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1. **A. CALL TO ORDER** – Vice Mayor Esquer called the meeting to order at 6:02 p.m.
PRESENT: Councilmembers Gil Esquer, Nicole Larson, Andrew Nosrati, and Mayor Amy Bublak (*via teleconference*).
YES: None

B. SALUTE TO THE FLAG

Vice Mayor Esquer announced that Mayor Bublak is participating in the meeting via teleconference from the location described on the agenda.

2. **PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:**

- A. Proclamation: Employee of the Year 2018, Facilities Maintenance Assistant Maggie Gonzalez

Vice Mayor Esquer issued a Certificate of Recognition to Facilities Maintenance Assistant Maggie Gonzalez as the Employee of the Year award winner for 2018.

Parks, Recreation and Public Facilities Director Allison Van Guilder spoke regarding Ms. Gonzalez's positive attributes and presented her with a gift from her fellow co-workers.

- B. Appointment: CDBG Grant Selection Committee (Community Members)

Vice Mayor Esquer recommended that Beverly Spielman and Abe Rojas be appointed as community members for the CDBG Grant Selection Committee.

Action: Motion by Councilmember Nosrati, seconded by Mayor Bublak, Appointing Beverly Spielman and Abe Rojas as community member representatives for the CDBG Grant Selection Committee. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

- C. Appointment: CDBG Grant Selection Committee (Council Representatives)

Vice Mayor Esquer spoke regarding a conflict he has which does not allow him to serve in this capacity, recommended Councilmembers Larson and Nosrati serve on this committee, and asked each Councilmember if they had a preference on the primary/alternate designation.

Action: Motion by Mayor Bublak, seconded by Vice Mayor Esquer, Appointing Councilmember Larson as the primary Council representative and Councilmember Nosrati as the alternate Council representative for the CDBG Grant Selection Committee. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

- D. Presentation: Pet of the Month, presented by Animal Services Supervisor Glenna Jackson
- Animal Services Supervisor Glenna Jackson presented information about the Pet of the Month Program for January 2019 including adoption fees sponsored by Turlock Management Association – Public Safety (TMAPS), recent pet adoptions, monthly promotion, and contact information for the Turlock Animal Shelter.

3. **A. SPECIAL BRIEFINGS:** None

B. PUBLIC PARTICIPATION

The following members of the public spoke:

Myrna Wachs
 DJ Fransen
 Sukhi Deol
 Leslie Stokes

4. **A. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA**

Action: Motion by Councilmember Larson, seconded by Councilmember Nosrati, waiving reading of all ordinances on the agenda, except by title. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS: None

C. DISCLOSURE OF TOP TEN/MAXIMUM CONTRIBUTORS

5. CONSENT CALENDAR:

Action: Motion by Councilmember Nosrati, seconded by Councilmember Larson, adopting the consent calendar. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

- A. **Resolution No. 2019-013:** Accepting Weekly Demands of 12/20/18 in the amount of \$6,617,702.82; Weekly Demands of 1/3/19 in the amount of \$847,968.32; Monthly Demands of 8/31/18 in the amount of \$7,034,703.76
- B. **Motion:** Accepting Minutes of the Regular Meeting of December 11, 2018; Minutes of the Special Meeting of December 12, 2018
- C. 1. **Motion:** Approving Contract Change Order No. 2 (Final), in the amount of \$11,675.73, for City Project No. 15-65 “Monte Vista Widening Between East of Colorado Avenue and Berkeley Avenue,” bringing the contract total to \$646,135.74
 2. **Motion:** Accepting improvements for City Project No. 15-65 “Monte Vista Widening Between East of Colorado Avenue and Berkeley Avenue” and authorizing the City Engineer to file a Notice of Completion
- D. **Motion:** Accepting improvements and authorizing the City Engineer to file a Notice of Completion for the “Lander Crossings” Subdivision, Project No. 0856
- E. **Resolution No. 2019-014:** Adopting a Resolution of vacation pursuant to Division 9, Part 3, Chapters 2 and 4 of the Streets and Highways Code, to summarily vacate a storm drainage easement for the Northview Meadows No. 2 subdivision
- F. **Motion:** Approving Amendment No. 2 to an Agreement between the City of Turlock and Bay Area Coating Consultants, Inc. for Water Storage Tank Inspection Services, modifying the scope of work to include an annual inspection of the Fulkerth tank and increasing the annual contract amount by \$1,600 for a total annual compensation of \$4,800
- G. **Resolution No. 2019-015:** Accepting an allocation of funds, authorizing the execution of a grant agreement and commitments necessary to administer the 2018 FY Edward Byrne Memorial Justice Assistance Grant (JAG) funds from the United States Department of Justice, Office of Criminal Justice Programs in the amount of \$28,310, and appropriating said funds to account number 266-20-255-341.35720 “Revenue” and account number 266-20-255-341.51107_006 “JAG Expenses 2018-DJ-BX-0114” in Fund 266 “Police Services Grants”
- H. **Motion:** Rejecting Claim for Damages filed by Margaret Tosti

6. FINAL READINGS:

- A. **Ordinance No. 1251-CS,** Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2018-02 (Prime Shine Car Wash)] as introduced at the January 8, 2019 City Council meeting was passed and adopted 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

Resolution No. 2019-016: Establishing conditions of approval for Minor Discretionary Permit 2018-08 (Prime Shine Car Wash) as introduced by Councilmember Larson, seconded by Councilmember Nosrati, and carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

B. **Ordinance No. 1252-CS**, Amending Turlock Municipal Code Title 4, Chapter 3, Article 1, Article 2, Article 3, and Article 4, to adopt the 2016 California Fire Code with specific modifications based upon local conditions as introduced at the January 8, 2019 City Council meeting was passed and adopted 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

7. **PUBLIC HEARINGS:** None

8. **SCHEDULED MATTERS:**

A. Parks, Recreation and Public Facilities Event Coordinator Amber Traini presented the staff report on the request to determine the closure of Johnson Road, between East Canal Drive and Charles Place, for the Turlock American Little League to host the 2019 Little League Opening Ceremonies, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND approve a Special Event Permit Application for the 2019 Little League Opening Ceremonies hosted by the Turlock American Little League, authorizing the associated closure of Johnson Road, between East Canal Drive and Charles Place for pedestrian safety, on Saturday, March 2, 2019 from 7:30 a.m. to 12:00 p.m., and authorize the City Manager to apply appropriate conditions and restrictions on the street closure

Vice Mayor Esquer opened public participation. No one spoke. Vice Mayor Esquer closed public participation.

Action: **Resolution No. 2019-017:** Determining the closure of Johnson Road, between East Canal Drive and Charles Place, for the Turlock American Little League to host the 2019 Little League Opening Ceremonies, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines as introduced by Councilmember Nosrati, seconded by Councilmember Larson, and carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

Resolution No. 2019-018: Approving a Special Event Permit Application for the 2019 Little League Opening Ceremonies hosted by the Turlock American Little League, authorizing the associated closure of Johnson Road, between East Canal Drive and Charles Place for pedestrian safety, on Saturday, March 2, 2019 from 7:30 a.m. to 12:00 p.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure as introduced by Councilmember Nosrati, seconded by Councilmember Larson, and carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

- B. Parks, Recreation and Public Facilities Event Coordinator Amber Traini presented the staff report on the request to determine the closure of sections of Broadway [between West Olive Avenue and North Front Street], for the Salvation Army to host the 2019 Kettle Dash, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines AND approve a Special Event Permit Application for the 2019 Kettle Dash hosted by the Salvation Army, authorizing the associated closure of sections of Broadway [between West Olive Avenue and North Front Street] for pedestrian safety, on Saturday, March 16, 2019 at specified times, and authorize the City Manager to apply appropriate conditions and restrictions on the street closure

Vice Mayor Esquer opened public participation. No one spoke. Vice Mayor Esquer closed public participation.

Action: **Resolution No. 2019-019:** Determining the closure of sections of Broadway [between West Olive Avenue and North Front Street], for the Salvation Army to host the 2019 Kettle Dash, is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with Section 15304 (Minor Alterations to Land) of the CEQA Guidelines as introduced by Councilmember Larson, seconded by Councilmember Nosrati, and carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

Resolution No. 2019-020: Approving a Special Event Permit Application for the 2019 Kettle Dash hosted by the Salvation Army, authorizing the associated closure of sections of Broadway [between West Olive Avenue and North Front Street] for pedestrian safety, on Saturday, March 16, 2019 at specified times, and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure as introduced by Councilmember Nosrati, seconded by Councilmember Larson, and carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

- C. Parks, Recreation and Public Facilities Director Allison Van Guilder presented the staff report on the request to authorize staff to proceed with a call for public art, giving the original artist first right of refusal, to replace the live water feature aspect of the Califia statue with a ceramic tile cover that would continue the theme of the statue at an estimated cost of \$15,000 - \$20,000 using only Non-General Fund revenue, grants or private donations to fund the project AND authorize the water be turned off to avoid water damage and minimize maintenance

Council and staff discussed this item.

Vice Mayor Esquer opened public participation.

The following members of the public spoke:

Lisa McDermott
 Barbara Jensen
 Milt Trieweller
 DJ Fransen
 Jeani Ferrari
 George Petrulakis

Council and staff provided brief comment in response to public comments.

Vice Mayor Esquer closed public participation.

As result of public comments, Council and staff further discussed this item and directed staff to delay commencement of alterations to the artwork for 30 days due to anticipated requests to potentially relocate the statue.

Action: Motion by Councilmember Nosrati, seconded by Councilmember Larson, Authorizing staff to proceed with a call for public art, giving the original artist first right of refusal, to replace the live water feature aspect of the Califia statue with a ceramic tile cover that would continue the theme of the statue at an estimated cost of \$15,000 - \$20,000 using only Non-General Fund revenue, grants or private donations to fund the project, with work on the Calfia statue not commencing for at least 30 days. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

Motion by Councilmember Nosrati, seconded by Councilmember Larson, Authorizing the water be turned off to avoid water damage and minimize maintenance. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

- D. Administrative Services Director Kellie Jacobs-Hunter presented the staff report on the request to authorize the continued engagement of the law firm of Atkinson, Andelson, Loya, Ruud & Romo to act as lead negotiator for the City of Turlock as related to the FY2019/20 labor negotiations with all six of the collective bargaining units recognized by the City of Turlock AND appropriate \$60,000 to account number 110-10-109.43010 “Contract Attorney” from Fund 110 “General Fund” unallocated reserves in the FY2018/19 Amended Budget for legal services related to the FY2019/20 labor negotiations with Turlock Firefighters Local #2434, Turlock Associated Police Officers, Turlock City Employees Association, Turlock Management Association – Public Safety, Confidential Employee Group, and Unrepresented Management Group

Vice Mayor Esquer opened public participation.

The following members of the public spoke:

Bob Puffer

Vice Mayor Esquer closed public participation.

Council and staff discussed this item.

Action: Motion by Councilmember Larson, seconded by Councilmember Nosrati, Authorizing the continued engagement of the law firm of Atkinson, Andelson, Loya, Ruud & Romo to act as lead negotiator for the City of Turlock as related to the FY2019/20 labor negotiations with all six of the collective bargaining units recognized by the City of Turlock. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

Resolution No. 2019-021: Appropriating \$60,000 to account number 110-10-109.43010 “Contract Attorney” from Fund 110 “General Fund” unallocated reserves in the FY2018/19 Amended Budget for legal services related to the FY2019/20 labor negotiations with Turlock Firefighters Local #2434, Turlock Associated Police Officers, Turlock City Employees Association, Turlock Management Association – Public Safety, Confidential Employee Group, and Unrepresented Management Group as introduced by Councilmember Larson, seconded by Councilmember Nosrati, and carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

- E. Assistant to the City Manager for Economic Development/Housing Maryn Pitt presented the staff report on the request to approve the Exclusive Negotiating Agreement between the City of Turlock and the Housing Authority of Stanislaus County AND authorize the City Manager to enter into and sign development agreements and related documents relative to the award of the California Department of Housing and Community Development "No Place Like Home

Program" funding for the development of the two sites in Turlock, in order to effectuate the development of 513 North Palm and 1143 Park Street for Permanent Supportive Housing

Council and staff discussed this item.

Vice Mayor Esquer opened public participation. No one spoke. Vice Mayor Esquer closed public participation.

Action: Motion by Councilmember Nosrati, seconded by Councilmember Larson, Approving the Exclusive Negotiating Agreement between the City of Turlock and the Housing Authority of Stanislaus County. Motion carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

Resolution No. 2019-022: Authorizing the City Manager to enter into and sign development agreements and related documents relative to the award of the California Department of Housing and Community Development "No Place Like Home Program" funding for the development of the two sites in Turlock, in order to effectuate the development of 513 North Palm and 1143 Park Street for Permanent Supportive Housing as introduced by Councilmember Nosrati, seconded by Councilmember Larson, and carried 4/0 by the following vote:

Councilmember Nosrati	Councilmember Larson	Vice Mayor Esquer	Mayor Bublak
Yes	Yes	Yes	Yes

9. STAFF UPDATES

1. Administrative Services – No update provided.
2. Development Services Department

Interim Development Services Director Nathan Bray presented information regarding the current Pavement Condition Index (PCI) within the City of Turlock.

Council and staff discussed this item.

Vice Mayor Esquer opened public participation.

The following members of the public spoke:

Milt Trieweiler

Vice Mayor Esquer closed public participation.

3. Fire Department
 - a. Public Safety Briefing
A written staff update was included in the agenda packet.
4. Municipal Services Department – No update provided
5. Parks, Recreation and Public Facilities – No update provided
6. Police Department
 - a. Public Safety Briefing
A written staff update was included in the agenda packet.
 - b. City Parks Dusk Closure Report
A written staff update was included in the agenda packet.

Police Chief Ninus C. Amirfar presented information regarding City park calls for service, noting there has been a reduction in calls for service within parks since the change in park hours (closing the parks at dusk), and recommended the City continue with these changed hours.

Council and staff discussed this item.

Parks, Recreation and Public Facilities Director Allison Van Guilder noted that if the Council chooses to keep the park hours permanent, there would be some housekeeping items (such as updates to signage and the Municipal Code) that may need to be addressed.

10. CITY MANAGER COMMENTS:

City Manager Robert C. Lawton provided information about a memorandum he provided to the Council and Executive Team regarding proposed 2019 priorities for the Council including City finances, organizational structure, and policy governance, suggested new member orientation and a mission, vision, and values retreat be scheduled once the new member of the Council is seated, and expressed thanks to staff for their assistance in reviewing/helping to prepare the memorandum.

11. NON-AGENDA ITEMS: None

12. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Nosrati spoke regarding his recent attendance at a League of California Cities Conference of which he learned about a Resolution adopted by the City of Tracy regarding extending utility payment due dates and waiving late fees for any residents impacted by the government shutdown and recommended the City of Turlock do something similar. Councilmember Larson and Vice Mayor Esquer also expressed interest in exploring this matter.

Councilmember Nosrati spoke regarding members of the community contacting him to inquire about the City's direction with cannabis and his desire to bring this matter forward. Councilmember Larson and Vice Mayor Esquer also expressed interest in exploring this matter and determining next steps.

Councilmember Nosrati spoke regarding his belief that the previous meeting about homelessness was cut short and that he would like to have further discussion and exploration of City policies pertaining to these matters.

Councilmember Nosrati spoke regarding his desire to bring forward a Resolution to address homelessness of veterans in our City and make it a priority to ensure facilities are available to them.

Councilmember Nosrati spoke regarding notification he received in the mail regarding water quality.

Councilmember Nosrati spoke regarding state mandates of affordable housing and inquired how the City will meet these requirements.

Council and staff discussed these items.

13. COUNCIL COMMENTS:

Mayor Bublak acknowledged Police Chief Ninus C. Amirfar's upcoming employment anniversary.

Councilmember Larson spoke regarding her and Councilmember Nosrati's recent attendance at the League of California Cities New Council Member Conference, provided an overview of the various sessions attended, and expressed thanks to the City and residents for allowing them to attend.

14. CLOSED SESSION:

Interim City Attorney Jose M. Sanchez introduced the Closed Session Items.

A. Conference with Legal Counsel – Anticipated Litigation, Cal. Gov't 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 Cases: (3 cases)

B. Public Employee Appointment, Cal. Gov't Code §54957(b)(1)
“Subject to paragraph (2), this chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions during a regular or special meeting to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee or to hear complaints or charges brought against the employee by another person or employee unless the employee requests a public session.”
Title: City Attorney

- C. 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 Negotiator: Mayor Amy Bublak
Unrepresented Employee: City Attorney

15. REPORTS FROM CLOSED SESSION:

City Clerk Jennifer Land reported there was no reportable action for the Closed Session Items and noted that Interim City Attorney Jose Sanchez did not participate in Closed Session Item 14A (third case) or Closed Session Items 14B and 14C.

16. ADJOURNMENT

Motion by Councilmember Nosrati, seconded by Councilmember Larson, to adjourn the open session of the regular meeting at 8:58 p.m. Motion carried unanimously.

Motion by Councilmember Larson, seconded by Councilmember Nosrati, to adjourn the closed session of the regular meeting at 10:28 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
City Clerk