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1. **A. CALL TO ORDER** – Mayor Soiseth called the meeting to order at 6:14 p.m.
PRESENT: Councilmembers Amy Bublak, Bill DeHart, Matthew Jacob, Steven Nascimento,
and Mayor Gary Soiseth.
ABSENT: None

 - B. SALUTE TO THE FLAG**

 2. **PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:**
 - A. Mayor Soiseth presented a proclamation to Jennifer Carlson Shipman, Executive Director of the Manufacturers Council of the Central Valley, in recognition of Manufacturing Awareness and Appreciation Month, October 2016.

Ms. Shipman acknowledged the City’s support of Breast Cancer awareness, thanked the Council and staff for recognizing the manufacturing industry, provided information about manufacturing including the importance of agriculture in our region and economic benefits provided by world class manufacturers in Turlock, and commended the City of Turlock for being a great partner and having the appropriate planning and building infrastructure in place to support the manufacturing industry.

 - B. Development Services Director Mike Pitcock made an announcement about upcoming Stanislaus Council of Governments (StanCOG) Public Transit Hearings to seek community input regarding unmet transit needs.

 3. **A. SPECIAL BRIEFINGS:**
 1. **CALIFORNIA STATE UNIVERSITY STANISLAUS**
Noriel Mostajo, CSUS Student Government Relations Coordinator, presented information about student voter registration, “Election to Watch” gathering on November 8, 2016 at Hauck’s Grill, athletic activities, an initiative to improve graduation rates and a University-wide task force to improve quality of education, and thanked Councilmembers Bublak and Nascimento and Mayor Soiseth for upcoming attendance at the 2016 Candidate Open Forum hosted by ASI Students.

 - B. STAFF UPDATES:**
 1. Policy Goals and Implementation Plan updates were provided by:

Municipal Services Director Michael Cooke presented information about an award received from the Association of Environmental Professionals of the State of California for an outstanding environmental document associated with the North Valley Project. Mr. Cooke also spoke about the recently approved Transfer Agreement with Del Puerto Water District, reported Del Puerto is currently pumping water out of the river, thanked the Council for support of this project, and noted this project is consistent with maximizing beneficial use of recycled water.

Anthea Hansen from Del Puerto Water District spoke about the award, water storage during the winter months, the RFP for design services being presented later tonight, and thanked the Council for their support.

2. Capital Projects and Building Activity

Development Services Director Mike Pitcock provided an update on Building Activity for the month of September 2016 and Capital Projects including the Senior Center Ceiling Repair, Monte Vista Avenue Railroad, Palm Street and Mitchell Avenue Water Line Replacement, Fire Station Exhaust Removal System, Fire Burn Training Facility, Montana Park, 2016 Slurry Seal, 2016 Council Initiated Slurry Seal, and Broadway Parking Lot Reconstruction.

Council and staff discussion included permit tracking.

3. Halloween Safety Tips

Police Captain Steve Williams presented information about Halloween safety tips and suggestions for kids, parents, and businesses and upcoming Halloween events hosted by Downtown Business Owners and Turlock Dental Care.

Council and staff discussion included information about the Annual Public Safety Open House to be held on October 22, 2016 and upcoming community meetings.

C. PUBLIC PARTICIPATION

Turlock Librarian Dianne Bartlett provided an announcement about upcoming meetings to seek community input regarding the strategic plan for future libraries.

Robert Allen, founder of FiredUP Ministry spoke about his efforts for homeless advocacy, goals of getting homeless back to work and off the streets, and ticketing not being biblical. Mr. Allen also thanked the Council and Police Department for recent coordination and local businesses for their assistance.

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

B. DISCLOSURE OF TOP TEN/MAXIMUM CONTRIBUTORS

5. **CONSENT CALENDAR:**

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, 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. 2016-248** Accepting Demands of 9/8/16 in the amount of \$888,472.92; Demands of 9/15/16 in the amount of \$851,293.42

- B. Motion: Accepting Minutes of Special Meeting of September 27, 2016; Minutes of Regular Meeting of September 27, 2016
- C.
 - 1. Motion: Accepting improvements for City Project No. 15-52 "Senior Center Ceiling Replacement" and authorizing the City Engineer to file a Notice of Completion
 - 2. **Resolution No. 2016-249** Appropriating \$2,000 to account number 301-50-520.51300 "Construction Repairs/Improvements" to be funded from Fund 301 "Capital Improvement" reserves for City Project No. 15-52 "Senior Center Ceiling Replacement" to complete the necessary funding required for this project
- D. Motion: Approving an Agreement between the City of Turlock and the 38th District Agricultural Association for the purpose of parking and turn around for participants in the annual Christmas Parade, to be held on Friday, December 2, 2016
- E. Motion: Authorizing the issuance of Request for Proposal (RFP) No. 16-380 for professional design services for the City of Turlock Component of the North Valley Regional Recycled Water Program
- F. Motion: Authorizing staff to participate in negotiations establishing the West Turlock Sub-basin Groundwater Sustainability Agency, with the City of Turlock's preference to participate as a voting board member subject to future City Council approval of the Joint Powers Authority agreement establishing the West Turlock Sub-basin Groundwater Sustainability Agency
- G. Motion: Awarding RFP No. 16-370 and Contract No. 16-123 to Ray Morgan Co. of Modesto, for printer maintenance and management system for all LaserJet printers throughout City departments, in an annual amount not to exceed \$36,100.33 and a total amount of \$108,300.99 for a period of thirty-six (36) months, having met all the specifications of RFP No. 16-370 and being the lowest responsive and responsible bidder pursuant to Turlock Municipal Code Section 2-7-09(c)(5)
- H. Motion: Awarding RFP No. 16-374 and Contract No. 16-127 to Protech Security & Electronics, Inc. of Merced, for security and fire alarm monitoring services for City buildings, in an annual amount not to exceed \$8,376 and a total amount of \$25,128 for a period of thirty-six (36) months, having met all the specifications of RFP No. 16-374 and being the lowest responsive and responsible bidder pursuant to Turlock Municipal Code Section 2-7-09(c)(5)
- I. Motion: Approving five (5) Maintenance Agreements with Mo-Cal Office Solutions (as an authorized Kyocera company), for copier maintenance, based on a per copy cost and an annual base rate for a period of five (5) years
- J. Motion: Approving an Agreement between City of Turlock and Microsoft through the reseller SoftwareONE, Inc., Enterprise Enrollment Number 56449452 Early Commitment Amendment ID M325, for digital software, for a period of three (3) years in the amount of \$51,476.67 per year and a total amount of \$154,430.01 at the end of three (3) years, beginning February 1, 2017 through January 31, 2020, and an Enrolled Affiliate true up amount of \$7,266.99 for additional computers deployed since the last billing period
- K. Motion: Rejecting Claim for Damages filed by Stephanie Martinez
- L. Motion: Rejecting Claim for Damages filed by Heather Lanser
- M. Motion: Rejecting Claim for Damages filed by Edwin Steven
- N. Motion: Rejecting Claim for Damages filed by MP Nexlevel of California

6. **FINAL READINGS:** None

7. **PUBLIC HEARINGS:** None

8. SCHEDULED MATTERS:

- A. Parks, Recreation and Public Facilities Manager Erik Schulze presented the staff report on the request to accept the post event reports for the Central Valley Senior Showcase, Central Valley Brewfest, Turlock Horseman’s Jr. Rodeo, Tournament of Champions, 2016 Budweiser Monster Truck Spring Nationals, and 48th Assyrian State Convention funded in part by the City of Turlock through the Community Events and Activities Grant Program; accept the post event report for the Bring the Ruckus Car Show funded in part by the City of Turlock through the Community Events and Activities Grant Program, request \$1,033.66 be returned to the City of Turlock for undocumented expenses, and suspend 2016-17 funding for the Bring the Ruckus Car Show event; and re-open the 2016-17 Community Events and Activities Grant Funding cycle for reallocation of suspended 2016-17 funds.

Mr. Schulze noted staff’s efforts in assisting Bring the Ruckus with organizing invoices and budget expenses and reported their coordinator is aware of the request to return grant funding to the City and suspension of 2016-17 funding.

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

Council and staff discussion included inquiries regarding the cause for undocumented expenses and outcome/turnout of the event. Council also commended staff for ensuring standards are met.

Action: Motion by Councilmember Bublak, seconded by Councilmember Jacob, Accepting the post event reports for the Central Valley Senior Showcase, Central Valley Brewfest, Turlock Horseman’s Jr. Rodeo, Tournament of Champions, 2016 Budweiser Monster Truck Spring Nationals, and 48th Assyrian State Convention funded in part by the City of Turlock through the Community Events and Activities Grant Program. 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. 2016-250 Accepting the post event report for the Bring the Ruckus Car Show funded in part by the City of Turlock through the Community Events and Activities Grant Program, requesting \$1,033.66 be returned to the City of Turlock for undocumented expenses, and suspending 2016-17 funding for the Bring the Ruckus Car Show event as introduced by Councilmember Bublak, seconded by Councilmember Jacob, 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. 2016-251 Re-opening the 2016-17 Community Events and Activities Grant Funding cycle for reallocation of suspended 2016-17 funds as introduced by Councilmember Bublak, seconded by Councilmember Jacob, and carried 5/0 by the following vote:

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

- B. Development Services Director Mike Pitcock presented the staff report on the request to determine City Project No. 16-67 "Monte Vista Avenue and Golden State Boulevard Railroad Crossing" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines; award bid and approve an Agreement, in the amount of \$71,530 (Fund 217), with George Reed, Inc. of Modesto, California, for City Project No. 16-67 "Monte Vista Avenue and Golden State Boulevard Railroad Crossing"; and appropriate \$95,000 to account number 217-50-511.51270 "Construction Project" to be funded from Fund 217 "Section 2103 Gas Tax" reserves for City Project No. 16-67 "Monte Vista Avenue and Golden State Boulevard Railroad Crossing" to complete the necessary funding required for this project.

Mayor Soiseth thanked Councilmembers for referring constituent complaints to staff and also thanked staff for responding quickly.

Council and staff discussion included timeframe of repairs, the importance of coordinating with the railroad, and concerns regarding future repairs.

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

Action: **Resolution No. 2016-252** Determining City Project No. 16-67 "Monte Vista Avenue and Golden State Boulevard Railroad Crossing" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines as introduced by Councilmember Bublak, 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

Motion by Councilmember Jacob, seconded by Councilmember DeHart, Awarding bid and approving an Agreement, in the amount of \$71,530 (Fund 217), with George Reed, Inc. of Modesto, California, for City Project No. 16-67 "Monte Vista Avenue and Golden State Boulevard Railroad Crossing". 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. 2016-253 Appropriating \$95,000 to account number 217-50-511.51270 "Construction Project" to be funded from Fund 217 "Section 2103 Gas Tax" reserves for City Project No. 16-67 "Monte Vista Avenue and Golden State Boulevard Railroad Crossing" to complete the necessary funding required for this project as introduced by Councilmember Jacob, seconded by Councilmember DeHart, and carried 5/0 by the following vote:

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

Mayor Soiseth adjourned to the Successor Agency and Public Financing Authority meetings at 6:59 p.m.

Mayor Soiseth reconvened the City Council meeting at 7:12 p.m.

9. NON-AGENDA ITEMS: None

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION: None

11. COUNCIL COMMENTS:

Councilmember DeHart spoke about his and Councilmember Jacob's recent attendance at the League of California Cities Annual Conference in Long Beach, California, highlighting information shared by one of the general session speakers regarding Betterblock.org, an organization that has employed inventive and cost-effective methods for improving bike lanes throughout communities.

Mayor Soiseth noted his recent challenge by a local bloodless bullfighting group to participate in a push-up challenge (22 push-ups in 22 days) to bring awareness to the suicide rate of returning soldiers.

12. CLOSED SESSION:

City Attorney Phaedra Norton 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)

Action: No reportable action.

- B. Conference with Real Property Negotiators, Cal. Gov't Code §54956.8
"Notwithstanding any other provisions of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease."
Property: 1101 Fulkerth Road, Turlock, CA (APN No. 071-014-004)
Agency Negotiator: Gary R. Hampton
Negotiating Parties: Vicente Fuentes and Jackie Fuentes
Under Negotiation: Price

Action: No reportable action.

- C. Public Employee Performance Evaluation, 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: Council unanimously approved the satisfactory performance evaluation of the City Manager.

13. ADJOURNMENT:

Motion by Councilmember DeHart, seconded by Councilmember Nascimento, to adjourn the open session of the regular meeting at 7:16 p.m. Motion carried unanimously.

Motion by Councilmember DeHart, seconded by Councilmember Bublak, to adjourn the closed session of the regular meeting at 8:10 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
Deputy City Clerk