

0. 1. CALL TO ORDER – Vice Mayor Esquer called the meeting to order at 6:02 p.m.

B. SALUTE TO THE FLAG

C. ROLL CALL:

Vice Mayor Esquer announced that Mayor Bublak is unable to participate via teleconference due to unforeseen delays with her flight.

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Absent

PRESENT: Councilmembers Becky Arellano, Nicole Larson, Andrew Nosrati, and Gil Esquer.

ABSENT: Mayor Amy Bublak

D. DECLARATION OF CONFLICTS: None

1. CLOSED SESSION: None

2. APPROVAL OF AGENDA AS POSTED OR AMENDED:

Vice Mayor Esquer announced that, at the request of staff, Action Item 9J would be removed from the agenda.

Action: Motion by Councilmember Larson, seconded by Councilmember Arellano, Approving the amended agenda. Motion carried 4/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Absent

3. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS: None

4. PUBLIC PARTICIPATION:

The following members of the public spoke:

- Brad Bates
- Milt Trieweiler
- Frank Johnson
- Stanislaus County Supervisor Vito Chiesa

5. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE: None

6. CONSENT CALENDAR:

Vice Mayor Esquer announced that Consent Calendar Item 6N would be removed for separate consideration. Councilmember Arellano requested Consent Calendar Item 6D be removed for separate consideration.

Action: Motion by Councilmember Nosrati, seconded by Councilmember Arellano, adopting the amended consent calendar. Motion carried 4/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Absent

- A. **Resolution No. 2019-114:** Accepting Weekly Demands of 5/16/19 in the amount of \$369,351.69; Weekly Demands of 5/23/19 in the amount of \$3,182,421.10; Monthly Demands of \$2,457,168.36
- B. **Motion:** Accepting Minutes of the Special Meeting of May 28, 2019; Minutes of the Regular Meeting of May 28, 2019
- C. **Motion:** Approving Amendment No. 8 to an Agreement between the City of Turlock and Omni-Means, Ltd. for City Project No. 0828 “SR-99/Fulkerth Road Interchange” to reflect the City of Turlock’s approval of the assignment and assumption of the Agreement dated June 24, 2008, by and between the City of Turlock and Omni-Means, Ltd. to GHD Inc.
- D. *Removed for separate consideration.*
- E.
 - 1. **Resolution No. 2019-115:** Approving the Engineer’s Report for Fiscal Year 2019-20 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock
 - 2. **Resolution No. 2019-116:** Declaring the City Council’s Intention to levy and collect assessments for Fiscal Year 2019-20 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock
- F. **Motion:** Re-affirming Building Division Permit fees and Policy in accordance with Section 8-1-108 fees of the Turlock Municipal Code
- G. **Motion:** Approving an Agreement between the City of Turlock and Turlock Community Theatre, Inc. for the purpose of utilizing the Turlock Community Theatre for recreation dance classes on Wednesday and Thursday evenings and the end of session recital, from July 17, 2019 to September 27, 2019, in the amount of \$110 per day not to exceed twenty (20) class uses and one recital use not to exceed \$1,187 additionally for staffing and fees associated with the rental policy at a total of \$3,387
- H.
 - 1. **Motion:** Approving Amendment No. 1 to an Agreement between the City of Turlock and Confluence Engineering Group, LLC (Confluence) to modify the scope of work of the drinking water quality study to include Corrosion Control Demonstration Testing and increase the contract amount by \$53,101 for a total compensation of \$410,957
 - 2. **Resolution No. 2019-117:** Appropriating \$53,101 to FY 2019-20 to account number 420-52-550.43320 “Special Services/Projects” from Fund 420 “Water Enterprise” unallocated reserves for Corrosion Control Demonstration Testing

- I. **Resolution No. 2019-118**: Authorizing the City Manager to initiate renewals of existing user licenses and purchase new/additional user licenses as necessary from Nitro Software, Inc., subject to available budgeted funds
 - J. **Motion**: Awarding RFB No. 19-024 and approving an Agreement with Champion Industrial Contractors, Inc. for Preventive Maintenance, Filter Change-Out, Repair Service for HVAC Units for City Owned and Leased Buildings for a period of twelve (12) months, with an option to extend the Agreement for three (3) additional one-year terms, for a total not-to-exceed amount of \$300,000, over the 4-year term of the Agreement, if all renewal periods are exercised
 - K. **Resolution No. 2019-119**: Making certain findings and determinations in compliance with Section XIII.B of the California Constitution and Section 7910 of the California Government Code and setting the Fiscal Year 2019-20 Appropriation Limit for the City of Turlock
 - L. **Resolution No. 2019-120**: Appropriating \$60,000 to account number 512-10-152.43191 "Claims Expense" from Fund 512 "Self Insurance-Liability" unallocated reserves for specialized legal services and expenses related to claim administration
 - M. **Motion**: Awarding RFB No. 19-015 and approving an Agreement with Don Pedro Pump, Inc. for Pump Repairs at the Turlock Regional Water Quality Control Facility (wastewater treatment plant) and City Well Sites for a period of twelve (12) months, with an option to extend the Agreement for three (3) additional one-year terms, in an annual amount not to exceed \$50,000, for a total not-to-exceed amount of \$200,000, over the 4-year term of the Agreement, if all renewal periods are exercised
 - N. *Removed for separate consideration.*
- 6D. **Resolution**: Re-appropriating unspent funds of \$7,400 from FY 2017-18 to FY 2018-19 to account number 120-10-120.47321 "Sports Complex Feasibility Study" from Fund 120 "Tourism" unallocated reserves for environmental studies at the Turlock Regional Sports Complex

Council and staff discussed this item.

Vice Mayor Esquer opened public participation. No one spoke. Vice Mayor Esquer closed public participation.

Action: **Resolution No. 2019-121**: Re-appropriating unspent funds of \$7,400 from FY 2017-18 to FY 2018-19 to account number 120-10-120.47321 "Sports Complex Feasibility Study" from Fund 120 "Tourism" unallocated reserves for environmental studies at the Turlock Regional Sports Complex as introduced by Councilmember Arellano, seconded by Councilmember Larson, and carried 4/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Absent

- 6N. **Motion**: Awarding RFB No. 19-003 and approving an Agreement with Wastewater Solids Management, Inc. for Digester Cleaning for the Turlock Regional Water Quality Control Facility (wastewater treatment plant) for a period of twelve (12) months, with an option to extend the Agreement for three (3) additional one-year terms, in an annual amount not to exceed \$200,000, for a total not-to-exceed amount of \$800,000, over the 4-year term of the Agreement, if all renewal periods are exercised

Staff discussed this item.

Vice Mayor Esquer opened public participation.

The following members of the public spoke:

Milt Triewailer
Frank Johnson

Vice Mayor Esquer closed public participation.

Staff provided brief comment in response to public comment.

Council and staff discussed this item.

Action: Motion by Councilmember Arellano, seconded by Councilmember Larson, Awarding RFB No. 19-003 and approving an Agreement with Wastewater Solids Management, Inc. for Digester Cleaning for the Turlock Regional Water Quality Control Facility (wastewater treatment plant) for a period of twelve (12) months, with an option to extend the Agreement for three (3) additional one-year terms, in an annual amount not to exceed \$200,000, for a total not-to-exceed amount of \$800,000, over the 4-year term of the Agreement, if all renewal periods are exercised. Motion carried 4/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Absent

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:** None

9. **ACTION ITEMS:**

A. Parks, Recreation and Public Facilities Staff Services Analyst Juan Vargas presented the staff report on the request to adopt the Advertising Initiative Guidelines to promote businesses and organizations and increase revenue generated by facilities

Council and staff discussed this item.

Vice Mayor Esquer opened public participation.

The following members of the public spoke:

Frank Johnson
Terri Shaver
Cheryl Perrien

Milt Trieweiler

Vice Mayor Esquer closed public participation.

Staff provided brief comment in response to public comment.

Council and staff further discussed this item including review of the sign ordinance due to changes in laws, request for a 6 month review of the program, and potential future consideration of other types of signage (rotating, billboard, led, and alcohol related) to expand/add revenue.

Councilmember Larson introduced a modified motion to include a 6 month review of the program. Councilmember Nosrati seconded the modified motion.

Action: Motion by Councilmember Larson, seconded by Councilmember Nosrati, Adopting the Advertising Initiative Guidelines to promote businesses and organizations and increase revenue generated by facilities to include a 6 month review of the program. Motion carried 4/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Absent

- B. Parks, Recreation and Public Facilities Supervisor Mark Crivelli presented the staff report on the request to accept the Initial Study - Mitigated Negative Declaration report as presented by Rincon Consultants, Inc. to determine the feasibility of lighting the two softball fields at Turlock Regional Sports Complex

Parks, Recreation and Public Facilities Supervisor Mark Crivelli introduced Rincon Consultants, Inc. Matt Maddox who presented information regarding the initial study.

Vice Mayor Esquer opened public participation.

The following members of the public spoke:

Robert Puffer

Vice Mayor Esquer closed public participation.

Staff and the consultant provided brief comment in response to public comment.

Council, staff, and the consultant discussed this item.

Action: Motion by Councilmember Larson, seconded by Councilmember Nosrati, Accepting the Initial Study - Mitigated Negative Declaration report as presented by Rincon Consultants, Inc. to determine the feasibility of lighting the two softball fields at Turlock Regional Sports Complex. Motion carried 4/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Absent

- C. Municipal Services Director Michael Cooke presented the staff report on the request to approve a Municipal Utility Payment Extension Agreement for the deferred payment of water and / or sewer service connection fees and to allow a Municipal Utility Lien Program to recover outstanding fees in the event property owner defaults on the payment plan

Council and staff discussed this item.

Vice Mayor Esquer opened public participation.

Deanna Garcia

Vice Mayor Esquer closed public participation.

Staff provided brief comment in response to public comment.

Action: **Resolution No. 2019-122:** Approving a Municipal Utility Payment Extension Agreement for the deferred payment of water and / or sewer service connection fees and to allow a Municipal Utility Lien Program to recover outstanding fees in the event property owner defaults on the payment plan as introduced by Councilmember Arellano, seconded by Councilmember Nosrati, and carried 4/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Absent

Vice Mayor Esquer announced that Action Items 9D through 9K (less 9J) would be handled concurrently. Human Resources Manager Sarah Eddy introduced Winton, Ireland, Strom & Green Michael Ireland, Lynn Bull, and Blane Adams, noting they would be providing a brief overview of the insurance policies.

- D. Request to authorize an Agreement between the City of Turlock and American Alternative/Glatfelters Insurance Company for Property Insurance, in the amount of \$172,722, covering the period of July 1, 2019 to June 30, 2020

Winton, Ireland, Strom & Green Michael Ireland spoke regarding the importance of policy review and selection processes and provided information regarding this item.

Council, staff, and the broker discussed this item.

Vice Mayor Esquer opened public participation. No one spoke. Vice Mayor Esquer closed public participation.

Action: **Resolution No. 2019-123:** Authorizing an Agreement between the City of Turlock and American Alternative/Glatfelters Insurance Company for Property Insurance, in the amount of \$172,722, covering the period of July 1, 2019 to June 30, 2020 as introduced by Councilmember Arellano, seconded by Councilmember Larson, and carried 4/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Absent

E. Request to authorize an Agreement between the City of Turlock and Travelers Casualty & Surety Company of America for Cyber Liability Insurance, in the amount of \$17,925, covering the period of July 1, 2019 to June 30, 2020

Winton, Ireland, Strom & Green Michael Ireland provided information regarding this item.

Vice Mayor Esquer opened public participation. No one spoke. Vice Mayor Esquer closed public participation.

Action: **Resolution No. 2019-124:** Authorizing an Agreement between the City of Turlock and Travelers Casualty & Surety Company of America for Cyber Liability Insurance, in the amount of \$17,925, covering the period of July 1, 2019 to June 30, 2020 as introduced by Councilmember Larson, seconded by Councilmember Arellano, and carried 4/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Absent

F. Request to authorize an Agreement between the City of Turlock and Chubb/Ace Insurance Company for Employment Practices Liability Insurance, in the amount of \$50,000, covering the period of July 1, 2019 to June 30, 2020

Winton, Ireland, Strom & Green Michael Ireland provided information regarding this item.

Vice Mayor Esquer opened public participation. No one spoke. Vice Mayor Esquer closed public participation.

Action: **Resolution No. 2019-125:** Authorizing an Agreement between the City of Turlock and Chubb/Ace Insurance Company for Employment Practices Liability Insurance, in the amount of \$50,000, covering the period of July 1, 2019 to June 30, 2020 as introduced by Councilmember Nosrati, seconded by Councilmember Larson, and carried 4/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Absent

G. Request to authorize an Agreement between the City of Turlock and National Union Fire Insurance for Liability Insurance for the Turlock Municipal Airport, in the amount of \$2,450, covering the period of July 1, 2019 to June 30, 2020

Winton, Ireland, Strom & Green Michael Ireland and Blane Adams provided information regarding this item.

Vice Mayor Esquer opened public participation. No one spoke. Vice Mayor Esquer closed public participation.

Action: **Resolution No. 2019-126:** Authorizing an Agreement between the City of Turlock and National Union Fire Insurance for Liability Insurance for the Turlock Municipal Airport, in the amount of \$2,450, covering the period of July 1, 2019 to June 30, 2020 as introduced by Councilmember Nosrati, seconded by Councilmember Larson, and carried 4/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Absent

- H. Request to authorize renewal of a three (3) year Agreement between the City of Turlock and Keenan & Associates to Administer Workers' Compensation Claims and Provide Risk Management Services related to the Workers' Compensation Program, covering the period of Fiscal Years 2019-20, 2020-21, and 2021-22

Winton, Ireland, Strom & Green Michael Ireland provided information regarding this item.

Council, staff, and the broker discussed this item.

Vice Mayor Esquer opened public participation. No one spoke. Vice Mayor Esquer closed public participation.

Action: **Resolution No. 2019-127:** Authorizing renewal of a three (3) year Agreement between the City of Turlock and Keenan & Associates to Administer Workers' Compensation Claims and Provide Risk Management Services related to the Workers' Compensation Program, covering the period of Fiscal Years 2019-20, 2020-21, and 2021-22 as introduced by Councilmember Arellano, seconded by Councilmember Nosrati, and carried 4/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Absent

- I. Request to authorize an Agreement between the City of Turlock and Safety National Casualty Company for Excess Workers' Compensation Insurance, in the estimated amount of \$95,901, covering the period of July 1, 2019 to June 30, 2020

Winton, Ireland, Strom & Green Michael Ireland and Keenan & Associates Arcenio Reyes provided information regarding this item.

Council, staff, and the broker discussed this item.

Vice Mayor Esquer opened public participation. No one spoke. Vice Mayor Esquer closed public participation.

Action: **Resolution No. 2019-128:** Authorizing an Agreement between the City of Turlock and Safety National Casualty Company for Excess Workers' Compensation Insurance, in the estimated amount of \$95,901, covering the period of July 1, 2019 to June 30, 2020 as introduced by Councilmember Larson, seconded by Councilmember Nosrati, and carried 3/1 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
No	Yes	Yes	Yes	Absent

J. Removed from the agenda.

Vice Mayor Esquer opened public participation. No one spoke. Vice Mayor Esquer closed public participation.

K. Request to authorize Agreements between the City of Turlock and related benefit partners in conjunction with the Excess Loss Insurance for City employees for Fiscal Year 2019-20

Winton, Ireland, Strom & Green Lynn Bull spoke regarding the importance of policy review and the RFP process and provided information regarding this item.

Vice Mayor Esquer opened public participation. No one spoke. Vice Mayor Esquer closed public participation.

Action: **Resolution No. 2019-129:** Authorizing Agreements between the City of Turlock and related benefit partners in conjunction with the Excess Loss Insurance for City employees for Fiscal Year 2019-20 as introduced by Councilmember Arellano, seconded by Councilmember Larson, and carried 4/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Absent

10. CITY MANAGER REPORTS/UPDATES:

City Manager Robert C. Lawton announced that written staff updates, for the Fire and Police Departments Public Safety Briefings, are included in the agenda packet.

1. Fire Department
 1. Public Safety Briefing *(a written staff update is included in the agenda packet)*

2. Police Department
 2. Public Safety Briefing *(a written staff update is included in the agenda packet)*

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Arellano requested an update regarding ad hoc committee rules.

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:

Councilmember Arellano spoke regarding this having been an enjoyable meeting, expressed thanks to the Fire Department for their assistance with an incident involving one of her tenants, spoke about her recent attendance at a workshop held by the Patterson City Council regarding planning and implementation, apologized for the negativity that has surrounded the Council over the last few weeks, and noted she would like to move forward in a positive manner.

Councilmember Nosrati spoke regarding the idea of an outdoor emergency shelter, an upcoming joint meeting to be held by him and Councilmember Arellano on July 3, 2019 regarding these matters, working collaboratively to bring forward solutions and ideas, invited community members who want to work together to attend the upcoming meeting, and requested those who are destructive to these efforts to please reevaluate their purpose.

Councilmember Larson spoke regarding the collaborative ideas and intentions of the ad hoc committees, opportunity to have candid conversations out in the community, importance of ensuring conversations are held in a constructive manner, and noted she's proud to speak on behalf of her colleague's support of various initiatives and challenges facing the City. Councilmember Larson also spoke regarding an upcoming event for World Refugee Day to be held on June 29, 2019 and encouraged attendance/volunteerism.

Councilmember Esquer expressed thanks to staff for their continued hard work, to members of the public for their attendance and participation, spoke regarding his recent attendance at the Fire Department Open House, and also expressed thanks to City Attorney Doug White for hosting a meeting earlier in the day for those interested in operating cannabis businesses.

13. CLOSED SESSION (*continuation of Closed Session if necessary*): None

14. REPORTS FROM CLOSED SESSION: None

15. ADJOURNMENT

Motion by Councilmember Nosrati, seconded by Councilmember Arellano, to adjourn the regular meeting at 8:21 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
City Clerk