

City Council Meeting Minutes

August 22, 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 6:00 p.m.

SALUTE TO THE FLAG

ROLL CALL AND DECLARATION OF CONFLICTS

Present: Councilmembers Cassandra Abram, Rebecka Monez, Kevin Bixel, 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

Motion: Approval of Agenda as posted as motioned by Councilmember Monez, seconded by Vice Mayor Franco and 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. Proclamation Ray Garcia – Retirement

Mayor Bublak presented Ray Garcia with a proclamation in honor of his retirement.

B. Proclamation Keith Humphries – Retirement

Mr. Humphries was not in attendance to receive his proclamation so this item will be presented at a later date.

C. Presentation Jeffrey Lewis – Mobile Medical Clinic Update

Jeffrey Lewis provided an update on the Mobile Medical Clinic and the Turlock Person-Centered Care program.

D. Appointment Parks, Arts and Recreation Commission

Mayor Bublak recommended the appointment of John Snoke to the Parks, Arts and Recreation Commission.

Action: Motion by Councilmember Monez, seconded by Vice Mayor Franco, appointing John Snoke to the Parks, Arts and Recreation Commission. Motion 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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E. Briefing Qualifications for City Grant Recipients

City Attorney Petrulakis provided a briefing on the qualifications for City grant recipients and reviewed various grants the City provides, funding sources of those grants and current documentation requirements for certain federal grants. He stated that Director Quintero was working with Cloudburst Consultants to update some of the policies related to Development Services and funding obligations.

City Attorney Petrulakis posed several questions for discussion and feedback such as whether there should be requirements for both non-profit and for-profit organizations and individuals, does the City Council want the requirements to apply to all grants awarded by the City, should the requirements be applied to permits issued by the City for special events and should there be a minimum amount of grant funding where the requirements do not apply below the minimum or are shortened.

City Attorney Petrulakis and staff responded to questions from the City Council.

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

Ron Bridegroom

With no further comments, Mayor Bublak closed public comment.

The City Council discussed this item and provided feedback and direction to City Attorney on information they would like brought back for further consideration.

3. PUBLIC PARTICIPATION

Mayor Bublak opened public comment and the following members of the public spoke:

Michael Gonzalez
Venita Quamme
Brad Hansen
Tom Clark
John Gebelein
Lori Smith
Ron Bridegroom
Vito Chiesa
Mary Jackson

With no further comment, Mayor Bublak closed public comment.

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

Motion: Waiving reading of all ordinances on the agenda, except by title as motioned 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

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5. CONSENT CALENDAR

Mayor Bublak announced that Consent Items 5A and 5F would be pulled for separate consideration.

- A. Item pulled for separate consideration
- B. Motion: Accepting Minutes of the 08/08/2023 Regular Meeting of the City of Turlock City Council
- C. Motion: Accepting improvements for City Project Nos. 22-001 and 22-017 "Wayside Drive Reconstruction and Sewer Replacement Project" and authorizing the City Engineer to file a Notice of Completion (*Schulze*)
- D. Motion: Approving the Final Map and Subdivision Improvement Agreement with SB Builders, LLC, conditioned upon construction of improvements for the Crowell subdivision (VTSM 2021-01, Development Project No. 22-028) 4510 Crowell Road (APN 071-002-012), developed by Modesto Roselle, LLC (*Schulze*)
- E. Motion: Approving the final map for Enterprise Park (Development Project No. 7061) located at 1100 West Glenwood Avenue (APN 044-017-080, 081, 082), developed by Julan Development Group (*Schulze*)
- F. Item pulled for separate consideration
- G. Resolution 2023-196: Approving the purchase of replacement Dell Servers and installation services from The REDESIGN Group under the National Association of State Procurement Officials (NASPO) Contract No. 7-15-70-34-004, without compliance to the formal bid procedure in accordance with Section 2-7-08(b)(5) of the Turlock Municipal Code, in an amount not to exceed \$335,191.13 paid from fund 242 "Computer Replacement" account 242-00-000-204.51015_002 - Network Servers and appropriate \$15,191.13 from Fund 242 unallocated reserves to account 242-00-000-204.51015_002 - Network Servers (*Showalter*)
- H. Resolution 2023-197: Adopting the City of Turlock Fiscal Year 2022-2023 Fund 450 "SRWA Operations" Budget in the amount of \$580,000 in Revenue and Expenses (*Moreno*)

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

- 5A. Accepting Weekly Demands of 08/03/2023 in the amount of \$650,912.50, 08/10/2023 in the amount of \$2,050,299.80, EFT Payments of March 2023 in the amount of \$6,666,009.64 and the Investment and Cash Report for July 2023

Mayor Bublak opened the item for public comment and the following individual spoke:

Milt Trieweiler

With no further comment, Mayor Bublak closed public comment.

Action: Motion: Accepting Weekly Demands of 08/03/2023 in the amount of \$650,912.50, 08/10/2023 in the amount of \$2,050,299.80, EFT Payments of March 2023 in the amount of

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\$6,666,009.64 and the Investment and Cash Report for July 2023 as motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

- 5F. 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 the item for public comment and the following individual spoke:

Milt Trieweiler
Ron Bridegroom

With no further comment, Mayor Bublak closed public comment.

City Attorney Petrulakis and Chief Hedden responded to questions from the public and from the City Council.

Action: Resolution 2023-195: 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 motioned 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

6. FINAL READINGS

None

7. PUBLIC HEARINGS

- A. Finding that Perfect Union has complied in good faith with terms and conditions of the Development Agreement between Perfect Union and the City of Turlock for the operation of a cannabis retail dispensary at 2500 N. Golden State Boulevard, Stanislaus County APN 088-007-025 (*Werner*)

Planning Manager Werner provided a staff report on this item. She explained that Turlock Municipal Code Section 9-5-912 requires annual review of development agreements and at the June 1, 2023 Planning Commission meeting, the Planning Commission reviewed the Development Agreement for compliance with the terms and conditions of the agreement and recommended the City Council find that Perfect Union has complied in good faith with the terms of the Development Agreement. She provided a review of the terms and conditions of the agreement for the Planning Department, Building and Safety Division, discussed the Public Benefit Amount and spoke on the Police Department's calls for service for that location.

Planning Manager Werner concluded her report recommending that the City Council find Perfect Union has complied in good faith with the terms and conditions of the Development Agreement.

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Mayor Bublak opened the item for public comment and the following individual spoke:

Ron Bridegroom
Mary Jackson
Michael Gonzalez

With no further comment, Mayor Bublak closed public comment.

City Attorney Petrulakis responded to questions from the public.

Action: Resolution 2023-198: Finding that Perfect Union has complied in good faith with terms and conditions of the Development Agreement between Perfect Union and the City of Turlock for the operation of a cannabis retail dispensary at 2500 N. Golden State Boulevard, Stanislaus County APN 088-007-025 as motioned by Vice Mayor Franco, seconded by Councilmember Monez, and carried 4/1 by the following vote:

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

- B. Finding that Fire House has complied in good faith with terms and conditions of the Development Agreement between Fire House and the City of Turlock for the operation of a cannabis retail dispensary at 1601 W. Main Street, Stanislaus County APN 089-015-006 (*Werner*)

Planning Manager Werner provided a staff report on this item. She explained that Turlock Municipal Code Section 9-5-912 requires annual review of development agreements and at the June 1, 2023 Planning Commission meeting, the Planning Commission reviewed the Development Agreement for compliance with the terms and conditions of the agreement and recommended the City Council find that Fire House has complied in good faith with the terms of the Development Agreement. She provided a review of the terms and conditions of the agreement for the Planning Department, Building and Safety Division, discussed the Public Benefit Amount and spoke on the Police Department’s calls for service for that location.

Planning Manager Werner concluded her report recommending that the City Council find Fire House has complied in good faith with the terms and conditions of the Development Agreement.

Mayor Bublak opened the item for public comment and the following individual spoke:

Teri Shaver
Mary Jackson
Michael Gonzalez
Mike Warda

With no further comment, Mayor Bublak closed public comment.

Action: Resolution 2023-199: Finding that Fire House has complied in good faith with terms and conditions of the Development Agreement between Fire House and the City of Turlock for the operation of a cannabis retail dispensary at 1601 W. Main Street, Stanislaus County APN 089-015-006 as motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 4/1 by the following vote:

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

8. ACTION ITEMS

- A. Approving Amendment No. 2 for Task Order No. 2 under the terms of the Master Agreement with Mark Thomas & Company, Inc. (Sacramento, California office) in the amount of \$436,855.00 to be funded by Fund 115 “Measure A – Roads,” account number 115-10-115.43366_001 “Design Roads” for Professional Services for the City of Turlock’s Roads Initiative Program under City Project No. 23-052 “Mark Thomas Task Order No. 2 for Roads Program - Geer Road (30%)” (*Schulze*)

Roads Program Manager Fred Pezeshk provided a staff report for this item. He explained this item was for the proposed rehabilitation of Geer Road for the entire corridor from Golden State Boulevard to Taylor Road, to evaluate the condition of the corridor and to bring back to the City Council a proposal on different alternatives and options for treatment of the pavement. He explained the process for evaluating the roadways, reviewed the overall Pavement Condition Index (PCI) for various segments along the corridor, and stated that the proposed Amendment provides for the scope of services, associated fees and schedule for rehabilitation of the Geer Road corridor up to the 30% stage of design development. He further explained there will be a public outreach meeting and information will be brought back for Council’s consideration regarding the scope of services, associated fees and proposed schedule for the final design development.

Manager Pezeshk responded to questions from the City Council.

Mayor Bublak opened the item for public comment and the following individual spoke:

Ryan Taylor

With no further comment, Mayor Bublak closed public comment.

Manager Pezeshk responded to questions from the public and follow up questions from the City Council.

Action: *Resolution 2023-200*: Approving Amendment No. 2 for Task Order No. 2 under the terms of the Master Agreement with Mark Thomas & Company, Inc. (Sacramento, California office) in the amount of \$436,855.00 to be funded by Fund 115 “Measure A – Roads,” account number 115-10-115.43366_001 “Design Roads” for Professional Services for the City of Turlock’s Roads Initiative Program under City Project No. 23-052 “Mark Thomas Task Order No. 2 for Roads Program - Geer Road (30%)” as motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

9. CITY MANAGER REPORTS/UPDATES

- A. We Care Program Update (*Maris Sturtevant*)

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Deputy City Manager Eddy stated Ms. Sturtevant provided a handout for her presentation. Ms. Sturtevant provided a report for the month of July.

B. Upcoming Ad-Hoc Committee Meetings Update (*Wilson*)

Deputy City Manager Eddy announced a Cannabis Ad-Hoc Committee meeting is tentatively scheduled for October 26, 2023 and there will be a homeless discussion on August 31, 2023 at 5:00 p.m. She also asked Chief Hunter to provide an update on the Fire Station.

Chief Hunter provided an update on Fire Station 32 and 33.

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Councilmember Abram spoke about mobile vehicle barriers that could be used for public events.

Vice Mayor Franco asked about the status of the City Council approval spreadsheet and when the questions and answers from City Council meetings would be posted on the City's website.

11. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

Councilmember Abram thanked Ms. Sturtevant for her presentation and spoke about her tour of the We Care facility and how she feels their program is beneficial to the community.

Vice Mayor Franco spoke about the book and school supply give-away at Pitman High School. She congratulated and welcomed the City's three new Police Officers and congratulated ACO Walthrop on her recent promotion. She also gave a shout out to Turlock Fire Department for all their hard work in dealing with issues at the Fire Station created by the recent weather event.

Councilmember Monez congratulated Mr. Garcia on his recent retirement and thanked him for all his years of service to the City.

Mayor Bublak spoke on the recent work done at the senior center and asked if staff could look into raising the height of the toilets at the facility so they are easier to use for the seniors. She also commented on the book and school supply give-away and said it was a great event and thanked the Police Department for their response to an incident that occurred in Vice Mayor Franco's area.

12. CLOSED SESSION

None

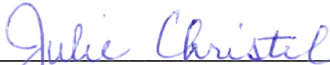
13. REPORTS FROM CLOSED SESSION

None

14. ADJOURNMENT

Mayor Bublak adjourned the meeting at 8:38 p.m.

Respectfully submitted



Julie Christel, City Clerk