

1. **A. CALL TO ORDER** – Mayor Bublak called the meeting to order at 6:03 p.m.
 PRESENT: Councilmembers Andrew Nosrati, Nicole Larson, Gil Esquer, and Mayor Amy Bublak
 ABSENT: None

Police Chief Ninus C. Amirfar led a moment of silence in honor of the recent fallen officer Newman Police Department Corporal Ronil Singh. Police Chief Amirfar also noted that Corporal Singh’s call sign was R92 and that the City of Turlock would be retiring that call sign in recognition of Corporal Singh.

B. SALUTE TO THE FLAG

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

- A. Recognition: Employee of the Month, December 2018 –Shipping and Receiving Inventory Specialist Janice Virgo

Mayor Bublak issued a Certificate of Recognition to Shipping and Receiving Inventory Specialist Janice Virgo as the Employee of the Month award winner for December 2018.

- B. Appointment: Vice Mayor

Mayor Bublak spoke regarding the historic process of appointing the Vice Mayor position and requested a Motion by the Council to appoint Councilmember Esquer as Vice Mayor.

Action: Motion by Councilmember Larson, seconded by Councilmember Nosrati, appointing Councilmember Esquer as Vice Mayor for the 2019 year. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

- C. Appointment: City/County Disaster Council

Mayor Bublak noted that she is trying to save a majority of the appointments until the fourth Council Member is seated unless there are meetings and/or appointments that are needed sooner. Mayor Bublak recommended she be appointed to serve as a member of the City/County Disaster Council.

Action: Motion by Councilmember Esquer, seconded by Councilmember Nosrati, Appointing Mayor Bublak to serve as the primary member of the City/County Disaster Council. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

D. Appointment: City/County Liaison Committee

Mayor Bublak recommended she be appointed to serve as a member of the City/County Liaison Committee.

Action: Motion by Councilmember Larson, seconded by Councilmember Nosrati, Appointing Mayor Bublak to serve as a member of the City/County Liaison Committee. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

E. Appointment: Stanislaus Regional Water Authority

Mayor Bublak recommended she be appointed to serve as a member of the Stanislaus Regional Water Authority.

Action: Motion by Councilmember Nosrati, seconded by Councilmember Esquer, Appointing Mayor Bublak to serve as a member of the Stanislaus Regional Water Authority. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

3. **A. SPECIAL BRIEFINGS:** None

B. PUBLIC PARTICIPATION

The following members of the public spoke:

Liz Padilla

City Manager Robert C. Lawton thanked Ms. Liz Padilla for her efforts and willingness to work with City staff and spoke regarding an abatement action to be held at Broadway Park on January 9, 2019.

Stanislaus County Supervisor Vito Chiesa
 Jason Tosta
 Milt Trieweiler
 Stanislaus County Turlock Public Library Supervising Librarian Diane Bartlett
 Loraine Norling
 Ed Maze
 Member of the public (Tracy)
 Michael Puffer
 Manuel Lopez

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

Action: Motion by Councilmember Esquer, seconded by Councilmember Nosrati, waiving reading of all ordinances on the agenda, except by title. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS: None

C. DISCLOSURE OF TOP TEN/MAXIMUM CONTRIBUTORS

5. CONSENT CALENDAR:

Action: Motion by Councilmember Esquer, seconded by Councilmember Larson, adopting the consent calendar. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

- A. **Resolution No. 2019-001:** Accepting Weekly Demands of 11/29/18 in the amount of \$606,743.39; Weekly Demands of 12/6/18 in the amount of \$501,580.81; Weekly Demands of 12/13/18 in the amount of \$492,199.26
- B. **Motion:** Accepting Minutes of the Regular Meeting of November 13, 2018; Minutes of the Regular Meeting of November 27, 2018
- C. **Motion:** Approving Amendment No. 7 to the Agreement with Pires, Lipomi, and Navarro Architects, and increasing the total compensation amount by \$2,800 (Fund 426) for City Project No. 12-60B "Turlock Regional Transit Center Phase 2 Design and Master Plan"
- D. **Motion:** Accepting notification of Contract Change Order No. 4 in the amount of \$72,880.54 (Fund 426) for City Project No. 12-60C "Turlock Regional Transit Center Phase 2", bringing the contract total to \$5,277,016.45
- E.
 - 1. **Resolution No. 2019-002:** Determining City Project No. 17-46 "Sewer Lift Station #49 Pump Replacement" 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. 2019-003:** Appropriating \$237,460 to account number 410-51-534.51323 "Sewer #49-Replace Pumps & Controls" to be funded from Fund 410 Water Quality Control unallocated reserves to provide necessary funding for City Project No. 17-46 "Sewer Lift Station #49 Pump Replacement"
 - 3. **Motion:** Awarding bid and approving an Agreement in the amount of \$163,548.27 (Fund 410) with Amerine Systems, Inc., of Oakdale, California, for City Project No. 17-46 "Sewer Lift Station #49 Pump Replacement"
- F. **Motion:** Approving the Memorandum of Understanding between Stanislaus County, Department of Environmental Resources and the City of Turlock regarding Onsite Wastewater Treatment Systems
- G. **Resolution No. 2019-004:** Re-appropriating unspent funds of \$32,003 from Fiscal Year 2017-18 in the amounts of \$10,703 to account number 266-20-255-362.41100_001 "Overtime Standard," \$924 to account number 266-20-255-362.42007 "Worker's Comp

Insurance,” \$154 to account number 266-20-255-362.42010 “Medicare Tax” and \$20,222 to account number 266-20-255-362.47095_000 “Training General” from Fund 266 “Police Services Grant - Realignment” unallocated reserves

- H. **Resolution No. 2019-005**: Approving modifications to the job description for the position of Police Officer I/II, effective January 8, 2019
- I. **Resolution No. 2019-006**: Appropriating \$151,725 to account number 512-10-152.47075_003 “Premiums Liability” from Fund 512 “Casualty Insurance-Self Insurance-Liability” unallocated reserves for a retrospective adjustment from the Central San Joaquin Valley Risk Management Authority
- J.
 1. **Motion**: Approving an Agreement between Tyler Technologies and the City of Turlock authorizing the City Manager to execute any and all necessary documents relative to a one (1) year Maintenance and Support Agreement with automatic one (1) year renewals unless terminated in writing by either party
 2. **Resolution No. 2019-007**: Appropriating \$3,374 to account number 110-20-200.43125_013 “New World Software Maintenance”, \$3,377 to account number 110-30-300.43125_013 “New World Software Maintenance”, \$2,202 to account number 410-51-530.43125_013 “New World Software Maintenance”, and \$2,195 to account number 420-52-550.43125_013 “New World Software Maintenance” from each Fund’s respective unallocated reserves for New World software maintenance and support for the period February 1, 2019 through January 31, 2020
- K. **Motion**: Rejecting Claim for Damages filed by Valerie Burciaga
- L. **Motion**: Rejecting Claim for Damages filed by Robert Bakus

6. FINAL READINGS:

- A. **Ordinance No. 1250-CS**, Amending Turlock Municipal Code Title 2, Chapter 4, Article 2, Section 07(c) regarding powers and duties of the City Manager as introduced at the December 11, 2018 City Council meeting was passed and adopted 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

7. PUBLIC HEARINGS

- A. Interim Development Services Director Nathan Bray presented the staff report on the request to order the improvements and formation of the Parcel Map 18-02 “Castle” (Development Project No. 18-47) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirm the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2018-2019 for the Parcel Map 18-02 “Castle” (Development Project No. 18-47) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128.

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

City Clerk Jennifer Land reported the only ballot received for this item is in favor of the district, no ballots were received in opposition of; therefore, no majority protest exists and the Council may form the district.

Action: **Resolution No. 2019-008:** Ordering the improvements and formation of the Parcel Map 18-02 “Castle” (Development Project No. 18-47) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for fiscal year 2018-2019 for the Parcel Map 18-02 “Castle” (Development Project No. 18-47) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128 as introduced by Councilmember Esquer, seconded by Councilmember Larson, and carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

B. Associate Planner Adrienne Werner presented the staff report on the request to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Prime Shine Car Wash project (Rezone 2018-02 and Minor Discretionary Permit 2018-08) AND amend the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2018-02 (Prime Shine Car Wash)] AND establish conditions of approval for Minor Discretionary Permit 2018-08 (Prime Shine Car Wash). Council and staff discussed this item.

Council and staff discussed this item.

Mayor Bublak opened the public hearing.

The following members of the public spoke:

Bob DeGrasse with L Street Architects

Mayor Bublak closed the public hearing.

Mayor Bublak announced that the Resolution establishing the Conditions of Approval would not be acted upon tonight and that this action would be brought back at the January 22, 2019 City Council meeting.

Action: **Resolution No. 2019-009:** Adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Prime Shine Car Wash project (Rezone 2018-02 and Minor Discretionary Permit 2018-08) as introduced by Councilmember Nosrati, seconded by Councilmember Larson, and carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

Motion by Councilmember Esquer, seconded by Councilmember Nosrati, Introducing an Ordinance Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2018-02 (Prime Shine Car Wash)] and setting the final reading date for January 22, 2019. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

To be considered at the January 22, 2019 City Council Meeting:

Resolution: Establishing conditions of approval for Minor Discretionary Permit 2018-08 (Prime Shine Car Wash)

- C. Fire Marshall Mark Gomez presented the staff report on the request to amend Turlock Municipal Code Title 4, Chapter 3, Article 1, Article 2, Article 3, and Article 4, to adopt the 2016 California Fire Code with specific modifications based upon local conditions.

Council and staff discussed this item.

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

Action: Motion by Councilmember Nosrati, seconded by Councilmember Larson, Introducing an Ordinance Amending Turlock Municipal Code Title 4, Chapter 3, Article 1, Article 2, Article 3, and Article 4, to adopt the 2016 California Fire Code with specific modifications based upon local conditions and setting the final reading date for January 22, 2019. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

8. SCHEDULED MATTERS:

- A. Parks, Recreation and Public Facilities Special Event Coordinator Amber Traini presented the staff report on the request to determine the closure of North Soderquist Road, between Fulkerth Road and West Canal Drive, for Modesto Area A's to host a Swap Meet, 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 AND approve a Special Event Permit Application for the Turlock Swap Meet hosted by the Modesto Area A's, authorize the associated closure of North Soderquist Road, between Fulkerth Road and West Canal Drive for pedestrian safety, beginning on Thursday, January 24, 2019 at 7:00 p.m. through Saturday, January 26, 2019 at 7:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure.

Mayor Bublak opened public participation. No one spoke. Mayor Bublak closed public participation.

Action: **Resolution No. 2019-010:** Determining the closure of North Soderquist Road, between Fulkerth Road and West Canal Drive, for Modesto Area A's to host a Swap Meet, 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 as introduced by Councilmember Larson, seconded by Councilmember Nosrati, and carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

Resolution No. 2019-011: Approving a Special Event Permit Application for the Turlock Swap Meet hosted by the Modesto Area A's, authorizing the associated closure of North Soderquist Road, between Fulkerth Road and West Canal Drive for pedestrian safety, beginning on Thursday, January 24, 2019 at 7:00 p.m. through Saturday, January 26, 2019 at 7:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure as introduced by Councilmember Esquer, seconded by Councilmember Nosrati, and carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

- B. Municipal Services Director Michael Cooke presented the staff report on the request to re-appropriate unspent funds of \$12,510,273 from fiscal year 2017-18 to fiscal year 2018-19 from each respective fund and appropriate an additional \$626,000 to account number 413-51-539.51027_001 "Clarifier #5 & MC Upgrade" from Fund 413 unallocated reserves for City Project No. 15-39 "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification" AND approve Contract Change Order No. 1 in the amount of \$750,168.73 with CW Roen Construction of Danville, California for City Project No. 15-39C "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification," bringing the contract total to \$18,818,168.73 AND approve Amendment No. 3 with Kleinfelder, Inc. of Modesto, California in the amount of \$60,000 (Fund 413) for materials testing and inspection services for City Project No. 15-39E "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification," bringing the contract total amount to \$178,500.

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Milt Trieweiler

Mayor Bublak closed public participation.

Action: **Resolution No. 2019-012:** Re-appropriating unspent funds of \$12,510,273 from fiscal year 2017-18 to fiscal year 2018-19 from each respective fund and appropriating an additional \$626,000 to account number 413-51-539.51027_001 “Clarifier #5 & MC Upgrade” from Fund 413 unallocated reserves for City Project No. 15-39 "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification” as introduced by Councilmember Esquer, seconded by Councilmember Nosrati, and carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

Motion by Councilmember Esquer, seconded by Councilmember Nosrati, Approving Contract Change Order No. 1 in the amount of \$750,168.73 with CW Roen Construction of Danville, California for City Project No. 15-39C "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification," bringing the contract total to \$18,818,168.73. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

Motion by Councilmember Esquer, seconded by Councilmember Nosrati, Approving Amendment No. 3 with Kleinfelder, Inc. of Modesto, California in the amount of \$60,000 (Fund 413) for materials testing and inspection services for City Project No. 15-39E "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification," bringing the contract total amount to \$178,500. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

- C. Municipal Services Director Michael Cooke introduced Water Quality Control Division Manager David Huff who presented the staff report on the request to approve a Professional Services Agreement template for Disposal of Liquid Waste at the Turlock Regional Water Quality Control Facility and authorize staff to enter into such agreements for future users.

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Milt Trieweiler
 Bob Puffer

Mayor Bublak closed public participation.

Action: Motion by Councilmember Larson, seconded by Councilmember Esquer, Approving a Professional Services Agreement template for Disposal of Liquid Waste at the Turlock Regional Water Quality Control Facility and authorizing staff to enter into such agreements for future users. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

- D. City Manager Robert C. Lawton presented the staff report on the request to receive applications for the Council vacancy for District 4 and provide direction to staff regarding the interview and selection process for filling the vacancy.

Council and staff discussed this item including this being a public interview process, the types of interview questions to be asked of the applicants, scheduling separate meetings for the interview and selection processes, potential scoring/ranking procedures, opportunities for public participation at each meeting, options for an interview schedule, and identified a meeting date to conduct interviews.

Mayor Bublak opened public participation. No one spoke. Mayor Bublak closed public participation.

Action: Motion by Councilmember Nosrati, seconded by Councilmember Esquer, Receiving applications for the Council vacancy for District 4 and scheduling public interviews on January 28, 2019 at 8:00 a.m. with the eight (8) applicants, providing 3 minutes for an opening statement and 27 minutes of interview time, and setting a future special meeting date for the selection process. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

Mayor Bublak recessed the City Council Meeting at approximately 8:28 p.m.

Mayor Bublak reconvened the City Council Meeting at 8:33 p.m.

9. STAFF UPDATES

1. Administrative Services
 - a. Economic Development Update

Assistant to the City Manager for Economic Development/Housing Maryn Pitt provided an update regarding economic development in Turlock.

b. Marketing and Branding

Assistant to the City Manager for Economic Development/Housing Maryn Pitt provided a status update regarding Turlock brandprint efforts and strategies.

Council and staff discussed this item including a comment regarding simultaneous advertisement of a RFQ for a marketing firm or agency.

c. Board, Commission, and Committee Vacancy Update

A written staff update was included in the agenda packet.

City Clerk Jennifer Land provided an update regarding the extended application period for the Planning Commission and Parks, Arts and Recreation Commission.

2. Development Services Department – No update provided.

3. Fire Department – No update provided.

4. Municipal Services Department – No update provided.

5. Parks, Recreation and Public Facilities – No update provided.

6. Police Department – No update provided.

10. CITY MANAGER COMMENTS:

City Manager Robert C. Lawton made a reminder announcement regarding the Special Meeting scheduled for January 10 at 2:00 p.m. as a follow up from the previous workshop held in December regarding homelessness and vagrancy mitigation, expressed thanks to Assistant to the City Manager for Economic Development/Housing Maryn Pitt for her efforts in researching the various workgroup points/ideas and preparing a memorandum to help facilitate further discussion, spoke regarding the compliance action to be carried out at Broadway Park and thanked staff for their efforts with this process, and his attendance at an employee of the month luncheon.

11. NON-AGENDA ITEMS: None

12. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Nosrati spoke regarding road fatalities, having requested data regarding this matter, and the importance of performing an analysis of the state of our roads and road safety in an effort to determine the direction of the City in protecting citizens and making the roads safer.

Mayor Bublak requested follow up from City Manager Lawton regarding this matter.

13. COUNCIL COMMENTS:

Mayor Bublak encouraged member of the public Ed Maze to attend the upcoming special meeting on January 10, 2019 at 2:00 p.m.

Councilmember Larson expressed thanks to Parks, Recreation and Public Facilities staff for their efforts with the effects of the storm.

Councilmember Esquer spoke regarding earlier comments made by a member of the public regarding lighting at Lander Avenue and noted he would like to look into the lighting and striping in this area.

Councilmember Nosrati spoke regarding inquiries/comments he has received about confusion with traffic signal lighting at the intersection of Golden State and Monte Vista.

14. CLOSED SESSION: None

15. REPORTS FROM CLOSED SESSION: None

16. ADJOURNMENT

Motion by Councilmember Esquer, seconded by Councilmember Larson, to adjourn the regular meeting at 8:49 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
City Clerk