

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

- 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.

Mayor Bublak announced that at the request of the applicant, Cal State Ventures2, Final Readings Item 7C would be removed from the agenda. Mayor Bublak noted no action would be taken on this item, but that public participation would be opened.

Action: Motion by Councilmember Nosrati, seconded by Councilmember Esquer, 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

At the request of Mayor Bublak, Police Chief Ninus C. Amirfar provided information regarding a false report that occurred at Turlock High School earlier in the day. Council expressed thanks to the various public safety responders.

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

- A. Recognition: Employee of the Month, August 2019, Information Technology Technician George Younan

Mayor Bublak issued a Certificate of Recognition to Information Technology Technician George Younan as the Employee of the Month award winner for August 2019.

- B. Proclamation: National Market, accepted by Owner Don Ow

Vice Mayor Esquer issued a Proclamation to Mr. Don Ow in recognition of National Market's nearly 70 years of business in the Turlock community.

- C. Proclamation: National Suicide Prevention Awareness Month, September 2019 and World Mental Health Day, October 10, 2019, accepted by the Young Ladies Institute Queen of Faith #254

Mayor Bublak issued a Proclamation to the Young Ladies Institute Queen of Faith #254 in recognition of National Suicide Prevention Awareness Month, September 2019 and World Mental Health Day, October 10, 2019

- D. Recognition: Helping Hands Ministry Street Team, accepted by Liz Padilla and team members

Mayor Bublak issued a Certificate of Recognition to the Helping Hands Ministry Team in recognition of their 50 days of outstanding achievement in community service.

- E. Briefing: City of Turlock Flag Policy, presented by Interim City Manager Michael I. Cooke

Interim City Manager Michael I. Cooke and City Attorney Douglas L. White spoke regarding a request received at the last meeting to fly a rainbow flag on the City flag poles, provided information regarding the City of Turlock Flag Policy, and noted staff would further review and research the policy to address future requests.

Council discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Dan Arriola
Michele Park
Carla Seawright
Corey Ploutz
May Rico
Ann Strahm
Jeannie Robinson
Myrna Wachs
Steve Davis

Council provided brief comment in response to public comment.

4. PUBLIC PARTICIPATION:

The following members of the public spoke:

Manuel Drumonde
Stanislaus County Turlock Public Library Supervising Librarian Diane Bartlett

Sam Regalado
 John Bellison

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

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

Action: Motion by Councilmember Nosrati, seconded by Councilmember Arellano, 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:

Councilmember Nosrati requested Consent Calendar Item 6E be removed from the agenda.

Action: Motion by Councilmember Nosrati, seconded by Councilmember Arellano, 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. 2019-162:** Accepting Weekly Demands of 8/8/19 in the amount of \$489,713.71; Weekly Demands of 8/15/19 in the amount of \$1,632,468.08
- B. **Motion:** Accepting Minutes of the Special Meeting of July 6, 2019; Minutes of the Special Meeting of July 23, 2019; Minutes of the Regular Meeting of July 23, 2019; Minutes of the Special Meeting of July 25, 2019
- C. **Motion:** Approving an Agreement with Hamner, Jewell, and Associates of Fresno, California in the amount of \$20,489 for right-of-way and property appraisal services for City Project 14-27 "Intersection Improvements at Taylor Road and Walnut Road"
- D.
 - 1. **Motion:** Approving Amendment No. 1 to the Agreement with Carollo Engineers of Walnut Creek, California in the amount of \$497,522 (Fund 413), bringing the contract total to \$1,741,198 for construction management services for City Project No. 15-39D "Turlock Regional Water Quality Control Facility Secondary Clarifier No. 5 and Denitrification" (upgrade and expansion of the wastewater treatment plant)
 - 2. **Resolution No. 2019-163:** Appropriating \$129,000 to account number 413-51-539.43327 "Construction Management" to be funded from Fund 410 Division 530 "WQC Operations" to provide funding for construction management services 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)
- E. *Removed for separate consideration.*
- F. **Motion:** Approving Amendment No. 3 to the Agreement with H. T. Harvey & Associates of Los Gatos, California in the amount of \$102,752 for biological monitoring during construction of City Project No. 17-22 "North Valley Regional Recycled Water Program – Turlock Component," bringing the contract total to \$501,403

- G. Motion: Approval of Contract Change Order No. 7 in the amount of \$113,080.44, for City Project No. 17-30 “West Main Corridor Rehabilitation,” bringing the contract total to \$7,962,283.91
 - H. Motion: Awarding bid and approving an Agreement in the amount of \$53,200.00 (Fund 410) with Heritage General, Fresno, California, for City Project No. 18-43 "Finance Counter Improvements"
 - I.
 - 1. Motion: Accepting notification of Change Order No. 2 (Final) in the decreased amount of \$31,568.79, bringing the contract total to \$1,434,255.96, for City Project No. 14-25 "East Monte Vista Avenue Rehabilitation"
 - 2. Motion: Accepting improvements for City Project No. 14-25 "East Monte Vista Avenue Rehabilitation" and authorizing the City Engineer to file a Notice of Completion
 - J. Motion: Approving an Agreement with Condor Earth Technologies, Inc. for various environmental consulting services at the City of Turlock’s Regional Water Quality Control Facility (RWQCF) (wastewater treatment plant) for three (3) years, with an option to extend the Agreement for two (2) additional one-year terms, in annual amount not to exceed \$50,000, for a total not-to-exceed amount of \$250,000, over the 5-year term of the Agreement, if all renewal periods are exercised
 - K. Motion: Approving Amendment No. 1 to an Agreement between the City of Turlock and Univar USA, Inc., of Kent, WA for City Contract No. 2019-44 “Sodium Bisulfite” the City of Turlock’s approval of the assignment and assumptions of the Agreement dated December 11, 2018, by and between the City of Turlock and Univar USA, Inc. to Univar Solutions USA Inc.
 - L. Motion: Approving the Second Amendment to the Telecommunications Site Lease Agreement between the City of Turlock and GoldenState Towers, LLC to extend the term of the Agreement
 - M. **Resolution No. 2019-164**: Rescinding Resolution Nos. 2018-330 and 2018-253 and adopting a new Resolution designating the authorized signatures for the City of Turlock bank accounts with Westamerica Bank
 - N. **Resolution No. 2019-165**: Authorizing computer and hardware purchases solely from Dell Computer Corporation, through the NASPO Contract No. 7-15-70-34-003, without compliance to the formal bidding procedures pursuant to Turlock Municipal Code Section 2-7-08(b)(5)
- 6E. Motion: Approving Contract Change Order No. 1 in the amount of \$34,102.00, for City Project No. 16-58 “Christoffersen Parkway Class II Bicycle Improvements,” bringing the contract total to \$430,931.25

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 Contract Change Order No. 1 in the amount of \$34,102.00, for City Project No. 16-58 “Christoffersen Parkway Class II Bicycle Improvements,” bringing the contract total to \$430,931.25. Motion carried 5/0 by the following vote:

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

7. FINAL READINGS:

A. *Recommended Action:*

Ordinance: Adopting an Ordinance 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 as introduced at the August 27, 2019 City Council meeting

City Attorney Douglas L. White provided an overview of this item.

Mayor Bublak opened the public participation.

The following members of the public spoke:

Brandy Gemperle
 Mary Jackson
 Mike Warda

Mayor Bublak closed public participation.

Action: **Ordinance No. 1260-CS**, Motion by Councilmember Nosrati, seconded by Councilmember Esquer, 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 as introduced at the August 27, 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

B. *Recommended Action:*

Ordinance: Adopting an Ordinance 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 as introduced at the August 27, 2019 City Council meeting

City Attorney Douglas L. White provided an overview of this item.

Mayor Bublak opened the 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.

Mayor Bublak opened public participation an additional time.

The following members of the public spoke:

Mike Warda

Mayor Bublak closed public participation.

Action: **Ordinance No. 1261-CS**, Motion by Councilmember Nosrati, seconded by Councilmember Larson, 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 as introduced at the August 27, 2019 City Council meeting was passed and adopted 3/2 by the following vote:

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

Mayor Bublak spoke regarding Final Readings Item C having been removed from the agenda per the applicants request and noted public participation would be opened.

C. *Item removed from the agenda.*

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

8. PUBLIC HEARINGS

A. Deputy City Attorney Liah Burnley provided an update regarding the cannabis business pilot program and introduced 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 The Evergreen Market (Turlock), Inc. located at 693 N. Golden State Boulevard, Turlock, CA, County of Stanislaus, Assessor's Parcel Number 061-041-006

The Evergreen Market Representatives Eric Gaston and Duston Moore presented information regarding their proposed cannabis business operations.

Council and the representative discussed this item.

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

Action: Motion by Councilmember Larson, seconded by Councilmember Nosrati, Introducing an Ordinance for first reading approving a Development Agreement by and between the City of Turlock and The Evergreen Market (Turlock), Inc. located at 693 N. Golden State Boulevard, Turlock, CA, County of Stanislaus, Assessor’s Parcel Number 061-041-006 and setting the final reading date for September 24, 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 introduced 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 Perfect Union Turlock, LLC located at 2500 N. Golden State Boulevard, Turlock, CA, County of Stanislaus, Assessor’s Parcel Number 088-007-025

Perfect Union Representatives David Spradlin, Tom Sheridan, and Caity Maple presented information regarding their proposed cannabis business operations.

Council and the representative discussed this item.

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

Action: Motion by Councilmember Nosrati, seconded by Councilmember Larson, Introducing an Ordinance for first reading approving a Development Agreement by and between the City of Turlock and Perfect Union Turlock, LLC located at 2500 N. Golden State Boulevard, Turlock, CA, County of Stanislaus, Assessor’s Parcel Number 088-007-025 and setting the final reading date for September 24, 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:** None

10. **CITY MANAGER REPORTS/UPDATES:**

Interim City Manager Michael I. Cooke spoke regarding his recent attendance at a City of Turlock and California State University Stanislaus Joint Task Force on Diversity and Inclusion meeting, the 22nd annual Turlock Policemen’s Ball, Assyrian National Council meeting and upcoming meetings/events including the Stanislaus Homeless Alliance Collaborative meeting and 9-11 remembrance ceremony. Interim City Manager Cooke also spoke regarding the pending departure of the City’s Administrative Services Director and his outreach efforts to individuals in the public and private sector to provide contract services in finance and human resources and acknowledged the efforts of the public safety responders, teachers, and community for their response to the Turlock High School incident.

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION: None

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:

Councilmember Arellano spoke regarding concerns of wasps in the storm drains and her upcoming travels to Fresno to tour/view their new homeless facility.

Councilmember Nosrati announced he is officially an uncle.

Councilmember Arellano spoke regarding the recent passing of a member of our youth community and requested prayers for the family and their continued healing.

Councilmember Larson expressed thanks to the Walking Miracles Group of Turlock for adopting two parks and spoke regarding the importance of this program in the community, spoke regarding her and Councilmember Nosrati's upcoming travels to Sacramento to discuss sustainable water, and addressed members of the public comments concerning road conditions and noted her commitment to this issue.

Councilmember Esquer expressed thanks to those in attendance at the meeting.

Mayor Bublak spoke regarding upcoming meetings/events including a roads workshop and the 9-11 remembrance ceremony and also spoke regarding CSUS students having expressed interest in assisting/volunteering with the City and within the Community.

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

14. REPORTS FROM CLOSED SESSION: None

City Attorney White recessed the City Council meeting at 7:58 p.m.
Mayor Bublak reconvened the City Council meeting at 8:52 p.m.

15. ADJOURNMENT

Mayor Bublak adjourned the regular meeting at 8:52 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
City Clerk