

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 the City Council meeting is open to the public with limited seating capacity and that compliance with health and safety guidelines including COVID-19 screening, temperature checks, face coverings, and physical distancing measures are required for in-person attendance.

Mayor Bublak also announced the meeting is being conducted via the Zoom system and streamed on the City’s website, YouTube, & Spectrum Channel 2.

Lastly, Mayor Bublak 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

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 Public Hearing Item 8C has been continued to the June 22, 2021 Council meeting; however, public comment will be heard on this item. Mayor Bublak also announced that Action Item 9A will be heard before the Public Hearing Items.

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. Proclamation: National Police Week, May 9 – 15, 2021

Interim Chief of Police Steven Williams read a proclamation in recognition of National Police Week, May 9 – 15, 2021, and commented on the postponement of the National Police Memorials, recent police officers killed in the line of duty, and recognized Turlock Police Officers killed in the line of duty.

B. Proclamation: Public Works Week, May 16 – 22, 2021

Interim Development Service Director Nathan Bray read a proclamation in recognition of Public Works Week, May 16 – 22, 2021.

C. Briefing: COVID-19 Update, presented by Interim Fire Chief Gary Carlson

Interim Fire Chief Gary Carlson provided an update regarding COVID-19 including county tier status, case rate statistics, positivity rate, reopening of California on June 15th, vaccine administration statistics, vaccine locations, Johnson & Johnson vaccine, vaccine strategy regarding mobile clinics, release of the Pfizer vaccine for 12-15 year olds, guidance from CDC on masks.

Council and staff discussed this item, including hospital and ICU capacity.

*Acting City Clerk Allison Martin 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 members of the public participating in-person and who are interested in addressing the Council, please raise your hand once the Mayor opens public comment and before she closes public comment. For members of the public participating remotely, 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 participating in-person will be called upon first and then we will move to those participating remotely. For those participating remotely, they will hear an automated prompt indicating their line has been unmuted – and that is when their comment period 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:

Miguel Donoso
Supervisor Vito Chiesa
Milt Triewailer

Ramon Rodriguez
 Sil Manente
 Member of the public
 Member of the public
 Robert Allen

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

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

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

6. CONSENT CALENDAR:

Councilmember Franco requested Consent Calendar Items 6A and 6G be removed for separate consideration.

Councilmember Nosrati requested Consent Calendar Items 6I and 6K be removed for separate consideration.

Action: Motion by Councilmember Monez, seconded by Councilmember Franco, 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. *Item removed for separate consideration*
- B. **Motion:** Accepting Minutes of the Regular Meeting of March 9, 2021; Minutes of the Special Meeting of March 16, 2021; Minutes of the Special Meeting of March 23, 2021
- C. **Motion:** Approving the Memorandum of Understanding between the City of Turlock and Turlock American Little League for the use of Pedretti Park for youth baseball programs within the community
- D. **Motion:** Approving the Memorandum of Understanding between the City of Turlock and Turlock National Little League for the use of Pedretti Park and Soderquist ball field for youth baseball and softball programs within the community
- E.
 - 1. **Motion:** Approving a professional services agreement with Dyett & Bhatia Urban and Regional Planners for the SB 2 Planning Grant Zoning Ordinance Amendments in an amount not to exceed \$184,410 in a form approved by the Interim City Attorney
 - 2. **Motion:** Authorizing the City Manager to enter into a Memorandum of Understanding between the City of Turlock and County of Stanislaus for Development of Accessory Dwelling Unit (ADU) Standard Plans
- F. **Motion:** Approving a professional services agreement with Dyett & Bhatia Urban and Regional Planners for the LEAP Planning Grant Housing Element, Safety Element,

Environmental Justice Element Updates, and associated environmental work in an amount not to exceed \$305,000 in a form approved by the Interim City Attorney

- G. *Item removed for separate consideration*
- H. **Resolution No. 2021-069:** Appropriating \$270,000 from Fund 506 “Small Equipment Replacement” unassigned reserves to account number 506-00-000-213.51020 “Equipment Replacement” for the purchase of six (6) replacement marked patrol vehicles from Downtown Ford Sales, Sacramento, California, through the City of Sacramento Contract No. B19153311005
- I. *Item removed for separate consideration*
- J. **Resolution No. 2021-070:** Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19
- K. *Item removed for separate consideration*

- 6A. **Resolution:** Accepting Weekly Demands of 4/22/21 in the amount of \$952,122.04; Monthly Demands of 3/31/21 in the amount of \$2,542,239.61

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Cheryl Reiland (regarding public participation heard earlier in the meeting)

Mayor Bublak closed public participation.

Action: **Resolution No. 2021-071:** Accepting Weekly Demands of 4/22/21 in the amount of \$952,122.04; Monthly Demands of 3/31/21 in the amount of \$2,542,239.61 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 |

- 6I. **Motion:** Approving an agreement (“Agreement”) with White Brenner LLP (“Firm”) to provide special counsel legal services to the City of Turlock (“City”) and authorizing the Acting City Manager to execute the Agreement on behalf of the City

Council and staff discussed this item.

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

Action: Motion by Councilmember Larson, seconded by Councilmember Franco, Approving an agreement (“Agreement”) with White Brenner LLP (“Firm”) to provide special counsel legal services to the City of Turlock (“City”) and authorizing the Acting City Manager to execute the Agreement on behalf of the City. Motion carried 4/1 by the following vote:

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

6K. Resolution: Reaffirming the Proclamation of a Local Emergency by Acting City Manager Gary R. Hampton (Director of Emergency Services) in Response to the Unsheltered Homeless and Encampment Crisis within the City of Turlock and Confirming Rules and Regulations No. 1 Made and Issued by Acting City Manager Gary R. Hampton (Director of Emergency Services)

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Miguel Donoso
 Robert Puffer

Mayor Bublak closed public participation.

Council further discussed this item.

Action: Resolution No. 2021-072: Reaffirming the Proclamation of a Local Emergency by Acting City Manager Gary R. Hampton (Director of Emergency Services) in Response to the Unsheltered Homeless and Encampment Crisis within the City of Turlock and Confirming Rules and Regulations No. 1 Made and Issued by Acting City Manager Gary R. Hampton (Director of Emergency Services) as introduced by Councilmember Monez, seconded by Councilmember Franco, and carried 4/1 by the following vote:

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

The following Agenda Items were heard out of order.

AGENDA ITEMS:

9A. Assistant to the City Manager for Economic Development/Housing Maryn Pitt presented the staff report on the request to reduce the amount of budgeted HEAP funds by \$92,000 to the We Care project for a remaining balance of approximately \$38,414.83 AND increase the amount of budgeted HEAP funds by \$92,000 to the Turlock Gospel Mission for the day center upgrade project AND approve a promissory note, loan agreement with forgivable terms, and deed of trust in a form approved by the Interim City Attorney, between the City of Turlock and Turlock Gospel Mission, a 501 (C)(3) non-profit organization, for the remodel and upgrade of the real property located at 432 S. Broadway, Turlock (APN #043-049-032-000) in the amount of \$330,000, subject to the terms and conditions as outlined in

Attachment A, and authorize the City Manager to sign all necessary documents to effectuate the transaction

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

Councilmember Franco presented on inaccuracies in the Staff Report, expenditure deadlines, eligible uses of HEAP funds, homeless youth set aside, and proposed funding plan using HEAP funds rather than General Funds.

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Miguel Donoso
 Cheryl Reiland

Mayor Bublak closed public participation.

Council and staff further discussed this item and requested that funding sources are identified on future agenda items.

Action: Motion by Councilmember Larson, seconded by Councilmember Nosrati, Reducing the amount of budgeted HEAP funds by \$92,000 to the We Care project for a remaining balance of approximately \$38,414.83. Motion carried 5/0 by the following vote:

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

Motion by Councilmember Larson, seconded by Councilmember Nosrati, Increasing the amount of budgeted HEAP funds by \$92,000 to the Turlock Gospel Mission for the day center upgrade project. Motion carried 5/0 by the following vote:

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

Resolution No. 2021-073: Approving a promissory note, loan agreement with forgivable terms, and deed of trust in a form approved by the Interim City Attorney, between the City of Turlock and Turlock Gospel Mission, a 501 (C)(3) non-profit organization, for the remodel and upgrade of the real property located at 432 S. Broadway, Turlock (APN #043-049-032-000) in the amount of \$330,000, subject to the terms and conditions as outlined in Attachment A, and authorizing the City Manager to sign all necessary documents to effectuate the transaction as introduced by Councilmember

Larson, seconded by Councilmember Nosrati, and carried 5/0 by the following vote:

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

- 6G. 1. **Resolution:** Authorizing the execution of an agreement for reimbursement between Turlock Gospel Mission and the City of Turlock to provide shelter services during the Local Emergency of an Unsheltered Homeless and Encampment Crisis
2. **Resolution:** Authorizing the execution of an agreement between Stanislaus Behavioral Health and Recovery Services and the City of Turlock for Homeless Engagement Multi-Disciplinary Team Activity
3. **Resolution:** Authorizing the execution of an Opt-In to a Memorandum of Understanding between the City of Modesto and Stanislaus County for limited cross-jurisdictional enforcement of state and local laws

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

Council discussed this item.

Action: **Resolution No. 2021-074:** Authorizing the execution of an agreement for reimbursement between Turlock Gospel Mission and the City of Turlock to provide shelter services during the Local Emergency of an Unsheltered Homeless and Encampment Crisis as introduced by Councilmember Franco, seconded by Councilmember Larson, and carried 4/1 by the following vote:

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

Resolution No. 2021-075: Authorizing the execution of an agreement between Stanislaus Behavioral Health and Recovery Services and the City of Turlock for Homeless Engagement Multi-Disciplinary Team Activity as introduced by Councilmember Franco, seconded by Councilmember Larson, and carried 4/1 by the following vote:

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

Resolution No. 2021-076: Authorizing the execution of an Opt-In to a Memorandum of Understanding between the City of Modesto and Stanislaus County for limited cross-jurisdictional enforcement of state and local laws as introduced by Councilmember Franco, seconded by Councilmember Larson, and carried 4/1 by the following vote:

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

- 8C. *Item continued to the June 22, 2021 City Council meeting:* Request to make no change in the cap on the number of beds that may be permitted under the nondiscretionary permit process within the SB 2 emergency shelter overlay district.

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

- 8B. Assistant to the City Manager for Economic Development/Housing Maryn Pitt presented the staff report on the request to approve the Fiscal Year 2021-2022 Annual Action Plan for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME), authorize submission of the Annual Action Plan to the United States Department of Housing and Urban Development (HUD), approve funding for the Public Service Grant Program, and authorize the City Manager or designee to execute all related and necessary documents

Council and staff discussed this item.

Mayor Bublak opened the public hearing.

The following members of the public spoke:

Miguel Donoso
 Ron Bridegroom
 Cheryl Reiland
 Angela Freitas

Mayor Bublak closed the public hearing.

Council and staff further discussed this item.

Staff provided brief comment in response to public comment.

Council and staff further discussed this item, including approving the Annual Action Plan (AAP) with typographical errors fixed to adhere with HUD submittal timelines and also directed staff to return to Council on May 25, 2021, for consideration of amendments to the AAP.

Action: **Resolution No. 2021-077:** Approving the Fiscal Year 2021-2022 Annual Action Plan for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME), authorizing submission of the Annual Action Plan to the United States Department of Housing and Urban Development (HUD), approving funding for the Public Service Grant Program, and authorizing the City Manager or designee to execute all related and necessary documents as introduced by Councilmember Monez, seconded by Councilmember Franco, and carried 5/0 by the following vote:

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

- 8A. Deputy Development Services Director/Planning Manager Katie Quintero presented the staff report on the request to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Rezone 2020-01, Planned Development 279 (PD 279) AND amend the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2020-01 Planned Development 279 (Fifth Street Community)] AND establish Conditions of Approval for Planned Development 279 (Fifth Street Community)

Mayor Bublak opened the public hearing.

The following members of the public spoke:

Scott Dorius – representative from Florsheim Homes
Milt Trieweiler

Mayor Bublak closed the public hearing.

Council and staff discussed this item.

Action: **Resolution No. 2021-078:** Adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Rezone 2020-01, Planned Development 279 (PD 279) as introduced by Councilmember Monez, seconded by Councilmember Franco, and carried 5/0 by the following vote:

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

Motion by Councilmember Larson, seconded by Councilmember Franco, Introducing an Ordinance Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2020-01 Planned Development 279 (Fifth Street Community)] and setting the final reading date for May 25, 2021. Motion carried 5/0 by the following vote:

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

Mayor Bublak announced that the resolution establishing conditions will be considered at the May 25, 2021, City Council Meeting:

Resolution: Establishing Conditions of Approval for Planned Development 279 (Fifth Street Community)

7. FINAL READINGS: None

10. CITY MANAGER REPORTS/UPDATES:

A. Administrative Services

1. Unsheltered Homeless and Encampments Crisis Update

Interim Chief of Police Steven Williams provided an update regarding status of operational period, focus on Taylor Court and Golden State Boulevard, coordination with private property owners, census, outreach efforts, budget status, availability of shelter beds.

B. Development Services

1. Monthly Departmental Update

A written staff update was included in the agenda packet.

C. Acting City Manager Gary R. Hampton spoke regarding the selection process for the Measure A Citizens Oversight Committee including options to be presented at the May 25, 2021 Council meeting, subcommittee interviews.

Council and staff discussed this item, including applicant qualifications, random draw of members, non-political options to select the committee.

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Nosrati requested a discussion on the 4th of July parade and fireworks show.

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:

Councilmember Larson recognized and commended the Turlock Fire Department firefighters and the vandalism that occurred, and commended the Turlock Police Department for their quick response to the dangerous sideshow activities.

Councilmember Nosrati echoed Councilmember Larson's sentiments and asked the community to consider the danger of their actions.

Councilmember Franco expressed gratitude to Public Safety employees.

Councilmember Monez commented on the Council support of the Turlock Fire Department as related to the budget amendment that failed and recognizes the issues impacting the Fire Department, and expressed gratitude to Acting City Manager Hampton for highlighting the living budget document and expressed the importance of reviewing each quarter, and thanked Councilmember Franco for mentioning Westside Ministries teen programs.

Mayor Bublak agreed with the 4th of July parade discussion and commented on the late start date of the Council meetings, commented on status of the City Manager, Measure A funds, social media posts.

13. CLOSED SESSION:

Acting City Clerk Allison Martin 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 Interim City Attorney George A. Petrulakis
- B. 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.
- C. Public Employee Appointment, Cal. Gov't Code §54957(b)(1)
Title: Acting City Manager
- D. Public Employee Discipline/Dismissal/Release, Cal. Gov't Code §54957(b)(1)

14. REPORTS FROM CLOSED SESSION:

Acting City Clerk Allison Martin reported for the Closed Session Item(s) that there was no reportable action.

15. ADJOURNMENT

Mayor Bublak adjourned the regular meeting at 10:19 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Allison Martin, Acting City Clerk
Jennifer Land, City Clerk