

0. A. **CALL TO ORDER** – Mayor Bublak called the meeting to order at 6:03 p.m.

B. **SALUTE TO THE FLAG**

*Mayor Bublak announced that members of staff are participating in the meeting via the Zoom system and advised 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<br>Arellano | Councilmember<br>Larson | Councilmember<br>Nosrati | Councilmember<br>Esquer | Mayor<br>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 Esquer, Approving the agenda as posted. Motion carried 5/0 by the following vote:

|                           |                         |                          |                         |                 |
|---------------------------|-------------------------|--------------------------|-------------------------|-----------------|
| Councilmember<br>Arellano | Councilmember<br>Larson | Councilmember<br>Nosrati | Councilmember<br>Esquer | Mayor<br>Bublak |
| Yes                       | Yes                     | Yes                      | Yes                     | Yes             |

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

*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:** None

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

**6. CONSENT CALENDAR:**

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

| Councilmember<br>Arellano | Councilmember<br>Larson | Councilmember<br>Nosrati | Councilmember<br>Esquer | Mayor<br>Bublak |
|---------------------------|-------------------------|--------------------------|-------------------------|-----------------|
| Yes                       | Yes                     | Yes                      | Yes                     | Yes             |

- A. **Resolution No. 2020-157:** Accepting Weekly Demands of 9/17/20 in the amount of \$1,035,064.82; Accepting Weekly Demands of 9/24/20 in the amount of \$1,422,691.66; Accepting Weekly Demands of 10/01/20 in the amount of \$1,987,497.25; Accepting Monthly Demands of 7/31/20 in the amount of \$8,271,595.27
- B. **Motion:** Accepting Minutes of the Special Meeting of August 25, 2020; Minutes of the Regular Meeting of August 25, 2020
- C. **Resolution No. 2020-158:** Appropriating \$20,000 to account number 411-51-536.43060 “Contract Services” from Fund 411 “Storm Drainage Construction” unallocated reserves to provide funding for professional services associated with the Storm Drain Master Plan
- D.
  - 1. **Resolution No. 2020-159:** Approving the Engineer’s Report for the PM 20-02 Jessica House (Development Project No. 20-016) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
  - 2. **Resolution No. 2020-160:** Declaring the City Council’s intention to order the formation of and to levy and collect assessments for the PM 20-02 Jessica House (Development Project No. 20-016) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
- E. **Resolution No. 2020-161:** Accepting donations made to the City of Turlock Parks, Recreation and Public Facilities Department from various donors in July 2020 through September 2020 in the amount of \$331 (monetary donations) in account number 270-61-635-399.37200\_000 “Donations General” to fund/aid a variety of Parks, Recreation and Public Facilities Department programs, scholarships, and activities
- F. **Motion:** Awarding RFP No. 20-028 and approving an Agreement with Polydyne of Riceboro, Georgia, for Anionic Emulsion Polymer for the Municipal Services Department, in an annual

- amount not to exceed \$30,000 (non-general fund), having met all the specifications of RFP No. 20-028 and being the lowest responsive and responsible bidder pursuant to Turlock Municipal Code Section 2-7-09(c)(5)
- G. Motion: Awarding RFP No. 20-027 and approving an Agreement with Polydyne of Riceboro, Georgia, for Cationic Emulsion Polymer for the Municipal Services Department, in an annual amount not to exceed \$100,000 (non-general fund), having met all the specifications of RFP No. 20-027 and being the lowest responsive and responsible bidder pursuant to Turlock Municipal Code Section 2-7-09(c)(5)
- H. Motion: Approving a Maintenance Agreement between the City of Turlock and HSQ Technology for maintenance service of the Telemetry software/hardware for a period of two (2) years, with an option to extend the Agreement for three (3) additional one-year terms, in an annual amount not to exceed \$50,000 (non-general fund), over the five-year term of the Agreement, if all renewal periods are exercised
- I. Resolution No. 2020-162: Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS**

- A. Assistant to the City Manager for Economic Development/Housing Maryn Pitt presented the staff report on the request to approve the Fiscal Year 2019-2020 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program (CDBG) and HOME Investment Partnerships Program (HOME), authorize submission of the CAPER to the United States Department of Housing and Urban Development (HUD), and authorize the City Manager or designee to execute related necessary documents

Council and staff discussed this item.

Mayor Bublak opened the public hearing.

The following members of the public spoke:

Milt Trieweiler

Mayor Bublak closed the public hearing.

Staff provided brief comment in response to public comment.

Council and staff further discussed this item.

**Action:** Motion by Councilmember Arellano, seconded by Councilmember Larson, Approving the Fiscal Year 2019-2020 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program (CDBG) and HOME Investment Partnerships Program (HOME), authorizing submission of the CAPER to the United States Department of Housing and Urban Development (HUD), and authorizing the City Manager

or designee to execute related necessary documents. Motion carried 5/0 by the following vote:

|                           |                         |                          |                         |                 |
|---------------------------|-------------------------|--------------------------|-------------------------|-----------------|
| Councilmember<br>Arellano | Councilmember<br>Larson | Councilmember<br>Nosrati | Councilmember<br>Esquer | Mayor<br>Bublak |
| Yes                       | Yes                     | Yes                      | Yes                     | Yes             |

**9. ACTION ITEMS:**

- A. Interim Development Services Director Nathan Bray presented the staff report on the request to authorize the City Manager to terminate the City of Turlock’s participation in a Memorandum of Understanding (MOU) with the City of Modesto and Stanislaus County for the implementation of a new Joint Powers Authority (JPA), the Stanislaus Regional Transit Authority (SRTA), in accordance with MOU Section VI(B) AND Reaffirming the strategic direction for transit services outlined in the Short-Range Transit Plan (SRTP), previously adopted in February 2020, as amended due to the COVID-19 pandemic, and directing the City Manager, or his or her designee, to include a provision in the next SRTP for a full evaluation of governance structure options AND Reaffirming the City of Turlock’s commitment to regional cooperation in the planning and provision of transit services and directing the City Manager, or his or her designee, to continue to coordinate with regional transit partners to reduce barriers to access for regional travel, improve service quality, and identify opportunities for joint or leveraged procurements

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Mary Jackson

Mayor Bublak closed public participation.

Council and staff further discussed this item.

**Action:** Motion by Councilmember Nosrati, seconded by Councilmember Arellano, Authorizing the City Manager to terminate the City of Turlock’s participation in a Memorandum of Understanding (MOU) with the City of Modesto and Stanislaus County for the implementation of a new Joint Powers Authority (JPA), the Stanislaus Regional Transit Authority (SRTA), in accordance with MOU Section VI(B). Motion carried 5/0 by the following vote:

|                           |                         |                          |                         |                 |
|---------------------------|-------------------------|--------------------------|-------------------------|-----------------|
| Councilmember<br>Arellano | Councilmember<br>Larson | Councilmember<br>Nosrati | Councilmember<br>Esquer | Mayor<br>Bublak |
| Yes                       | Yes                     | Yes                      | Yes                     | Yes             |

Motion by Councilmember Nosrati, seconded by Councilmember Arellano, Reaffirming the strategic direction for transit services outlined in the Short-Range Transit Plan (SRTP), previously adopted in February 2020, as amended due to the COVID-19 pandemic, and directing the City Manager, or

his or her designee, to include a provision in the next SRTP for a full evaluation of governance structure options. Motion carried 5/0 by the following vote:

|                           |                         |                          |                         |                 |
|---------------------------|-------------------------|--------------------------|-------------------------|-----------------|
| Councilmember<br>Arellano | Councilmember<br>Larson | Councilmember<br>Nosrati | Councilmember<br>Esquer | Mayor<br>Bublak |
| Yes                       | Yes                     | Yes                      | Yes                     | Yes             |

**Resolution No. 2020-163**: Reaffirming the City of Turlock’s commitment to regional cooperation in the planning and provision of transit services and directing the City Manager, or his or her designee, to continue to coordinate with regional transit partners to reduce barriers to access for regional travel, improve service quality, and identify opportunities for joint or leveraged procurements as introduced by Councilmember Nosrati, seconded by Councilmember Arellano, and carried 5/0 by the following vote:

|                           |                         |                          |                         |                 |
|---------------------------|-------------------------|--------------------------|-------------------------|-----------------|
| Councilmember<br>Arellano | Councilmember<br>Larson | Councilmember<br>Nosrati | Councilmember<br>Esquer | Mayor<br>Bublak |
| Yes                       | Yes                     | Yes                      | Yes                     | Yes             |

- B. City Manager Toby Wells presented the staff report on the request to review, discuss, and direct staff on Coronavirus Aid, Relief and Economic Security (CARES) Act funding priorities for the Coronavirus Relief Fund (CRF)

Council and staff discussed this item including options to allocate the additional CARES funds received from Stanislaus County, such as establishing a small business relief grant program (local business assistance) through Opportunity Stanislaus, continued participation in the Stanislaus County RADCard benefitting the larger downtown area, the use of CDBG CARES funding for mortgage, rent, and utilities assistance grant programs facilitated by Community Housing and Shelter Services, and allocating funds for City Hall HVAC replacements.

Mayor Bublak opened public participation.

The following members of the public spoke:

Lori Smith

Mayor Bublak closed public participation.

Staff provided brief comment in response to public comment.

Council and staff further discussed this item and provided direction to staff to allocate additional funds for continued participation in the Stanislaus County RADCard for the larger downtown area, participate in CDBG CARES funding for mortgage, rent, and utilities assistance programs, allocate funds for the VOLT Institute scholarships, establish a marketing campaign for shopping local businesses during the Holiday season, and allocate funds for a small business relief grant program. No formal action was taken; however, Council consensus was received for the direction given.

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

- A. Administrative Services  
1. Re-opening Public Meetings

City Manager Toby Wells provided information regarding the reopening of public meetings including the Stanislaus County COVID-19 case number calculation and the limitation of public occupancy in the Council Chambers at 25% capacity.

Council and staff discussed this item and provided direction to staff regarding reopening Council meetings to the public for public comment only, implementing temperature checks as soon as feasible, extending public participation to a 5-minute time period in order for members of the public to provide general comments as well comments for agenda items, continuing the 3-minute time period for general public comments, and agenda itemizing this matter for additional discussion (and to establish protocols for the December 8, 2020 City Council meeting) at the November 10, 2020 City Council meeting.

- B. Fire Department  
1. Public Safety Briefing

A written staff update was included in the agenda packet.

2. COVID-19 Update

Interim Fire Chief Gary Carlson provided an update regarding COVID-19 including self-check temperature stations having been installed in City facilities, status of Stanislaus County COVID-19 cases, improved COVID-19 testing turnaround times, additional mobile testing sites, and waiver requirements for the reopening of schools.

- C. Parks, Recreation and Public Facilities  
1. Columbia Park Update

Parks, Recreation and Public Facilities Director Allison Van Guilder provided an update regarding the Columbia Park Master Plan update including an upcoming virtual town hall meeting on November 9, 2020 and ad-hoc committee activities including finalizing the community survey and SWOT analysis.

- D. Police Department  
1. Public Safety Briefing

A written staff update was included in the agenda packet.

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

Councilmember Arellano requested a discussion to revisit a capital facilities expenditure plan.

Councilmember Esquer requested a discussion to revisit one-time expenditures from cannabis revenues.

Mayor Bublak requested an update (plan) in the event Measure A is not passed and requested a special meeting to discuss the Christmas Parade.

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

Councilmember Arellano spoke regarding negative social media posts and emails sent to Councilmembers, Councilmember Nosrati recall efforts, challenges for new Councilmembers, water rate fee structure for lower income citizens, wished the incoming Council luck, and expressed thanks to her fellow Councilmembers.

Councilmember Nosrati expressed thanks to Councilmember Arellano for her mentorship, provided an update on Stanislaus Homeless Alliance (SHA) meetings, and commented on ballot return statistics.

Councilmember Esquer requested the posting of road repair status on the City webpage, commented on his personal goals, and asked citizens to focus on helping others and doing what is right.

Councilmember Larson expressed thanks to Councilmember Arellano for her comments and Councilmember Esquer for his guidance and asked citizens to practice intelligent humility and acknowledge other's viewpoints.

Mayor Bublak requested grace from her fellow Councilmembers.

**13. CLOSED SESSION:**

*City Clerk Jennifer Land 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
  
- B. Conference with Legal Counsel – Existing Litigation, Cal. Gov't Code §54956.9(d)(1)  
*"For purposes of this section, litigation shall be considered pending when any of the following circumstances exist... Litigation, to which the local agency is a party, has been initiated formally."*  
Name of Case: Anabella Badalian, Matthew Jacob v. City of Turlock, et al.; Case No. CV-20-004616
  
- C. Public Employee Performance Evaluation, Cal. Gov't Code §54957(b)(1)  
*"Subject to paragraph (2), this chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session."*

Title: City Attorney

**14. REPORTS FROM CLOSED SESSION:**

City Clerk Jennifer Land reported for the Closed Session Items 13A and 13B that Council provided direction to staff, but no reportable action was taken.

City Clerk Jennifer Land reported for Closed Session Item 13C that Council completed the City Attorney's evaluation and the City Attorney received an above-satisfactory review.

**15. ADJOURNMENT**

Mayor Bublak adjourned the regular meeting at 9:21 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Allison Martin, Deputy City Clerk  
Jennifer Land, City Clerk