

1. **A. CALL TO ORDER** – Vice Mayor DeHart called the meeting to order at 6:05 p.m.
PRESENT: Councilmembers Gil Esquer, Amy Bublak, Matthew Jacob, and Vice Mayor DeHart
ABSENT: Mayor Gary Soiseth

B. SALUTE TO THE FLAG

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

- A. Vice Mayor DeHart presented a proclamation to Municipal Services Department Staff Services Technician Toni Cordell in recognition of Go Green Week, March 13-17, 2017. Ms. Cordell presented information about the Go Green Week program including events, activities, and accomplishments and acknowledged Go Green Week partners including the Turlock Unified School District, City of Turlock Parks, Arts and Recreation Department, Turlock Recycling Company, and BLST.

Brett Sutterly from Walnut Elementary Education Center thanked the Council, spoke in favor of the program, provided information about the various activities at the school to help spread the message, commended Ms. Cordell for her efforts, and requested continued support of the program.

Jesse Marchant of Turlock Recycling Company thanked the Council and staff, provided information about their participation in the program, and noted the positive impacts the program has on the youth.

- B. Vice Mayor DeHart presented a Certificate of Recognition to Turlock Police Department Sergeant Lee Medlin, as a Million Acts of Kindness award recipient, for his thoughtful acts in assisting a citizen in need. Sergeant Lee Medlin thanked the Council and Police Chief Amirfar and encouraged others to help when they can.
- C. Vice Mayor DeHart presented a Certificate of Recognition to Hannah Ryan, Jyllian Knight, and Paige Vieira, as Million Acts of Kindness award recipients, for their thoughtfulness in organizing a fundraiser event for fallen Sheriff Deputy Wallace. Ms. Knight thanked the community for attending the fundraiser and making donations.
- D. Mary Eckert from God's Closet presented information about God's Closet, a community based nonprofit program that provides assistance to children in need through community involvement, donations, and volunteerism. Ms. Eckert also provided information about the positive impacts of their first event in November 2016, upcoming events to be held on March 19, 2017 (shopping event) and July 13, 2017 (medical, dental, and vision clinic), volunteer opportunities, and website information for God's Closet.

3. A. SPECIAL BRIEFINGS:

1. CALIFORNIA STATE UNIVERSITY STANISLAUS

No update provided.

B. STAFF UPDATES

1. Pet of the Month

Animal Control Supervisor Glena Jackson presented information about adoption fees for Pet of the Month sponsored by Turlock Management Association – Public Safety (TMAPS), the February Pet of the Month being adopted by a family, the March Pet of the Month #1-89, the “March Madness” promotion offered throughout the month of March, and contact information, location, and hours of the Turlock Animal Shelter.

2. Public Safety Briefing

Police Chief Amirfar presented statistical information for the month of January 2017 regarding top 3 calls for service, top 3 part one crimes, burglaries by types, increase and decrease in top 3 calls for service compared to 2016, increase in number of arrests compared to 2016, a request to categorize top 3 calls for service by voting district, tip line, social media efforts, and part one crime rates compared to 2016.

Fire Chief Robert Talloni presented statistical information for January 24, 2017 to February 21, 2017 regarding call incident types, fire prevention efforts, and calls of note/interest.

3. Damage of Trees at Pedretti Park

Parks, Recreation and Public Facilities Director Allison Van Guilder provided information about recent damage of trees at Pedretti Park caused by a storm which resulted in the temporary closure of field number 3 and efforts by City staff to mitigate the issue and make timely repairs.

C. PUBLIC PARTICIPATION

Jim Vieira with P&F Metals and Turlock Christian Board of Directors thanked the City of Turlock for their professional assistance and participation throughout the development of the new Turlock Christian School Elementary Campus.

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

Action: Motion by Councilmember Jacob, seconded by Councilmember Bublak, waiving reading of all ordinances on the agenda except by title. Motion carried 4/1 by the following vote:

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

B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS: None

C. DISCLOSURE OF TOP TEN/MAXIMUM CONTRIBUTORS

5. CONSENT CALENDAR:

Action: Motion by Councilmember Jacob, seconded by Councilmember Esquer, adopting the consent calendar. Motion carried 4/1 by the following vote:

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

- A. **Resolution No. 2017-036:** Accepting Weekly Demands of 12/22/16 in the amount of \$1,596,738.89; Weekly Demands of 01/05/17 in the amount of \$983,721.36; Weekly Demands of 01/19/17 in the amount of \$564,319.60; and Monthly Demands of 10/31/16 in the amount of \$1,178,597.55
- B. *Motion:* Accepting Amended Minutes of Regular Meeting of January 10, 2017; Minutes of Special Meeting of February 14, 2017; and Minutes of Regular Meeting of February 14, 2017
- C. *Motion:* Approving Contract Change Order No. 3 in the amount of \$9,755.95, for City Project No. 14-29 "Water Line Replacement on Palm Street and Mitchell Avenue," bringing the contract total to \$711,027.65
- D.
 1. **Resolution No. 2017-037:** Determining City Project No. 15-39 "Secondary Clarifier No. 5 and Denitrification" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines
 2. **Resolution No. 2017-038:** Authorizing specification of Sanitaire diffusers at the Turlock Regional Water Quality Control Facility for City Project No. 15-39 "Secondary Clarifier No. 5 and Denitrification" without compliance to formal bidding procedures pursuant to Turlock Municipal Code Section 2-7-08(b)(6)
 3. *Motion:* Approving the advertisement of construction bids for City Project No. 15-39 "Secondary Clarifier No. 5 and Denitrification"
- E.
 1. **Resolution No. 2017-039:** Determining City Project No. 15-88 "PSF Water Damage Repair" is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15302 (Replacement or Reconstruction) of the CEQA Guidelines
 2. *Motion:* Awarding bid and approving an Agreement, in the amount of \$14,397.36 (Fund 110), with Torre Reich Construction, Inc. of Turlock, California, for City Project No. 15-88 "PSF Water Damage Repair"
- F. *Motion:* Approving an Agreement with Turlock Umpire Group to officiate adult city league softball games, for a period of three (3) years, in an amount not to exceed \$141,000 from account number 110-61-624.43724 "Reimburse Sports Officials"
- G. *Motion:* Approving Amendment No. 1 to an Agreement for Special Services with The Sports Management Group for the purpose of completing the Sports & Recreation Facilities Prioritization and Feasibility Study, extending the Term of Agreement from February 28, 2017 to April 28, 2017
- H. *Motion:* Authorizing the final one (1) year extension of the Agreement with TC Concessions for concession services at the Pedretti Sports Complex and Gemperle Fields at the Turlock Regional Sports Complex
- I. *Motion:* Approving a sole source procurement of predictive policing software from PredPol, Inc. without compliance to formal bidding procedures pursuant to Turlock Municipal Code Section 2-7-08(b)(2), in an annual amount not to exceed \$17,000

- J. Motion: Approving a Training Services Agreement between the City of Turlock and the California Highway Patrol for basic safe handling and operation of a police motorcycle
- K. Motion: Rejecting Claim for Damages filed by Donnell E. Bak
- L. Motion: Rejecting Claim for Damages filed by David E. Holland
- M. Motion: Rejecting Claim for Damages filed by Patricia Moore Giles
- N. Motion: Rejecting Claim for Damages filed by Antonio De la Cruz
- O. **Resolution No. 2017-040**: Nominating Chris Vierra to the San Joaquin Valley Air Pollution Control District Special City Selection Committee for appointment to the District Governing Board

6. FINAL READINGS: None

7. PUBLIC HEARINGS:

- A. Deputy Director of Development Services/Planning Debbie Whitmore and Senior Planner Katie Quintero presented the staff report on the request to determine the amendments to Chapter 5-16 (Christmas Tree Sales Lots) and Title 9 (Zoning Ordinance) of the Turlock Municipal Code (Ordinance Amendment 2016-02) to improve the permit process and timeline for Christmas tree sales lots, modify attached patio cover and air conditioner setbacks, revise Noise Standards, modify landscaping and irrigation requirements, update wireless communication facilities regulations, modify use classifications and permitting requirements, modify property development standards, modify requirements for underground utilities, amend setbacks for recycling and solid waste disposal facilities, redefine group homes and group quarters permitting requirements, and allow for electronic noticing are Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines AND amend Chapter 5-16 (Christmas Tree Sales Lots) and Title 9 (Zoning Ordinance) of the Turlock Municipal Code (Ordinance Amendment 2016-02) to improve the permit process and timeline for Christmas tree sales lots, modify attached patio cover and air conditioner setbacks, revise Noise Standards, modify landscaping and irrigation requirements, update wireless communication facilities regulations, modify use classifications and permitting requirements, modify property development standards, modify requirements for underground utilities, amend setbacks for recycling and solid waste disposal facilities, redefine group homes and group quarters permitting requirements, and allow for electronic noticing.

Prior to the introduction of the Ordinance, Deputy Director Whitmore noted additional amendments will be made to the noise standards section to correct title references.

Council and staff discussed this item.

Vice Mayor Dehart opened the public hearing. No one spoke. Vice Mayor DeHart closed the public hearing.

Action: **Resolution No. 2017-041:** Determining the amendments to Chapter 5-16 (Christmas Tree Sales Lots) and Title 9 (Zoning Ordinance) of the Turlock Municipal Code (Ordinance Amendment 2016-02) to improve the permit process and timeline for Christmas tree sales lots, modify attached patio cover and air conditioner setbacks, amended revised Noise Standards, modify landscaping and irrigation requirements, update wireless communication facilities regulations, modify use classifications and permitting requirements, modify property development standards, modify requirements for underground utilities, amend setbacks for recycling and solid waste disposal facilities, redefine group homes and group quarters permitting requirements, and allow for electronic noticing are Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines as introduced by Councilmember Jacob, seconded by Councilmember DeHart, and carried 4/1 by the following vote:

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

Motion by Councilmember Jacob, seconded by Councilmember Bublak, Introducing an Ordinance Amending Chapter 5-16 (Christmas Tree Sales Lots) and Title 9 (Zoning Ordinance) of the Turlock Municipal Code (Ordinance Amendment 2016-02) to improve the permit process and timeline for Christmas tree sales lots, modify attached patio cover and air conditioner setbacks, amended revised Noise Standards, modify landscaping and irrigation requirements, update wireless communication facilities regulations, modify use classifications and permitting requirements, modify property development standards, modify requirements for underground utilities, amend setbacks for recycling and solid waste disposal facilities, redefine group homes and group quarters permitting requirements, and allow for electronic noticing and setting the final reading for March 14, 2017. Motion carried 4/1 by the following vote:

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

8. SCHEDULED MATTERS:

- A. Development Services Director Mike Pitcock presented the staff report on the request to determine modification, relocation, and signing of bus stops associated with implementing the recommended changes to transit routes and schedules is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Existing Facilities) and/or Section 15311 (Accessory Structures) of the CEQA Guidelines AND implement recommended changes to the fixed-route transit schedules and routes, effective March 1, 2017.

Vice Mayor Dehart opened public participation.

Members of the public spoke about this item.

Vice Mayor DeHart closed public participation.

Council discussed this item.

Action: **Resolution No. 2017-042**: Determining modification, relocation, and signing of bus stops associated with implementing the recommended changes to transit routes and schedules is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15301 (Existing Facilities) and/or Section 15311 (Accessory Structures) of the CEQA Guidelines as introduced by Councilmember Bublak, seconded by Councilmember Jacob, and carried 4/1 by the following vote:

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

Motion by Councilmember Bublak, seconded by Councilmember Jacob, Implementing recommended changes to the fixed-route transit schedules and routes, effective March 1, 2017. Motion carried 4/1 by the following vote:

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

9. NON-AGENDA ITEMS: None

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Jacob requested a staff presentation or review of the cable agreement with Charter Communications.

11. COUNCIL COMMENTS: None

12. CLOSED SESSION:

Contract City Attorney Sky Woodruff 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: The City Council approved a Settlement Agreement between the City of Turlock and VSS International, Inc.

- B. Threat to Public Services or Facilities, Cal. Gov't Code §54957(a)
“This chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, or a threat to the public's right of access to public services or public facilities.”

Consultation with: Police Chief Ninus C. Amirfar

Action: No reportable action.

13. ADJOURNMENT:

Motion by Councilmember Esquer, seconded by Councilmember Bublak, to adjourn to closed session at 7:30 p.m. Motion carried unanimously.

Motion by Councilmember Bublak, seconded by Councilmember Esquer, to adjourn closed session and the regular meeting at 8:30 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
City Clerk