

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

B. SALUTE TO THE FLAG

Mayor Bublak announced that Michael Cooke has been appointed as the Interim City Manager.

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

1. CLOSED SESSION:

The Closed Session items 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 announced Action Items 9C & 9D would be removed from the agenda and also requested Closed Session Item 13D be heard earlier in the meeting

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

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

City Attorney Douglas L. White announced that Closed Session Item 13D would be heard out of order.

CLOSED SESSION ITEM 13D:

D. 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 Case: (1 case)

REPORTS FROM CLOSED SESSION:

City Attorney Douglas L. White reported for Closed Session Item 13D that Council provided direction to staff, but no reportable action was taken.

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

A. Proclamation: Turlock American Little League 10 Year Old All-Stars Team District 73, Section 6 Championship, accepted by Team Manager Courtney Keyler

Mayor Bublak issued a Proclamation to Turlock American Little League Team Manager Courtney Keyler in recognition of the Turlock American Little League 10 Year Old All-Stars Team District 73, Section 6 Championship.

4. PUBLIC PARTICIPATION:

The following members of the public spoke:

Ann Strahm
 Jennifer Garcia and Don Endsley
 Donna Endsley
 Briana Gonzalez, District Representative for Congressman Josh Harder

5. 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

6. CONSENT CALENDAR:

Mayor Bublak announced Consent Calendar Item 6C would 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. 2019-158**: Accepting Weekly Demands of 7/25/19 in the amount of \$5,167,869.75; Weekly Demands of 8/1/19 in the amount of \$1,810,284.40; Monthly Demands of 5/31/19 in the amount of \$2,143,839.42; Monthly Demands of 6/30/19 in the amount of \$2,361,874.91
- B. **Motion**: Accepting Minutes of the Special Meeting of July 9, 2019; Minutes of the Regular Meeting of July 9, 2019
- C. *Removed for separate consideration.*
- D.
 1. **Motion**: Awarding RFP No. 19-026 and approving an Agreement with Provost & Pritchard Engineering Group for Design, Engineering Services during Construction, and Construction Management for Wellhead Treatment, for a period of (3) years, with an option to extend the Agreement for (3) additional one-year terms, in a total amount not to exceed \$988,800 over the 6-year term of the Agreement, if all renewal periods are exercised
 2. **Resolution No. 2019-159**: Appropriating \$248,800 to account number 420-52-551.51393 “Wellhead Treatment” from Fund 420 “Water Enterprise” unallocated reserves to fund RFP No. 19-026 for Design, Engineering Services during Construction, and Construction Management for Wellhead Treatment
- E. **Motion**: Approving a Memorandum of Understanding (MOU) with Stanislaus Business Alliance (Opportunity Stanislaus) for Economic Development and Workforce strategies for Fiscal Years 2019-2020 and 2020-2021
- F. **Resolution No. 2019-160**: Appropriating amounts received through the Cannabis Business Pilot Program to recover all costs incurred by the City of Turlock or its vendors for time, materials, and expenditures associated with the Cannabis Business Pilot Program

City Attorney Douglas L. White announced that Councilmember Arellano voluntarily recused herself. Councilmember Arellano stepped down from the dais.

- 6C. **Resolution**: Adopting a Resolution of Intent to vacate the 400 block of Third Street right-of-way between “C” Street and “D” Street and notice of the public hearing

Mayor Bublak opened public participation.

The following members of the public spoke:

Mike Warda
 DJ Fransen

Mayor Bublak closed public participation.

Staff provided brief comment in response to public comment.

Council and staff discussed this item.

Action: **Resolution No. 2019-161**: Adopting a Resolution of Intent to vacate the 400 block of Third Street right-of-way between “C” Street and “D” Street and notice of the public hearing as introduced by Councilmember Esquer, seconded by Councilmember Larson, and carried 4/1 by the following vote:

Councilmember Arellano	Councilmember Nosrati	Councilmember Larson	Councilmember Esquer	Mayor Bublak
Not Participating	Yes	Yes	Yes	Yes

7. FINAL READINGS: None

8. PUBLIC HEARINGS

- A. City Attorney Douglas L. White presented an update regarding the Cannabis Business Pilot Program and the staff report on the request to introduce an Ordinance for first reading approving a Development Agreement by and between the City of Turlock and Fire House Cooperative, Inc. located at 1601 West Main Street, Turlock, CA, County of Stanislaus, Assessor’s Parcel Number 089-015-006

Council and staff discussed this item.

Fire House Cooperative, Inc. and Fuego Azul, Inc. Representative Devin Stetler presented information regarding their proposed cannabis business operations.

Council and the representative discussed this item.

Mayor Bublak opened the public hearing.

The following members of the public spoke:

- Mary Jackson
- Veronica Zamora
- Mike Warda
- Oscar Fuerros
- Norfelia Martinez
- DJ Fransen

Mayor Bublak closed the public hearing.

Staff provided brief comment in response to public comment.

Council and staff further discussed this item.

Action: Motion by Councilmember Nosrati, seconded by Councilmember Esquer, Introducing an Ordinance for first reading approving a Development Agreement by and between the City of Turlock and Fire House Cooperative, Inc. located at 1601 West Main Street, Turlock, CA, County of Stanislaus, Assessor’s Parcel Number 089-015-006 and setting the final reading date for September 10, 2019. Motion carried 4/1 by the following vote:

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

- B. City Attorney Douglas L. White presented the staff report on the request to introduce an Ordinance for first reading approving a Development Agreement by and between the City of Turlock and Fuego Azul, Inc. located at 495 South Golden State Boulevard, Turlock, CA, County of Stanislaus, Assessor’s Parcel Number 043-051-016

Council and staff discussed this item.

Mayor Bublak opened the public hearing. No one spoke. Mayor Bublak closed the public hearing.

Action: Motion by Councilmember Esquer, seconded by Councilmember Nosrati, Introducing an Ordinance for first reading approving a Development Agreement by and between the City of Turlock and Fuego Azul, Inc. located at 495 South Golden State Boulevard, Turlock, CA, County of Stanislaus, Assessor’s Parcel Number 043-051-016 and setting the final reading date for September 10, 2019. Motion carried 3/2 by the following vote:

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

- C. City Attorney Douglas L. White presented the staff report on the request to introduce an Ordinance for first reading approving a Development Agreement by and between the City of Turlock and Cal State Ventures² located at 501 West F Street, Turlock, CA, County of Stanislaus, Assessor’s Parcel Number 043-018-006

Mayor Bublak opened the public hearing. No one spoke. Mayor Bublak closed the public hearing.

Action: Motion by Councilmember Esquer, seconded by Councilmember Larson, Introducing an Ordinance for first reading approving a Development Agreement by and between the City of Turlock and Cal State Ventures² located at 501 West F Street, Turlock, CA, County of Stanislaus, Assessor’s Parcel Number 043-018-006 and setting the final reading date for September 10, 2019. Motion carried 4/1 by the following vote:

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

9. ACTION ITEMS:

Mayor Bublak noted the Green Sheet for Action Items 9A.

- A. Assistant to the City Manager for Economic Development and Housing Maryn Pitt spoke regarding the green sheet for this item concerning the amount of the commitment and presented the staff report on the request to approve and authorize the execution of the Deed of Trust with Assignment of Rents, Security, and Fixture Filing, the Regulatory Agreement and Declaration of Restrictive Covenants, and Loan Agreement in the amount of Two Million Two hundred thousand Dollars (\$2,200,000) of HOME funds as Financial assistance to EAH Housing, Inc. to develop an affordable multi-family housing project located at 500 West Linwood, Turlock (APN# 044-064-020) also known as Avena Bella Phase 2

Council and staff discussed this item.

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

Action: Motion by Councilmember Arellano, seconded by Councilmember Esquer, Approving and authorizing the execution of the Deed of Trust with Assignment of Rents, Security, and Fixture Filing, the Regulatory Agreement and Declaration of Restrictive Covenants, and Loan Agreement in the amount of Two Million Two hundred thousand Dollars (\$2,200,000) of HOME funds as Financial assistance to EAH Housing, Inc. to develop an affordable multi-family housing project located at 500 West Linwood, Turlock (APN# 044-064-020) also known as Avena Bella Phase 2. Motion carried 5/0 by the following vote:

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

- B. Assistant to the City Manager for Economic Development and Housing Maryn Pitt introduced the staff report on the request to approve and authorize the execution of the First Amendment to the Disposition and Development Agreement, Estoppel Certificate, and any other supporting documents between the City of Turlock as the Housing Successor Agency and EAH, Inc. for the development of Avena Bella Phase 2

Mayor Bublak opened public participation.

The following members of the public spoke:

EAH Housing Project Manager Warren Ritter

Mayor Bublak closed public participation.

Action: Motion by Councilmember Esquer, seconded by Councilmember Larson, Approving and authorizing the execution of the First Amendment to the Disposition and Development Agreement, Estoppel Certificate, and any other supporting documents between the City of Turlock as the Housing Successor Agency and EAH, Inc. for the development of Avena Bella Phase 2. Motion carried 5/0 by the following vote:

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

Mayor Bublak spoke regarding Action Items C and D having been removed from the agenda, noted no action would be taken on these items, but that public participation would be opened.

- C. *Item removed from the Agenda.*

Mayor Bublak opened public participation.

The following members of the public spoke:

Milt Trieweiler
DJ Fransen

Mayor Bublak closed public participation.

Staff provided brief comment in response to public comment.

D. *Item removed from the agenda.*

Mayor Bublak opened public participation.

The following members of the public spoke:

Milt Trieweiler
DJ Fransen

Mayor Bublak closed public participation.

Staff provided brief comment in response to public comment.

10. CITY MANAGER REPORTS/UPDATES:

A. West Main Street Rehabilitation/Construction Project Update

Interim Development Services Director Nathan Bray provided an update regarding the West Main Street rehabilitation project.

Council and staff discussed this item.

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Arellano requested a developer's agreement for review of master plans and also requested review of the fees associated with street closures/parades.

Councilmember Nosrati expressed interest in the pride flag being flown at City Hall and requested staff review of the current flag policy and also inquired how certain types of messaging (electronic communication) could be funneled through the Rules Committee for review.

Councilmember Esquer requested re-evaluation of the Measure L list.

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:

Councilmember Larson expressed thanks to Parks, Recreation and Public Facilities Department Director Allison Van Guilder and department staff for allowing her and Mayor Bublak to assist with pothole repairs and for their efforts.

Councilmember Arellano welcomed Interim City Manager Michael Cooke and expressed thanks to

Robert (Bob) Lawton for his efforts and wished him well in the future.

Mayor Bublak, on behalf of the City, expressed thanks to Mr. Lawton for his service, welcomed Michael Cooke, and assured the public that efforts will be made to distribute agendas in a timelier manner. Mayor Bublak also spoke regarding her and Councilmember Larson's assistance making pothole repairs and recommended seeking input/suggestions from staff regarding future road repairs and also spoke about exploring options for an adopt-a-road (volunteer) program.

Interim City Manager Michael Cooke expressed thanks to the Mayor and Council for their confidence and trust, noted he looks forward to working with the Council, executive team, and the community, and acknowledged the City's phenomenal and loyal staff.

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

14. REPORTS FROM CLOSED SESSION: None

15. ADJOURNMENT

Motion by Councilmember Nosrati, seconded by Councilmember Larson, to adjourn the regular meeting at 7:51 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
City Clerk