

1. **A. CALL TO ORDER** –Mayor Soiseth called the meeting to order at 6:02 p.m.
 PRESENT: Councilmembers Amy Bublak, Bill DeHart, Matthew Jacob, Steven Nascimento, and Mayor Soiseth.
 ABSENT: None

B. SALUTE TO THE FLAG: The flag salute was led by Cub Scouts Troop 21.

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

- A. Mayor Soiseth presented a Proclamation to Jeff Santos and On-Track students in recognition of the On-Track Transition Program. Jeff Santos spoke on behalf of the students, staff and businesses that are involved with the On-Track program.
- B. Mayor Soiseth and Police Chief Rob Jackson recognized the exemplary professionalism exhibited by Police Officers Queray McMihelk, Matt Ulrich, Kristi Lavrar, Ed Meraz, Jonathan Yerzy, and Dispatchers Katie Layton and Jody Gill during a recent residential burglary. Gilbert Minjares praised the officers and dispatchers for their efforts. Councilmember Bublak acknowledged the calmness exhibited by Mr. Minjares and the professionalism of police staff.
- C. Stanislaus County Associate Planner Regina Valentine presented information on StanCOG Fiscal Year 2016/17 Unmet Transit Needs Assessment and upcoming workshops.
- D. Mayor Soiseth recommended that Councilmember Bublak be appointed as Vice Mayor for the 2016 calendar year.

Action: Motion by Councilmember Soiseth, seconded by Councilmember Jacob, appointing Councilmember Bublak as Vice Mayor for the 2016 calendar year. Motion carried 5/0 by the following vote:

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

- E. Mayor Soiseth recommended that Geoff Powers be appointed to fill a vacancy on the Planning Commission for a term set to expire on December 31, 2019.

Action: Motion by Councilmember Jacob, seconded by Councilmember Bublak, appointing Geoff Powers to fill a vacancy on the Planning Commission for a term set to expire on December 31, 2019. Motion carried 5/0 by the following vote:

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

- F. Mayor Soiseth recommended that Michael Foster and Nicole Larson be appointed to fill vacancies on the Parks, Arts & Recreation Commission for terms set to expire on December 31, 2018.

Action: Motion by Councilmember Bublak, seconded by Councilmember Jacob, appointing Michael Foster to fill a vacancy on the Parks, Arts & Recreation Commission for a term set to expire on December 31, 2018. Motion 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 DeHart, seconded by Councilmember Jacob, appointing Nicole Larson to fill a vacancy on the Parks, Arts & Recreation Commission for a term set to expire on December 31, 2018. Motion carried 5/0 by the following vote:

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

- G. Mayor Soiseth recommended that he be appointed as the City of Turlock's representative to The Alliance.

Action: Motion by Councilmember DeHart, seconded by Councilmember Nascimento, appointing Mayor Soiseth as the City of Turlock's representative to The Alliance. Motion carried 5/0 by the following vote:

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

- H. Mayor Soiseth recommended that Interim City Manager Michael Cooke be appointed to the StanCOG Management and Finance Committee as Member.

Action: Motion by Councilmember Jacob, seconded by Councilmember Nascimento, appointing Interim City Manager Michael Cooke to StanCOG Management and Finance Committee as Member. Motion carried 5/0 by the following vote:

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

- I. Mayor Soiseth recommended that Fire Chief Robert Talloni be appointed as the City of Turlock’s alternate representative to the City/County Disaster Council.

Action: Motion by Councilmember Bublak, seconded by Councilmember Jacob, appointing Fire Chief Robert as the City of Turlock’s alternate representative to the City/County Disaster Council. Motion carried 5/0 by the following vote:

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

- J. Mayor Soiseth recommended the reappointment of Aaron Hackler as the City of Turlock’s representative to the Turlock Mosquito Abatement District.

Action: Motion by Councilmember DeHart, seconded by Councilmember Nascimento, reappointing Aaron Hackler as the City of Turlock’s representative to the Turlock Mosquito Abatement District. Motion carried 5/0 by the following vote:

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

- K. Mayor Soiseth recommended the appointment of Interim City Manager Michael Cooke as the City of Turlock’s representative to the Oversight Board to the Successor Agency to the Former Turlock Redevelopment Agency (Former RDA Employee) – Member.

Action: Motion by Councilmember DeHart, seconded by Councilmember Bublak, appointing Interim City Manager Michael Cooke as the City of Turlock’s representative to the Oversight Board to the Successor Agency to the Former Turlock Redevelopment Agency (Former RDA Employee) – Member. Motion carried 5/0 by the following vote:

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

- L. Mayor Soiseth recommended that Councilmember Nascimento be appointed as the Council Representative to the Turlock Public Library Partnership.

Action: Motion by Councilmember Jacob, seconded by Councilmember Bublak, appointing Councilmember Nascimento as the Council Representative to the Turlock Public Library Partnership. Motion carried 5/0 by the following vote:

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

3. A. SPECIAL BRIEFINGS:

1. CALIFORNIA STATE UNIVERSITY STANISLAUS

CSU Stanislaus ASI Student Government Relations Coordinator Nicole Larson provided information about activities at the University, including the completion of the union renovation plan, collaboration with other CSU system student body representatives to lobby for state funding, and recent efforts to create volunteer opportunities with the City of Turlock and throughout the community.

B. STAFF UPDATES

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

Administrative Services Director Kellie Jacobs-Hunter provided a status update for the Administrative Services area, including a quarterly report on the success rate of internal employees applying for openings, filling the Fire Chief vacancy, a forthcoming quarterly report on implementation of a 60-day recruitment process, financial information including a mid-year budget review, quarterly budget updates, and an "amended to final" budget report to come before Council in February, providing user friendly financial data and showcase of financial information from the 2-year budget, and the launch of the newly designed City website.

Parks, Recreation & Public Facilities Director Allison Van Guilder provided an update on that status of a Recreation Facility Feasibility Study, completion of the request for proposal (RFP) process, with a contract to be brought before Council in February.

Police Chief Robert Jackson provided an update on the K9 Unit, including that two dogs have been purchased, handlers have been assigned, and training is ongoing.

2. Development Services Director Mike Pitcock provided an update on Capital Projects and Building Activity, including the Council Chamber Upgrade, funding sources for the upgrade, and the Skate Park project.

3. Assistant to the City Manager for Economic Development/Housing Program Services Maryn Pitt announced the City of Turlock was the recipient of a California Partnership for the San Joaquin Valley on Job Creation award. Ms. Pitt presented the award to the Mayor and Council.

4. Senior Recreation Supervisor Karen Packwood provided an update on the annual Christmas Parade, including information about float entries and estimated attendance of between 30,000 and 35,000 people. Ms. Packwood thanked the many sponsors and presented certificates to Winton Ireland Strom & Green Insurance, Cub Scouts Troop 21, Curves, Off- Road Renegades, Live Nativity, and Medeiros Elementary for winning their individual categories.

5. Senior Recreation Supervisor Karen Packwood introduced CSU Stanislaus Kinesiology students. Student Channing Wilson provided information about the 100 Citizens program, including the program's purpose of improving the health and well-being of the community through physical fitness. Ms. Wilson also noted the importance of bringing awareness to the community about programs, activities and facilities provided through the Parks, Recreation & Public Facilities department.
6. Regulatory Affairs Manager Garner Reynolds provided information about an Advisory Notice received by the City of Turlock regarding 1, 2, 3 Trichloropropane and associated notification requirements.

C. PUBLIC PARTICIPATION

Mayor Soiseth noted the public hearing for Item 6A was closed, and that this would be the appropriate time to speak related to Item 6A.

Gilbert Minjares thanked the Vice Mayor and Council for the recognition he received earlier in the meeting related to his recent burglary and praised the City of Turlock's first responders. Mr. Minjares then spoke against the treatment he received while trying to obtain a police report for his client and urged the City Council to look into the matter.

Mayor Soiseth recessed the meeting at 7:00 p.m.

Mayor Soiseth readjourned the meeting at 7:10 p.m.

Turlock Children's' Librarian Michele Coxford thanked Mayor Soiseth for participating in a recent library story time and provided information about upcoming activities at the library, including Lego Day, a new magnet program, a presentation by the Great Valley Museum about magnets, Wiggle Worms, and story time.

Milt Trieweiler spoke regarding the City of Turlock's future including quality of life issues and smart growth.

"Jesse" spoke regarding medical marijuana and provided information about his recent attendance at a County Council meeting at which the regulation and industrialization of medical marijuana was discussed. "Jesse" stressed the urgency of the workshop granted by the Council to discuss medical marijuana. He also asked that the Turlock Council cooperate with County Council and look at potential opportunities for increased revenue.

Mike Theis inquired about any marijuana workshops that have been scheduled and against the request by a private school to close a local roadway for reasons including his belief in the separation of church and state.

Kim Theis spoke in favor of safe access to medical marijuana, the City holding a medical marijuana workshop, and offered to help in moving forward with the issue.

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

Action: Motion by Councilmember Bublak, seconded by Councilmember DeHart, to waive reading of all ordinances on the agenda, except by title. Motion carried unanimously.

B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS: None

C. DISCLOSURE OF EX PARTE COMMUNICATIONS

1. Public Hearing Item 7A is a quasi-judicial proceeding. Council should disclose the following information if applicable
 - a. State for the public record the nature of the communication; and
 - b. With whom the ex parte communication was made; and
 - c. A brief statement as to the substance of the communication.

There were no disclosures of ex parte communications.

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. 2016-001** Accepting Demands of 11/19/15 in the amount of \$1,657,407.92; Demands of 11/26/15 in the amount of \$356,246.43; Demands of 12/3/15 in the amount of \$828,934.82
- B. *Motion:* Accepting Minutes of Regular Meeting of December 8, 2015
- C. *Motion:* Accepting improvements and authorizing the City Engineer to file a Notice of Completion for Traditions No. 6 Subdivision, City Project No. 1432
- D. **Resolution No. 2016-002** Initiating proceedings for the formation of Hilmar Cheese Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 15-33
- E. **Resolution No. 2016-003** Initiating proceedings for the formation of Taco Bell Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 15-34
- F. **Resolution No. 2016-004** Initiating proceedings for the formation of Dust Bowl Brewery Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 15-35
- G. *Motion:* Approving Amendment No. 2 to the agreement with The Shalleck Collaborative, Inc., in the amount of \$822.50 for City Project No. 14-26A, "RFP Council Chamber Improvements"
- H. **Resolution No. 2016-005** Authorizing the closure of Soderquist Road, between Fulkerth Road and West Canal Drive, beginning Friday, January 29, 2016, and ending Sunday, January 31, 2016, with closure times as specified in an approved traffic control plan, in support of the Turlock Swap Meet event at the Stanislaus County Fairgrounds

- I. 1. Motion: Approving a Professional Services Agreement between the City of Turlock and West Yost Associates for the preparation of the 2015 Urban Water Management Plan in an amount not to exceed \$81,840, (Non-General Fund 420-52-550.43320 “Special Services/Projects”)
- 2. **Resolution No. 2016-006** Appropriating \$81,840 to account number 420-52-530.43320 “Special Services/Projects” to be funded from Water Enterprise Fund 420 Operating Reserves to fully fund the 2015 Urban Water Management Plan preparation
- J. 1. Motion: Approving the services agreement between the City of Turlock and New World Systems for implementation and training services for Contract Accounting software
- 2. **Resolution No. 2016-007** Appropriating \$6,400 to account number 240-00-000-200.51005_002 “Communications Financial Software” from Fund 240 “Small Equipment Replacement-General Administration” reserve balance for New World Systems Contract Accounting software implementation and training services
- K. **Resolution No. 2016-008** Adopting the 2016 City Council Meeting Schedule

6. FINAL READINGS:

- A. **Ordinance No. 1217-CS**, Amending Turlock Municipal Code Title 5, Chapter 21 prohibiting all Commercial Cannabis Activities, prohibiting Cannabis Deliveries within the City, prohibiting all Activities for which a License is required under the Medical Marijuana Regulation and Safety Act, and prohibiting Cultivation of Cannabis for Non-Commercial Purposes in the City of Turlock as introduced on December 12, 2015, was passed and adopted 5/0 by the following vote:

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

- Ordinance No. 1218-CS**, Amending Turlock Municipal Code Title 3, Chapter 1 regarding Business Licenses providing that the City shall not approve licenses or uses for a medical marijuana collective, cooperative, dispensary or any other commercial cannabis (marijuana) activity including distribution, cultivation, manufacturing, transportation, delivery, testing, or processing of medical marijuana, and the City shall not approve licenses or uses for any activity that requires a license or any other authorization or approval under the Medical Marijuana Regulation and Safety Act as introduced on December 12, 2015, was passed and adopted 5/0 by the following vote:

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

- B. **Ordinance No. 1219-CS**, Amending Turlock Municipal Code Title 7, Chapter 2 regarding maintenance of curbs, gutters, sidewalks, curb cuts, and driveway approaches as introduced on December 12, 2015, was passed and adopted 5/0 by the following vote:

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

Ordinance No. 1220–CS, Amending Turlock Municipal Code Title 7, Chapter 7 regarding maintenance of street trees as introduced on December 12, 2015, was passed and adopted 5/0 by the following vote:

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

7. PUBLIC HEARINGS

- A. Fire Marshal Mark Gomez presented the staff report on the request for approval establishing a lien for payment for the abatement of certain weeds, obnoxious growth and other debris on property and abandoned vehicles that are a nuisance to the public.

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

Action: **Resolution No. 2015-009** Assessing properties for abatement costs and establishing a lien for payment 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

- B. Deputy Director of Development Services/Planning Debbie Whitmore presented the staff report on the request to call a special mailed ballot election, declare the results, and order the Annexation No. 23 (The Vista Student Housing) to Community Facilities District No. 2 (Services Mitigation).

City Clerk Kellie Weaver confirmed: 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.

Mayor Soiseth opened the public hearing. No one spoke. No protests were received. Mayor Soiseth closed the public hearing.

Action: **Resolution No. 2015-010** Calling a Special, Mailed-Ballot Election respecting Proposed Annexation No. 23 (The Vista Student Housing) to existing Community Facilities District No. 2 (Services Mitigation) was 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. 2015-011 Declaring the results of Mailed-Ballot Election respecting Proposed Annexation No. 23 (The Vista Student Housing) to Community Facilities District No. 2 (Services Mitigation) and ordering annexation was introduced by Councilmember Nascimento, 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

8. SCHEDULED MATTERS:

- A. Parks, Recreation & Public Facilities Manager Allison Van Guilder presented the staff report on the request to determine Phase I of the Turlock Municipal Airport Runway 12/30 Widening Project is exempt from the California Environmental Quality Act Pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and that the project is categorically excluded from the provisions of NEPA, pursuant to FAA Order 1050.1E Chapter 3. 310 for Facility Siting, Construction and Maintenance (310e); and authorize the submittal of an application, acceptance of an allocation of funds, and execution of a grant agreement with the Federal Aviation Administration for the Turlock Municipal Airport Phase I, Runway 12/30 Widening Project.

Council and staff discussion included airport funding, identification of additional match funding for Phase 2 of the project and the level of pressure being exerted by the FAA related to compliance.

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

Action: **Resolution No. 2016-012** Determining that the Phase I of the Turlock Municipal Airport Runway 12/30 Widening Project is Exempt from the California Environmental Quality Act Pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and determining the project is categorically excluded from the provisions of NEPA, pursuant to FAA Order 1050.1E Chapter 3. 310 for Facility Siting, Construction and Maintenance (310e) was introduced by Council was 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

Resolution No. 2016-013 Authorizing the submittal of an application, acceptance of an allocation of funds, and execution of a grant agreement with the Federal Aviation Administration for the Turlock Municipal Airport Phase I, Runway 12/30 Widening Project 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

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

10. **COUNCIL ITEMS FOR FUTURE CONSIDERATION**

11. **COUNCIL COMMENTS:**

Councilmember DeHart noted his upcoming attendance at an Institute for Local Government conference pertaining to immigration integration.

Mayor Soiseth noted his upcoming attendance at the Winter Meeting of the U.S. Conference of Mayors, including presenting at the Mayors Water Council meeting about the North Valley Regional Recycled Water Project and Surface Water Project.

Councilmember DeHart noted his upcoming attendance at a League of California Cities Policy Board meeting in Sacramento.

12. **CLOSED SESSION:**

City Attorney Phaedra Norton announced that Closed Session Item 12C would be continued to the February 9, 2016 City Council meeting and then introduced Closed Session Items 12A and 12B.

- 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.

- 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: 1030 East Avenue, Turlock, CA (APN No. 043-050-016-000)

Agency Negotiator: Michael Cooke

Negotiating Parties: Manuel Lima (Turlock Columbian Properties Incorporated)

Under Negotiation: Price and terms of payment

Action: No reportable action.

C. **Continued to the February 9, 2016 City Council Meeting:**

Conference with Legal Counsel – Existing Litigation, Cal. Gov't Code §54956.9(d)(1)

“For purposes of this section, litigation shall be considered pending when any of the following circumstances exist... Litigation, to which the local agency is a party, has been initiated formally.”

Name of Case: County of Stanislaus v. City of Modesto, City of Turlock; Modesto Garbage Co., Inc.; and Does 1 through 100, inclusive

Action: None. Item continued.

13. ADJOURNMENT:

Motion by Councilmember DeHart, seconded by Councilmember Jacob, to adjourn at 7:47 p.m.
Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver
City Clerk