

**0. A. CALL TO ORDER** – Mayor Bublak called the meeting to order at 6:00 p.m.

**B. SALUTE TO THE FLAG**

*Mayor Bublak announced that members of Council and staff are participating in the meeting via the Zoom system and advised that the Council meeting is being streamed on the City’s website, YouTube, and Spectrum Channel 2.*

*Mayor Bublak also announced that members of the public will be given the opportunity to address the Council during public participation as well during the presentation of public hearing / discussion items and noted the City Clerk will provide additional details once we near the public participation section of the meeting.*

**C. ROLL CALL:**

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

**PRESENT:** Councilmembers Becky Arellano (*via teleconference – arrived at 6:09p.m.*), 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.

Mayor Bublak requested Action Item 9A be moved to follow Agenda Item 2.

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

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

*Action Item 9A was heard out of order.*

**ACTION ITEMS:**

- 9A. City Manager Toby Wells presented the staff report on the request to adopt a budget for the City of Turlock General and Non-General Fund Budgets for Fiscal Year 2020-2021

City Manager Toby Wells and Accountant, Sr. Nadine Silva presented information to Council regarding COVID-19 funds allocated to the City, State budget adoption, General Fund revenues and expenditures, Non General Fund operational revenues and expenditures, Non General Fund Capital revenues and expenditures, changes from the May 26, 2020 workshop to the June 23, 2020 budget adoption meeting including salary savings, insurance savings, and revenue projections, frozen or unfunded positions, estimated revenues and expenditures for the General Fund in Fiscal Year 2020, and analysis of the General Fund Reserve.

Council and staff discussed this item including CARES funds allocated to Fiscal Year 19/20 and 20/21, sales tax projections due to COVID-19, use of reserves or CARES funds to unfreeze allocated positions, payment of unfunded liabilities such as PERS, and fund balances for replacement of department vehicles and various equipment.

Mayor Bublak opened public participation.

*City Clerk Jennifer Land announced that citizens who are interested in addressing the Council can press the "raise hand" feature on your screen or press \*9 from your telephone keypad once the Mayor opens public comment and before she closes public comment.*

*Members of the public will be allotted three (3) minutes for comments and will be taken in the order of which requests are received. When it is a member's turn to speak, they will hear an automated prompt indicating their line has been unmuted – and that is when the three (3) minutes will begin.*

The following members of the public spoke:

Lisette Sims  
Mike Lynch  
Debbie  
Michael Camara  
Denise Hunt  
Donna Endsley  
Ann Strahm

Mayor Bublak closed public participation.

Council and staff further discussed this item including Police Department fund balances, impacts of freezing the Fire Chief and Police Chief positions, sales tax measure revenue to fund departments, staffing plan for the Fire Department in FY 19/20 and FY 20/21, unsustainable staffing plan, department organizational charts, Engineering Division unfunded liability, General Fund reserves, compensated absences in the General Fund, budget review every 30-60 days, public agency investments and return on investments, part time funding in City Attorney budget, and PERS expenses.

Council directed staff to provide monthly reporting and a quarterly update.

**Action:**        **Resolution No. 2020-081:** Adopting a preliminary budget for the City of Turlock General and Non-General Fund Budgets for Fiscal Year 2020-2021, as introduced by Councilmember Larson, seconded by Councilmember Nosrati, and carried 5/0 by the following vote:

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

*Mayor Bublak recessed the City Council meeting at approximately 7:23 p.m.  
 Mayor Bublak reconvened the City Council meeting at approximately 7:27 p.m.*

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

A.    **Briefing:** ACE Ceres–Merced Extension Project Notice of Preparation of Environmental Impact Report

City Manager Toby Wells spoke regarding the ACE Ceres–Merced Extension Project Notice of Preparation of Environmental Impact Report and introduced ACE Rail Regional Manager Dan Leavitt and Stanislaus County Fair CEO Matt Cranford who also provided information regarding the project including proposed Turlock location, project timeline, future scoping meetings held by ACE, and previous General Plan update that identified a commuter rail location.

Council and staff discussed this item including project plan implementation, location of the proposed Turlock station, projected ridership, and parking capacity.

Mayor Bublak opened public participation.

The following members of the public spoke:

Ron Bridegroom  
 Sandy Singh  
 Cheryl Reiland

Mayor Bublak closed public participation.

Council and staff further discussed this item including the location of the proposed Turlock station, revitalization needs of the City, potential economic development impacts, centralized location of the Transit Center, projected ridership forecasted in the EIR, funding for the pedestrian crossing, State funding for the project, construction and design of a pedestrian overpass and parking structure, and economic development for the westside.

Council provided direction to staff to write a comment letter in response to the Environmental Impact Report and provide a copy to Council.

*City Clerk Jennifer Land announced that members of the public will be given the opportunity to address Council on items that are within the subject matter jurisdiction of the City Council and on any item on tonight's agenda. For items listed on the agenda, we ask that you please defer your comments until that item is heard by the Council. For those who are interested in addressing the Council, please press the "raise hand" feature on your screen or press \*9 from your telephone keypad once the Mayor opens public comment and before she closes public comment.*

*Members of the public will be allotted three (3) minutes for comments and will be taken in the order of which requests are received. When it is a member's turn to speak, they will hear an automated prompt indicating their line has been unmuted – and that is when the three (3) minutes will begin.*

*Lastly, we request members who choose to address the Council to please state their first and last name in the event any follow up is needed; however, this is not mandatory.*

**4. PUBLIC PARTICIPATION:**

The following members of the public spoke:

- Susan Thomas
- Lisette Sims
- Dona Varin
- Donna Endsley
- Debbie
- Terri Shaver
- Marie
- Mary Jackson

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

Councilmember Larson requested Agenda Item 10B1 be moved to follow public participation.

**Action:** Motion by Councilmember Larson, seconded by Councilmember Arellano, moving Item 10B1 to follow Public Participation. Motion carried 5/0 by the following vote:

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

*City Manager Report/Updates was heard out of order.*

**CITY MANAGER REPORT/UPDATES:**

- B. Police Department
  - 1. Public Safety Briefing

Councilmember Larson spoke regarding community engagement in support of the Police Department, leading with action rather than just words, a community advisory

committee for the Chief of Police, policy changes, the death of George Floyd, and collaboration with the community and the Police Department.

Police Chief Ninus C. Amirfar spoke regarding the statistics reported in the written report, cost of staffing recent incidents/protests, formation and purpose of a Police Department Community Advisory Board to the Chief of Police and the application process for participants, termination of the carotid artery hold, policy and procedure updates, compliance with use of force and “8 Can’t Wait,” community policing, developing collaboration, trust, accountability, and transparency with the community, online availability of policies, police reports and use of force reports, hiring procedures for police officers, establishment of checks and balances, right to peaceful assembly, new body camera procedures, and the recent public incident that occurred at a local business.

Council discussed this item including an update on the President’s Law Enforcement Commission, an inquiry regarding police officers’ ethical responsibilities to the community, community engagement, commitment, morals, values, and optimism for the future of Turlock.

A written staff update was also included in the agenda packet.

A. Fire Department

2. COVID-19 Update

Interim Fire Chief Gary Carlson provided an update regarding COVID-19 including the new face covering regulations, public education, current statistics of COVID-19 in Stanislaus County and Turlock, availability of hospital space, EOC operations, testing site at the Rube Bosche Center, CARES Act funding, and financial impacts of COVID-19.

City Manager Toby Wells spoke regarding CARES Act funding and the intent of the State to withhold funding from counties who do not comply with the State order.

1. Public Safety Briefing

Interim Fire Chief Gary Carlson spoke regarding 4<sup>th</sup> of July, illegal fireworks, and the recommended use of “safe and sane” fireworks to prevent fires.

Council and staff discussed this item including the proper procedure to report illegal fireworks, use of administrative citations, and additional patrolling of neighborhoods before and after the 4<sup>th</sup> of July.

A written staff update was also included in the agenda packet.

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

**6. CONSENT CALENDAR:**

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

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

- A. **Resolution No. 2020-082:** Accepting Weekly Demands of 5/21/20 in the amount of \$534,067.44; Weekly Demands of 5/28/20 in the amount of \$1,927,555.15
- B. **Motion:** Accepting Minutes of the Special Meeting of May 13, 2020; Minutes of the Special Meeting of May 26, 2020; Minutes of the Regular Meeting of May 26, 2020
- C. **Motion:** Approving Amendment No. 9 to an Agreement between the City of Turlock and GHD, Inc. for City Project No. 0828 “SR-99/Fulkerth Road Interchange” to extend the term through December 31, 2020
- D. **Motion:** Approving Amendment No. 1 to an Agreement between the City of Turlock and Hawkins and Associates Engineering, Inc. of Modesto, California for City Project No. 16-40 “Retainer Agreement for Engineering and Surveying Services” to extend the term through June 30, 2021
- E. **Motion:** Awarding bid and approving an Agreement in the amount of \$1,037,979.05 (Non-General Fund - Fund 215) with Phase 1 Construction, of Atwater, California for City Project No. 17-58 “Safe Route to Schools Pedestrian Improvements, Various Locations”
- F. **Motion:** Awarding bid and approving an Agreement in the amount of \$233,901 (Non-General Fund - Fund 215) with Sinclair General Engineering of Oakdale, California for City Project No. 17-59 “Pedestrian Intersection Improvements, Various Locations”
- G. **Motion:** Approving the advertisement of construction bids for City Project No. 18-67 "Water Main Replacement"
- H. **Motion:** Approving Amendment No. 1 with Carollo Engineers of Walnut Creek, California in the amount of \$2,199,486 (Non-General Fund - Fund 420), bringing the contract total to \$2,678,572 for professional engineering design services for City Project No. 18-69 "Surface Water Distribution System Improvements"
- I. **Motion:** Approving Amendment No. 1 to a Retainer Agreement between the City of Turlock and Economic & Planning Systems, Inc., (EPS) of Oakland, California for City Project No. 16-42 “Retainer Agreement for Economic Planning and Development Fee Services” for professional economic planning and development fee services, increasing the contract by \$50,000 bringing the contract total to \$130,000, and extending the term through June 30, 2021
- J.
  1. **Resolution No. 2020-083:** Approving the Engineer’s Report for Fiscal Year 2020-21 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock
  2. **Resolution No. 2020-084:** Declaring the City Council’s Intention to levy and collect assessments for Fiscal Year 2020-21 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock
- K. **Resolution No. 2020-085:** Declaring the Intention to Order Annexation No. 27 for the property located at 1347 N. Palm Street (Stanislaus County APN 042-013-006) to the Existing Community Facilities District No. 2 (Services Mitigation)
- L. **Resolution No. 2020-086:** Authorizing application for, and receipt of, Local Early Action Planning (LEAP) Grants Program Funds

- M. Motion: Approving Amendment No. 1 to a Transit Funding Agreement with the Associated Students Incorporated of California State University, Stanislaus, of Turlock, California to suspend the Agreement from April 1, 2020 through June 30, 2021 and extend the term of the Agreement to June 30, 2022
- N. Motion: Approving a Professional Services Agreement with Carollo Engineers for Engineering and Construction Management Services for the Chemical System Upgrades Project at the Regional Water Quality Control Facility (RWQCF) for a period of two (2) years, with an option to extend the Agreement for three (3) additional one-year terms, in an amount not to exceed \$726,784 (non-general fund) over the five-year term of the Agreement if all renewal periods are exercised
- O. Motion: Approving Amendment No. 1 to the Professional Services Agreement with Carollo Engineers for Design Services for Replacement of Biogas Waste Flare and Boiler to include an additional scope of work for rehabilitation of the primary flotators and increasing the compensation by \$494,923 for a total not-to-exceed amount of \$1,214,247 (non-general fund) over the five-year term of the Agreement if all renewal periods are exercised
- P. Motion: Approving Amendment No. 1 to the Professional Services Agreement with Municipal Financial Services for Water Fund Cash Flow Evaluation to include three (3) annual extensions to the Agreement and increasing the compensation by \$12,000, for a total not-to-exceed amount of \$28,200 (non-general fund) over the four-year term of the Agreement if all renewal periods are exercised
- Q. Motion: Accepting the City of Turlock Fire Department 2019 Annual Report
- R. Motion: Approving the updated funding allocation for the Public Services Grant Agreements with the six (6) nonprofit agencies for fiscal year 2020-2021 funded with Community Development Block Grant Program (CDBG) funds and authorizing the City Manager or designee to execute all related and necessary documents
- S. Resolution No. 2020-087: 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 2020-21 Appropriation Limit for the City of Turlock
- T. Resolution No. 2020-088: Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19
- U. 1. Resolution No. 2020-089: Calling for the holding of a general municipal election to be held on Tuesday, November 3, 2020, for the election of certain officers as required by the provisions of the laws of the State of California relating to general law cities and the Turlock Municipal Code; and requesting the Board of Supervisors of the County of Stanislaus to permit the County Registrar of Voters to render election services and to consolidate the election with the statewide general election held on the same date  
2. Resolution No. 2020-090: Adopting regulations for candidates for elective office pertaining to Candidate Statements submitted to the voters at a general municipal election to be held on Tuesday, November 3, 2020

*\*Note: The sales tax measure will be considered by the City Council on July 6, 2020 at 5:00 p.m.*

7. **FINAL READINGS:** None

**8. PUBLIC HEARINGS**

A. Interim Development Services Director Nathan Bray presented the staff report on the request to order the improvements and formation of the PM 19-01 Warrior Crossing (Development Project No. 19-22) 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 2020-2021 for the PM 19-01 Warrior Crossing (Development Project No. 19-22) 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. 2020-091**: Ordering the improvements and formation of the PM 19-01 Warrior Crossing (Development Project No. 19-22) 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 2020-2021 for the PM 19-01 Warrior Crossing (Development Project No. 19-22) 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 5/0 by the following vote:

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

**9. ACTION ITEMS:** *Item heard earlier in the meeting.*

**10. CITY MANAGER REPORTS/UPDATES:** *Updates heard earlier in the meeting.*

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

Mayor Bublak asked City Manager Wells to follow up on an email from Ron Bridegroom regarding a resolution (support for the police department).

Councilmember Arellano inquired about street closure in the downtown on select evenings for restaurant use. Councilmember Nosrati noted he has been in discussions with businesses regarding similar opportunities.



Mayor Bublak inquired about re-opening City Council meetings to the public.

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

Councilmember Arellano inquired about the County EOC levels of operation and COVID-19 emergency response phases.

Councilmember Esquer inquired about sharing/agenidizng the Transit MOU with Council.

Councilmember Nosrati spoke regarding having been appointed as Co-Chair of Stanislaus Homeless Alliance (SHA) and provided an update regarding recent meetings and efforts.

Mayor Bublak spoke regarding the grand opening of Smart & Final on June 24, 2020 at 7:00 a.m.

**13. CLOSED SESSION:**

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

- A. *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: City Manager Toby Wells and City Attorney Douglas L. White

**14. REPORTS FROM CLOSED SESSION:**

City Clerk Jennifer Land reported for the Closed Session Item that Council provided direction to staff, but no reportable action was taken.

**15. ADJOURNMENT**

Motion by Councilmember Esquer, seconded by Councilmember Larson, to adjourn the regular meeting at 9:27 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Allison Martin, Deputy City Clerk  
Jennifer Land, City Clerk