

1. **A. CALL TO ORDER** – Mayor Bublak called the meeting to order at 6:07 p.m.  
PRESENT: Councilmembers Becky Arellano, Nicole Larson, Andrew Nosrati, Gil Esquer, and Mayor Amy Bublak.  
ABSENT: None
  
- B. SALUTE TO THE FLAG**
  
2. **PROCLAMATIONS, PRESENTATIONS, RECOGNITIONS, ANNOUNCEMENTS & APPOINTMENTS:**
  - A. Recognition: Employee of the Month, March 2019, Maintenance Worker II Yofri Villa  
  
Mayor Bublak issued a Certificate of Recognition to Maintenance Worker II Yofri Villa as the Employee of the Month award winner for March 2019.
  
  - B. Recognition: Employee of the Month, April 2019, Administrative Analyst Alison Arias  
  
Mayor Bublak issued a Certificate of Recognition to Administrative Analyst Alison Arias as the Employee of the Month award winner for April 2019.
  
  - C. Proclamation: National Police Week, May 12-18, 2019, accepted by Chief of Police Ninus C. Amirfar  
  
Mayor Bublak issued a Proclamation to Chief of Police Ninus C. Amirfar in recognition of National Police Week, May 12-18, 2019.
  
  - D. Proclamation: Public Works Week, May 19-25, 2019, accepted by Municipal Services Director Michael Cooke, Parks, Recreation and Public Facilities Director Allison Van Guilder, and Interim Development Services Director Nathan Bray  
  
Mayor Bublak issued a Proclamation to Municipal Services Director Michael Cooke, Parks, Recreation and Public Facilities Director Allison Van Guilder, and Interim Development Services Director Nathan Bray in recognition of Public Works Week, May 19-25, 2019.  
  
Municipal Services Director Michael Cooke presented information regarding Public Works Week and an overview of public works operations within the City of Turlock.
  
  - E. Appointment: Parks, Arts and Recreation Commission  
  
Mayor Bublak recommended that Randy Icelow be appointed to fill a vacancy on the Parks, Arts and Recreation Commission.  
  
City Clerk Jennifer Land clarified the term of this appointment is set to expire on December 31, 2021.

**Action:** Motion by Councilmember Nosrati, seconded by Councilmember Arellano, Appointing Randy Icelow to fill a vacancy on the Parks, Arts and Recreation Commission for a term set to expire on December 31, 2021. Motion carried 5/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

F. **Presentation:** Career Technical Education Work Experience Program, presented by Parks, Recreation and Public Facilities Director Allison Van Guilder

Parks, Recreation and Public Facilities Director Allison Van Guilder introduced participating students (from Turlock and Pitman High Schools) of the Career Technical Education Work Experience Program, presented an overview and highlights of the program, issued Certificates of Completion to the program graduates, and expressed thanks to the Turlock Unified School District and City staff for their partnership and efforts.

Turlock Unified School District Director of Career Technical Education and Program Equity Bret Theodozio expressed thanks to the City of Turlock for their partnership, spoke about the program, and congratulated students.

**PUBLIC HEARING ITEM 7A:**

Councilmember Arellano introduced a motion to continue Public Hearing Item 7A (Cannabis Pilot Program) to a date to be determined after July 1, 2019. Councilmember Esquer seconded the motion.

Council and staff discussed the request to postpone this item including additional time being needed to further research the matter, focus on other issues, and to allow for public input, opposing concerns that delaying this item may cause negative impacts for the City, the formation/efforts of the previous ad hoc committee, postponing the item to an earlier date (sooner than July 1), and the action previously taken by this Council to move forward with this matter.

City Attorney Douglas L. White clarified an affirmative vote would be to continue this item to a date after July 1 and a negative vote would be to keep this item on the agenda (as agendized).

**Action:** Motion by Councilmember Arellano, seconded by Councilmember Esquer, to continue Public Hearing Item 7A (Cannabis Pilot Program) to a future date to be determined after July 1, 2019. Motion failed 1/4 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	No	No	No	No

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

**B. PUBLIC PARTICIPATION**

The following members of the public spoke:

Stanislaus County Turlock Public Library Supervising Librarian Diane Bartlett  
 Maria Coehlo  
 Darrell Angle  
 Jason Freitas  
 Mary Jackson  
 Liz Padilla

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

**Action:** Motion by Councilmember Larson, seconded by Councilmember Esquer, waiving reading of all ordinances on the agenda, except by title. Motion carried 5/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

**B. DECLARATION OF CONFLICTS OF INTEREST AND DISQUALIFICATIONS: None**

**C. DISCLOSURE OF TOP TEN/MAXIMUM CONTRIBUTORS**

**5. CONSENT CALENDAR:**

*Councilmember Larson requested Consent Calendar Items 5E and 5F be removed for separate consideration. Mayor Bublak noted the green sheet for Consent Calendar Item 5B.*

**Action:** Motion by Councilmember Esquer, seconded by Councilmember Nosrati, adopting the amended consent calendar. Motion carried 5/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- A. **Resolution No. 2019-082:** Accepting Weekly Demands of 4/4/19 in the amount of \$343,207.90; Weekly Demands of 4/11/19 in the amount of \$879,034.48
- B. **Motion:** Accepting Minutes of the Special Meeting of April 9, 2019; Minutes of the Regular Meeting of April 9, 2019
- C. **Motion:** Approving an Agreement with ARWS, Inc., of Pleasant Hill, California in the amount of \$108,170 for right-of-way and property appraisal services, for City Project 16-60 "Linwood Avenue ATP Improvements" in a form approved by the City Attorney

- D. Motion: Approving Contract Change Order No. 4, in the amount of \$117,387.92, for City Project No. 17-30 "West Main Corridor Rehabilitation" bringing the contract total to \$7,745,921.36
- E. *Removed for separate consideration.*
- F. *Removed for separate consideration.*
- G. 1. **Resolution No. 2019-083**: Approving the Engineer's Report for the "Superstore" (Development Project No. 19-25) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
2. **Resolution No. 2019-084**: Declaring the City Council's intention to order the formation of and to levy and collect assessments for the "Superstore" (Development Project No. 19-25) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
- H. **Resolution No. 2019-085**: Approving three (3) Transportation Development Act (TDA) transit claims for Local Transportation Funds (LTF) funding and State Transit Assistance (STA) funding with the Stanislaus Council of Governments (StanCOG) for eligible operating and capital expenses associated with the Roger K. Fall Transit Center, the Turlock-Denair Amtrak Station, and general Turlock Transit services for Fiscal Year 2019-20 and authorizing the City Manager to sign and submit the subject claims
- I. 1. Motion: Approving an Agreement for transit technical assistance and support services with Transit Capital Support Services, LLC., of Atlanta, Georgia in an annual amount not to exceed \$76,560 for the three (3) year term of the Agreement
2. Motion: Authorizing the City Manager, or his designee, to issue a written notice of voluntary termination to Transit Capital Support Services, LLC., of Atlanta, Georgia, regarding City Contract No. 15-124 with a new effective termination date of June 30, 2019
- J. Motion: Approving a Transit Funding Agreement for enhanced transit service during the 2019 Stanislaus County Fair with the Friends of the Stanislaus County Fair Foundation, a California Nonprofit Public Benefit Corporation, of Turlock, California, in an amount not to exceed \$5,000 for the term of the Agreement
- K. **Resolution No. 2019-086**: Approving the purchase of two (2) Grounds Master 3280D mowers for the Parks, Recreation and Public Facilities Department from Turf Star Western Inc., in an amount not to exceed \$26,696.34 per mower from account numbers 506-00-000-234.51020 (Assessments) and 506-00-000-372.51020 (Pedretti), through a sole source procurement process pursuant to Turlock Municipal Code Section 2-7-08(b)(2), and declaring the replaced equipment surplus
- L. Motion: Awarding RFB No. 19-017 and approving an Agreement with All Valley Spray Service for Weed Control Services at various City properties for a period of twenty-four (24) months, with an option to extend the Agreement for three (3) additional one-year terms, in an annual amount not to exceed \$30,744, for a total not-to-exceed amount of \$153,720, over the 5-year term of the Agreement, if all renewal periods are exercised
- M. **Resolution No. 2019-087**: Approving an Industrial Hauler Business License for No Limit Hauling & Demolition within the City of Turlock in accordance with Section 6-3-209 of the Turlock Municipal Code
- N. **Resolution No. 2019-088**: Appointing the Stanislaus County Public Health Officer as the City of Turlock's Public Health Officer pursuant to Health and Safety Code Section 101460
- O. Motion: Approving Amendment No. 5 to an Agreement between the City of Turlock and Champion Industrial Contractors, Inc. for preventive maintenance, filter change out, and repair services for HVAC units, to increase the annual compensation amount from \$80,000 to \$89,794, to cover the repair of the top and bottom condenser coil at the Public Safety Facility, for the duration of the contract term ending June 20, 2019 and increasing the total not-to-exceed amount to \$230,000

- P. Motion: Approving Amendment No. 1 to an Agreement between the City of Turlock and Applied Pest Management, Inc. for pest control services for City owned buildings, to increase the annual compensation amount from \$10,000 to \$11,800, to add the Roger K. Fall Transit Center and additional unforeseen costs, for the duration of the contract term ending July 31, 2019 and increasing the total not-to-exceed amount to \$70,800 over the 6-year term of the Agreement, if all renewal periods are exercised
- Q. Resolution No. 2019-089: Delegating to the incumbent of the position of City Manager the authority to determine the eligibility of employees for industrial disability retirement with CalPERS

*Consent Calendar Items 5E and 5F were handled concurrently.*

- 5E.
  1. Resolution: Approving the Engineer’s Report for the Fairbanks Ranch subdivision (Development Project No. 14-73) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
  2. Resolution: Declaring the City Council’s intention to order the formation of and to levy and collect assessments for the Fairbanks Ranch subdivision (Development Project No. 14-73) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area

Council and staff discussed this item.

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

**Action:** Resolution No. 2019-090: Approving the Engineer’s Report for the Fairbanks Ranch subdivision (Development Project No. 14-73) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area as introduced by Councilmember Larson, seconded by Councilmember Esquer, and carried 5/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Resolution No. 2019-091: Declaring the City Council’s intention to order the formation of and to levy and collect assessments for the Fairbanks Ranch subdivision (Development Project No. 14-73) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area as introduced by Councilmember Larson, seconded by Councilmember Esquer, and carried 5/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- 5F.
  1. Resolution: Approving the Engineer’s Report for the Les Chateaux subdivision (Development Project No. 14-76) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area
  2. Resolution: Declaring the City Council’s intention to order the formation of and to levy and collect assessments for the Les Chateaux subdivision (Development Project No. 14-76)

Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area

Council and staff discussed this item.

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

**Action:**        **Resolution No. 2019-092:** Approving the Engineer’s Report for the Les Chateaux subdivision (Development Project No. 14-76) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area as introduced by Councilmember Larson, seconded by Councilmember Esquer, and carried 5/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

**Resolution No. 2019-093:** Declaring the City Council’s intention to order the formation of and to levy and collect assessments for the Les Chateaux subdivision (Development Project No. 14-76) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area as introduced by Councilmember Larson, seconded by Councilmember Esquer, and carried 5/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

**6. FINAL READINGS:** None

**7. PUBLIC HEARINGS**

- A. City Attorney Douglas L. White presented the staff report on the request to introduce an Ordinance for first reading amending the Turlock Municipal Code Title 5, Chapter 5-21 and Chapter 5-14, Section 5-14-01; and Title 3, Chapter 3-1, Section 3-1-101, to establish a commercial cannabis pilot program and make necessary changes to the Turlock Municipal Code.

City Attorney White also spoke regarding the green sheet for this item concerning sensitive use limitations and the recommendation to amend the distance requirement from 600 feet (state default) to 1,000 feet, ongoing litigation with the Bureau of Cannabis Control, and pending legislation.

Council and staff discussed this item including pending legislation, compliance with state and federal laws, higher age threshold for dispensaries, licensing process for businesses that benefit the community (local preference policies), license types, term of pilot project, adverse financial impacts, and enforcement of penalties for violations.

Mayor Bublak opened the public hearing.

The following members of the public spoke:

Zack Drivon  
Cheryl Perrien  
Bill DeHart  
Mike Warda  
Larry Turner

Mayor Bublak closed the public hearing.

Council and staff further discussed this item including proposed amendments to the ordinance regarding mandating the presence of licensed security personnel and the proximity of cannabis businesses to sensitive uses, positive findings by the previous ad hoc committee, and regulating/taxing this type of business activity.

Councilmember Nosrati introduced a modified motion to include amendments regarding mandating the presence of licensed security personnel and the proximity of cannabis businesses to sensitive uses. Councilmember Esquer seconded the modified motion.

**Action:** Motion by Councilmember Nosrati, seconded by Councilmember Esquer, Introducing an Ordinance for first reading amending the Turlock Municipal Code Title 5, Chapter 5-21, including modifications to Section 5-21-103(e) to increase the proximity of cannabis businesses to sensitive uses and Section 5-21-104(d)(4) to require the physical presence of a state licensed security personnel and Chapter 5-14, Section 5-14-01; and Title 3, Chapter 3-1, Section 3-1-101, to establish a commercial cannabis pilot program and make necessary changes to the Turlock Municipal Code and setting the final reading for May 28, 2019. Motion carried 2/3 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
No	Yes	Yes	Yes	No

- B. City Attorney Douglas L. White presented the staff report on the request to introduce an Ordinance for first reading adding Chapter 2-12, Civility Code, of Title 2, Administration to the Turlock Municipal Code.

City Attorney White also spoke regarding the green sheet for this item concerning the role of the Sergeant-at-Arms related to conformance with state law and establishment of the Rules Committee.

Council and staff discussed this item including the Rules Committee.

Mayor Bublak opened the public hearing.

The following members of the public spoke:

Milt Trieweiler

Mayor Bublak closed the public hearing.

City Attorney White provided brief comment in response to public comment.

Councilmember Nosrati introduced a modified motion to include an amendment regarding the role of the Sergeant-at-Arms. Councilmember Larson seconded the modified motion.

**Action:** Motion by Councilmember Nosrati, seconded by Councilmember Larson, Introducing an Ordinance for first reading adding Chapter 2-12, Civility Code, of Title 2, Administration, including modifications to Sections 2-12-109 and 2-12-110, to clarify the role of the Sergeant-at-Arms, to the Turlock Municipal Code and setting the final reading date for May 28, 2019. Motion carried 5/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- C. City Attorney Douglas L. White presented the staff report on the request to adopt a Resolution approving a City Officials' Handbook (the "Handbook") establishing rules, procedures, and guidelines for City Officials in conducting City-related business.

City Attorney White also noted the green sheet for this item concerning the role of the Sergeant-at-Arms (same change as noted within the Civility Code).

Mayor Bublak opened the public hearing.

The following members of the public spoke:

Milt Trieweiler  
 Scott Snyder

Mayor Bublak closed the public hearing.

Council and staff discussed this item including the structure and timelines of workgroups, postponing this item to a future date, public comment period, and the importance of establishing standards.

Councilmember Larson introduced a modified motion to include amendments regarding the role of the Sergeant-at-Arms and public comment period time limits to be granted by the Mayor/Chair or a majority of the Council. Councilmember Arellano seconded the modified motion.



**Action:**        **Resolution No. 2019-094:** Adopting a Resolution approving a City Officials’ Handbook (the “Handbook”) establishing rules, procedures, and guidelines for City Officials in conducting City-related business, including modifications to Chapter 7, Sections C(2)(c) and C(2)(d), to clarify the role of the Sergeant-at-Arms and Chapter 15, Sections B(1) and C(1), to authorize public comment of more than three (3) minutes be granted by the Mayor/Chair or a majority of the Council as introduced by Councilmember Larson, seconded by Councilmember Arellano, and carried 5/0 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

*Mayor Bublak recessed the City Council meeting at approximately 8:45 p.m.  
Mayor Bublak reconvened the City Council meeting at 8:50 p.m.*

**8. SCHEDULED MATTERS:**

A. Interim Development Services Director Nathan Bray presented the staff report on the request to approve the road rehabilitation strategy that establishes funding limits for maintenance, safety, and project components AND provide direction to staff on the development of project list alternatives for Fiscal Years 2019-20 to 2023-24 to utilize the available funding for the project component of the road rehabilitation strategy.

Council and staff discussed this item including use of the StreetSaver software and program capabilities.

Mayor Bublak opened public participation.

The following members of the public spoke:

Milt Trieweiler

Mayor Bublak closed public participation.

Staff provided brief comment in response to public comment.

Council further discussed this item including safety matters and eligible road expenditures and provided direction to staff to research the following scenarios and considerations:

- Flashing beacons
- Community workshops to discuss road matters
- Improve efficiency of pothole maintenance
- Investments related to energy costs (LED lighting, City owned power/energy)
- Prioritize projects based on local utilization
- Different pools of money for collector roads and residential roads
- Seek grant funding opportunities

- A fund/assessment district for areas not within existing assessment districts and potentially incentivizing those areas to form
- Disburse funds amongst residential areas
- Prioritize the worst roads in the City
- Dedicate funding to local roads that may not come up/be evaluated by StreetSaver
- Identify available funding within each district
- Add language within Request for Proposals regarding philanthropic assistance (public involvement component)
- Convert thoroughfares to toll lanes

Staff recommended Council establish the amount of available funding to be allocated to residential roads, evaluate the PCI, and apply the use of StreetSaver.

**Action:** Motion by Councilmember Esquer, seconded by Councilmember Arellano, Approving the road rehabilitation strategy that establishes funding limits for maintenance, safety, and project components. Motion carried 4/1 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Yes	No	Yes	Yes	Yes

- B. Assistant to the City Manager for Economic Development/Housing Maryn Pitt presented the staff report regarding an update to the City Council regarding the outdoor emergency shelter adjacent to the Turlock Gospel Mission, 2019 Stanislaus County Point-In-Time Count Survey Results, and the Plan to Address Homelessness in Stanislaus County.

**Action:** This is an information item only. No formal action was taken.

**9. STAFF UPDATES**

1. Administrative Services – No update provided.
2. Development Services Department
  - a. Capital Projects, Building Activity, Transit, and Measure L

A written staff update was included in the agenda packet and Interim Development Services Director Nathan Bray provided an update regarding the grand opening event for the Ten Pin Fun Center to be held on May 17, 2019 and expressed thanks to staff for their efforts on this project.

3. Fire Department – No update provided.
4. Municipal Services Department
  - a. Municipal Services Department Update

A written staff update was included in the agenda packet and Municipal Services Director Michael Cooke provided a departmental update.

5. Parks, Recreation and Public Facilities – No update provided.
6. Police Department – No update provided.

**10. CITY MANAGER COMMENTS:**

City Manager Robert C. Lawton expressed thanks to department heads for their efforts in preparing their budget requests and proposals.

**11. NON-AGENDA ITEMS:** None

**12. COUNCIL ITEMS FOR FUTURE CONSIDERATION:**

Councilmember Nosrati spoke regarding suspension of this year's 4<sup>th</sup> of July Fireworks Event and recommended identifying fundraising and/or private investment opportunities for next year's event.

**13. COUNCIL COMMENTS:**

Councilmember Esquer spoke about correspondence he received from Ten Pin Fun Center regarding their appreciation of the City's management team and staff.

Councilmember Arellano spoke regarding a recent meeting she and Municipal Services Director Michael Cooke had with a grants administrator from Representative Harder's office regarding water treatment plant funding, expressed thanks to those who have assisted with the homelessness extension project, an ordinance potentially coming forward at a future meeting, efforts by her and Executive Assistant to the City Manager for Economic Development/Housing Maryn Pitt to explore other projects for the next phase of business and housing, and graffiti in her district.

Councilmember Larson spoke regarding a Women's Health & Wellness event – "StrongHer" to be held on May 20, 2019 at the Larza Hall and her recent attendance at the League of California Cities Local Advocacy Day.

Mayor Bublak acknowledged Turlock Scavenger for their recent Take Pride in Turlock Event (free disposal) and spoke regarding a recent meeting she had with Lenny Mendonca (Chief Economic Business Advisor to Governor Newsom) regarding Economic Development needs in Turlock.

**14. CLOSED SESSION:** None

**15. REPORTS FROM CLOSED SESSION:** None

**16. ADJOURNMENT**

Motion by Councilmember Larson, seconded by Councilmember Esquer, to adjourn the regular meeting at 10:15 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

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Jennifer Land  
City Clerk