

City Council Meeting Minutes



January 24, 2023

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 6:24 p.m.

SALUTE TO THE FLAG

ROLL CALL AND DECLARATION OF CONFLICTS

Present: Councilmembers Cassandra Abram, Kevin Bixel, Rebecka Monez, Vice Mayor Pam Franco, and Mayor Amy Bublak.

Absent: None

Councilmember Abram	Councilmember Bixel	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 Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

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

- A. Presentation: Employee of the Month - Lisa Quiroga (October 2022) and Jose Garcia (November 2022)

Finance Director Moreno introduced the recipient of the Employee of the Month for October 2022, Lisa Quiroga.

Public Works Director Schulze introduced the Employee of the Month recipient for November 2022, Jose Garcia.

- B. Presentation: Turlock Downtown Property Owners' Association (TDPOA) on the downtown benches

Travis Regalo, Executive Director of the Turlock Downtown Property Owners' Association, provided a presentation on the downtown benches. He discussed ongoing issues business owners were experiencing with the benches including continued maintenance due to graffiti, abuse, and unsanitary conditions. Mr. Regalo reported that visitors feel unsafe and that business owners feel the benches are more of an eyesore and hinderance rather than a benefit. They would like to have all downtown benches removed, with exception to the bench would in front of Wahl Willemse and Wilson.

Staff will bring this item forward at a future meeting for City Council's consideration.

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C. Presentation: Opportunity Stanislaus SBCD Quarterly Report

German Zavalza, Director of the Valley Sierra Small Business Development Center, and Maisie Silva, Project Manager for the Center, provided the quarterly report for the SBCD. He provided information regarding outreach, number of clients served, discussed past workshops, and provided information on upcoming workshops. Ramona, owner of Mathnasium in Turlock, provided a testimonial for the SBCD.

D. Presentation: City-wide Chlorination Project Update by Provost and Pritchard Consulting

Keith Mortensen, Principal Engineer with Provost & Pritchard Consulting Group, provided a presentation on the City-wide Chlorination Project for the city of Turlock. He provided an overview of the project, discussed the chlorination process and spoke to the overall timeline of the project.

E. Presentation: Legislative Presentation from Townsend Public Affairs

Andres Ramirez, Senior Associate for Townsend Public Affairs, provided a legislative presentation to City Council. He provided information on the company and the services they provide to the city. He discussed the legislative process, providing an overview of how that process works, and spoke about current and future budget and legislative efforts.

Public comment was received from the following:

DJ Fransen

Mr. Ramirez responded to questions from the public.

3. PUBLIC PARTICIPATION

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

Karina Mendoza
Jennifer Pimlott
Milt Trieweler
Ron Bridegroom

With no further comment, Mayor Bublak closed public participation.

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 Councilmember Bixel, and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

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5. CONSENT CALENDAR

Mayor Bublak announced that Items 5A, 5H, 5I, and 5K will be pulled for separate consideration.

A. *Pulled for separate consideration.*

B. Motion: Accepting Minutes of the 12/13/2022 Joint Meeting of City of Turlock City Council and Successor Agency to the Turlock Redevelopment Agency

C. 1) Resolution 2023-017: Approving the Engineer's Report for the "'California Freight" Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 22-036"

2) Resolution 2023-018: Declaring the City Council's intention to order the formation of and to levy and collect assessments for the "California Freight" Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 22-036" (*Schulze*)

D. 1) Resolution 2023-019: Approving the Engineer's Report for the "PM 22-01 Pitau Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 22-004"

2) Resolution 2023-020: Declaring the City Council's intention to order the formation of and to levy and collect assessments for the "PM 22-01 Pitau Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 22-004" (*Schulze*)

E. 1) Resolution 2023-021: Approving the Engineer's Report for the "PM 21-03 Bright Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 21-019"

2) Resolution 2023-022: Declaring the City Council's intention to order the formation of and to levy and collect assessments for the "PM 21-03 Bright Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, Development Project No. 21-019" (*Schulze*)

F. 1) Resolution 2023-023: Authorizing the City Manager to enter into a professional services agreement with Dyett and Bhatia Urban and Regional Planners for a Fair Housing Assessment and associated services as part of the preparation of the Turlock Housing Element in an amount not to exceed \$52,000.00 in a form approved by the City Attorney

2) Resolution 2023-024: Appropriating \$54,121.00 to Revenue Account Number 271-40-400-452.34168 "REAP Revenue" to be funded from a sub-allocation from Regional Early Action Planning (REAP) Grant for the preparation of the Housing Element and to appropriate \$52,000.00 to Expense Account Number 271-40-400-452.43055_000 "Consultant General" and \$2,021.00 to Expense Account Number 271-40-400-452.49007 "Salary Charges From Other Departments" (*Quintero*)

G. Resolution 2023-025: Approving an Agreement with Turlock Umpire Group to officiate adult, City league softball games for a period of three (3) years, in an amount not to exceed \$147,000.00 from account number 10-61-624.43724 "Reimburse Sports Officials" (*Schulze*)

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H. *Pulled for separate consideration.*

I. *Pulled for separate consideration.*

J. Resolution 2023-029: Approving Amendment No. 2 to the Professional Services Agreement for City Engineer Services (City Contract No. 2023-13) with SNG & Associates, Inc., of Pleasanton, California, increasing the contract not to exceed by \$300,000.00 and bringing the contract total to \$500,000.00 (*Schulze*)

K. *Pulled for separate consideration.*

Action: Motion by Councilmember Monez, seconded by Vice Mayor Franco, to adopt the Consent Calendar as amended and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

A. Resolution: Accepting Weekly Demands of 01/05/2023 in the amount of \$343,554.51 and 01/12/2023 in the amount of \$2,102,911.62

Vice Mayor Franco pulled this item to make sure everyone was aware that on the payables, there was a \$24,000 item that was paid to the Salida Fire Protection District for the purchase of a fire engine. She wanted to thank staff for their work on this purchase.

Mayor Bublak opened the item for public participation, and with none, closed public comment and asked for a motion to be made on this item.

Action: Resolution 2023-027: Accepting Weekly Demands of 01/05/2023 in the amount of \$343,554.51 and 01/12/2023 in the amount of \$2,102,911.62 as introduced by Vice Mayor Franco, seconded by Councilmember Monez, and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

H. Resolution: Reaffirming the Proclamation of a Local Emergency in Response to a continuing Unsheltered Homeless Crisis (UHC) within the City of Turlock and Confirming Rules and Regulations No. 1 Made and Issued on July 13, 2021 (*Eddy*)

Mayor Bublak opened this item for public participation and comment was received from the following individuals:

Milt Trieweler
DJ Fransen
Ron Bridegroom

City Attorney Petrulakis responded to questions from the public regarding this item.

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Action: Resolution 2023-026: Reaffirming the Proclamation of a Local Emergency in Response to a continuing Unsheltered Homeless Crisis (UHC) within the City of Turlock and Confirming Rules and Regulations No. 1 Made and Issued on July 13, 2021 as introduced by Vice Mayor Franco, seconded by Councilmember Abram, and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- I. Resolution: Authorizing the City Manager to enter into an Agreement with Stephanie McGann Jantzen to provide contract Public Information Officer services (*Wilson*)

Vice Mayor Franco expressed concern regarding the cost of this agreement and feels that an RFQ should be done to ensure the city is getting the most services for money spent. She also would like to know what services have been rendered and items accomplished from the previous agreement spent.

City Manager Wilson responded to Vice Mayor Franco's concerns stating he will put together an RFQ and will have information as far as what has been accomplished by the vendor under the current contract and bring these items forward at a future meeting

Mayor Bublak opened public participation on this item and with no comment received, closed public participation.

Action: Motion: Tabling this item until an RFQ can be conducted and an explanation on provided on what has been accomplished with the \$50,000 previously spent on this vendor agreement as introduced by Vice Mayor Franco, seconded by Councilmember Monez, and failed 2/3 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
No	No	Yes	Yes	No

Action: Resolution 2023-028: Authorizing the City Manager to enter into an Agreement with Stephanie McGann Jantzen to provide contract Public Information Officer services and provide a list of items and services previously accomplished, as introduced by Councilmember Abram, seconded by Councilmember Bixel, and passed 3/2 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	No	No	Yes

- K. Resolution: Approving termination of the Relief Across Downtown (RAD) Card Program Agreement between the City of Turlock and Modesto Improvement Partnership, Inc. dba Downtown Modesto Partnership (*Sims*)

Finance Director spoke to questions regarding the administration fee of the agreement and responded to questions from the City Council.

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Economic Development Director Sims responded to questions from the City Council regarding the program and what other options may be available to residents and businesses that have remaining funds in their accounts.

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

Lori Smith
Jennifer Brannon
Ron Bridegroom
Ramona Eshagh
Mikayla Mendez
DJ Fransen

With no further comment, Mayor Bublak closed public participation.

Staff responded to questions from the City Council.

Action: Resolution 2023-030: Approving termination of the Relief Across Downtown (RAD) Card Program Agreement between the City of Turlock and Modesto Improvement Partnership, Inc. dba Downtown Modesto Partnership as introduced by Councilmember Monez, seconded by Vice Mayor Franco and carried 4/1 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
No	Yes	Yes	Yes	Yes

6. FINAL READINGS

- A. Second and final reading of an Ordinance amending the Turlock Municipal Code (TMC) Title 6, Chapter 6-6, Sections 6-6-04, 6-6-10, and 6-6-12 regarding cross-connection control and backflow prevention devices to incorporate changes in order to increase compliance in the City’s Backflow Prevention Program (*Goodman*)

City Attorney Petrulakis provided a follow up to questions and comments presented during the the first reading of this item. He advised he spoke with staff and it was decided to move forward with the second reading and that they would work on issues or concerns previously expressed and bring information back to City Council at a later date.

Mayor Bublak opened the item for Public Participation and with no comments, Mayor Bublak closed Public Participation.

Action: Ordinance 1297-cs: Motion by Vice Mayor Franco, seconded by Councilmember Monez, amending the Turlock Municipal Code (TMC) Title 6, Chapter 6-6, Sections 6-6-04, 6-6-10, and 6-6-12 regarding cross-connection control and backflow prevention devices to incorporate changes in order to increase compliance in the City’s Backflow Prevention Program, passed and adopted 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

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7. PUBLIC HEARINGS

None.

8. ACTION ITEMS

- A. City Council to review, discuss and provide comments to staff regarding a draft ordinance amending Turlock Municipal Code (TMC) Section 5-4-06 Social Host Liability (*Hedden*)

Chief Hedden provided an overview of a draft ordinance the Police Department is working on to amend TMC Section 5-4-06 Social Host Liability. He explained the need for the amendment and that the changes would include the use of cannabis as the current ordinance does not include language for cannabis.

Staff responded to questions from the City Council.

Mayor Bublak opened the item for public participation and comment was received from the following individuals:

Ron Puffer

Staff responded to questions from the public.

Action: None.

- B. Authorizing City staff to conduct an Environmental Review and Site Assessment at the City Corporation Yard (*Wilson*)

City Manager Wilson provided information regarding his request for an environmental review and site assessment for possible transitional housing and/or navigational center at the corporation yard.

Staff responded to questions from the City Council.

Mayor Bublak opened the item for public participation and comment was received from the following individuals:

Milt Trieweiler

With no further comment, Mayor Bublak closed public participation.

Action: *Motion:* Authorizing City staff to conduct an Environmental Review and Site Assessment at the City Corporation Yard as introduced by Councilmember Abram, seconded by Councilmember Bixel, and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

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9. CITY MANAGER REPORTS/UPDATES

A. Monthly Department Reports (*Wilson*)

City Manager Wilson advised the monthly reports were included in the Agenda Packet for City Council's review and that a green sheet was provided to City Council and the public for the Development Services Monthly Report to include the Monthly Financial Report – Housing Amendment (attached hereto as Exhibit A).

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Councilmember Monez asked about the concrete work still needing to be completed at Soderquist Park. City Manager Wilson advised Director Schulze was working on this.

Vice Mayor Franco spoke about HOME consortium funds and mentioned she would like to start having discussions on how to start utilizing those funds. She also reported on Measure A funds and would like to have discussions on how that money comes back in to play, specifically for possible major road work. Lastly, she requested City Manager Wilson reach out to the League of Cities to see about having someone come to a future meeting to provide a brief on the Boise decision.

11. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

Councilmember Abram welcomed the new and recently promoted fire personnel. She also mentioned the Moment in Time Count and thanked all those who were involved with the project.

Councilmember Bixel thanked the Public Works staff who have been working to repair the potholes.

Vice Mayor Franco briefly addressed the recent criminal activities located downtown and stated that she stands firmly with Chief Hedden and the Police Department in enforcement efforts. She also thanked members of the Public Works Department who have been dealing with issues created from the recent weather.

Councilmember Monez thanked staff for all their hard work in keeping the roads safe during the storms.

Mayor Bublak confirmed Councilmember Abram's appointment as Chair of the Cannabis Ad-Hoc Committee and Councilmember Bixel's appointment as Vice Chair to the Committee. She also mentioned the Police Department's Awards Breakfast and spoke about her trip to Washington, D.C. to advocate for the city of Turlock.

12. CLOSED SESSION

At the request of Mayor Bublak, City Clerk Christel read the closed session titles and stated Item 12C was accidentally added to the agenda and should be pulled.

A. Conference with Labor Negotiators - California Government 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: Deputy City Manager Sarah Eddy

Employee Organization: Turlock Management Association – Public Safety

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Employee Organization: Turlock Firefighters Association – Local 2434

- B. Conference with Legal Counsel – Anticipated Litigation, California Government 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(s): (2 cases)
- C. Public Employee Performance Evaluation, Cal. Gov’t Code §54957(b)(1)
Title: City Manager


13. REPORTS FROM CLOSED SESSION

Mayor Bublak reported that for the Closed Session Items, no reportable action was taken.

14. ADJOURNMENT

Mayor Bublak adjourned the regular meeting at 8:53 p.m.

Respectfully Submitted:



Julie Christel, City Clerk



*City of Turlock
Development Services
Housing Division*

MEMORANDUM

DATE: January 24, 2023
TO: City Council
FROM: Katie Quintero – Development Services Director
RE: Monthly Financial Report Housing Amendment

The financial report for the Housing Division was amended to add \$532,342.00 of Administrative and Planning funds and \$4,524,907.00 of Home Activities Funds under the HOME ARP category. These funds will be available to the HOME Consortium after the HOME ARP Plan is prepared and approved by HUD.

MONTHLY FINANCIAL REPORT HOUSING

Funds with HUD:		
Prepared:		12/5/2022
Stanislaus Housing Consortium		
	CHDO	1,257,375.00
	Administrative Funds	778,310.35
	HOME	3,094,105.84
		5,129,791.19
CDBG-CV		
		767,381.56
CDBG		
		1,245,710.33
HOME-ARP		
	Administrative and Planning Funds (Available)	266,171.00
	Administrative and Planning Funds	532,342.00*
	Home Activities Funds	4,524,907.00*
		5,323,420.00
Notes:		
	-Home activities funds for HOME-ARP are not available to draw until plan is complete	
	-Funds stated above do not reflect expenditures that have not been submitted for reimbursement	
Funds with City:		
CDBG (with City) Fund 255		
		632,145.88
HOME Consortium Fund 256		
		684,479.73
State HOME Fund 257		
	State Home Funds	2,580,041.35
	Cal HOME Program	1,700,579.67
	HEAP	80,864.96
		4,361,485.98
Housing Stimulus Fund 258		
		41,050.85
HOME-ARP Fund 259		
		(100,718.77)
Successor Agency - LMI Fund 625		
		2,307,030.68
TOTAL OF ALL FUNDS:		\$ 20,391,777.43
Notes:		
Fund 259-Pending drawdown for current fiscal year expenditures		