

1. **A. CALL TO ORDER** –Mayor Soiseth called the meeting to order at 6:01 p.m.
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Matthew Jacob, Steven Nascimento,
and Mayor Soiseth.
ABSENT: None

- B. SALUTE TO THE FLAG:** Mr. Wallace Sanford led the flag salute.

2. **PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:**
 - A. Mayor Soiseth presented a Proclamation to Wallace Albert Sanford in recognition of receiving the Mayor’s Award at the Turlock Quilt Guild, Threads of Beauty Quilt Show, and for his volunteer efforts and patriotic service to our country. Mr. Sanford thanked the City Council for the honor.

 - B. Rosa Park, Executive Director of the Stanislaus Council of Governments, introduced Kendall Flint who presented information about StanCOG’s 2016 Transportation Expenditure Plan, which included an overview of StanCOG, history of previous ½ cent sales tax measures, and the new approach being taken for the 2016 measure with a focus on local control for projects such as fixing potholes, maintaining major streets/roads, better roads for public safety, safe routes to schools, point to point service for seniors, traffic signals and reducing congestion on Highway 99. Ms. Flint provided future timelines for community outreach, education, and project list finalization, all culminating in the anticipated placement of the measure of the November 2016 ballot. At the request of Supervisor Vito Chiesa, Ms. Flint provided information about how the proposed tax will be allocated among the cities and the County.

 - C. Chris Kiriakou, Turlock Gospel Mission Board Chairman, presented information about the history of the Mission and services they offer, including the Meal Ministry, Homeless Assistance Ministry (HAM Center), Winter Relief for Women and Children, and City of Turlock/TGM Diversion Pilot Program. Mr. Kiriakou also spoke about the Restoration Shelter located at 437 S. Broadway, which is currently under construction, and the efforts of the Hope Lives Here Committee that is helping to raise funds to complete the shelter. In addition, he noted an Open House being held at the Restoration Shelter on Sunday, May 13, 2016, from 2:00 p.m. to 5:00 p.m.

3. **A. SPECIAL BRIEFINGS:**
 1. **CALIFORNIA STATE UNIVERSITY STANISLAUS**
CSUS Student Government Relations Coordinator Maggie White provided information about issues/activities at the University, including successful homecoming week activities, funds raised for the Make-A-Wish Foundation, transit system discussions, search for the new CSUS President, and the second annual “One-on-One with the Mayor” event to be held in March.

2. STANISLAUS COUNTY OFFICE OF EDUCATION

Stanislaus County Office of Education Assistant Superintendent Scott Kuykendall spoke about the Stanislaus County Office of Education Destination Graduation Program for recent high school dropouts. Mr. Kuykendall provided information about the program including their charter overview, enrollment and graduation statistics, enrollment requirements, focus on work skills, online format, and desire to expand into the Turlock area.

B. STAFF UPDATES

1. City Attorney Phaedra Norton provided an update on the newly developed Pilot Diversion Program including information about the program, statistical information on persons entering the program, and noted the program goal of reducing occurrence of violations of the Turlock Municipal Code while connecting individuals to appropriate services. City Attorney Norton provided information about informal and formal diversion processes and noted the primary focus as being restoration, rather than incarceration. Ms. Norton provided additional information about partnerships that have been developed with Stanislaus County Behavior Health and Recovery Services and the Turlock Police Department in order to provide directed service to offenders.

Councilmembers publicly thanked City Attorney Norton and Turlock Police employees for their outstanding efforts.

2. Policy Goals and Implementation Plan updates were provided by:

Administrative Services Director Kellie Jacobs-Hunter provided an update on the new City of Turlock website, encouraged all to test the new beta website and provide feedback, and noted that the existing website will remain fully functional for 30 days.

Mayor Soiseth asked for a full update of the new website at the next City Council meeting.

Councilmember Jacob praised the Information Technology team for their efforts and strong work ethic.

3. Development Services Director Mike Pitcock provided an update on Capital Projects and Building Activity, including statistics on the number of permits issues and inspections completed, the Council Chamber Upgrade project, Skate Park project, Monte Vista Avenue Crossings Construction project, and the Vista Student Housing project.

C. PUBLIC PARTICIPATION

Turlock resident and former mayor, Brad Bates, spoke regarding having not yet received an FPPC opinion, whether formal or informal, about a potential conflict of interest concerning decisions being made by the Council related to the farmer's market issue. He also spoke regarding an article in the San Francisco Chronicle about the recent sentencing of past Senator Leland Yee as a result of a San Francisco corruption case. Mayor Soiseth asked that the City Attorney meet with past Mayor Bates to discuss the conflict of interest issue, noting there could be no discussion as his request was not an agenda item.

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

5. **CONSENT CALENDAR:**

Action: Motion by Councilmember Bublak, seconded by Councilmember Jacob, to adopt the consent calendar. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- A. **Resolution No. 2016-030** Weekly Demands of 1/21/16 in the amount of \$512,364.43; Weekly Demands of 1/28/16 in the amount of \$267,957.78; Accepting Monthly Demands of 11/30/15 in the amount of \$1,060,254.25
- B. *Motion:* Accepting Minutes of Special Meeting of February 9, 2016; Regular Meeting of February 9, 2016; Special Meeting of February 16, 2016
- C. *Motion:* Accepting notification of Contract Change Order No. 1 in the amount of \$1,770 (Fund 228) for City Project No. 15-28, "Brandon Koch Memorial Skatepark," bringing the contract total to \$260,770
- D.
 - 1. *Motion:* Making the determination that City Project No. 15-82, "Turlock Regional Sports Complex Fence Replacement" is exempt from the provisions of CEQA in accordance with Section 15303
 - 2. *Motion:* Awarding bid and approving an agreement in the amount of \$8,834.38 (Fund 205) with Titan Fence, Modesto, California, for City Project No. 15-82, "Turlock Regional Sports Complex Fence Replacement"
 - 3. **Resolution No. 2016-031** Appropriating \$15,000 to account number 205-60-602.51270 "Construction Project" to be funded from an anticipated insurance reimbursement to be accounted for in account number 205-60-602.37220-005 "Insurance Refund/Recovery"
- E. **Resolution No. 2016-032** Re-appropriating \$142,350 to account number 240-00-000-203.51005_001 "Communications Equipment Funded by PEG Fees" for City Project No. 14-26B, "Council Chambers Improvements," to complete the necessary funding required for this project
- F. *Motion:* Approving a facility lease agreement with California State University Stanislaus in an amount not to exceed \$200 for a community meeting in support of the Active Transportation Program grant development process and authorizing the Mayor or City Manager to execute the agreement on behalf of the City of Turlock
- G.
 - 1. *Motion:* Approving a professional services agreement with NBS, of Temecula, California, for professional consulting services to conduct a Fee Study for staff cost recovery in an amount not to exceed \$14,925
 - 2. **Resolution No. 2016-033** Appropriating \$4,000 to account number 502-40-410.43754 "Engineering Fee Study" to be funded via transfer from Fund 216 "Local Transportation Fund (LTF) for Streets and Roads" unappropriated reserves to complete the necessary funding required for this study
- H. *Motion:* Approving an agreement for settlement of water rights protests between the City of Turlock, Del Puerto Water District and Banta Carbona Irrigation District
- I. **Resolution No. 2016-034** Approving an amendment to the Turlock Groundwater Basin Association Memorandum of Understanding (MOU) to allow the City of Waterford to join as a new party and revising the method of adding new parties in the future

- J. **Resolution No. 2016-035** Appropriating \$4,408 to 410-51-534.51184 “Municipal Services Office Remodel,” \$2,204 to 420-52-551.48001_245 “Transfers Out-Municipal Services Office Remodel,” and \$2,204 to 410-51-534.38001_245 “Transfers In-Municipal Services Office Remodel,” from Fund 410 “Water Quality Control-Capital Repair/Replacement” and Fund 420 “Water Enterprise-Capital Repair/Replacement” reserve balances for the purchase and installation of data cables for the new office panel systems for Municipal Services approved on November 10, 2015
- K. *Motion:* Approving Amendment No. 1 to Contract No. 13-013 with Trees, Inc., for additional tree trimming and maintenance services
- L. **Resolution No. 2016-036** Accepting Supplemental Law Enforcement Services Fund (SLESF) grant monies from the State of California Citizen’s Option for Public Safety (COPS) program projected to be a minimum of \$100,000 in Fiscal Year 2015-16; and Appropriating unexpended 2014-15 revenues in the amount of \$106,283 to also be used on matching funds for 2015 COPS grant
- M. **Resolution No. 2016-037** Appropriating \$15,096 to account numbers 110-20-210.48001_148 “Transfers out to Fund 266 Police Grants” and 266-20-255-353.38001_148 “Transfers in from Fund 110 Police/Patrol” to provide funding for 911 For Kids expenditures that were not reimbursable from CA State 911 Grant funds
- N. *Motion:* Authorizing the approval and execution of a Memorandum of Understanding among the City of Turlock, the Ceres Police Department, the Modesto Police Department, the Stanislaus County Sheriff’s Department, the Oakdale Police Department, the Newman Police Department, the California State University Stanislaus Police Department, and the Stanislaus County Probation Department to work cooperatively to reduce alcohol related traffic collisions in Stanislaus County through the “Avoid the 12” Project # AL1635 MOU with the California Office of Traffic Safety
- O. **Resolution No. 2016-038** Approving modifications to the job description for the position of Administrative Assistant, Public Safety, effective March 1, 2016
- P. **Resolution No. 2016-039** Designating the Administrative Fee for Strike Team of Office of Emergency Services (OES) deployments paid by the State of California to be placed in revenue account number 240-00-000-312.34060_001 “FEMA/OES Reimb - Admin Fee” and appropriating \$2,734 to account number 240-00-000-312.44001_156 “Supplies-Strike Team” for the purchase of upgraded or replacement equipment used for Strike Team or OES deployments funded by the Admin Fee received in Fiscal Year 2015-16
- Q. *Motion:* Authorizing the Mayor, City Manager or designee to execute an annual maintenance agreement with Konica Minolta Business Solutions, USA, for twelve (12) months on four (4) document scanners, in an amount not to exceed \$4,584
- R. **Resolution No. 2016-040** Appropriating \$5,383 to 308-40-457.38001_198 “Transfer In to Close Storm Component,” \$5,383 to 411-51-536.48001_198 “Transfer Out to Close Storm Component,” \$2,304 to 308-40-459.38001_199 “Transfer In to Close Recycled Water Component” and \$2,304 to 308-40-458.48001_199 “Transfer Out to Close Recycled Water Component” from Fund 308 “Turlock Regional Industrial Park” and Fund 411 “Storm Drainage Construction” reserve balances to consolidate components after the adoption of fee changes to the Westside Industrial Specific Plan
- S. 1. **Resolution No. 2016-041** Authorizing the overhire of two (2) Building Inspector positions in the Building Division due to the anticipated retirement of the incumbents on August 1, 2016 and October 1, 2016, respectively

2. **Resolution No. 2016-042** Appropriating \$56,800 to 110-30-300.41100_010 "Fire-Overtime Training," \$2,510 to 110-30-300.42007 "Workers Comp Insurance," \$1,726 to 110-30-300.42008 "City Liability Insurance," \$824 to 110-30-300.42010 "Medicare," \$20,000 to 110-30-300.46025 "Outside Contract Labor," \$5,000 to 110-30-300.46032 "Vehicle & Small Equipment Maintenance Parts," and \$9,500 to 110-30-300.47095 "Training General," from Fund 110 "General Fund" reserve balance to provide essential Fire services without interruption
- T. Motion: Rejecting Claim Filed for Damages by Sally Johnson

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS:** None

8. **SCHEDULED MATTERS:**

Mayor Soiseth noted green sheets to Item 8A.

- A. Development Services Director Mike Pitcock presented the staff report on the request to determine that the proposed action is not subject to the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) of the CEQA Guidelines and declare the intention to vacate that certain section of Cooper Avenue right-of-way between Rose Street and Oak Street (Abandonment 15-01).

Mayor Soiseth asked for public comment.

Sacred Heart Priest Salvadore Ledesma provided a brief history of the parish and spoke in favor of the Cooper Avenue vacation for reasons including current parking and safety challenges.

Jack Gosnell spoke in favor of the vacation for reasons including security for children, staff and attendees, improved parking, beautification of the area, and improved public access. Mr. Gosnell presented a conceptual drawing of the area if the vacation is approved.

Gary Ricardo spoke in favor of the closure and noted his observations related to vehicular traffic on Cooper.

Edwina Rocha spoke in favor of the closure for reasons including the growth of parish, programs and celebrations held at the parish, educational services, and safety concerns related to strangers in the area and a potential fire at the school.

Sacred Heart School Principal Linda Murphy-Lopes spoke in favor of the closure for reasons including the safety of the children, concerns over vehicles traveling at high rates of speed, weather concerns, and improving aesthetics.

Sacred Heart School Preschool Director Debbie Canella spoke in favor of the closure for reasons including concerns for the safety of the children related to strangers walking through the campus.

Sacred Heart school teacher Kevin Crivelli spoke in favor of the closure for reasons including the safety of the children, injuries occurring on the street, cars running through the gates, and the harassment of students.

Mayor Soiseth closed public comment.

Council and staff discussion included other locations in the City where a similar issue might be brought forward, the importance of the safety of the children, and a brief history of past discussions related to requests for road closures.

Action: Motion by Councilmember Jacob, seconded by Councilmember DeHart, Determining that the proposed action is not subject to the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15060(c)(2) of the CEQA Guidelines having found that the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

Resolution No. 2016-043 Adopting a resolution to initiate a proceeding to vacate that section of Cooper Avenue right-of-way between Rose Street and Oak Street and notice of hearing was introduced by Councilmember Jacob, seconded by Councilmember Bublak, and carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

Councilmember Jacob stepped down from the dais at 7:42 p.m.

- B. Development Services Director Mike Pitcock presented the staff report on the request to adopt a multi-pronged, collision reduction strategy for public safety.

Mayor Soiseth thanked staff for their sense of urgency in moving the matter forward.

Councilmember Jacob returned to the dais at 7:45 p.m.

Mayor Soiseth asked for public comment.

Sacred Heart School Principal Linda Murphy-Lopes asked that, in addition to Turlock Unified School Districts being included in targeted training efforts by the City, that Sacred Heart be included as well.

Mayor Soiseth closed public comment.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, Adopting a multi-pronged, collision reduction strategy for public safety. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

C. Development Services Director Mike Pitcock presented the staff report on the request to accept a report on accessibility compliance for calendar year 2015 within the City of Turlock.

Mayor Soiseth asked for public comment. No one spoke. Mayor Soiseth closed public comment.

Action: Motion by Councilmember Jacob, seconded by Councilmember Nascimento, Accepting a report on accessibility compliance for calendar year 2015 within the City of Turlock. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

D. Assistant to the City Manager for Economic Development/Housing Program Services Maryn Pitt presented the staff report on the request to approve the purchase and sale agreement by and between The City of Turlock and Turlock Columbian Properties, Incorporated, also known as the Knights of Columbus, for the real property located at 1030 East Avenue, Turlock, California, more particularly described as Stanislaus County Assessor’s Parcel No. 042-037-010; Authorize the Mayor or Interim City Manager to execute all necessary documents in connection with the sale; and Authorize the sale proceeds from the disposition of 1030 East Avenue to be deposited into the General Fund.

Ms. Pitt introduced Dennis Serpa, President of Turlock Columbian Properties, who spoke in favor of the purchase.

Mayor Soiseth asked for public comment. No one spoke. Mayor Soiseth closed public comment.

Action: **Resolution No. 2016-044** Approving the purchase and sale agreement by and between The City of Turlock and Turlock Columbian Properties, Incorporated, also known as the Knights of Columbus, for the real property located at 1030 East Avenue, Turlock, California, more particularly described as Stanislaus County Assessor’s Parcel No. 042-037-010 and authorizing the Mayor or Interim City Manager to execute all necessary documents in connection with the sale was introduced by Councilmember DeHart, seconded by Councilmember Nascimento, and carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

Resolution No. 2016-045 Authorizing the sale proceeds from the disposition of 1030 East Avenue to be deposited into fund 110 "General Fund" was introduced by Councilmember DeHart, seconded by Councilmember Nascimento, and carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- E. Assistant to the City Manager for Economic Development/Housing Program Services Maryn Pitt presented the staff report on the request to affirm the City Manager's action of having signed and submitted an application to serve as the Administrative Entity and Statement of Certifications for the State of California Emergency Solutions Grant (ESG) Program.

Mayor Soiseth asked for public comment. No one spoke. Mayor Soiseth closed public comment.

Action: Motion by Councilmember Nascimento, seconded by Councilmember DeHart, Affirming the City Manager's action of having signed and submitted an application to serve as the Administrative Entity and Statement of Certifications for the State of California Emergency Solutions Grant (ESG) Program. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- F. Assistant to the City Manager for Economic Development/Housing Program Services maryn Pitt presented the staff report on the request to approve a loan agreement, deed of trust with assignments of rents, security agreement and fixture filing, and a promissory note between the City of Turlock and Turlock Gospel Mission in the amount of \$120,000, plus escrow costs in an amount not to exceed \$3,000, for the purchase of 432 South Broadway, Turlock, California, to provide a permanent home for the Homeless Assistance Ministry (HAM Center), and authorizing the Mayor or Interim City Manager to execute all necessary documents.

Mayor Soiseth asked for public comment.

Chris Kiriakou spoke in favor of the agreement for reasons including it being an opportunity to demonstrate the partnership with the City and make Turlock a better community.

Mayor Soiseth closed public comment.

Action: Motion by Councilmember Jacob, seconded by Councilmember DeHart, Approving a loan agreement, deed of trust with assignments of rents, security agreement and fixture filing, and a promissory note between the City of Turlock and Turlock Gospel Mission in the amount of \$120,000, plus escrow costs in an amount not to exceed \$3,000, for the purchase of 432 South Broadway, Turlock, California, more particularly described as Stanislaus County Assessor’s Parcel No. 043-049-022, to provide a permanent home for the Homeless Assistance Ministry (HAM Center), and authorizing the Mayor or Interim City Manager to execute all necessary documents. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

- G. City Attorney Phaedra Norton presented the staff report on the request to approve the Reimbursement Agreement between the Turlock Chamber of Commerce and the City of Turlock regarding the Convention and Visitor’s Bureau.

Council and staff discussion included the newly established financial control and accounting policies of the Chamber of Commerce identified as Exhibit A to the agreement.

Mayor Soiseth asked for public comment.

Mayor Soiseth noted a green sheet to Item 8G.

Mike Warda, Chamber of Commerce representative, reviewed Exhibit A, the Turlock Chamber of Commerce Financial Control and Accounting Policies document, highlighting various controls such as access to records, loans, leases, agreements, accounting methods, requesting outside services, bid processes, donations of property, and financial statements, which was initiated by the Chamber.

Lazar Piro, Chamber of Commerce Board President, spoke in favor of the agreement and the opportunity to open a new page of relationship with the City.

Mayor Soiseth closed public comment.

Additional Council discussion included lessons learned throughout the process, the importance of transparency, and moving forward in a new relationship with the Chamber.

Action: Motion by Councilmember Nascimento, seconded by Councilmember Jacob, Approving the Reimbursement Agreement between the Turlock Chamber of Commerce and the City of Turlock regarding the Convention and Visitor’s Bureau. Motion carried 5/0 by the following vote:

Councilmember DeHart	Councilmember Nascimento	Councilmember Bublak	Councilmember Jacob	Mayor Soiseth
Yes	Yes	Yes	Yes	Yes

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

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

Mayor Soiseth asked for consideration that an item be placed on a future agenda that addresses the “tin cup” or “time is now, clean up politics” topic in Turlock.

11. **COUNCIL COMMENTS:**

Councilmember Bublak commented she and Councilmember Jacob recently attended a Unity Matters event in Modesto where over 2,000 people attended to show their support for law enforcement.

Councilmember DeHart commented that the first organizational meeting regarding policy and procedure with respect to City trees will be held on Wednesday, March 9, 2016.

Mayor Soiseth thanked Jennifer Land, Stacey Tonarelli, and Parks, Recreation and Public Facilities staff for their work on the Million Acts of Kindness Initiative and commented on the green bracelets recently purchased to spread the word about the Initiative throughout the community.

12. **CLOSED SESSION:**

City Attorney Phaedra Norton introduced the Closed Session Items.

- A. Public Employee Appointment, Cal. Gov't Code §54957(b)(1)
“Subject to paragraph (2), this chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session.”

Title: City Manager

Action: No reportable action.

13. **ADJOURNMENT:**

Motion by Councilmember Nascimento, seconded by Councilmember Bublak, to adjourn at 8:15 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk