

1. **A. CALL TO ORDER** – Mayor Soiseth called the meeting to order at 6:04 p.m.
PRESENT: Councilmembers Gil Esquer, Bill DeHart, Amy Bublak, Matthew Jacob, and Mayor Gary Soiseth.
ABSENT: None

B. SALUTE TO THE FLAG

C. MOMENT OF REFLECTION HONORING THE LIFE AND SERVICE OF SENIOR MAINTENANCE WORKER GUY TRUJILLO

Mayor Soiseth led a moment of reflection honoring the life and service of Senior Maintenance Worker Guy Trujillo.

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

Mayor Soiseth announced that Item 2A would be removed from the agenda.

A. *Removed from the agenda.*

B. Proclamation: Law Enforcement Records and Support Personnel Day, November 6, 2018, accepted by Senior Records Technicians Cheryl Perrien and Kelly Hines

Mayor Soiseth issued a Proclamation to Senior Records Technicians Cheryl Perrien and Kelly Hines and Records support staff in recognition of Law Enforcement Records and Support Personnel Day, November 6, 2018.

C. Presentation: 2017-18 Active Military Banner Retirement, presented by Parks, Arts and Recreation Director Allison Van Guilder

Parks, Recreation and Public Facilities Director Allison Van Guilder spoke regarding the 2017-18 inaugural season of the Active Military Banner Retirement program, thanked staff and sponsors for their efforts with the program, and along with Mayor Soiseth, Parks, Recreation and Public Facilities Events Coordinator Amber Traini, and Member of the American Legion Anthony Moreno presented the 2017-18 Active Military Banner Retirements.

D. 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 November 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.

E. Proclamation: Retirement of Stanislaus County Office of Education Superintendent of Schools Tom Changnon

Mayor Soiseth issued a Proclamation to Stanislaus County Office of Education Superintendent of Schools Tom Changnon in recognition of his upcoming retirement.

3. A. SPECIAL BRIEFINGS:

1. State of Education in Stanislaus County, presented by Stanislaus County Office of Education Superintendent of Schools Tom Changnon

Stanislaus County Office of Education Superintendent of Schools Tom Changnon presented the State of Education in Stanislaus County.

B. PUBLIC PARTICIPATION

The following members of the public spoke:

Stanislaus County Supervisor Vito Chiesa
Members of the public Mari and Michelle
Stanislaus County Turlock Public Library Supervising Librarian Diane Bartlett
DJ Fransen
Bill Bilson
Romo Rodriguez

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:

Mayor Soiseth noted that at the request of Councilmember Esquer Consent Calendar Item 5F would be removed for separate consideration

Action: Motion by Councilmember DeHart, seconded by Councilmember Esquer, 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. 2018-296:** Accepting Weekly Demands of 10/4/18 in the amount of \$1,402,921.24; Weekly Demands of 10/11/18 in the amount of \$679,184.99; Weekly Demands of 10/18/18 in the amount of \$1,448,493.82
- B. **Motion:** Accepting Minutes of the Special Meeting of August 14, 2018; Minutes of the Regular Meeting of August 14, 2018; Minutes of the Special Meeting of August 22, 2018; Minutes of the Special Meeting of September 5, 2018
- C. **Motion:** Accepting improvements for City Project No. 18-27 "Christoffersen Parkway Median Fence Installation" and authorizing the City Engineer to file a Notice of Completion

- D. **Resolution No. 2018-297**: Approving the amended and restated Joint Powers Agreement (JPA) between the Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford, and the County of Stanislaus establishing the Stanislaus Council of Governments (StanCOG) and the amended and restated Bylaws to designate a Public Transportation Provider representative and authorizing the Mayor to execute related documents on behalf of the City of Turlock
- E. **Resolution No. 2018-298**: Initiating Proceedings for the formation of Parcel Map 18-02 "Castle" (Development Project No. 18-47) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area and directing the City Engineer to act as the Engineer of Work and produce an Engineer's Report which details the annual costs to the development
- F. *Removed for separate consideration.*
- G. 1. **Resolution No. 2018-299**: Determining the connection of the existing property at 895 North Mitchell Avenue, located outside the jurisdictional boundary of the City of Turlock, to existing City of Turlock water and sewer lines is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facility), Section 15303 (New Construction or Conversion of Small Structures), and/or Section 15304 (Minor Alterations to Land) of the CEQA Guidelines
2. **Motion**: Approving an Out of Boundary Service Agreement for Water and Sanitary Sewer Connection Affecting Real Property located at 895 North Mitchell Avenue, Turlock, California (Stanislaus County Assessor's Parcel Number 042-024-014) establishing the conditions under which the City would provide water and sanitary sewer services to the property and authorizing the City Manager to sign an Out of Boundary Service Agreement for Water and/or Sanitary Sewer Connection Affecting Real Property upon approval of the Out of Boundary Service Application by the Stanislaus LAFCO, and to execute all documents, applications, assurances, agreements, and statements that may be required to implement the agreement
3. **Motion**: Authorizing the City Manager to certify a Stanislaus LAFCO Out of Boundary Service Application, requesting LAFCO approval for the property located at 895 North Mitchell Avenue, Turlock, California, (Stanislaus County APN 042-024-014) a property located outside the City of Turlock jurisdictional boundary and within its Sphere of Influence, to connect to the City of Turlock water and sewer system
- H. **Motion**: Approving Amendment No. 1 to an Agreement with West Coast Arborists, Inc. for tree trimming and maintenance services for the City of Turlock, adjusting the annual compensation for year three (3) from \$25,000 to \$39,000
- I. **Resolution No. 2018-300**: Appropriating \$13,146 to account number 110-61-620.44010_009 "Computer Rec Mgmt Software Maintenance" to be funded from Fund 110 "General Fund" unallocated reserves for the recreation management software Community Pass annual subscription fees
- J. **Resolution No. 2018-301**: Approving the purchase of one (1) Vac-Con Model V350/850 Combination Sewer and Storm Drain Cleaner for the Municipal Services Department from Atlantic Machinery, Inc. through the National Joint Powers Alliance Contract No. 122017-AMI, in the amount not to exceed \$451,736, including a 5% contingency, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(4)
- K. **Motion**: Approving Amendment No. 2 to an Agreement with Crane & Hoist Services, Ltd. for additional hoist and crane services, increasing the annual not-to-exceed amount from \$10,750 to \$17,950
- L. **Motion**: Approving Amendment No. 1 to an Agreement with CNC Environmental, LLC for granular activated adsorption system, to increase the contract amount and changing the

- compensation from a total amount not to exceed \$50,000 over three (3) years, with three (3) optional additional one-year renewal terms, to an annual amount not to exceed \$15,000
- M. **Resolution No. 2018-302**: Ratifying 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
 - N. **Resolution No. 2018-303**: Approving modifications to the job description for the position of Fire Engineer, effective November 13, 2018
 - O. **Resolution No. 2018-304**: Accepting donations made to the City of Turlock Police Department from various donors during the first quarter of Fiscal Year 2018-19 in the amount of \$1,808.00 (monetary donations) and \$2,535.50 (non-monetary donations) utilized in support of the Turlock Police Department's Blue Santa, National Night Out, VIPS, and Animal Services
 - P. **Motion**: Approving Amendment No. 1 to an Agreement with United Samaritans Foundation dated June 26, 2018 (Contract #2019-007), changing budgeted line item amounts without increasing overall funding, in a form approved by the Interim City Attorney
 - Q. **Motion**: Rejecting Claim for Damages filed by Alma Ayala
 - R. **Motion**: Rejecting Claim for Damages filed by Edward F. Cicero
 - S. **Motion**: Rejecting Claim for Damages filed by Crystal Cozine
 - T. **Motion**: Rejecting Claim for Damages filed by Jose Licea
- 5F. **Resolution**: Approving the purchase and delivery of one (1) 2019 Ford F-250 truck from Downtown Ford Sales of Sacramento, California, to be used solely as a non-revenue, transit maintenance support vehicle by City maintenance staff assigned to the Roger K. Fall Transit Center, through the State of California Contract No. 1-18-23-20A, in an amount not to exceed \$39,242, without compliance to formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(4)

Council and staff discussed this item.

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

Action: **Resolution No. 2018-305**: Approving the purchase and delivery of one (1) 2019 Ford F-250 truck from Downtown Ford Sales of Sacramento, California, to be used solely as a non-revenue, transit maintenance support vehicle by City maintenance staff assigned to the Roger K. Fall Transit Center, through the State of California Contract No. 1-18-23-20A, in an amount not to exceed \$39,242, without compliance to formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(4) 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

6. FINAL READINGS: None

7. PUBLIC HEARINGS

- A. Principal Planner Katie Quintero presented the staff report on the request for the City Clerk to confirm: a) Proof of Publication of Notice of Public Hearing; b) Signed Waiver and Consent; c) Completed and Signed Ballot and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and Ballot Declaring Election Results AND Mayor and City Council conduct public hearing confirming that no protests have been received – close hearing and adopt the two resolutions below AND call a Special, Mailed-Ballot Election respecting Proposed Annexation Number 25 to existing Community Facilities District Number 2 (Services Mitigation) AND declare the results of Mailed-Ballot Election respecting Proposed Annexation Number 25 to Community Facilities District Number 2 (Services Mitigation) and ordering annexation.

City Clerk Jennifer Land confirmed a) Proof of Publication of the Notice of Public Hearing; b) Signed Waiver and Consent form; c) Completed and Signed Ballot, noting the ballot received from the property owner authorized the annexation of the property to the existing Community Facilities District No. 2; and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and the Ballot Declaring Election Results.

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

Action: **Resolution No. 2018-306:** Calling a Special, Mailed-Ballot Election respecting Proposed Annexation Number 25 to existing Community Facilities District Number 2 (Services Mitigation) 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. 2018-307: Declaring the results of Mailed-Ballot Election respecting Proposed Annexation Number 25 to Community Facilities District Number 2 (Services Mitigation) and ordering annexation 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

8. SCHEDULED MATTERS:

- A. Transit Planner Scott Medeiros presented the staff report on the request to approve an Agreement with CrimeTek Security Services of Turlock, California, for unarmed, private security services at the Roger K. Fall Transit Center in an annual not-to-exceed amount of \$158,976 and a total not-to-exceed amount of \$417,312 (Fund 426) beginning November 13, 2018 and terminating June 30, 2021.

Council and staff discussed this item.

Mayor Soiseth opened public participation.

The following members of the public spoke:

Milt Trieweiler

Mayor Soiseth closed public participation.

Action: Motion by Councilmember Esquer, seconded by Councilmember Jacob, Approving an Agreement with CrimeTek Security Services of Turlock, California, for unarmed, private security services at the Roger K. Fall Transit Center in an annual not-to-exceed amount of \$158,976 and a total not-to-exceed amount of \$417,312 (Fund 426) beginning November 13, 2018 and terminating June 30, 2021. Motion carried 5/0 by the following vote:

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

- B. Staff Services Analyst Juan Vargas presented the staff report on the request to accept a grant from Game Time as part of the 2017 California Parks & Recreation Society State-Wide Healthy Play Training and Funding Initiative in the amount of \$23,274 for the Rotary Park playground replacement project AND approve the purchase of the Rotary Park playground equipment and engineered wood fiber from the 2017 California Parks & Recreation Society State-Wide Healthy Play Training and Funding Initiative in the amount of \$45,165.49, through the State of North Carolina County of Mecklenburg competitively bid contract, for the Rotary Park playground replacement project, in compliance with Turlock Municipal Code 2-7-08(b)(4).

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

Action: **Resolution No. 2018-308:** Accepting a grant from Game Time as part of the 2017 California Parks & Recreation Society State-Wide Healthy Play Training and Funding Initiative in the amount of \$23,274 for the Rotary Park playground replacement project 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. 2018-309: Approving the purchase of the Rotary Park playground equipment and engineered wood fiber from the 2017 California Parks & Recreation Society State-Wide Healthy Play Training and Funding Initiative in the amount of \$45,165.49, through the State of North Carolina County of Mecklenburg competitively bid contract, for the Rotary Park playground replacement project, in compliance with Turlock Municipal Code

2-7-08(b)(4) 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

- C. Request to authorize staff to proceed with a call for public art, giving the original artist first right of refusal, to replace the live water feature aspect of the Califia statue with a ceramic tile cover that would continue the theme of the statue at an estimated cost of \$15,000 - \$20,000 using only Non-General Fund revenue, grants or private donations to fund the project AND authorize the water be turned off to avoid water damage and minimize maintenance.

Mayor Soiseth thanked staff for their efforts and noted he would be putting forward a motion to table this item to allow the new Council the opportunity to consider this item. Councilmember Esquer also spoke about being contacted by citizens who were not able to be in attendance at tonight’s meeting and had requested the item be removed and heard at a future date.

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

Action: Motion by Councilmember Esquer, seconded by Councilmember DeHart, tabling the item. Motion 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 – No update provided.
2. Administrative Services
 - a. Board, Commission, Committee Vacancy Update
 A written staff update was included in the agenda packet.

 City Clerk Jennifer Land provided an update regarding current and upcoming Board, Commission, and Committee Vacancies.
3. Development Services Department
 - a. Building Activity, Capital Projects, Transit, and Measure L
 A written staff update was included in the agenda packet.
4. Fire Department

 Fire Chief Robert A. Talloni spoke regarding the Fire Department Annual Awards and Recognition Ceremony.

5. Municipal Services Department – No update provided.

6. Parks, Recreation and Public Facilities

Parks, Recreation and Public Facilities Director Allison Van Guilder spoke regarding an upcoming public meeting for the lighting feasibility project at the Sports Complex to be held on November 14, 2018 at 6:00 p.m. at Pitman High School.

7. Police Department – No update provided.

10. CITY MANAGER COMMENTS:

City Manager Robert C. Lawton spoke regarding his attendance at various City events and activities, thanked the firefighters for serving the City and state, noted that a progress report on the Policy Goals and Implementation Plan and an update on the Economic Development Strategic Plan would be provided at the next Council meeting, and spoke regarding his desire to have a Council retreat in January to discuss the development of mission, vision, and goals statement.

11. NON-AGENDA ITEMS: None

12. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Bublak spoke regarding the need to increase sales and influence people to shop in Turlock for the holidays. City Manager Lawton noted he would be working with staff to see what can be accomplished in the short run to maximize sales tax revenue and spoke regarding sales tax calculations.

13. COUNCIL COMMENTS:

Councilmember Esquer announced that the Commercial Cannabis Ad Hoc Committee would be providing a brief report at the November 27, 2018 Council meeting.

Councilmember DeHart spoke regarding the Veterans Day ceremony and his attendance at the Library project unveiling.

Mayor Soiseth announced that he has asked Vice Mayor Jacob to chair the next Council meeting on November 27, 2018 as he will not be in attendance, spoke regarding the Council being in transition due to the election, encouraged outgoing Councilmembers to work counterparts, congratulated Councilmember Bublak, and noted the new Council's success is the City's success.

14. CLOSED SESSION:

Interim City Attorney Jose M. Sanchez 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: (1 case)

15. REPORTS FROM CLOSED SESSION:

No reportable action.

16. ADJOURNMENT

Motion by Councilmember DeHart, seconded by Councilmember Bublak, to adjourn the open session of the regular meeting at 7:42 p.m. Motion carried unanimously.

Motion by Councilmember Bublak, seconded by Councilmember Esquer, to adjourn the closed session of the regular meeting at 7:58 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
City Clerk