

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 Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

PRESENT: Councilmembers Nicole Larson, Andrew Nosrati, Pam Franco, Rebecka Monez, and Mayor Amy Bublak.

ABSENT: None

D. **DECLARATION OF CONFLICTS:** None

Councilmember Franco asked if the newly elected Councilmembers can vote on minutes from previous City Council meetings since they weren’t on the Council at that time. City Attorney Douglas L. White clarified if Councilmembers have reviewed the video recording of the previous meetings, they are able to vote, otherwise they are encouraged to abstain.

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 announced that staff has requested Public Hearing Item 8A be continued to the February 9, 2021 City Council meeting; however public comments will be heard on this item.

Action: Motion by Councilmember Franco, seconded by Councilmember Monez, Approving the agenda as amended. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

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

- A. Recognition: Employee of the Month, December 2020, Staff Services Assistant Tara Rodriguez

Mayor Bublak announced that Staff Services Assistant Tara Rodriguez is the Employee of the Month for December 2020 and read her bio.

- B. Presentation: Turlock Public Library Renovation Project, presented by the Stanislaus County Library and the Friends of the Turlock Public Library

Stanislaus County Library Director Sarah Dentan and Friends of the Turlock Public Library President Pat Portwood presented information regarding the Turlock Public Library Renovation Project.

*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.

Mayor Bublak request the public address Council in a professional manner on items within the subject matter jurisdiction of the City Council.

4. PUBLIC PARTICIPATION:

The following members of the public spoke:

Cheryl Reiland
Supervisor Vito Chiesa
Jeani Ferrari
Lisette Sims
Milt Triewweiler

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

6. CONSENT CALENDAR:

City Clerk Jennifer Land noted a typographical error on the agenda regarding Consent Calendar Item 6K, clarifying the minutes for October 13, 2020 “special” meeting should be a “regular” meeting.

Councilmember Franco requested Consent Calendar Item 6K be removed for separate consideration.

Councilmember Larson requested Consent Calendar Item 6I be removed for separate consideration.

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

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- A. **Resolution No. 2021-006:** Accepting Weekly Demands of 12/17/20 in the amount of \$1,605,100.09; Weekly Demands of 12/24/20 in the amount of \$2,864,348.32; Weekly Demands of 12/31/20 in the amount of \$704,203.24
- B. **Motion:** Awarding bid and approving an Agreement in the amount of \$88,225 (Non-General Fund – Fund 426) with F. Loduca Company of Stockton, California, for City Project No. 15-76 “Bus Stop Improvements, Phase 1”
- C. **Motion:** Awarding bid and approving an Agreement in the amount of \$474,480 (Non-General Fund – Fund 215) with Tim Paxin’s Pacific Excavation, Inc. of Elk Grove, California, for City Project No. 18-54 “Intersection Improvements at Tully Road and Tuolumne Road”
- D.
 - 1. **Motion:** Approving an Agreement in the amount of \$70,841 (Non-General Fund – Fund 420) with Horizon Water and Environment, LLC of Oakland, California, for professional environmental services and biological monitoring during construction for City Project No. 18-69 “Surface Water Distribution System Improvements”
 - 2. **Resolution No. 2021-007:** Appropriating \$71,000 to account number 420-52-551.51356 “Northeast Water Storage Tank-2 Mil Gal” from Fund 420 “Water” unallocated reserves for environmental services and biological monitoring during construction of City Project No. 18-69 “Surface Water Distribution System Improvements”
- E. **Resolution No. 2021-008:** Approving a new job classification for the position of Transit Analyst, effective January 26, 2021
- F.
 - 1. **Motion:** Approving Amendment No. 1 to an Agreement with We Care, a nonprofit association, to add an additional \$30,000 to the 2020-2021 Community Development Block Grant (CDBG) public services contract to operate the cold weather shelter and authorizing the City Manager to sign all related documents
 - 2. **Motion:** Approving Amendment No. 1 to an Agreement with United Samaritans Foundation, a nonprofit association, to add an additional \$25,000 to the 2020-2021 Community Development Block Grant (CDBG) public services contract for the emergency food box program and authorizing the City Manager to sign all related documents
- G. **Motion:** Approving an Agreement with Romeo Medical Clinic, Inc. to provide Pre-Employment Examinations, Annual Physicals, and Occupational Medical Services for the City of Turlock, for the periods covering FY 20/21 (January 1, 2021 through June 30, 2021), FY 21/22, and FY 22/23

- H. **Resolution No. 2021-009**: Approving a Resolution to Employ a CalPERS Annuitant (Acting City Manager) Pursuant to CalPERS Requirements
- I. *Item removed for separate consideration.*
- J. 1. **Resolution No. 2021-010**: Adopting the Families First Coronavirus Response Act (FFCRA) extension policy
 2. **Resolution No. 2021-011**: Adopting the COVID-19 workplace exposure policy
- K. *Item removed for separate consideration.*
- 6I. **Motion**: Approving an Employment Agreement Between the City of Turlock and Gary R. Hampton as Acting City Manager

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Mike Melendez

Mayor Bublak closed public participation.

Outside Legal Counsel Kevin Dale provided brief comment in response to public comment.

Council and staff further discussed this item.

Action: Motion by Councilmember Monez, seconded by Councilmember Franco, Approving an Employment Agreement Between the City of Turlock and Gary R. Hampton as Acting City Manager. Motion carried 3/2 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
No	No	Yes	Yes	Yes

- 6K. **Motion**: Accepting Minutes of the Regular Meeting of September 22, 2020; Minutes of the Regular Meeting of October 13, 2020

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

Action: Motion by Councilmember Larson, seconded by Councilmember Nosrati, Accepting Minutes of the Regular Meeting of September 22, 2020; Minutes of the Regular Meeting of October 13, 2020. Motion carried 3/2 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Not Participating	Not Participating	Yes

7. FINAL READINGS: None

8. PUBLIC HEARINGS

- A. Item continued to the February 9, 2021 City Council meeting.

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

- B. Interim Development Services Director Nathan Bray presented the staff report on the request to order the improvements and formation of the SM 19-01 FQC (Development Project No. 20-029) Landscaping and Lighting 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 SM 19-01 FQC (Development Project No. 20-029) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128

Mayor Bublak opened the public hearing.

The following members of the public spoke:

Milt Trieweiler

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. 2021-012:** Ordering the improvements and formation of the SM 19-01 FQC (Development Project No. 20-029) Landscaping and Lighting 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 SM 19-01 FQC (Development Project No. 20-029) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Pursuant to Resolution No. 97-128 as introduced by Councilmember Franco, seconded by Councilmember Monez, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

9. ACTION ITEMS:

- A. Parks, Recreation and Public Facilities Director Allison Van Guilder presented the staff report on the request to affirm or modify the Parks, Arts & Recreation Commission recommendation to select “Option C” to reconstruct/update Columbia Park Pool and Splash Pad at a base estimate of \$6.3 Million

Director Van Guilder introduced Parks, Arts & Recreation Commission Chair Brent Bohlander and committee member Allison Jeffrey who presented information regarding the history of Columbia Park Pool, community engagement, and the Ad Hoc Committee recommendation approved by the Parks, Arts & Recreation Commission.

Director Van Guilder and Parks, Arts & Recreation Supervisor Karen Packwood presented information regarding the Columbia Pool Master Plan development, the formation of the Ad Hoc Committee, and Proposition 68 grant funding.

Director Van Guilder introduced Chad Kennedy from O'Dell Engineering who presented information regarding the Columbia Park Pool Master Plan, draft plan options, and survey findings.

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

JoLynn DiGrazia
 Ron Bridegroom
 Donna Endsley
 Bill DeHart

Mayor Bublak closed public participation.

Council and staff further discussed this item.

Councilmember Monez introduced a modified motion to continue this item to the February 9, 2021 City Council. Mayor Bublak seconded the modified motion.

Action: Motion by Councilmember Monez, seconded by Mayor Bublak, continuing this item to the February 9, 2021 Council meeting, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- B. Acting City Manager Gary Hampton presented the staff report on the request to rescind Resolution No. 2019-094 regarding the City of Turlock Elected and Appointed Officials' Handbook, pending comprehensive review, unseat the Civility Code Rules Committee, and temporarily reinstate Resolution Nos. 2008-019 regarding the procedures and rules for placing matters on the agenda, 2011-162 regarding the teleconferencing policy, and 2014-033 regarding the code of conduct for elected officials

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Tinna Savini
 Denise Hunt
 Dona Varin
 Smarie
 Robert Puffer
 Mike Melendez

Mayor Bublak closed public participation.

Staff provided brief comment in response to public comment.

Council and staff further discussed this item.

Action: **Resolution No. 2021-013**: Rescinding Resolution No. 2019-094 regarding the City of Turlock Elected and Appointed Officials' Handbook, pending comprehensive review, unseating the Civility Code Rules Committee, and temporarily reinstating Resolution Nos. 2008-019 regarding the procedures and rules for placing matters on the agenda, 2011-162 regarding the teleconferencing policy, and 2014-033 regarding the code of conduct for elected officials as introduced by Councilmember Monez, seconded by Councilmember Franco, and carried 3/2 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
No	No	Yes	Yes	Yes

*Mayor Bublak recessed the City Council Meeting at approximately 8:22 p.m.
 Mayor Bublak reconvened the City Council Meeting at 8:27 p.m.*

10. CITY MANAGER REPORTS/UPDATES:

- A. Administrative Services
 - 1. Monthly Budget Update

A written staff update was included in the agenda packet.

Interim Municipal Services Deputy Director Allison Martin also provided information regarding delinquent utility accounts as a result of COVID-19.

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.

Council and staff further discussed this item.

- B. Development Services
 - 1. Monthly Departmental Update

A written staff update was included in the agenda packet.

- C. Fire Department
 - 1. COVID-19 Update

Interim Fire Chief Gary Carlson provided an update regarding COVID-19 including termination of the stay-at-home order, return to State guidelines, movement to less-restrictive tiers, Stanislaus County metrics, vaccine availability, COVID-19 testing accuracy, and fatality rates.

Parks, Recreation and Public Facilities Director Allison Van Guilder provided clarification on public park guidelines.

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Milt Trieweiler
Dona Varin
Cheryl Reiland

Mayor Bublak closed public participation.

Staff provided brief response to public comment.

Council and staff further discussed this item and provided direction to staff to publish additional COVID-19 information on the City website and through City social media.

- 2. Public Safety Briefing

A written staff update was included in the agenda packet.

- D. Police Department
 - 1. Public Safety Briefing

A written staff update was included in the agenda packet.

Interim Police Chief Miguel Pacheco also provided information regarding transient-related issues, including cooperation with Neighborhood Services, a Neighborhood Resource Officer position to address quality of life issues, and cooperation with Stanislaus County resources.

Council and staff discussed this item.

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Larson requested the COVID-19 update be agendized within the Proclamations, Recognitions, Appointments, Announcements, Presentations, and Briefings section (before public participation).

Councilmember Nosrati requested a road rehabilitation plan be finalized and distributed to the community.

Councilmember Franco spoke about having researched Stanislaus County cities that are open for public meetings and found the Stanislaus County Board of Supervisors is the only one currently open.

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:

Councilmember Larson announced the application period is open for the VOLT Institute scholarship.

Councilmember Nosrati spoke regarding the importance of COVID-19 vaccinations.

Councilmember Franco expressed thanks to City staff for providing her with information and explanations.

Councilmember Monez expressed thanks to City staff for their assistance with answering questions and announced the Columbia Pool construction will be a priority.

Mayor Bublak welcomed Acting City Manager Gary R. Hampton, spoke regarding the COVID-19 vaccination, her recent meetings with representatives in Washington, D.C. to advocate for Turlock priorities, announced the City is currently accepting applications for the Measure A - Local Transactions (Sales) and Use Tax Citizens' Oversight Committee now through February 12, 2021 and noted information regarding this committee can be obtained on the City's website or by calling (209) 668-5540.

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: Interim Fire Chief Gary Carlson and City Attorney Douglas L. White

- B. Conference with Legal Counsel – Anticipated Litigation, Cal. Gov't Code §54956.9(d)(2)
“For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist... A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.”
Potential Case: (1 case)
- C. Conference with Labor Negotiators, Cal. Gov't Code §54957.6(a)
“Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation.”
Agency Designated Representative: Human Resources Manager Sarah Eddy
Employee Organization: Turlock Associated Police Officers
Employee Organization: Turlock City Employees Association
Employee Organization: Turlock Firefighters Association-Local 2434
Employee Organization: Turlock Management Association-Public Safety
Unrepresented Employees: Accountant, Sr., Administrative Analyst, Administrative Services Director, Assistant to the City Manager for Economic Development/Community Housing, Chief Building Official, City Clerk, Community Housing Program Supervisor, Deputy Director Development Services/Planning, Development Services Director, Development Services Supervisor/City Surveyor, Executive Administrative Assistant/Deputy City Clerk, Executive Administrative Assistant/Municipal Services, Executive Administrative Assistant/Public Safety, Fire Chief, Human Resources Analyst, Sr., Human Resources Manager, Human Resources Technician, Information Technology Manager, Legal Assistant, Municipal Services Deputy Director, Municipal Services Director, Office Assistant I, Parks, Recreation and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Payroll Coordinator, Police Business Unit Supervisor, Police Chief, Principal Civil Engineer, Regulatory Affairs Manager, Transit Manager, Utilities Manager, and Water Quality Control Division Manager.
- D. Public Employee Appointment, 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: Interim City Attorney
- E. Conference with Labor Negotiators, Cal. Gov't Code §54957.6(a)
“Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation.”
Agency Designated Representative: Mayor Amy Bublak
Unrepresented Employees: Interim City Attorney

14. REPORTS FROM CLOSED SESSION:

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

15. ADJOURNMENT

Mayor Bublak adjourned the regular meeting at 11:12 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Allison Martin, Deputy City Clerk
Jennifer Land, City Clerk