

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 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 noted a green sheet to page two of the agenda.

Mayor Bublak advised that staff has requested Item 6E be removed from the Consent Calendar for future consideration.

Mayor Bublak also noted that Consent Calendar Items 6D, 6G, 6I, and 6L will be removed from the Consent Calendar for separate consideration.

Action: Motion by Councilmember Monez, seconded by Councilmember Franco, 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: In Honor of the Retirement of Gary Carlson, Interim Fire Chief

Mayor Bublak read a Proclamation honoring the retirement of Gary Carlson, Interim Fire Chief.

B. Recognition: Employee of the Month, June 2021, Senior Planner, Adrienne Werner

Mayor Bublak announced that Senior Planner Adrienne Werner is the Employee of the Month for June 2021 and read her bio.

C. Briefing: Roads Update

Interim Development Services Director/City Engineer Nathan provided a roads update including that the Roads Manager will begin employment on 09/16/21 and identified five active projects as the SE Quadrant Project, Golden State Boulevard Rehabilitation Project, Lander Avenue Project, SW Quadrant Project, and the Hedstrom Road Project.

Council and staff discussed plans for bicycle lanes, project completion information, and notification of residents related to roadway construction.

*Acting City Clerk Kellie Weaver announced that members of the public will be given the opportunity to address Council concerning any item that has been described in the notice for this meeting. 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:

- Milt Trieweler
- Miguel Donos
- Edgar
- Ruben Vega
- Bernice Rodriguez
- Noel Dickey
- Ronald Bridegroom
- Becky Arellano
- Mary Jackson
- Robin Popolizio
- Kristin Loera
- Ramon Rogriguez
- David Fransen

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

None

6. CONSENT CALENDAR:

Mayor Bublak announced that Consent Calendar Items 6D, 6G, 6I, and 6L would 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. **Resolution No. 2021-165:** Accepting Weekly Demands of 8/20/21 in the amount of \$1,590,502.24; Weekly Demands of 8/27/21 in the amount of \$1,872,591.11; Monthly Demands of 6/30/21 in the amount of 1,770,667.19
- B. **Motion:** Accepting Minutes of the Regular Meeting of August 24, 2021;
- C. **Resolution No. 2021-166:** Authorizing the addition of one (1) Transit Analyst position effective September 14, 2021 and adjusting Fiscal Year 2021-2022 budget, increasing account number 426-40-415-240-001.41001 (ADA Paratransit) "Full Time Salaries" and associated benefits by \$23,412 and account number 426-40-415-241-001.41001 (Fixed Route) "Full Time Salaries" and associated benefits by \$106,418, in accordance with the Transit Division's Cost Allocation Plan, and decreasing account number 426-40-415-241-002.51261 (Fixed Route) "Bus Procurement/Inspections" by \$129,830, effective September 14, 2021
- D. **Removed for separate consideration**

- E. Removed for future consideration
- F. **Resolution No. 2021-167:** Approving the purchase of one (1) 2022 PB Loader Model BC-4 Asphalt Patcher mounted on a new 2022 Freightliner M2 106 truck chassis for the Parks, Recreation and Public Facilities Department from Municipal Maintenance Equipment, Inc., in an amount not to exceed \$253,500 from account number 219-40-428.51105 (Vehicle), through Sourcewell Contract #052417-PBL, and appropriating \$21,500 to account number 219-40-428.51105 (Vehicle) to be funded from Fund 219 Unassigned Reserve for the vehicle purchase
- Resolution No. 2021-168:** Approving the purchase of one (1) 2022 Ford F550 4X2 Regular Cab/Chassis, White, Gas with Scelzi Dump Body for the Parks, Recreation and Public Facilities Department from Downtown Ford Sales, in an amount not to exceed \$76,500 from account number 506-00-000-231.51020 (Equipment Replacement), through State of California Contract 1-18-23-20A CLIN 33, and appropriating \$7,500 to account number 506-00-000-231.51020 (Equipment Replacement) to be funded from Fund 506 Unassigned Reserve for the vehicle purchase
- Resolution No. 2021-169:** Approving the purchase of one (1) ProLine H800 Rotary Mower – Stage V for the Parks, Recreation and Public Facilities Department from Turf Star Western Equipment, in an amount not to exceed \$33,900 from account numbers 506-00-000-221.51020 (Equipment Replacement) \$22,300 and 506-00-000-232.51020 (Equipment Replacement) \$11,600, through CMAS Contract #4-07-51-0020A (mowers & grounds equipment), and appropriating \$4,900 to account number 506-00-000-221.51020 (Equipment Replacement) to be funded from Fund 506 Unassigned Reserve for the equipment purchase
- Resolution No. 2021-170:** Approving the purchase of one (1) 2022 Mack MD642R with Valew 2000 Gal. Water Tank for the Parks, Recreation and Public Facilities Department from Holt of California, in an amount not to exceed \$108,900 from account number 506-00-000-231.51020 (Equipment Replacement), through Sourcewell Contract #032119-CAT, and appropriating \$2,900 to account number 506-00-000-231.51020 (Equipment Replacement) to be funded from Fund 506 Unassigned Reserve for the vehicle purchase
- G. Removed for separate consideration
- H. **Motion:** Approving an agreement with Oliver, Thomas & Pierce Investigations for investigative services
- I. Removed for separate consideration
- J. **Resolution No. 2021-171:** Approving a new job description for the position of Housing Finance Specialist Trainee, effective September 14, 2021
- K. **Resolution No. 2021-172:** Approving revisions to job descriptions for Public Facilities Maintenance Team Leader, Assistant Public Facilities Maintenance Supervisor, and Public Facilities Maintenance Supervisor
- L. Removed for separate consideration
- M. **Resolution No. 2021-173:** Adopting a Resolution to Employ a CalPERS Annuitant (Acting City Manager) pursuant to CalPERS Requirements
- N. **Motion:** Accepting the report on the response to the Stanislaus County Civil Grand Jury Case #21-17GJ: Is Stanislaus Council of Governments Enforcing Measure L Master Funding Agreement?

The following items were removed from the Consent Calendar for separate consideration:

- 6D. Resolution declaring the Intention to Order Annexation No. 31 for the property located at 3900 Colorado Avenue (Stanislaus County Assessor’s Parcel 072-075-051) to Existing Community Facilities District No. 2 (Services Mitigation)

Council and staff discussion included fee structure, housing crisis, building incentivization, and the housing element update.

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

Action: **Resolution No. 2021-174:** Declaring the Intention to Order Annexation No. 31 for the property located at 3900 Colorado Avenue (Stanislaus County Assessor’s Parcel 072-075-051) to Existing Community Facilities District No. 2 (Services Mitigation) was introduced by Councilmember Monez, seconded by Councilmember Larson, and carried 5/0 by the following vote:

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

- 6G. Resolution appropriating \$1,162,093 to account number 422-52-554-43556 “Well Remediation Expenses” from Fund 422 “Well Remediation” unassigned reserves to provide adequate funding for well rehabilitation services AND Motion approving Amendment No. 3 to an Agreement between the City of Turlock and Roadrunner Drilling & Pump Company, Inc. to increase the compensation by \$1,162,093.00, for a total not-to-exceed amount of \$1,727,522.00 for Well Rehabilitation Services.

The following members of the public spoke:

Becky Arellano
Michael Melendez

Mayor Bublak closed public comment.

Council and staff discussion included City wells.

Action: **Resolution No. 2021-175:** Appropriating \$1,162,093 to account number 422-52-554-43556 “Well Remediation Expenses” from Fund 422 “Well Remediation” unassigned reserves to provide adequate funding for well rehabilitation services was introduced by Councilmember Monez, seconded by Councilmember Larson, 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 Monez, seconded by Councilmember Larson, Approving Amendment No. 3 to an Agreement between the City of Turlock and Roadrunner Drilling & Pump Company, Inc. to increase the compensation by \$1,162,093.00, for a total not-to-exceed amount of \$1,727,522.00 for Well Rehabilitation Services. Motion carried 5/0 by the following vote:

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

- 6I. Resolution modifying the job description for the position of Fire Chief, effective September 14, 2021

Council and staff discussed the item.

Mayor Bublak opened public comment.

The following members of the public spoke:

Robert Puffer

Mayor Bublak closed public comment.

Staff provided brief comment in response to public comment.

Action: **Resolution No. 2021-176:** Modifying the job description for the position of Fire Chief, effective September 14, 2021, was introduced by Councilmember Monez, seconded by Councilmember Larson, and carried 5/0 by the following vote:

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

- 6L. Resolution adopting a Resolution to Employ a CalPERS Annuitant (Interim Fire Chief) pursuant to CalPERS Requirements.

Council and staff discussed the item.

Mayor Bublak opened public comment.

The following members of the public spoke:

Milt Trieweiler

Mayor Bublak closed public comment.

Councilmember Larson moved to table this item and direct staff to have a conversation with retired Interim Chief Carlson to return to employment.

Council and staff discussion included PERS requirements for retirees.

Action: Motion by Councilmember Larson, seconded by Councilmember Nosrati, to table the adoption of a Resolution to Employ CalPERS Annuitant (Interim Fire Chief) pursuant to CalPERS Requirements and direct staff to enter into discussions with retired Interim Fire Chief Gary Carlson to consider the idea of him returning to employment with the City of Turlock. Motion failed 2/3 by the following vote:

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

Resolution No. 2021-177: Adopting a Resolution to Employ a CalPERS Annuitant (Interim Fire Chief) pursuant to CalPERS Requirements was 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

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:**

- A. Community Housing Program Supervisor Maria Ramos presented the staff report on the request to approve the Fiscal Year 2020-2021 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program (CDBG), CDBG-CARES and HOME Investment Partnership Program (HOME), and 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 public comment. No one spoke. Mayor Bublak closed public comment.

Action: Motion by Councilmember Franco, seconded by Councilmember Monez, approving the Fiscal Year 2020-2021 Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant Program (CDBG), CDBG-CARES and HOME Investment Partnership Program (HOME), and 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 Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

9. ACTION ITEMS:

A. Transit Manager Wayne York presented the staff report on the request to rescind Resolution No. 2020-017 and adopt a new Resolution establishing a revised passenger fare structure effective October 1, 2021, and delegate authority to the City Manager, or his or her designee, to temporarily reduce or eliminate fares for promotional or emergency purposes.

Council and staff discussed this item including advertisement of the new fares, free student passes, and possible partnership with CSU Stanislaus.

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

Action: **Resolution No. 2021-178:** Rescinding Resolution No. 2020-017 and adopting a new Resolution establishing a revised passenger fare structure effective October 1, 2021, and delegating authority to the City Manager, or his or her designee, to temporarily reduce or eliminate fares for promotional or emergency purposes was 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

B. Transit Manager Wayne York presented the staff report on the request to approve Amendment No. 1 to an Agreement (City Contract No. 18-43) with Storer Transit Systems of Modesto, California, increasing the safety-sensitive minimum wage and rate per vehicle hour service costs to address critical staffing needs effective October 1, 2021, along with various technical updates and corrections and authorize the City Manager to execute all documents required to fulfill this purpose, and amending the Fiscal Year 2021-22 Municipal Budget (Fund 426) as outlined in the Resolution to reflect increased revenues and increased expenses associated with the increase to the contracted safety-sensitive minimum wage and rate per vehicle hour service costs.

Council and staff discussed this item.

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

Action: Motion by Councilmember Monez, seconded by Councilmember Nosrati, Approving Amendment No. 1 to an Agreement (City Contract No. 18-43) with Storer Transit Systems of Modesto, California, increasing the safety-sensitive minimum wage and rate per vehicle hour service costs to address critical staffing needs effective October 1, 2021, along with various technical updates and corrections, and authorizing the City Manager to execute all documents required to fulfill this purpose. 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. 2021-179: Amending the Fiscal Year 2021-22 Municipal Budget (Fund 426) as outlined in the Resolution to reflect increased revenues and increased expenses associated with the increase to the contracted safety-sensitive minimum wage and rate per vehicle hour service costs was introduced by Councilmember Monez, 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

- C.** Interim Development Services Director/City Engineer Nathan Bray presented the staff report on the request to authorize Staff and Consultants to commence the City of Turlock's Roads Initiative Program; and approve professional service agreements in connection therewith in a form approved by the City Attorney.

Council and staff discussed this item including funding sources/financing options and methods of obtaining necessary data to determine PCI.

Mayor Bublak invited members of the Michael Baker International/PFIC Team to present information regarding their proposal.

Mayor Bublak opened public comment.

The following members of the public spoke:

Ronald Bridegroom
 Unidentified female
 Milt Triewailer
 Cheryl Reiland
 Becky Arellano

Larry Turner
 Mary Jackson
 Robert Puffer
 David Fransen

Mayor Bublak closed public comment.

Council and staff discussion included funding sources, funding obligations, clarification on contracts, and potential options for moving forward.

Action: Motion by Councilmember Larson, seconded by Councilmember Nosrati, tabling this item and directing staff to prepare and bring back to Council, a similarly vetted and constructed report from PFAL. Motion failed 2/3 by the following vote:

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

Action: Motion by Councilmember Monez, seconded by Councilmember Franco, tabling this item for two weeks, and directing staff to continue to engage with Michael Baker International and PFIC, to obtain the necessary information in order to vote properly on this matter. Motion carried 3/2 by the following vote:

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

- D.** Councilmember Andrew Nosrati presented the staff report on the request to authorize use of staff time and City resources to research and prepare a staff report on establishing guidelines in support of existing Youth Drug Abuse Awareness and Prevention Program(s) funded by cannabis derived revenues as outlined in Exhibit A to Resolution No. 2020-003, to be administered under the Community Grant Program through an RFP process.

Council and staff discussed this item.

Mayor Bublak opened public comment.

The following members of the public spoke:

Cheryl Reiland
 Ronald Bridegroom

Mayor Bublak closed public comment.

Council and staff discussed the item and provided direction to staff to develop an ad hoc committee of two Councilmembers to work with staff to develop criteria and work with CDBG on establishing guidelines in support of existing Youth Drug Abuse Awareness and Prevention Program(s) funded by cannabis derived revenues as outlined in Exhibit A to Resolution No. 2020-003, to be administered under the Community Grant Program through an RFP process.

Action: *None. Provided direction to staff.*

10. CITY MANAGER REPORTS/UPDATES:

Acting City Manager provided information regarding ongoing recruitments, City Hall and Fire Station roofing projects, and upcoming reduction of hours at the City Hall Finance counter from 12:00 p.m. to 4:00 p.m. and related notification of change.

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:

Councilmember Larson spoke regarding her desire that the “call in” feature to City Council meetings continue.

Councilmember Nosrati said hi to his new cousin/nephew, Christopher Andrew Chalabi.

Councilmember Franco thanked retired Interim Fire Chief Gary Carlson for his years of service and asked for an update on the Christmas Parade.

Councilmember Monez wished retired Interim Fire Chief Gary Carlson a super happy retirement and thanked him for his service. She also commended Turlock Police Department for their recent efforts in the apprehension of the AMPM robber.

Mayor Bublak commended Turlock Police Department for their recent apprehension of a serial rapist and efforts responding to texting with 911. Additionally, she noted she hopes annuitant Gary Carlson will come back to manage COVID. She noted Mr. Bridegroom and Mr. Trieweiler are an asset to the City and offered her apologies to Mr. Bridegroom for anything she said at a previous meeting that might have offended him. Mayor Bublak also asked to see City Manager applications at the next meeting’s Closed Session. Finally, Mayor Bublak welcomed the new Interim Fire Chief Michael Botto.

13. CLOSED SESSION:

Interim City Clerk Kellie Weaver introduced the Closed Session Item.

- A. Public Employee Performance Evaluation, Cal. Gov’t Code §54957(b)(1)
Title: Interim City Attorney

14. REPORTS FROM CLOSED SESSION:

Interim City Clerk Kellie Weaver reported that for the Closed Session Item no reportable action was taken.

15. ADJOURNMENT

Mayor Bublak adjourned the regular meeting at 11:05 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver, Interim City Clerk