

0. A. CALL TO ORDER – Mayor Bublak called the meeting to order at 6:03p.m.

B. SALUTE TO THE FLAG

C. ROLL CALL:

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

PRESENT: Councilmembers Becky Arellano, Nicole Larson, Andrew Nosrati, Gil Esquer, and Mayor Amy Bublak.

ABSENT: None

D. DECLARATION OF CONFLICTS: None

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

Action: Motion by Councilmember Nosrati, 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

1. CLOSED SESSION: None

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.

Action: Motion by Councilmember Arellano, seconded by Councilmember Larson, Approving the agenda as posted. Motion carried 5/0 by the following vote:

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

3. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS:

A. Employee of the Month, May 2019, Facilities Maintenance Assistant Jose Lopez

Mayor Bublak issued a Certificate of Recognition to Facilities Maintenance Assistant Jose Lopez as the Employee of the Month award winner for May 2019.

4. PUBLIC PARTICIPATION:

The following members of the public spoke:

- Diane Bartlett
- Ken Lewis
- DJ Fransen
- Michael Camara
- Eric Adams
- Rene Rojas

Mayor Bublak closed public participation.

City Attorney Douglas L. White clarified the information being expressed by the community regarding the ad hoc committees taking action on establishing a tent city is not accurate, the concept and or ideas have not been vetted at the Planning Commission level nor have been voted upon Council.

5. CONSENT CALENDAR:

Councilmember Gil Esquer requested Consent Calendar Item 5F be removed for separate consideration and Councilmember Andrew Nosrati requested Consent Calendar Item 5K be removed for separate consideration.

Action: Motion by Councilmember Arellano, 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. 2019-106:** Accepting Weekly Demands of 5/9/19 in the amount of \$1,174,117.33
- B. **Motion:** Accepting Minutes of the Special Meeting of May 14, 2019; Minutes of the Regular Meeting of May 14, 2019
- C. **Motion:** Approving Contract Change Order No. 3 in the amount of \$254,354.43 (Fund 413) with CW Roen Construction of Danville, California for City Project No. 15-39C "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification" (upgrade and expansion of the wastewater treatment plant) bringing the contract total to \$19,379,400.18
- D. **Motion:** Approving Contract Change Order No. 5, in the amount of \$82,329.95 with Teichert Construction for City Project No. 17-30 "West Main Corridor Rehabilitation" bringing the contract total to \$7,828,251.31
- E. **Motion:** Approving a Memorandum of Understanding between the City of Turlock and Turlock Unified School District for construction and maintenance of a parking facility along the north side of Canal Drive between Berkeley Avenue and Wallace Street
- F. **Removed for separate consideration**
- G. 1. **Resolution No. 2019-107:** Determining the closure of East Main Street [between East Canal Drive and Market Street] with Golden State Boulevard remaining open utilizing

- minimal soft closures, Broadway [between “A” Street and Chestnut Street], and First Street [between “A” Street and Chestnut Street] with West Olive Avenue remaining open utilizing minimal soft closures, for the 4th of July Parade, Car Show, and Street Faire hosted by Turlock Downtown Property Owners Association, 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
2. **Resolution No. 2019-108**: Approving a Special Event Permit Application for the 4th of July Parade, Car Show, and Street Faire hosted by Turlock Downtown Property Owners Association, authorizing the associated closure of East Main Street [between East Canal Drive and Market Street] with Golden State Boulevard remaining open utilizing minimal soft closures, Broadway [between “A” Street and Chestnut Street], and First Street [between “A” Street and Chestnut Street] with West Olive Avenue remaining open utilizing minimal soft closures, for pedestrian safety, on Thursday, July 4, 2019 at specified times, and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure
- H. 1. **Resolution No. 2019-109**: Determining the closure of North Soderquist Road, between Fulkerth Road and West Canal Drive, for the 2019 Stanislaus County Fair hosted by the Stanislaus County Fair, 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
2. **Resolution No. 2019-110**: Approving a Special Event Permit Application for the 2019 Stanislaus County Fair hosted by the Stanislaus County Fair, authorizing the associated closure of North Soderquist Road, between Fulkerth Road and West Canal Drive for pedestrian safety, from Friday, July 12, 2019 at 12:00 p.m. through Monday, July 22, 2019 at 12:00 a.m., and authorizing the City Manager to apply appropriate conditions and restrictions on the street closure
- I. **Resolution No. 2019-111**: Appropriating \$8,000.00 to account number 266-20-255-350.44001_000 “OTS Vehicle Impound Supplies General” from Fund 266 “OTS Vehicle Impound” unallocated reserves for the purchase of mounting hardware and cables for three (3) new motorcycles and a radar traffic data collector
- J. **Motion**: Approving the Consortium Agreement between the City of Turlock and the Stanislaus Urban County for the purpose of undertaking HOME eligible housing assistance activities pursuant to Title II of the Cranston Gonzales National Affordable Housing Act of 1990, designating the City of Turlock as the lead agency of the Consortium and the Stanislaus Urban County comprised of the cities of Ceres, Hughson, Newman, Oakdale, Patterson, Riverbank, Waterford and the County of Stanislaus as sub-recipients of HOME funds for Federal Fiscal Years 2020-2023 as outlined in the Agreement
- K. **Removed for separate consideration.**
- L. **Motion**: Approving the Public Services Grant Agreements with the seven nonprofit agencies for fiscal year 2019-2020 funded with Community Development Block Grant Program (CDBG) funds and authorizing City Manager or designee to execute all related and necessary documents
- M. **Motion**: Ratifying the advertisement of RFP No. 19-026 for Design, Engineering Services during Construction, and Construction Management for Wellhead Treatment Installation
- N. **Motion**: Accepting the City of Turlock’s Transportation Development Act (TDA) Fund Financial Statements for Fiscal Year End 2017 and 2018

Removed for separate consideration:

- 5F. **Motion:** Approving the reimbursement of certain Development Impact fees paid on Building Permit No. 18-1176 in the amount of \$109,951.23 and executing a Lien Agreement for deferred payment of said Development Impact fees between the City of Turlock and Fletcher K, LLC, 653 N. Golden State Blvd., Turlock, CA 95380

Council and staff discussed this item.

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

Action: Motion by Councilmember Esquer, seconded by Councilmember Arellano, Approving the reimbursement of certain Development Impact fees paid on Building Permit No. 18-1176 in the amount of \$109,951.23 and executing a Lien Agreement for deferred payment of said Development Impact fees between the City of Turlock and Fletcher K, LLC, 653 N. Golden State Blvd., Turlock, CA 95380. Motion carried 5/0 by the following vote:

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

- 5K. **Motion:** Approving the eight (8) Annual Funding Agreements between the City of Turlock and each of the HOME Consortium sub-recipients for the purpose of undertaking HOME eligible housing assistance activities pursuant to Title II of the Cranston-Gonzales National Affordable Housing Act of 1990 for FY 2019-2020 in the amount of \$1,266,981

Council and staff discussed this item.

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

Action: Motion by Councilmember Nosrati, seconded by Councilmember Larson, Approving the eight (8) Annual Funding Agreements between the City of Turlock and each of the HOME Consortium sub-recipients for the purpose of undertaking HOME eligible housing assistance activities pursuant to Title II of the Cranston-Gonzales National Affordable Housing Act of 1990 for FY 2019-2020 in the amount of \$1,266,981. Motion 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:

- A. **Ordinance No. 1255-CS**, Amending the Turlock Municipal Code Title 5, Chapter 5-21, including modifications to Section 5-21-103(e), to be consistent with state standards, Section

5-21-104(d)(4), to require the physical presence of a state licensed security personnel, and Section 5-21-111(c), to increase the penalty amount for the second and subsequent offenses 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.

Mayor Bublak opened the public hearing.

The following member of the community spoke:

Jessie Henrich

Mayor Bublak closed the public hearing.

Council and staff discussed the parameters of business permits, ownership, transferring of permits, the background process and an equitable component.

Action: Motion by Councilmember Esquer, seconded by Councilmember Larson, Amending the Turlock Municipal Code Title 5, Chapter 5-21, including modifications to Section 5-21-103(e), to be consistent with state standards concerning sensitive uses, Section 5-21-104(d)(4), to require the physical presence of a state licensed security personnel, and Section 5-21-111(c), to increase the penalty amount for the second and subsequent offenses 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 as introduced at the May 28, 2019 City Council meeting was passed and adopted 4/1 by the following vote:

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

7. **PUBLIC HEARINGS:** None

8. **ACTION ITEMS:**

A. City Attorney Douglas L. White presented the staff report on the request to approve a proposed Request for Qualifications to select qualified candidates for participation in the Turlock Cannabis Business Pilot Program including the pre submittal process, with a timeframe to close on July 12, 2019 and a \$5,500 non-refundable fee payable to finance.

Council and staff discussed various components of the Request for Qualifications, including the types of cannabis related businesses to be considered, vetting the applications, business plan and financial requirements for cannabis related operations, zoning considerations, funding agreements and the conditional use permit process.

City Attorney Doug White further discussed the anticipated timeline of a business being fully operational would be near October 2019.

Mayor Bublak opened public participation.

The following members of the community spoke:

Milt Trieweller
 DJ Fransen

Mayor Bublak closed public participation.

Action: Motion by Councilmember Esquer, seconded by Councilmember Larson, Approving a proposed Request for Qualifications to select qualified candidates for participation in the Turlock Cannabis Business Pilot Program. Motion carried 4/1 by the following vote:

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

- B. Police Chief Ninus C. Amirfar presented the staff report on the request to approve an Agreement between the City of Turlock and Axon Enterprise, Inc. to enter into a five (5) year contract to provide the City of Turlock Police Department with Axon Enterprises Officer Safety Plan 7 Plus, which will provide the City of Turlock Police Department with body cameras for its sworn officers, as well as Taser 7 Electronic Control Devices, for a five year cost not to exceed \$875,000 prior to tax AND appropriate \$280,000 to 240-00-000-213.51029 “Body Cameras” in FY 2019/20 and appropriate funding as follows: 267-20-270-320.48001_274 “Transfers Out Body Cameras” - \$108,940, 266-20-225-360.48001_274 “Transfers Out Body Cameras” - \$56,728, 116-20-225.48001_274 “Transfers Out Body Cameras” - \$94,332 in to 240-00-000-213.38001_274 “Transfers In Body Cameras” from each fund’s respective unallocated reserves, and \$20,475 from Fund 240 “Small Equipment Replacement-Police Services” unallocated reserves to enter into and pay for the first year of a five (5) year agreement with Axon Enterprise, Inc. to provide Body Cameras, video and audio storage, Tasers, and requisite hardware needed to implement these systems. The remainder of the contract will be paid utilizing monies from fund 267- SLESF and fund 116-Special Tax – Public Safety Police, unallocated reserves at an annual payment schedule as outlined in the contract

Mayor Bublak opened public participation.

The following members of the community spoke:

DJ Fransen
 Michael Kroll

Mayor closed the public participation.

Council and staff discussed various aspects of the body cameras including technology, evidence usage and requirements, data storage, sustainable funding sources and noted that all Stanislaus County agencies would now be using the same vendor and system.

Action: Motion by Councilmember Esquer, seconded by Councilmember Arellano, Approving an Agreement between the City of Turlock and Axon Enterprise, Inc. to enter into a five (5) year contract to provide the City of Turlock Police Department with Axon Enterprises Officer Safety Plan 7 Plus, which will provide the City of Turlock Police Department with body cameras for its sworn officers, as well as Taser 7 Electronic Control Devices, for a five year cost not to exceed \$875,000 prior to tax. Motion carried 5/0 by the following vote:

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

Resolution No. 2019-112: Appropriating \$280,000 to 240-00-000-213.51029 “Body Cameras” in FY 2019/20 and appropriating funding as follows: 267-20-270-320.48001_274 “Transfers Out Body Cameras” - \$108,940, 266-20-225-360.48001_274 “Transfers Out Body Cameras” - \$56,728, 116-20-225.48001_274 “Transfers Out Body Cameras” - \$94,332 in to 240-00-000-213.38001_274 “Transfers In Body Cameras” from each fund’s respective unallocated reserves, and \$20,475 from Fund 240 “Small Equipment Replacement-Police Services” unallocated reserves to enter into and pay for the first year of a five (5) year agreement with Axon Enterprise, Inc. to provide Body Cameras, video and audio storage, Tasers, and requisite hardware needed to implement these systems. The remainder of the contract will be paid utilizing monies from fund 267- SLESF and fund 116- Special Tax – Public Safety Police, unallocated reserves at an annual payment schedule as outlined in the contract as introduced by Councilmember Esquer, seconded by Councilmember Arrelano and carried 5/0 by the following vote:

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

C. City Manager Robert C. Lawton presented the staff report on the request to adopt the Fiscal Year 2019-20 General Fund and Non-General Fund Budgets with amendments as recommended by the City Manager and authorize the City Manager to make any adjustments necessary to accomplish the reductions set forth in the City Manager’s Budget Memorandum and specified within the Budget Reduction Strategies.

Mr. Lawton reviewed Council’s parameters of obtaining a balanced budget, the reduction strategies and impacts to services provided to the community, staffing levels, salary savings due to vacancies and retirements, and the need to continue in depth conversations on how the City manages its budget and service expectation.

Mayor Bublak opened public participation.

The following members of the community spoke:

Mike Kroll

Terri Shaver
 DJ Fransen
 Mike Murphy
 Brandon Bertram
 Juan Vargas

Mayor Bublak closed public participation.

Council and staff discussed examples of service level reductions and consequences, the opportunity to evaluate the organizational structure to ensure the City is operating efficiently and effectively, expenditures related to personnel benefits and healthcare and the desire to establish a strategy for additional revenue streams in time for the 2020 election and a ballot measure.

Action: **Resolution No. 2019-113**: Adopting the Fiscal Year 2019-20 General Fund and Non-General Fund Budgets with amendments as recommended by the City Manager and authorizing the City Manager to make any adjustments necessary to accomplish the reductions set forth in the City Manager’s Budget Memorandum and specified within the Budget Reduction Strategies as introduced by Councilmember Arellano, 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

9. CITY MANAGER REPORTS/UPDATES: None

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Nosrati requested a proclamation calendar be established to identify what proclamations will be recognized and honored as a community and a process be established for appointments to commissions to ensure applicants are being properly considered and a review of the selection process, all in order to create more transparency.

11. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:

Councilmember Arellano thanked the police department and the police officer for their efforts in finding a missing child. As a point of clarification, Councilmember Arellano noted that Councilmember Nosrati is not assigned to the business and bathroom ad hoc committee for homelessness.

Councilmember Esquer inquired as to the Armory being vacant. Director Van Guilder responded the City has not received formal notice that they have vacated the facility nor have remedied the requirements necessary upon vacancy.

Mayor Bublak stated she will be attending the Stanislaus Housing Alliance meeting tomorrow evening and requested if anyone has any information or a request to be shared with the committee

to let her know in advance. Mayor also noted the City Manager will be developing a debt relief plan for the City and will bring that back to Council in the near future. Mayor announced the Council and City Manager will be offsite on July 6th for a Council retreat to discuss rules of the governing body, goals, and mission, vision and values for the City of Turlock.

12. CLOSED SESSION (*continuation of Closed Session if necessary*): None

13. REPORTS FROM CLOSED SESSION: None

14. ADJOURNMENT

Motion by Councilmember Esquer, seconded by Councilmember Arellano, to adjourn the regular meeting at 8:40 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Stacey Tonarelli
Deputy City Clerk