

0. A. **CALL TO ORDER** – Mayor Bublak called the meeting to order at 6:04 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 the green sheet to page 7 of the Agenda.

Mayor Bublak advised that staff has requested Item 6N be removed from the Consent Calendar for future 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. Presentation: Yosemite Community College District (YCCD) by Chancellor Henry Yong and Modesto Junior College President Dr. Santanu Bandyopadhyay

Chancellor Henry Yong acknowledged the presence of YCCD Board Member Dr. Milton Richards.

Chancellor Yong and Modesto Junior College President Dr. Santanu Bandyopadhyay presented an overview of the Yosemite Community College District and spoke regarding future programs and goals.

- B. Proclamation: In Honor of the Retirement of Nathan Bray, Interim Development Services Director/City Engineer

Mayor Bublak read a Proclamation honoring the retirement of Nathan Bray, Interim Development Services Director/City Engineer, from employment with the City of Turlock.

- C. Recognition: Employee of the Month, July 2021, Parks, Recreation and Public Facilities Coordinator, James Governale

Mayor Bublak announced that Parks, Recreation and Public Facilities Coordinator, James Governale, was named Employee of the Month for July 2021 and read his bio.

- D. Briefing: Roads Update

Deputy Development Services Director/Planning Manager Katie Quintero provided a roads update on the SE Quadrant Project, Golden State Boulevard Project, and Hedstrom Road Project.

*Interim City Clerk Kellie Weaver announced, “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.”

2. PUBLIC PARTICIPATION:

The following members of the public spoke:

Maris Sturtevant
 Noel Dickey
 Ronald Bridegroom
 Cheryl Reiland
 Ramon Rodriguez

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

None

6. CONSENT CALENDAR:

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

Mayor Bublak announced that Consent Calendar Item 6M would be removed for separate consideration.

Action: Motion by Councilmember Franco, seconded by Councilmember Monez, 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. 2021-180:** Accepting Weekly Demands of 9/9/21 in the amount of \$501,705.75; Weekly Demands of 9/16/21 in the amount of \$671,269.93
- B. **Motion:** Accepting Minutes of the Special Meeting of September 1, 2021; Minutes of Regular Meeting of September 14, 2021
- C. **Motion:** Approving Contract Change Order No. 1 (Final) in the amount of \$23,750 (Non-General Fund - Fund 226) with F. Loduca Company, of Stockton, California, for City Project No. 15-76 “Bus Stop Improvements, Phase 1,” bringing the contract total to \$111,975
Motion: Accepting improvements for City Project No. 15-76 “Bus Stop Improvements, Phase 1,” and authorizing the City Engineer to file a Notice of Completion
- D. **Motion:** Approving Contract Change Order No. 2 (Final) in the amount of \$16,977 (Non-General Fund – Fund 410) for City Project No. 14-30 “Sewer Line Replacement on Angelus, Bothun, and Castor,” bringing the contract total to \$422,394.60

Motion: Accepting improvements for City Project No. 14-30 “Sewer Line Replacement on Angelus, Bothun, and Castor,” and authorizing the City Engineer to file a Notice of Completion

Resolution No. 2021-181: Appropriating \$460,000 to account number 410-51-534.51160 “Bothun Rd Replace 400’ of 8” Sewer Line” to be funded from Fund 410 Water Quality Control unallocated reserves in the Fiscal Year 2020-2021 budget to provide necessary funding for City Project No. 14-30 “Sewer Line Replacement on Angelus, Bothun, and Castor”

- E. Motion: Approving Amendment No. 1 to the On-Call Professional Services Agreement with WMB Architects, Inc. of Sacramento, California, for City Project No. 17-61 “Retainer Agreement for Architectural Services” to extend the term through June 30, 2022
- F. Motion: Awarding RFQ No. 21-018 and approving an Agreement with USALCO, LLC for Aluminium Chlorohydrate for the Turlock Regional Water Quality Control Facility, in an annual amount not to exceed \$300,000 (Non-General Fund)
- G. Motion: Awarding RFP No. 21-016 and approving an Agreement with St. Francis Electric, LLC of San Leandro, California, for traffic signal preventative maintenance and repair services in an annual amount not to exceed \$250,000
- H. Motion: Approving an Agreement with Larry Walker Associates for NPDES Management Services for the Municipal Services Department in an annual compensation not to exceed \$150,000 (Non-General Fund)
Motion: Approving an Agreement with Robertson-Bryan, Inc. for NPDES Management Services for the Municipal Services Department in an annual compensation not to exceed \$150,000 (Non-General Fund)
- I. **Resolution No. 2021-182**: Approving the purchase of one (1) Scum Box and two (2) Break Away Skimmers from MuniQuip LLC, in an amount not to exceed \$48,253 (including a 10% contingency), for the Municipal Services Department Water Quality Control Division, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(2)
- J. Motion: Approving a 3-year term Agreement between the City of Turlock and Citizen Communications, LLC dba Recyclist (Recyclist), to provide management of solid waste account database, regulatory compliance and outreach for commercial and multi-family waste generators within the City of Turlock. Fiscal year compensation amount not to exceed \$28,710 (+\$10,000 set up fee in the first year), and total compensation amount not to exceed \$96,130 (non-General Fund)
- K. Motion: Approving Amendment No. 1 to an Agreement between the City of Turlock and Champion Industrial Contractors, Inc. for preventive maintenance, filter change-out, repair services for HVAC units for city owned and leased buildings, to increase the total not-to-exceed compensation amount to \$500,000
- L. **Resolution No. 2021-183**: Authorizing the execution of a service agreement between Delta Wireless, Inc., of Stockton, CA, and the City of Turlock, in an amount not to exceed \$230,000, for the maintenance and service of the radio system including all portable and mobile radios for the period of July 1, 2021 through June 30, 2022, in a form approved by the City Attorney, and authorizing the City Manager to sign the agreement between Delta Wireless and the City of Turlock
Resolution No. 2021-184: Approving the sole source procurement of radio system support services and equipment from Delta Wireless, Inc., of Stockton, CA, contingent on the availability of budgeted funds, without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(6)
- M. Removed for separate consideration

- N. Removed for future consideration
- O. Motion: Approving a Professional Services Agreement with First Alarm Wellness to provide COVID-19 Case Management Services to the City of Turlock without compliance to the formal bid process, per TMC Section 2-7-08 (b) (3), for a period of one (1) year with an option to extend the agreement for two (2) additional one-year terms, in an annual compensation amount not to exceed \$78,000 and a total amount for all three (3) years not to exceed \$234,000 if all renewal periods are exercised
Resolution No. 2021-185: Appropriating \$58,500 to account number 119-10-188.43060_044 "Contract Services Case Management" from Fund 119 "American Rescue Plan Act" unassigned reserve for COVID-19 Case Management Services to the City of Turlock for the remainder of Fiscal Year 2021-2022
- P. **Resolution No. 2021-186:** Adopting a resolution to employ a CalPERS Annuitant as Interim Fire Division Chief of Operations pursuant to CalPERS Requirements and reinstate the position of Fire Division Chief of Operations effective September 29, 2021, and appropriating \$179,980 to salary and benefits account numbers in 110-30-300, General Fund Fire Department, from the General Fund unassigned reserve, for the remainder of Fiscal Year 2021-202
- Q. **Resolution No. 2021-187:** Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19

The following item was removed from the Consent Calendar for separate consideration:

- 6M. Motion approving Amendment No. 1 to the agreement between the City of Turlock and Axon Enterprise, Inc., increasing the compensation in an amount not to exceed an additional seventy-five thousand dollars (\$75,000) for the duration of the agreement and increasing the number of body camera sets in the scope of work by three (3); and Resolution appropriating \$32,000 to account number 266-20-255-361.44030_001 "Minor Equipment Safety Equipment" for three (3) additional body camera sets from the Cannabis Fund unassigned reserve through a transfer from account number 117-10-190.48001_220 "Transfers out to Fd 266 COPS Grant Match" to account number 266-20-255-361.38001_220 "Transfers In Cops Grant Match"; and Resolution authorizing the City Manager to approve the purchase of additional body cameras and associated equipment as needed, not to exceed the amount of the agreement.

Police Lieutenant Steve Rodriguez presented the staff report on the request approve Amendment No. 1 to the agreement between the City of Turlock and Axon Enterprise, Inc., appropriating necessary funding, and authorizing the City Manager to approve the purchase of additional body cameras and associated equipment.

Mayor Bublak opened public comment.

The following members of the public spoke:

Ronald Bridegroom

Mayor Bublak closed public comment.

Action: Motion by Councilmember Monez, seconded by Councilmember Franco, Approving Amendment No. 1 to the agreement between the City of Turlock and Axon Enterprise, Inc., increasing the compensation in an amount not to exceed an additional seventy-five thousand dollars (\$75,000) for the duration of the agreement and increasing the number of body camera sets in the scope of work by three (3). 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. 2021-188: Appropriating \$32,000 to account number 266-20-255-361.44030_001 “Minor Equipment Safety Equipment” for three (3) additional body camera sets from the Cannabis Fund unassigned reserve through a transfer from account number 117-10-190.48001_220 “Transfers out to Fd 266 COPS Grant Match” to account number 266-20-255-361.38001_220 “Transfers In Cops Grant Match” was 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

Resolution No. 2021-189: Authorizing the City Manager to approve the purchase of additional body cameras and associated equipment as needed, not to exceed the amount of the agreement was 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

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:** None

9. **ACTION ITEMS:**

- A. Dan Madden presented the staff report on the request to appoint George A. Petrulakis of the Petrulakis Law & Advocacy, APC law firm as Contract City Attorney for the City of Turlock.

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

Council and staff discussion included compensation, experience, and qualifications of Mr. Petrulakis.

Action: **Resolution No. 2021-190:** Appointing George A. Petrulakis of the Petrulakis Law & Advocacy, APC law firm as Contract City Attorney for the City of Turlock was 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

- B.** Housing Program Supervisor Maria Ramos presented the staff report on the request to approve the funding allocation for the Public Service Grant Agreements with five (5) nonprofit agencies for fiscal year 2021-2022 funded with Community Development Block Grant Program (CDBG) funds and authorizing City Manager or designee to execute all related and 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 Monez, seconded by Councilmember Franco, approving the funding allocation for the Public Service Grant Agreements with five (5) nonprofit agencies for fiscal year 2021-2022 funded with Community Development Block Grant Program (CDBG) funds and authorizing City Manager or designee to execute all related and 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

- C.** Police Captain Steve Williams presented the staff report on the request to authorize 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.

Council and staff discussion included the topic of non-congregant housing and past use of the fairgrounds' facility as a shelter.

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

Council and staff discussion included stabilization of the homeless population.

Action: **Resolution No. 2021-191:** Request to authorize 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 was 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

D. Acting City Manager Dan Madden presented the staff report on the request to rescind Resolution No. 2021-148 and determine that pursuant to California Elections Code Section 21601, the City Council will engage in the redistricting process on its own through a series of four public hearings, whereby National Demographics Corporation (NDC) and City staff will conduct one public hearing, with the remaining three public hearings to be held by the City Council and facilitated by National Demographics Corporation.

Council and staff discussion included the desire for public participation and upcoming schedules/timelines.

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

Additional Council and staff discussion included future public hearing opportunities for the public to participate in the redistricting process.

Action: **Resolution No. 2021-192:** Request to rescind Resolution No. 2021-148 and determine that pursuant to California Elections Code Section 21601, the City Council will engage in the redistricting process on its own through a series of four public hearings, whereby National Demographics Corporation (NDC) and City staff will conduct one public hearing, with the remaining three public hearings to be held by the City Council and facilitated by National Demographics Corporation was 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
No	Yes	Yes	Yes	Yes

E. Councilmember Larson presented the staff report on the request to authorize the use of staff time and City resources to research and prepare a staff report and resolution reaffirming the Turlock City Councilmembers' commitment to the integrity of the professional recruitment process guaranteed by CPS HR Consulting and not hand-select applicants that are not qualified for the position based on CPS HR Consulting's expert analysis.

Council and staff discussed this item.

Mayor Bublak opened public comment.

The following members of the public spoke.

Jeffery Lewis
 Cheryl Reiland
 Debbie

Mayor Bublak closed public comment.

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

Council discussion included the selection process, community involvement, selecting the most qualified candidates for consideration, and recent turnover in management positions.

Action: Motion by Councilmember Monez, seconded by Councilmember Larson, authorizing the use of staff time and City resources to research and prepare a staff report and resolution reaffirming the Turlock City Councilmembers' commitment to the integrity of the professional recruitment process guaranteed by CPS HR Consulting and not hand-select applicants that are not qualified for the position based on CPS HR Consulting's expert analysis. Motion failed 3/2 by the following vote:

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

10. CITY MANAGER REPORTS/UPDATES:

- A. Fire Department
 - 1. OES Deployment

Fire Battalion Chief Bill Becker and Fire Captain Kain Packwood provided a report on OES Deployment.

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

Council thanked Fire staff for their service.

- B. Police Department
 - 1. Public Safety Briefing

Interim Police Chief Gary Hampton provided a Public Safety briefing including illegal fireworks enforcement/education and staffing.

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Mayor Bublak reiterated her request to direct staff to look into Noel Dickey's request to operate a party bike business in Turlock.

Councilmember Nosrati noted he would like to see additional funding for CARES services.

Councilmember Franco noted she would like an update on the Christmas Parade and Columbia Pool. She also requested future consideration to revisit the request to explore establishing guidelines in support of existing Youth Drug Abuse Awareness and Prevention Program(s) as her intent was not made clear at the September 14, 2021 City Council meeting. Acting City Manager Dan Madden and Parks, Recreation & Public Facilities Director Allison Van Guilder provided information to Council regarding the Christmas Parade.

Councilmember Larson requested consideration for the Holiday Lights Tour to be an annual event the City budgets for.

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:

Councilmember Nosrati noted he has been asked by constituents about enhancing awareness of the roundabout located at Colorado/Chandler and speeding issues at the crosswalk on Christofferson/Zeering. He also requested information on how safety concerns are handled by City staff.

Councilmember Larson announced that both she and Vice Mayor Franco have met with Interim Fire Chief Mike Botto regarding the Fire Department Feasibility Study. She noted they are in the process of meeting with the fire union membership and ensuring due diligence in the process in order to make an informed decision.

Councilmember Franco thanked Nathan Bray for his service to the City of Turlock, reiterated Councilmember Larson's comment about the Fire Department Feasibility Study, and thanked Interim Chief Botto for his time.

Councilmember Monez spoke regarding her recent meeting with Interim Police Chief Gary Hampton and the District Attorney regarding the Homeless Ad Hoc Committee and noted they are moving forward with the last two components and goals of the Committee. Councilmember Monez also spoke to residents at Lassiter and Lew Lane noting they are expecting barricades to go up tomorrow.

Mayor Bublak adjourned to the Special Turlock City Council Budget Workshop meeting at 8:10 p.m.

Mayor Bublak readjourned the Regular Turlock City Council meeting at 8:12 p.m.

13. CLOSED SESSION:

Interim City Clerk Kellie Weaver introduced the Closed Session Items.

- A. 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: Acting City Manager Dan Madden
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, Principal, 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, Executive Administrative Assistant/Deputy City Clerk, Executive Administrative Assistant/Municipal Services, Executive Administrative Assistant/Public Safety, Finance Director, Fire Chief, Human Resources Analyst, Sr., Human Resources Manager, Human Resources Technician, Information Technology Manager, Municipal Services Deputy Director, Municipal Services Director, Office Assistant I, Parks, Recreation and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Parks, Recreation and Public Facilities Superintendent, Payroll Coordinator, Police Business Unit Supervisor, Police Chief, Civil Engineer, Principal, Roads Program Manager, Transit Manager, Utilities Manager, and Water Quality Control Division Manager.
- B. Public Employee Appointment, Cal. Gov't Code §54957(b)(1)
Title: City Manager (Discussion Only)
- C. Liability Claims, Cal. Gov't Code §54956.95
“For the purposes of [Section 54956.9], ‘existing facts and circumstances’ shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5.”
Claimant: Erika Pulido
Agency Claimed Against: City of Turlock

D. Liability Claims, Cal. Gov't Code §54956.95

“For the purposes of [Section 54956.9], ‘existing facts and circumstances’ shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5.”

Claimant: Jodel and Juana Buenrostro Prado

Agency Claimed Against: City of Turlock

E. Liability Claims, Cal. Gov't Code §54956.95

“For the purposes of [Section 54956.9], ‘existing facts and circumstances’ shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5.”

Claimant: Erin Nussbaumer

Agency Claimed Against: City of Turlock

14. REPORTS FROM CLOSED SESSION:

Interim City Clerk Kellie Weaver reported that for the Closed Session Items, the only reportable action was denial of items 13C, 13D, and 13E.

15. ADJOURNMENT

Mayor Bublak adjourned the regular meeting at 9:13 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver, Interim City Clerk