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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 Gary Soiseth.
ABSENT: None

B. SALUTE TO THE FLAG

Mayor Soiseth handled Staff Update Item 3B1 out of order.

3B1. Mayor Soiseth introduced his newly adopted dog Dash. Mayor Soiseth and Animal Control Supervisor Glenna Jackson provided information about pet adoption, licensing, and microchip processes and programs, Pet Amnesty Month, responsibilities of pet owners and the animal shelter, “Pet of the Month” Pet No. 10-13, the recent adoption of Pet No. 9-34, adoption fees for Pet of the Month sponsored by TMAPS, November being “Pets for Vets” Month, and contact information for the Turlock Animal Shelter.

Gil Esquer inquired about the limit of animals per household.

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

- A. Mayor Soiseth presented a Proclamation to Turlock Police Detective Brandon Bertram in recognition of the Turlock Police Department’s support of “Movember” Men’s Health Movement Month, November 2016. Detective Bertram thanked the Council for their support of this wonderful program that calls attention to men’s health and aids in the battle of testicular and prostate cancer.
- B. Channing Wilson, California State University Stanislaus Kinesiology Student, introduced Dr. Jeffrey Bernard, Assistant Professor, Department of Kinesiology and fellow student Colby Robison and presented information about the 100 Citizens Program developed in partnership with CSUS and the City of Turlock Parks, Recreation, and Public Facilities Department including opportunities for students, free exercise for the community, efforts to improve public health, and program highlights.

Mayor Soiseth noted his positive experience with this program.

3. A. SPECIAL BRIEFINGS:

1. **CALIFORNIA STATE UNIVERSITY STANISLAUS**
Noriel Mostajo, CSUS Student Government Relations Coordinator thanked Councilmembers Bublak and Nascimento and Council Candidate Gil Esquer for attending the Open Forum, provided a reminder about the Election to Watch gathering on November 8, 2016 at Hauck’s Grill, and spoke about potential tuition increases.

B. STAFF UPDATES

Staff Update Item 3B1 was handled previously.

2. Fire Chief Robert Talloni presented information about the recent Public Safety Open House, calls for service in October, operational training, fire prevention highlights, calls of note in support of Million Acts of Kindness, and the new End of Life law including implications this will have on the Fire Department. Fire Chief Talloni also noted he would like to address the false alarm policy in the future.

Acting Police Chief Nino Amirfar presented a synopsis of the Turlock Police Department third-quarter report including top 3 calls for service, burglaries by type, top 3 part one crimes, officer involved use of force, holiday safety videos, community engagement meetings regarding quality of life issues, citizen's academy, social media efforts, and October community events including the Public Safety Open House and Halloween activities.

Council and staff discussion included appreciation for the Fire and Police Departments reports and statistics, concerns for firefighters regarding prolonged exposure to incidents, working with the City Manager to address false alarm policy, effectiveness of community meetings, and benefits of neighborhood watch groups.

Acting Police Chief Amirfar provided purchase information for "Movember" shirts, bracelets, and lapel pins.

3. Acting Police Chief Nino Amirfar presented an informational video and provided handouts with Halloween Safety Tips and noted the Police Department will be passing out color crayons and candy on Halloween during normal business hours.

Mayor Soiseth commended the Police Department for their work on the video.

4. Administrative Services Director Kellie Jacobs-Hunter provided information about the City's email system outage noting the 9-1-1 emergency system, citywide telephone system, and website are still functioning, delays in the utility billing shut-off process until the email system is restored, and City Council meetings being available for viewing on YouTube.

Senior Accountant Marie Lorenzi presented information about the Fiscal Year 2015-16 Budget Closeout and the General Fund Reserve balance including sales tax, property tax, and miscellaneous revenue, expenditures, health care costs, and budget comparisons.

City Manager Gary Hampton provided a brief summary regarding the history of health care costs and future strategies to adequately identify funding levels during the budget process.

C. PUBLIC PARTICIPATION

James Pegueros spoke about his concerns with the public bus system including challenges with breakdowns, maintenance, cleanliness, and timeliness issues and the impacts these issues have caused him and other riders.

Mayor Soiseth directed Development Services Director Pitcock and staff to coordinate with Mr. Pegueros regarding his concerns.

Gil Esquer spoke on behalf of a concerned citizen who is experiencing issues with furniture and garbage being dumped on nearby vacant property and the street and responsibility of clean-up.

Mayor Soiseth thanked Mr. Esquer for providing this information and directed Fire Chief Talloni and the City Manager to coordinate with Mr. Esquer regarding these concerns. City Manager Hampton noted his and staff's availability to assist residents and collectively address problems.

Mayor Soiseth closed public participation.

- 4. **A. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS:** None
- B. DISCLOSURE OF TOP TEN/MAXIMUM CONTRIBUTORS**

5. **CONSENT CALENDAR:**

Mayor Soiseth noted the request by Milt Trieweiler for Consent Calendar Item 5H to be removed for separate consideration.

Action: Motion by Councilmember DeHart, seconded by Councilmember Nascimento, to adopt the amended 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. 2016-254** Accepting Demands of 9/22/16 in the amount of \$874,325.97
- B. Motion: Accepting Minutes of Regular Meeting of October 11, 2016
- C. Motion: Approving Contract Change Order No. 1, in the amount of \$5,717.59, for City Project No. 14-29 "Water Line Replacement on Palm Street and Mitchell Avenue," bringing the contract total to \$695,129.87
- D. Motion: Approving Amendment No. 2 to an Agreement with Nelson\Nygaard Consulting Associates, Inc., of San Francisco, California, for evaluation services associated with City Project No. 14-75 "Short Range Transit Plan," extending the term of agreement for an additional six (6) months
- E. Motion: Approving Contract Change Order No. 1, in the amount of \$38,271.23 (Fund 269), for City Project No. 15-43 "Montana Neighborhood Park," bringing the contract total to \$585,709.73
- F. Motion: Approving a Retainer Agreement with GWLand Associates, Inc., of Sausalito, California, for right-of-way and property appraisal services, for Fiscal Years 2016-19, under City Project No. 16-44 "Retainer Agreement for Right-of-Way and Property Appraisal Services," in an amount not to exceed \$150,000

- G. 1. **Resolution No. 2016-255** Determining the purchase and installation of telecommunication hardware and support services is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Existing Facilities) of the CEQA Guidelines
2. **Resolution No. 2016-256** Approving a sole source procurement with Packet Fusion, Inc., of Pleasanton, California, for phone call recording equipment and prorated premium partner support services for Transit Operations, without compliance to bidding requirements in accordance with Section 2-7-08(b)(6) of the Turlock Municipal Code, in an amount not to exceed \$7,471
- H. *Removed for separate consideration.*
- I. *Motion:* Awarding RFP No. 16-359 and Contract No. 16-142 to Precision Emprise, Inc., Dba Precision Concrete Cutting of Sacramento, for sidewalk trip hazard removal projects for the City of Turlock, in an annual amount not to exceed \$45,000 and a total amount of \$135,000 for a period of thirty-six (36) months, having met all the specifications of RFP No. 16-359 and being the lowest responsive and responsible bidder pursuant to Turlock Municipal Code Section 2-7-09(c)(5)
- J. *Motion:* Awarding RFP No. 16-371 and Contract No. 16-143 to A & A Portables, Inc. for rental of portable toilets to be placed at Pedretti Park and for use at special events for the City of Turlock, in an amount not to exceed \$37,596 for a period of thirty-six (36) months, having met all the specifications of RFP No. 16-371 and being the lowest responsive and responsible bidder pursuant to Turlock Municipal Code Section 2-7-09(c)(5)
- K. **Resolution No. 2016-257** Re-appropriating unspent funds of \$27,000 from Fiscal Year 2015-16 to account number 506-00-000-231.51020 "Equipment Replacement" from Fund 506 "Vehicle/Equipment Replacement-Streets" reserve balance for the purchase of one (1) New Holland 2 WD ROPS Tractor
- L. **Resolution No. 2016-258** Authorizing submittal of an application, acceptance of an allocation of funds, and execution of a grant agreement with the California Department of Transportation Division of Aeronautics for the Turlock Municipal Airport Widen Runway 12/30 to 60' and Airfield Electrical Upgrades design project
- M. **Resolution No. 2016-259** Approving modifications to the job description for the position of Senior Recreation Supervisor and changing the job title to Parks, Recreation and Public Facilities Supervisor, effective October 25, 2016
- N. 1. **Resolution No. 2016-260** Determining the closure of Main Street, between Palm Street and Market Street, while allowing cross traffic on Golden State Boulevard to continue, for the Festival of Lights hosted by the City of Turlock in partnership with the Turlock Downtown Property Owners Association, 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
2. **Resolution No. 2016-261** Authorizing the closure of Main Street, between Palm Street and Market Street, while allowing cross traffic on Golden State Boulevard to continue, for pedestrian safety, for the Festival of Lights hosted by the City of Turlock in partnership with the Turlock Downtown Property Owners Association, on Friday, November 25, 2016 from 1:00 p.m. to 8:00 p.m.

- O. 1. **Resolution No. 2016-262** Determining the closure of Main Street [between Palm Street and Lander Avenue], Main Street [between West Canal Drive and Palm Street], East Canal Drive [East bound between Main Street and Johnson Road], South Golden State Boulevard [between Olive Avenue and Crane Avenue], Broadway [between Market Street and Canal Drive], and North Soderquist Road at Fulkerth Road for the annual City of Turlock Christmas Parade hosted by the City of Turlock, held on the first Friday of December, 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
2. **Resolution No. 2016-263** Authorizing the closure of Main Street [between Palm Street and Lander Avenue], Main Street [between West Canal Drive and Palm Street], East Canal Drive [East bound between Main Street and Johnson Road], South Golden State Boulevard [between Olive Avenue and Crane Avenue], Broadway [between Market Street and Canal Drive], and North Soderquist Road at Fulkerth Road for pedestrian safety, for the annual City of Turlock Christmas Parade hosted by the City of Turlock, on Friday, December 2, 2016 during specified times
3. **Resolution No. 2016-264** Authorizing the City Manager to approve any future Special Event Permit and associated temporary closure of certain streets for pedestrian safety, for the annual City of Turlock Christmas Parade hosted by the City of Turlock, held on the first Friday of December at specified times, in accordance with California Vehicle Code Section 21101(e)
- P. **Resolution No. 2016-265** Appropriating \$108,750 to account number 413-51-536.47061 "Capacity Reimbursement" from Fund 413 "WQC – Capital Expansion" reserve balance for the reimbursement of the wastewater capacity relinquished by Olivewood, LLC (aka D Street Foods), as approved by the City Council on September 13, 2016
- Q. 1. *Motion:* Approving an Agreement between the City of Turlock and Huntington Court Reporters to provide transcription services for the Turlock Police Department, in an annual amount not to exceed \$60,000, without compliance to formal bid process in accordance with Turlock Municipal Code Section 2-7-08(b)(6)
2. **Resolution No. 2016-266** Appropriating \$15,000 to 110-20-210.43213 "Transcription Services" from Fund 110 "General Fund" reserve balance for transcription services with Huntington Court Reporters
- R. *Motion:* Approving a Memorandum of Understanding (MOU) between the City of Turlock, the Stanislaus County District Attorney's Office, and the Department of Justice Bureau of Forensic Services outlining the procedures for proper handling of Rapid DNA Service (RADS) analysis for sexual assault cases, and authorizing the Mayor, City Manager, or designee to sign the agreement
- S. **Resolution No. 2016-267** Accepting an allocation of funds, authorizing the execution of a grant agreement and the commitments necessary to administer Federal Fiscal Year 2016 Edward Byrne Memorial Justice Assistance Grant (JAG) funds from the United States Department of Justice, Office of Criminal Justice Programs, in the amount of \$30,006, and appropriating said funds in the appropriate revenue and expenditure accounts in Fund 266 "Police Grants" Program 341 "JAG" for Fiscal Year 2016-17
- T. *Motion:* Approving Amendment No. 2 to an Agreement between the City of Turlock and Randik Paper Company for the purchase of janitorial paper and cleaning supplies, increasing the compensation to an annual amount of \$21,000 during the term of the existing contract

- U. **Resolution No. 2016-268** Approving the grant contract with the San Joaquin Valley Air Pollution Control District (SJVAPCD) in the amount of \$40,000 to partially fund two (2) Ford Fusion hybrid vehicles, with the grant funding \$20,000 of the \$33,877 cost per vehicle

Item 5H. *Motion:* Approving a Lien Agreement between the City of Turlock and Valley Milk Real Estates Holding, LLC (owner of 400 North Washington Road, Turlock, California) for deferred payment of Development Impact Fees

Development Services Director Mike Pitcock presented the staff report on the request to approve a Lien Agreement between the City of Turlock and Valley Milk Real Estates Holding, LLC (owner of 400 North Washington Road, Turlock, California) for deferred payment of Development Impact Fees.

Council and staff discussion included clarification fees will be deferred and not waived, payment process, deferral program occurring in other development areas, and benefits of the deferral program.

Mayor Soiseth opened public participation.

Ian Scott, CSUS Student, spoke in favor of the deferral program for reasons including assisting businesses during the recession.

Milt Trieweiler requested clarification regarding stipulations of the deferral program relative to the state of the economy, interest and payment breakdown/due dates, and means for ensuring conflicts of interest do not exist.

Additional Council and staff discussion included payment process, program regulations such as authorization under the Turlock Municipal Code and how/what fees can be used for once collected, and the Council's obligation to disclose any financial interest.

Mayor Soiseth thanked Mr. Trieweiler for his questions and the discussion.

Valley Milk Chief Executive Officer Patti Smith spoke about their business, key components and benefits of the deferral program including job creation, betterment of Turlock, and feeding the world, and invited Mr. Trieweiler to visit their site.

Action: Motion by Councilmember Jacob, seconded by Councilmember Bublak, Approving a Lien Agreement between the City of Turlock and Valley Milk Real Estates Holding, LLC (owner of 400 North Washington Road, Turlock, California) for deferred payment of Development Impact Fees. Motion carried 5/0 by the following vote:

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

6. **FINAL READINGS:** None

7. PUBLIC HEARINGS: None

8. SCHEDULED MATTERS:

- A. Transportation Engineering Supervisor Wayne York presented the staff report on the request to accept a report on the implementation of the City's Collision Reduction Strategy.

Council and staff discussion included options and process for pedestrian-first signaling.

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

Additional Council discussion included appreciation to staff for their work on this important topic, the importance of pedestrian and motorist safety, and options for lane width standards to assist with speed reduction.

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, Accepting a report on the implementation of the City's Collision Reduction Strategy. Motion carried 5/0 by the following vote:

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

- B. Parks, Recreation and Public Facilities Department Director presented the staff report on the request to authorize execution of a consent letter with the California Department of Transportation for the State Highway 99 Wildflower Beautification pilot project.

Council and staff discussion included planting and growth processes and a similar project along Highway 99 in Atwater.

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

Mayor Soiseth spoke about economic development and demonstrating to the community and passers-by that we care about how we (the City) present ourselves.

Action: **Resolution No. 2016-269** Authorizing execution of a consent letter with the California Department of Transportation for the State Highway 99 Wildflower Beautification pilot project was introduced by Councilmember DeHart, 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

- C. Regulatory Affairs Manager Garner Reynolds presented the staff report on the request to accept the updated Water Rate Study and affirming the January 2017 water rate increase.

Mr. Reynolds introduced Tom Pavletic, Municipal Financial Services, who presented information about previous adoption of the 5-year rate plan, groundwater rate schedule, proposed increase and related charges for 2017, water supply scenarios, reductions in water use and revenue, implications if the rate increase is not approved, comparison of residential billing in other cities, and a potential rate plan for surface water.

Council, staff, and Mr. Pavletic discussed surface water rates, status and membership of the surface water project, justification of the groundwater rate increase, unfunded mandates regarding water quality, and the importance of long-term viable water supply.

Mayor Soiseth opened the public hearing.

Milt Trieweller spoke about his concerns with excessive water use, the use of drinking (potable) water to irrigate lawns, the need to develop a program to discourage excessive water use, and the benefits of water efficient landscape.

Gil Esquer spoke about his concerns for citizens due to the increase in rates and excessive water use.

Mayor Soiseth closed the public hearing.

Council, staff, and Mr. Pavletic discussed tiered water rates, methods for addressing excessive water use, current water conservation efforts and enforcement, compliance with bond covenants, subsidies for those unable to pay, and the importance of a diverse water portfolio.

Action: Motion by Councilmember DeHart, seconded by Councilmember Nascimento, Accepting the updated Water Rate Study and affirming the January 2017 water rate increase. 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:** None

11. COUNCIL COMMENTS:

Councilmember DeHart spoke about his recent appointment to Vice Chair of the Policy Committee Board for the League of California Cities and upcoming attendance at the annual conference in November. Mayor Soiseth commended Councilmember DeHart for his leadership role and positive representation of the City.

Councilmember Nascimento spoke about his role on the Salvation Army Board and a recent challenge to lead a team of the Turlock City Council for the upcoming Kettle Kick-off fundraiser event. Mayor Soiseth noted he will be the Master of Ceremonies at this event.

12. CLOSED SESSION:

City Attorney Phaedra Norton introduced the Closed Session Item.

- 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 Case(s): (1 case)

Action: No reportable action.

13. ADJOURNMENT:

Motion by Councilmember DeHart, seconded by Councilmember Jacob, to adjourn the open session of the regular meeting at 8:11 p.m. Motion carried unanimously.

Motion by Councilmember Nascimento, seconded by Councilmember DeHart, to adjourn the closed session of the regular meeting at 8:20 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
Deputy City Clerk