

0. A. **CALL TO ORDER** – Mayor Bublak called the meeting to order at 6:02 p.m.

B. **SALUTE TO THE FLAG**

C. **ROLL CALL:**

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

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

ABSENT: None

D. **DECLARATION OF CONFLICTS:** None

1. **CLOSED SESSION:**

*The Closed Session item(s) for this meeting have been agendized and will be heard toward the latter part of the meeting.*

2. **APPROVAL OF AGENDA AS POSTED OR AMENDED**

This is the time for the City Council to remove items from the agenda or to change the order of the agenda. Matters may be taken up out of order of the established agenda by a four-fifths vote of the City Council.

**Action:** Motion by Councilmember Nosrati, seconded by Councilmember Arellano, Approving the agenda as posted. Motion carried 5/0 by the following vote:

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

3. **PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS:**

A. Recognition: Employee of the Month, December 2019, Parts Inventory Clerk Scott Threet

Mayor Bublak issued a Certificate of Recognition to Parts Inventory Clerk Scott Threet as the Employee of the Month award winner for December 2019.

B. Proclamation: Healthcare Heroes, presented to Regina Amador, Allie Jeffery, Cortney Hartsfield, and Terrie King

Mayor Bublak issued a Proclamation to Healthcare Heroes Regina Amador, Allie Jeffery, Cortney Hartsfield, and Terrie King in recognition of their gracious efforts and contributions to the local Turlock community.

C. Appointment: Vice Mayor

Mayor Bublak nominated Councilmember Nosrati as Vice Mayor. Mayor Bublak also expressed thanks to Councilmember Esquer for his time served as Vice Mayor.

**Action:** Motion by Councilmember Esquer, seconded by Councilmember Arellano, appointing Councilmember Nosrati as Vice Mayor for the 2020 year. Motion carried 5/0 by the following vote:

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

D. Appointment: CDBG Grant Selection Committee (Community Members)

Mayor Bublak spoke regarding the few number of applications received, a late entry application received by Allison Jeffery (Green Sheet for this item), and recommended that Abe Rojas, Beverly Spielman, and Allison Jeffery be appointed as community members for the CDBG Grant Selection Committee.

**Action:** Motion by Councilmember Esquer, seconded by Councilmember Larson, Appointing Abe Rojas, Beverly Spielman, and Allison Jeffery as community member representatives for the CDBG Grant Selection Committee. Motion carried 5/0 by the following vote:

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

E. Appointment: CDBG Grant Selection Committee (Council Representatives)

Mayor Bublak recommended Councilmember Larson serve as the primary Council representative and Councilmember Nosrati serve as the alternate Council representative on the CDBG Grant Selection Committee.

**Action:** Motion by Councilmember Esquer, seconded by Councilmember Arellano, Appointing Councilmember Larson as the primary Council representative and Councilmember Nosrati as the alternate Council representative for the CDBG Grant Selection Committee. Motion carried 5/0 by the following vote:

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

**4. PUBLIC PARTICIPATION:**

Mayor Bublak spoke regarding her direction given on December 10, 2019 to have a public discussion regarding Council's actions and Code of Conduct and noted she still expects this to happen.

The following members of the public spoke:

Ron Bridegroom  
Stanislaus County Turlock Public Library Supervising Librarian Diane Bartlett  
Darcy Sanchez  
John Gebelein  
Cheryl Reiland  
Mary Jackson

Council and staff provided brief comment in response to public comment.

**5. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE**

**Action:** Motion by Councilmember Nosrati, seconded by Councilmember Larson, Waiving reading of all Ordinances on the agenda, except by title. Motion carried 5/0 by the following vote:

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

**6. CONSENT CALENDAR:**

*Mayor Bublak announced there are Green Sheets for Consent Calendar Items 6G and 6J.*

**Action:** Motion by Councilmember Nosrati, seconded by Councilmember Larson, adopting the consent calendar. Motion carried 5/0 by the following vote:

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

- A. **Resolution No. 2020-001:** Accepting Weekly Demands of 11/21/19 in the amount of \$3,362,648.34; Weekly Demands of 11/28/19 in the amount of \$6,015,287.46; Weekly Demands of 12/5/19 in the amount of \$560,384.69; Weekly Demands of 12/12/19 in the amount of \$1,226,118.80
- B. **Motion:** Accepting Minutes of the Special Meeting of November 12, 2019; Minutes of the Special Meeting of December 3, 2019
- C. **Motion:** Approving Amendment No. 5 with Kleinfelder, Inc. of Stockton, California, extending the term of the agreement and increasing the compensation by \$10,000 (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" (upgrade and expansion of the wastewater treatment plant), bringing the contract total to \$188,500
- D.
  - 1. **Motion:** Approving Change Order No. 2 (Final) in the increased amount of \$3,945.25, bringing the contract total to \$434,876.50, for City Project No. 16-58 "Christoffersen Parkway Class II Bicycle Improvements"
  - 2. **Motion:** Accepting improvements for City Project No. 16-58 "Christoffersen Parkway Class II Bicycle Improvements," and authorizing the City Engineer to file a Notice of Completion

- E. Motion: Accepting improvements for City Project No. 16-59 "Intersection Improvements at West Main Street and West Avenue" and authorizing the City Engineer to file a Notice of Completion
- F. Motion: Approving Amendment No. 1 to the agreement with GDR Engineering, Inc., of Ceres, CA, for City Project No. 17-57, "Retainer Agreement for Engineering and Surveying Services" to increase the total compensation by \$14,670 bringing the contract total to \$164,670
- G. Motion: Approving an Agreement with Carollo Engineers, for On-Call Hydraulic Modeling Services Drinking Water System for a period of one (1) year, with an option to extend the Agreement for three (3) additional one-year terms, in a total amount not to exceed \$50,000 (non-general fund) over the four-year term of the Agreement, if all renewal periods are exercised
- H. Motion: Awarding RFQ No. 19-047 and approving an Agreement between the City of Turlock and Townsend Public Affairs for government relations and advocacy services, for a period of one (1) year, with an option to extend the Agreement for three (3) additional one-year terms, in an annual amount not to exceed \$60,000 (non-general fund), for a total not-to-exceed amount of \$240,000 over the 4-year term of the Agreement, if all renewal periods are exercised
- I. Motion: Authorizing the Interim City Manager to pay Delfino Madden O'Malley Coyle & Koewler LLP for specialized legal services related to human resources/personnel matters an additional \$6,400, for a total contract amount of \$31,400, from account number 110-10-108.47325 "City Attorney Investigations/Litigation" where sufficient funds are currently budgeted
- J.
  1. Motion: Authorizing renewal of an Agreement between the City of Turlock and Microsoft through the reseller SoftwareONE, Inc. for a period of three (3) years in the amount of \$73,453.88 per year for a total amount of \$220,361.64 at the end of three (3) years and an Enrolled Affiliate true up in the amount of \$4,530.57 for additional computers deployed since the last billing period
  2. **Resolution No. 2020-002**: Appropriating \$13,000 to account number 501-10-130.43047 "Microsoft Licensing" to be funded from unallocated reserves in various funds (as outlined in "Attachment A" to the Resolution) for additional Microsoft licensing and Enrolled Affiliate true up costs
- K. Motion: Ratifying approval of the agreement between the City of Turlock and the Mountain Valley Emergency Medical Services Agency for participation in the Basic Life Support Program and execution of such agreement by the Interim City Manager
- L. Motion: Accepting the improvements for City Project No. 19-54, "Emergency Repair on Tuolumne Road" and authorizing the City Engineer to file a Notice of Completion

**7. FINAL READINGS:**

- A. **Recommended Action**:  
Ordinance: Amending the Turlock Municipal Code Title 8, Chapter 1, Article 1; Chapter 2, Article 1; Chapter 5, Article 1; and Chapter 6, Article 1 to adopt the 2019 California Building Standards Code with specific modifications based on local conditions as introduced at the December 10, 2019 City Council meeting

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

**Action:** **Ordinance No. 1272-CS**, Motion by Councilmember Nosrati, seconded by Councilmember Arellano, Amending the Turlock Municipal Code Title 8, Chapter 1, Article 1; Chapter 2, Article 1; Chapter 5, Article 1; and Chapter 6, Article 1 to adopt the 2019 California Building Standards Code with specific modifications based on local conditions as introduced at the December 10, 2019 City Council meeting was passed and adopted 5/0 by the following vote:

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

**B. Recommended Action:**

**Ordinance:** Amending the Turlock Municipal Code Title 4, Chapter 3, Article 1, Article 2, Article 3, and Article 4 to adopt the 2019 California Fire Code with specific modifications based upon local conditions as introduced at the December 10, 2019 City Council meeting

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

**Action:** **Ordinance No. 1273-CS**, Motion by Councilmember Nosrati, seconded by Councilmember Larson, Amending the Turlock Municipal Code Title 4, Chapter 3, Article 1, Article 2, Article 3, and Article 4 to adopt the 2019 California Fire Code with specific modifications based upon local conditions as introduced at the December 10, 2019 City Council meeting was passed and adopted 5/0 by the following vote:

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

**C. Recommended Action:**

**Ordinance:** Amending the Turlock Municipal Code Title 6, Chapters 3, 4, and 5, regarding payment of collection charges for garbage, rubbish, and garden refuse, sewer service, and water service to implement a quadrant-based utility service billing cycle as introduced at the December 10, 2019 City Council meeting

Mayor Bublak opened the public hearing.

The following members of the public spoke:

Ron Bridegroom

Mayor Bublak closed the public hearing.

Council and staff provided brief comment in response to public comment.

**Action:** **Ordinance No. 1274-CS**, Motion by Councilmember Arellano, seconded by Councilmember Nosrati, Amending the Turlock Municipal Code Title 6, Chapters 3, 4, and 5, regarding payment of collection charges for garbage, rubbish, and garden refuse, sewer service, and water service to implement a quadrant-based utility service billing cycle as introduced at the December 10, 2019 City Council meeting was passed and adopted 5/0 by the following vote:

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

**8. PUBLIC HEARINGS:** None

**9. ACTION ITEMS:**

A. Interim City Manager Michael I. Cooke presented the staff report on the request to approve the Regional Surface Water Supply Phase 3 Project Design and Construction Funding Agreement in substantially the form as presented at this meeting

Council and staff discussed this item.

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

**Action:** Motion by Councilmember Arellano, seconded by Councilmember Nosrati, Approving the Regional Surface Water Supply Phase 3 Project Design and Construction Funding Agreement in substantially the form as presented at this meeting. Motion carried 4/1 by the following vote:

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

B. Interim City Manager Michael I. Cooke presented the staff report on the request to adopt a policy on the use of revenues derived from the various Council approved cannabis-related businesses

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Ron Bridegroom  
 Cheryl Reiland  
 Molly Amant

Mayor Bublak closed public participation.

Staff provided brief comment in response to public comment.

Council and staff further discussed this item.

**Action:**            **Resolution No. 2020-003** as introduced by Councilmember Larson, seconded by Councilmember Arellano, Adopting a policy on the use of revenues derived from the various Council approved cannabis-related businesses and carried 5/0 by the following vote:

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

**10. CITY MANAGER REPORTS/UPDATES:**

A. Interim City Manager Michael I. Cooke presented information regarding the formation of a Community Priorities Advisory Committee (“CPAC”) and associated scope of work to assess and prioritize essential, General-Funded City of Turlock (“City”) services and programs with the following objectives:

- a. Continue ongoing public outreach efforts and help develop a common understanding of municipal finances and budget to provide context for recommendations about funding and levels of service;
- b. Review aspects of key General-Funded City operations, prioritizing community expectations for the levels of service provided by five General-Funded City departments: Police, Fire, Parks and Recreation, Development Services and Administration; and
- c. Review fiscal strategies and constraints associated with continued delivery of high-quality services at current or increased levels.

Council and staff discussed this item including duration of weekly committee meetings, application process, and a suggestion to designate someone from CSUS to serve as a committee member.

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

No formal action was taken – informational item only.

B. Development Services Department Update

Interim Development Services Director Nathan Bray provided information regarding building permit statistics, future/prospective development planning, capital projects, transit, completion of the finance counter project, and status of road projects, and noted the trench repair list will be made available on the website at the end of January.

Council and staff discussed this item.

**11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:**

Councilmember Esquer spoke regarding the recent City Council retreat, more specifically the discussions related to more focused communication, and recommended Council start providing Committee assignment reports.

**12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:**

Councilmember Arellano welcomed everyone to 2020 and spoke about working together for the community and for the future.

Councilmember Larson expressed thanks to City staff and the Communications Consultant for their efforts with the City Council retreat, creating a better Turlock, stated she is proud to be representing the City, and also expressed thanks to the Daughters of Revolution for adopting Christofferson Park.

Councilmember Esquer expressed thanks for the opportunity and time served as Vice Mayor.

Mayor Bublak spoke regarding volunteerism and spoke regarding an upcoming recognition/appreciation event.

**13. CLOSED SESSION:**

*City Attorney Douglas L. White introduced the Closed Session Items.*

- A. Liability Claims, Cal. Gov't Code §54956.95  
*"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."*  
Claimant: Gary Miller  
Agency Claimed Against: City of Turlock
- B. Liability Claims, Cal. Gov't Code §54956.95  
*"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."*  
Claimant: Frank Carson  
Agency Claimed Against: City of Turlock
- C. Liability Claims, Cal. Gov't Code §54956.95  
*"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."*  
Claimant: Cristina Herrera  
Agency Claimed Against: City of Turlock



**14. REPORTS FROM CLOSED SESSION:**

City Attorney Douglas L. White reported for Closed Session Item 13A (Claim Filed Against the City by Gary Miller), Closed Session Item 13B (Claim Filed Against the City by Frank Carson), and Closed Session Item 13C (Claim Filed Against the City by Cristina Herrera) the City Council by a 5/0 vote rejected these claims for damages.

**15. ADJOURNMENT**

Mayor Bublak adjourned the regular meeting at 7:46 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Jennifer Land  
City Clerk