

City Council Meeting Minutes

September 13, 2022

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



CALL TO ORDER

Mayor Bublak called the meeting to order at 6:05 p.m.

SALUTE TO THE FLAG

ROLL CALL AND DECLARATION OF CONFLICTS

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

Absent: None

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
None	None	None	None	None

1. APPROVAL OF AGENDA AS POSTED OR AMENDED

Action: Motion by Councilmember Monez, seconded by Vice Mayor Franco to approve the agenda as posted. Motion carried 5/0 by the following vote:

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

2. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS

None

3. PUBLIC PARTICIPATION

Mayor Bublak announced that it was the time for public participation and the following members of the public spoke:

Loraine Norling
Susan Thomas
Pat Portwood
Ron Bridegroom
Gil Esquer

With no further comments, Mayor Bublak closed public participation. Staff and City Council responded to questions from the public.

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

Action: Motion waiving reading of all ordinances on the Agenda, except by title. Motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

**CITY OF TURLOCK CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 13, 2022**

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

5. CONSENT CALENDAR

- A. Resolution: Accepting Weekly Demands of 08/18/2022 in the amount of \$352,167.04 and 8/25/2022 in the amount of \$609,072.25
- B. Motion: Accepting Minutes of the Regular Meetings of 08/09/2022
- C. 1) Resolution: Approving Contract Change Order No. 1 (Final) in the amount of \$89,127.77 (Fund 215) with Rolfe Construction, Atwater, California, for City Project No. 16-60 “Linwood Ave. Active Transportation Program (ATP) Improvements” bringing the contract total to \$815,528.77

2) Motion: Accepting improvements for City Project No. 16-60 “Linwood Ave ATP Improvements” and authorizing the City Engineer to file a Notice of Completion
- D. *ITEM PULLED FOR SEPARATE CONSIDERATION.*
- E. Resolution: Awarding RFB No. 22-017 and approving an Agreement with Central Valley Concrete, Inc. for the supply of aggregate, asphaltic concrete, and related materials at various City locations for a period of one (1) year, with an option to extend the Agreement for three (3) additional one-year terms, in an annual amount not to exceed \$60,000, for a total not-to-exceed amount of \$240,000, over the 4-year term of the Agreement, if all renewal periods are exercised
- F. Resolution: Approving an increase to the salary range for Information Technology (IT) Manager from range 34.4 to range 35.8 by approving an amendment to the Salary Schedule of the existing Management Memorandum of Understanding (MOU) adopted by Resolution No. 2021-229 dated November 9, 2021, to include all approved Management salary ranges
- G. Resolution: Approving revision of the job descriptions for Utilities Maintenance Worker, Senior and Utilities Assistant Supervisor

Action: Motion by Vice Mayor Franco, seconded by Councilmember Monez, adopting the 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

- D. Resolution: Awarding bid and approving an Agreement between the City of Turlock and D.A. Wood Construction Inc., of Oakdale, California, in the amount of \$2,088,783.00 for construction of City Project Nos. 22-001 and 22-017 “Wayside Drive Reconstruction and sewer Replacement Project” to be funded by Fund 115 “Measure A – Roads” and Fund 410 “Water Quality Control”

Public Comment:

Ron Bridegroom

**CITY OF TURLOCK CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 13, 2022**

City Attorney George A. Petrulakis, inserts into the record a letter from a lawyer representing a rejected bidder which was handed out to council and went to council via email. Mayor opened the floor for questions for Mr. Petrulakis or Fred Pezeshk. Mr. Petrulakis congratulated staff for their excellent work on this.

Councilmember Nosrati asked for someone to speak to the contents and/or concerns of the letter i.e. the City not going with the lowest bidder. Mr. Petrulakis advised the award has to be made to a responsive and responsible bidder, the City has wide authority to decide what that is. In this case the low bidder is a new firm that could not provide staff with a history of doing projects. Staff calculated this as a risk for the City.

Action: Motion by Councilmember Monez, seconded by Vice Mayor Franco, adopting the 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

6. FINAL READINGS

None

7. PUBLIC HEARINGS

A. Interim Director Madden provided a staff report regarding ordering the improvements and formation of the Fifth Street Community (Development Project No. 21-006) 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 2022-2023 for the Fifth Street Community (Development Project No. 21-006) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, pursuant to Resolution No. 97-128. He then responded to questions from the City Council.

Mayor Bublak opened the public hearing for public participation and the following members of the public spoke:

None.

With no further comments, Mayor Bublak closed public comment and the public hearing.

Action: Resolution: Ordering the improvements and formation of the Fifth Street Community (Development Project No. 21-006) 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 2022-2023 for the Fifth Street Community (Development Project No. 21-006) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, pursuant to Resolution No. 97-128 as introduced by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

**CITY OF TURLOCK CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 13, 2022**

- B. Fire Marshal Bickle provided a staff report introducing an Ordinance for first reading amending the Turlock Municipal Code (TMC) Section 4-3-411, Dangerous Fireworks Prohibited: Penalties, adding new language pertaining to illegal fireworks and a proposed fee schedule of \$1,000.00, \$1,500.00 and \$2,000.00 for the use, display or sale of illegal fireworks for the first, second, third and subsequent offenses within one (1) year of the offense.

Chief of Police Jason Hedden, Deputy Fire Chief Chris Jelinek, and Fire Marshal Bickle responded to questions from the City Council.

Mayor Bublak opened the public hearing for public participation. Comments were received from the following members of the public:

Gil Esquer
Loraine Norling
Ron Bridegroom
Ryan Taylor

With no further comments, Mayor Bublak closed the public hearing.

Chief of Police Jason Hedden, Deputy Fire Chief Chris Jelinek, and Fire Marshal Bickle responded to questions from the public.

Action: Ordinance 2022-XXX-cs: Introduce an Ordinance for first reading amending the Turlock Municipal Code (TMC) Section 4-3-411, Dangerous Fireworks Prohibited: Penalties, adding new language pertaining to illegal fireworks and a proposed fee schedule of \$1,000.00, \$1,500.00 and \$2,000.00 for the use, display or sale of illegal fireworks for the first, second, third and subsequent offenses within one (1) year of the offense as introduced by Vice Mayor 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

- C. Development Services Director Quintero provided a staff report introducing an Ordinance for first reading amending the Turlock Municipal Code (TMC) to add Title 3, Chapter 1, Article 13 to address the regulations and operation of pedicabs for hire within the City of Turlock.

Director Quintero, Director Paul Loehr, and Chief of Police Hedden responded to questions from the City Council.

Mayor Bublak opened the public hearing for public participation. Comments were received from the following members of the public:

Noel Dickey (Owner – Central Valley Party Bikes)
Loraine Norling
Unknown Female
Gil Esquer

With no further comments, Mayor Bublak closed the public hearing.

Chief of Police Hedden and Noel Dickey responded to questions from the public.

City Attorney George A. Petrulakis reads into the record the following proposed changes:

Heading changed to: Consumption of alcoholic and other beverages

**CITY OF TURLOCK CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 13, 2022**

First clause changed to: The consumption of alcoholic and other beverages on any pedicab

New subsection: g. No glass bottles or other glass containers for alcoholic and other beverages are permitted on pedicab at any time.

Current subsections g. & h. will be changed to h. & i.

Action: Ordinance 2022-XXX-cs: Introduce an Ordinance for first reading amending the Turlock Municipal Code (TMC) to add Title 3, Chapter 1, Article 13 to address the regulations and operation of pedicabs for hire within the City of Turlock as introduced and subsequently amended by Vice Mayor Franco, seconded by Councilmember Nosrati, and carried 4/1 by the following vote:

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

- D. Housing Manager Ramos provided a staff report regarding a request to approve the Fiscal Year 2021-2022 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.

Director Ramos responded to questions from the City Council.

Mayor Bublak opened the public hearing for public participation. Comments were received from the following members of the public:

Miguel Donoso
Ron Bridegroom

With no further comments, Mayor Bublak closed the public hearing.

Manager Ramos responded to questions from the public.

Action: Resolution: Approving the Fiscal Year 2021-2022 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 as introduced by Vice Mayor 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

8. ACTION ITEMS

- A. Public Works Superintendent Packwood provided a staff report regarding a request for appropriating \$30,000 to account number 117-10-190-161.47007 “Cannabis Diversion/Education Expenses” and \$50,000 to account number 117-10-190-161.49007 “Salary Charges from Other Departments” for part-time, overtime, and salary charges to be

**CITY OF TURLOCK CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 13, 2022**

funded from Fund 117 unassigned reserves to provide drug abuse awareness and prevention programs.

Superintendent Packwood and Lieutenant Shaw responded to questions from the City Council.

Mayor Bublak opened the item for public participation and the following members of the public spoke:

Ryan Taylor
Ron Bridegroom
Gil Esquer

With no further comments, Mayor Bublak closed public comment.

Superintendent Packwood responded to questions presented during public participation.

Action: Resolution: Appropriating \$30,000 to account number 117-10-190-161.47007 “Cannabis Diversion/Education Expenses” and \$50,000 to account number 117-10-190-161.49007 “Salary Charges from Other Departments” for part-time, overtime, and salary charges to be funded from Fund 117 unassigned reserves to provide drug abuse awareness and prevention programs as motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

Mayor Bublak called for a 5-minute break at 8:04 p.m.; Mayor Bublak reconvened council at 8:08 p.m.

- B. Risk Management Director Loehr provided a staff report regarding a request for approving the purchase of forty (40) Automated External Defibrillators (AEDs) to be assigned to the City Police Department and Public Works Department and appropriate \$30,000 from Measure A unassigned reserves to account 118-10-115.44001_000 “Supplies General.

Director Loehr responded to questions from the City Council.

Mayor Bublak opened the item for public participation and the following members of the public spoke:

Robert Puffer

With no further comments, Mayor Bublak closed public comment.

Director Loehr and Deputy Fire Chief Chris Jelinek, and Chief of Police Hedden responded to questions from the public.

Action: Resolution: Approving the purchase of forty (40) Automated External Defibrillators (AEDs) to be assigned to the City Police Department and Public Works Department and appropriate \$30,000 from Measure A unassigned reserves to account 118-10-115.44001_000 “Supplies General as motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

**CITY OF TURLOCK CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 13, 2022**

- C. Principal Civil Engineer Fremming provided a staff report regarding a request for authorizing staff to proceed with a change to the scope of work of City Project No. 21-018 “Lander Avenue Rehabilitation between D St. and SR-99” to add an opening to the proposed concrete median on Lander Avenue to allow for a left turn movement from northbound Lander Avenue onto Montana Avenue.

Engineer Fremming responded to questions from the City Council.

Mayor Bublak opened the item for public participation and the following members of the public spoke:

Robert Puffer

With no further comments, Mayor Bublak closed public comment.

Engineer Fremming responded to questions from the public.

Action: Resolution: Authorizing staff to proceed with a change to the scope of work of City Project No. 21-018 “Lander Avenue Rehabilitation between D St. and SR-99” to add an opening to the proposed concrete median on Lander Avenue to allow for a left turn movement from northbound Lander Avenue onto Montana Avenue as motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 4/1 by the following vote:

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

- D. Human Resources Director Dhami provided a staff report regarding a request for approving modifications to the job description, including job title, change from Homeless Program Coordinator to Coordinator for Unsheltered/Homeless Programs and change from a part-time to a full-time position.

Councilmember Monez motions to table this matter until October 11, 2022.

There were no questions or additional comments from the City Council.

Mayor Bublak opened the item for public participation and the following members of the public spoke:

None.

With no further comments, Mayor Bublak closed public comment.

Action: Table this matter until the council meeting on October 11, 2022 as motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

**CITY OF TURLOCK CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 13, 2022**

9. CITY MANAGER REPORTS/UPDATES

A. Mayor Bublak asked what is going on with the armory. Director Quintero responded to the question.

B. Upcoming presentations (*Wilson*)

City Manager Wilson provided updates on the following upcoming public presentations:

- Road Workshops coming up in the next couple weeks – public meetings
- Homelessness workshops coming September 22nd and October 4th – public meetings

C. Update on resurfacing of city parks – pickle ball (*Garcia*)

D. Social media update (*Sims*)

E. Water/Sewer/Storm Water Master Plan update (*Goodman*)

F. Animal Control update (*Pacheco*)

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION

None.

11. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

Councilmember Nosrati commented on pickle ball.

Vice Mayor Franco extended condolences to Liz Padilla and family for the loss of her husband George Padilla; thanked the Fire Department for the 9/11 service; reminder of Farmers Market on Saturday's 8 am to 1pm; thank you to Karen Packwood for her hard work on senior lunch program; SRWA Water Committee back on track to open on schedule.

Councilmember Monez commented she is not against small business, or the pedicab. Her no vote was related to the alcohol; some still having email issues with @turlock.ca.us; thank you to the fire fighters for the 9/11 service; thank you to the Turlock Police Department for the Widows and Orphans Police Officers Ball, great turnout.

12. CLOSED SESSION

- A. Conference with Labor Negotiators - California Government Code §54957.6(a)
Employee Organization: Turlock Management Association – Public Safety
Employee Organization: Turlock Firefighters Association – Local 2434

13. REPORTS FROM CLOSED SESSION

Mayor Bublak reported out of Closed Session stating there was nothing to report.

14. ADJOURNMENT

Mayor Bublak adjourned the meeting at 9:02p.m.