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

- C. Parks, Recreation and Public Facilities Event Coordinator Amber Traini presented the staff report on the request to determine the closure of Lyons Avenue (between North Rose Street and Colorado Avenue), Colorado Avenue (between Lyons Avenue and Cooper Avenue) and Cooper Avenue (between Colorado Avenue and Oak Street), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, 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 the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorizing the associated closure of Lyons Avenue (between North Rose Street and Colorado Avenue), Colorado Avenue (between Lyons Avenue and Cooper Avenue) and Cooper Avenue (between Colorado Avenue and Oak Street) for pedestrian safety, on Sunday, October 7, 2018 from 9:30 a.m. through 12:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure.

Event Coordinator Traini invited applicant Edwina Rocha to the podium who spoke regarding the parade routes and event security.

Council and staff discussed this item.

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

**Action:**        **Resolution No. 2018-214:** Determining the closure of Lyons Avenue (between North Rose Street and Colorado Avenue), Colorado Avenue (between Lyons Avenue and Cooper Avenue) and Cooper Avenue (between Colorado Avenue and Oak Street), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, 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 Esquer, seconded by Councilmember Bublak, and carried 4/1 by the following vote:

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

**Resolution No. 2018-215:** Approving the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorizing the associated closure of Lyons Avenue (between North Rose Street and Colorado Avenue), Colorado Avenue (between Lyons Avenue and Cooper Avenue) and Cooper Avenue (between Colorado Avenue and Oak Street) for pedestrian safety, on Sunday, October 7, 2018 from 9:30 a.m. through 12:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure as introduced by Councilmember Esquer, seconded by Councilmember Bublak, and carried 4/1 by the following vote:

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

- D. Parks, Recreation and Public Facilities Event Coordinator Amber Traini presented the staff report on the request to determine the closure of North Rose Street (between Cooper Avenue and Lyons Avenue) and Lyons Avenue (between North Rose Street and Oak Street), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, 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 the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorizing the associated closure of North Rose Street (between Cooper Avenue and Lyons Avenue), and Lyons Avenue (between North Rose Street and Oak Street) for pedestrian safety, on Sunday, October 7, 2018 from 7:15 p.m. through 9:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure.

Event Coordinator Traini invited applicant Edwina Rocha to the podium who spoke regarding the parade routes and event security.

Council and staff discussed this item.

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

**Action:**            **Resolution No. 2018-216:** Determining the closure of North Rose Street (between Cooper Avenue and Lyons Avenue) and Lyons Avenue (between North Rose Street and Oak Street), for Sacred Heart Catholic Church to host the Feast of Our Lady of Fatima Celebration Procession, 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

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**Resolution No. 2018-217:** Approving the Special Event Permit Application for the Feast of Our Lady of Fatima Celebration Procession hosted by Sacred Heart Catholic Church, authorizing the associated closure of North Rose Street (between Cooper Avenue and Lyons Avenue), and Lyons Avenue (between North Rose Street and Oak Street) for pedestrian safety, on Sunday, October 7, 2018 from 7:15 p.m. through 9:00 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 Jacob, and carried 5/0 by the following vote:

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

- E. Parks, Recreation and Public Facilities Event Coordinator Amber Traini presented the staff report on the request to determine the closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and North Rose Street), for the Feast of Our Lady of Guadalupe Procession Celebration hosted by Sacred Heart Catholic Church, 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 the Special Event Permit Application for the Feast of Our Lady of Guadalupe Procession Celebration hosted by Sacred Heart Catholic Church, authorizing the associated closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and North Rose Street) for pedestrian safety, on Wednesday, December 12, 2018 from 6:00 p.m. to 9:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure.

Event Coordinator Traini invited applicant Edwina Rocha to the podium who spoke regarding the parade routes and event security.

Council and staff discussed this item.

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

**Action:**        **Resolution No. 2018-218:** Determining the closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and North Rose Street), for the Feast of Our Lady of Guadalupe Procession Celebration hosted by Sacred Heart Catholic Church, 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 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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**Resolution No. 2018-219:** Approving the Special Event Permit Application for the Feast of Our Lady of Guadalupe Procession Celebration hosted by Sacred Heart Catholic Church, authorizing the associated closure of North Rose Street (between Cooper Avenue and Cahill Avenue), Cahill Avenue (between North Rose Street and Bell Street), Bell Street (between Cahill Avenue and Lyons Avenue), and Lyons Avenue (between Bell Street and North Rose Street) for pedestrian safety, on Wednesday, December 12, 2018 from 6:00 p.m. to 9:00 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

- F. Interim Development Services Director Nathan Bray presented the staff report on the request to approve the advertisement of construction bids for City Project No. 0828 "SR-99/Fulkerth Road Interchange".

*Councilmember DeHart stepped down from the dais at approximately 8:37 p.m.  
 Councilmember DeHart returned to the dais at approximately 8:40 p.m.*

Council and staff discussed this item.

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

**Action:** Motion by Councilmember Jacob, seconded by Councilmember DeHart, Approving the advertisement of construction bids for City Project No. 0828 “SR-99/Fulkerth Road Interchange”. Motion carried 5/0 by the following vote:

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

- G. Request to award bid and approve an agreement in the amount of \$27,547,208 (Fund 416) with Ranger Pipelines of San Francisco, California for construction of City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component" AND approve Amendment No. 3 to an Agreement with Carollo Engineers of Walnut Creek, California for professional design services for City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component" AND approve an Agreement with Carollo Engineers of Walnut Creek, California in the amount of \$865,895 for professional engineering services during construction of City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component" AND approve an Agreement with West Yost Associates of Davis, California in the amount of \$1,921,505 for construction management services for City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component" AND approve an Agreement with H.T. Harvey & Associates of Los Gatos, California in the amount of \$266,531 for biological monitoring during construction of City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component" AND amend the fiscal year 2018-19 budget in Fund 416 “Recycled Water Sales” to provide for the proper accounting of expenses and revenues associated with City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component”.

Council and staff discussed this item.

Mayor Soiseth opened public participation.

The following members of the public spoke:

Member of the public

Del Puerto Water District Water Operations and Resources Manager Adam Scheuber

Mayor Soiseth closed public participation.

**Action:** Motion by Councilmember Bublak, seconded by Councilmember DeHart, Awarding bid and approving an agreement in the amount of \$27,547,208 (Fund 416) with Ranger Pipelines of San Francisco, California for construction of City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component”. 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 Bublak, seconded by Councilmember DeHart, Approving Amendment No. 3 to an Agreement with Carollo Engineers of Walnut Creek, California for professional design services for City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component". 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 Bublak, seconded by Councilmember DeHart, Approving an Agreement with Carollo Engineers of Walnut Creek, California in the amount of \$865,895 for professional engineering services during construction of City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component". 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 Bublak, seconded by Councilmember DeHart, Approving an Agreement with West Yost Associates of Davis, California in the amount of \$1,921,505 for construction management services for City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component". 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 Bublak, seconded by Councilmember DeHart, Approving an Agreement with H.T. Harvey & Associates of Los Gatos, California in the amount of \$266,531 for biological monitoring during construction of City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component". 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. 2018-220:** Amending the fiscal year 2018-19 budget in Fund 416 "Recycled Water Sales" to provide for the proper accounting of expenses and revenues associated with City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component" 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

*Mayor Soiseth announced that he would be turning the meeting over to the Vice Mayor to handle this item, spoke about his employer's previously stated opposition to the SRWA project, having removed himself as the Chair of the SRWA, having asked the Interim City Attorney to look into potential conflicts, his employer no longer being in opposition to the project, but out of an abundance of caution he would not be participating in this item. Interim City Attorney Jose M. Sanchez noted they did not find any conflicts under the Political Reform Act or Section 1090 of the Government Code.*

*Mayor Soiseth stepped down from the dais at approximately 8:55 p.m.*

- H. Municipal Services Director Michael Cooke presented the staff report on the request to approve the amended Joint Powers Authority (JPA) Agreement for the Stanislaus Regional Water Authority (SRWA).

Vice Mayor Jacob opened public participation.

The following members of the public spoke:

Milt Trieweiler

Council and staff discussed this item.

Vice Mayor Jacob closed public participation.

**Action:** Motion by Councilmember DeHart, seconded by Councilmember Esquer, Approving the amended Joint Powers Authority (JPA) Agreement for the Stanislaus Regional Water Authority (SRWA). Motion carried 4/1 by the following vote:

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

*Mayor Soiseth returned to the dais at 9:05 p.m.*

*Mayor Soiseth noted correspondence received from Mr. Ron Hillberg regarding this item.*

- J. Parks, Recreation and Public Facilities Director Allison Van Guilder and Police Chief Ninus C. Amirfar presented the staff report on the request to modify park hours at Denair, Central, and GAR pocket parks from 6:00 AM to 10:00 PM, to 7:00 AM to dusk, on a trial basis to evaluate the impacts to crime in, and around, those locations.

*Councilmember Esquer stepped down from the dais at 9:06 p.m.*

*Councilmember Esquer returned to the dais at 9:09 p.m.*

Council and staff discussed this item including potentially modifying hours at all parks, park lighting, calls for service, a report back to the Council in January 2019, and meetings previously held regarding homelessness and quality of life issues.

Mayor Soiseth opened public participation.

The following members of the public spoke:

Ann Strohm  
Milt Trieweler  
DJ Fransen  
Allison Jeffries  
Logan Sisco

Mayor Soiseth closed public participation.

Councilmember DeHart motioned to modify park hours at the three parks with a report back to Council no later than January 2019; however, after further Council discussion, Councilmember DeHart withdrew the motion.

**Action:**        **Resolution No. 2018-221**: Modifying park hours at all parks from 6:00 AM to 10:00 PM, to 7:00 AM to dusk, on a trial basis to evaluate the impacts to crime in, and around, all parks with a report back to the City Council at the first meeting in January 2019 as introduced by Councilmember Jacob, seconded by Councilmember Bublak, and carried 3/2 by the following vote:

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

*Councilmember Bublak stepped down from the dais at 10:14 p.m.*  
*Councilmember Bublak returned to the dais at 10:18 p.m.*

- K. Municipal Services Director Michael Cooke presented the staff report on the request to direct staff to re-lamp the streetlights and security lights at Broadway, Central, and GAR parks with energy-efficient LED technology at a total estimated cost of \$2,523.32 with funding from account number 110-60-600-44001\_000 "Parks Maintenance".

Mayor Soiseth opened public participation.

The following members of the public spoke:

Ann Strohm

Mayor Soiseth closed public participation.

Council and staff discussed this item.

**Action:**        Motion by Councilmember DeHart, seconded by Councilmember Esquer, Directing staff to re-lamp the streetlights and security lights at Broadway, Central, and GAR parks with energy-efficient LED technology at a total estimated cost of \$2,523.32 with funding from account number 110-60-600-44001\_000 "Parks Maintenance". Motion carried 4/1 by the following vote:

Councilmember Esquer	Councilmember DeHart	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	No	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 – No update provided.
4. Fire Department
  - a. Public Safety Briefing (*Talloni*)  
A written staff update was included in the agenda packet.
5. Municipal Services Department – No update provided.
6. Parks, Recreation and Public Facilities – No update provided.
7. Police Department
  - a. Public Safety Briefing (*Amirfar*)  
A written staff update was included in the agenda packet.

**10. NON-AGENDA ITEMS:** None

*Mayor Soiseth welcomed City Manager Robert C. Lawton to the team and congratulated him on his first official meeting.*

**11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:**

Councilmember Bublak spoke about communication she has received from residents and business owners regarding Charter outages. City Manager Robert C. Lawton noted staff is looking into this matter.

**12. COUNCIL COMMENTS:**

Councilmember Esquer expressed thanks to the Chamber and the Turlock Downtown Property Owners Association for their sponsorships toward the National Night Out Event street closure permit fees and noted that he and Councilmember Bublak also committed donations.

**13. CLOSED SESSION:**

*Interim City Attorney Jose M. Sanchez introduced the Closed Session Items and noted that Closed Session Item 13A would be removed and not discussed.*

- A. 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: City Manager Robert C. Lawton

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.

- 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: (2 cases)
- C. 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)
- D. 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
- E. 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

#### 14. REPORTS FROM CLOSED SESSION:

No reportable action.

**15. ADJOURNMENT**

Motion by Councilmember Jacob, seconded by Councilmember Bublak, to adjourn the open session of the regular meeting at 10:27 p.m. Motion carried unanimously.

Motion by Councilmember Bublak, seconded by Councilmember Esquer, to adjourn the closed session of the regular meeting at 11:16 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Jennifer Land  
City Clerk