

0. A. CALL TO ORDER – Mayor Bublak called the meeting to order at 6:02 p.m.

B. SALUTE TO THE FLAG

Mayor Bublak announced that members of Council and staff are participating in the meeting via the Zoom system and advised that the Council meeting is being streamed on the City’s website, YouTube, and Spectrum Channel 2.

Mayor Bublak also announced that members of the public will be given the opportunity to address the Council during public participation as well during the presentation of public hearing / discussion items and noted the City Clerk will provide additional details once we near the public participation section of the meeting.

C. ROLL CALL:

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

PRESENT: Councilmembers Becky Arellano (*via teleconference*), Nicole Larson, Andrew Nosrati, Gil Esquer, and Mayor Amy Bublak.

ABSENT: None

D. DECLARATION OF CONFLICTS: None

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

1. CLOSED SESSION:

The Closed Session item(s) 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.

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

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

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

- A. Proclamation: Veterans Day, November 11, 2020

Mayor Bublak read the Proclamation.

- B. Recognition: 2019-20 Active Military Banner Retirement, presented by Mayor Bublak

Parks, Recreation and Public Facilities Director Allison Van Guilder spoke regarding the 2019-20 Active Military Banner Program year and Mayor Bublak recognized the banner retirement recipients.

- C. Proclamation: Law Enforcement Records and Support Personnel Appreciation, November 10, 2020

Interim Police Chief Miguel Pacheco read the Proclamation.

- D. Proclamation: Small Business Saturday, November 28, 2020

Mayor Bublak read the Proclamation.

- E. Presentation: Carnegie Arts Center 2019 Annual Report, presented by Carnegie Arts Center Director Lisa McDermott

Carnegie Arts Center Director Lisa McDermott presented information regarding the Carnegie Arts Center 2019 Annual Report.

Council and Carnegie Arts Center discussed this item.

*City Clerk Jennifer Land announced that members of the public will be given the opportunity to address Council on items that are within the subject matter jurisdiction of the City Council and on any item on tonight's agenda. For items listed on the agenda, we ask that you please defer your comments until that item is heard by the Council. For those who are interested in addressing the Council, please press the "raise hand" feature on your screen or press *9 from your telephone keypad once the Mayor opens public comment and before she closes public comment.*

Members of the public will be allotted three (3) minutes for comments and will be taken in the order of which requests are received. When it is a member's turn to speak, they will hear an automated prompt indicating their line has been unmuted – and that is when the three (3) minutes will begin.

Lastly, we request members who choose to address the Council to please state their first and last name in the event any follow up is needed; however, this is not mandatory.

4. PUBLIC PARTICIPATION:

City Attorney Douglas L. White announced that two members of the Council Elect are present in the audience and may be participating.

The following members of the public spoke:

Milt Trieweiler
Lori Smith

5. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE:
None

6. CONSENT CALENDAR:

Mayor Bublak requested Consent Calendar Items 6C, 6E, 6I, and 6J be removed for separate consideration.

Councilmember Nosrati requested Consent Calendar Item 6K be removed for separate consideration.

Councilmember Arellano requested Consent Calendar Item 6F be removed for separate consideration.

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

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

- A. **Resolution No. 2020-164:** Accepting Weekly Demands of 10/08/20 in the amount of \$1,518,656.41; Accepting Weekly Demands of 10/15/20 in the amount of \$3,122,074.07
- B. **Motion:** Accepting Minutes of the Special Meeting of September 8, 2020; Minutes of the Regular Meeting of September 8, 2020
- C. *Item removed for separate consideration.*
- D. **Motion:** Approving Amendment No. 1 with Quad Knopf, Inc., dba QK, of Merced, California, for City Project No. 17-57 “Retainer Agreement for Engineering and Surveying Services” in the amount of \$15,680 bringing the not-to-exceed amount to \$165,680
- E. *Item removed for separate consideration.*
- F. *Item removed for separate consideration.*
- G. **Resolution No. 2020-165:** Initiating proceedings for the formation of the SM 19-01 FQC (Development Project No. 20-029) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area and directing the City Engineer to act as the Engineer of Work and produce an Engineer’s Report which details the annual costs to the development
- H. **Motion:** Approving an Agreement with Bureau Veritas, of Sacramento, California, for building inspection services in an amount not-to-exceed \$200,000 annually (Fund 405)
- I. *Item removed for separate consideration.*
- J. *Item removed for separate consideration.*
- K. *Item removed for separate consideration.*
- L. **Motion:** Approving an Agreement between the City of Turlock and Clark Pest Control, Inc. for pest and weed control services, for a period of three (3) years, with an option to extend the Agreement for three (3) additional one-year terms, in an annual amount not to exceed

\$90,000 with a five (5) percent contingency for additional pest services if needed for the first year and an annual amount not to exceed \$74,000 for the second and third years and renewal periods if exercised

M. **Resolution No. 2020-166**: Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19

6C. **Motion**: Approving Contract Change Orders No. 2 (Supplement 1), 12, 14, 16 (Supplement 1), 18, 21, 22, and 23 in the amount of \$404,240.72 (Fund 305) with Agee Construction of Clovis, California, for City Project No. 0828 “SR-99/Fulkerth Road Interchange,” bringing the contract total to \$12,003,414.28

Councilmember Elect Franco 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 Larson, Approving Contract Change Orders No. 2 (Supplement 1), 12, 14, 16 (Supplement 1), 18, 21, 22, and 23 in the amount of \$404,240.72 (Fund 305) with Agee Construction of Clovis, California, for City Project No. 0828 “SR-99/Fulkerth Road Interchange,” bringing the contract total to \$12,003,414.28. Motion carried 5/0 by the following vote:

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

6E. 1. **Motion**: Approving Amendment No. 4 with Carollo Engineers of Walnut Creek, California, in the amount of \$374,574 (Non-General Fund - Fund 420), bringing the contract total to \$3,245,750 for professional engineering design services for City Project No. 18-69 "Surface Water Distribution System Improvements"

2. **Resolution**: Appropriating \$374,000 to account number 420-52-551.51356 “Northeast Water Storage Tank-2 Mil Gal” from Fund 420 “Water” unallocated reserves for professional design services for City Project No. 18-69 "Surface Water Distribution System Improvements"

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

Action: Motion by Councilmember Esquer, seconded by Councilmember Larson, Approving Amendment No. 4 with Carollo Engineers of Walnut Creek, California, in the amount of \$374,574 (Non-General Fund - Fund 420), bringing the contract total to \$3,245,750 for professional engineering design services for City Project No. 18-69 "Surface Water Distribution System Improvements". Motion carried 5/0 by the following vote:

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

Resolution No. 2020-167: Appropriating \$374,000 to account number 420-52-551.51356 "Northeast Water Storage Tank-2 Mil Gal" from Fund 420 "Water" unallocated reserves for professional design services for City Project No. 18-69 "Surface Water Distribution System Improvements" as introduced by Councilmember Esquer, seconded by Councilmember Larson, and carried 5/0 by the following vote:

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

- 6F. **Resolution:** Initiating proceedings for the formation of the PM 20-03 Turlock Dental Care (Development Project No. 20-020) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area and directing the City Engineer to act as the Engineer of Work and produce an Engineer's Report which details the annual costs to the development

Council and staff discussed this item.

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

Action: **Resolution No. 2020-168:** Initiating proceedings for the formation of the PM 20-03 Turlock Dental Care (Development Project No. 20-020) Landscaping and Lighting Benefit Assessment District and the Street Maintenance Benefit Assessment Area and directing the City Engineer to act as the Engineer of Work and produce an Engineer's Report which details the annual costs to the development as introduced by Councilmember Nosrati, seconded by Councilmember Arellano, and carried 5/0 by the following vote:

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

- 6I. **Resolution:** Approving the Stanislaus Regional Water Authority Regional Surface Water Supply Project State Revolving Fund-Related Agreement

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

Councilmember Elect Franco and staff discussed this item.

Action: **Resolution No. 2020-169:** Approving the Stanislaus Regional Water Authority Regional Surface Water Supply Project State Revolving Fund-Related Agreement as introduced by Councilmember Esquer, seconded by Councilmember Nosrati, and carried 5/0 by the following vote:

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

- 6J. 1. **Resolution:** Determining the connections of the existing properties at 1056 Mitchell Avenue and 1060 Mitchell Avenue, located outside the jurisdictional boundary of the City of Turlock, to existing City of Turlock water and sewer lines are exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures), of the CEQA Guidelines
2. **Motion:** Approving an Out of Boundary Service Agreement for Water and/or Sanitary Sewer Connections Affecting Real Property located at 1056 Mitchell Avenue, Turlock, California (Stanislaus County Assessor’s Parcel Number 042-021-049) and 1060 Mitchell Avenue, Turlock, California (Stanislaus County Assessor’s Parcel Number 042-021-048) establishing the conditions under which the City would provide water and/or sanitary sewer services to the properties and authorizing the City Manager to sign an Out of Boundary Service Agreement for Water and/or Sanitary Sewer Connection Affecting Real Property upon approval of the Out of Boundary Service Application by the Stanislaus LAFCO, and to execute all documents, applications, assurances, agreements, and statements that may be required to implement the agreement
3. **Motion:** Authorizing the City Manager to certify a Stanislaus LAFCO Out of Boundary Service Application, requesting LAFCO approval for the properties located at 1056 Mitchell Avenue, Turlock, California, (Stanislaus County APN 042-021-049) and 1060 Mitchell Avenue, Turlock, California, (Stanislaus County APN 042-021-048) properties located outside the City of Turlock jurisdictional boundary and within its Sphere of Influence, to connect to the City of Turlock water and sewer system

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Milt Trieweiler
 Robert Puffer

Mayor Bublak closed public participation.

Council provided brief comment in response to public comment.

Council and staff further discussed this item including concerns with the County process related to these types of matters.

Councilmember Nosrati introduced a modified motion to reject this item. Councilmember Arellano seconded the modified motion.

Action: Motion by Councilmember Nosrati, seconded by Councilmember Arellano, Rejecting the actions for this item. Motion failed 2/3 by the following vote:

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

Action: **Resolution No. 2020-170:** Determining the connections of the existing properties at 1056 Mitchell Avenue and 1060 Mitchell Avenue, located outside the jurisdictional boundary of the City of Turlock, to existing City of

Turlock water and sewer lines are exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures), of the CEQA Guidelines as introduced by Mayor Bublak, seconded by Councilmember Esquer, and carried 3/2 by the following vote:

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

Motion by Mayor Bublak, seconded by Councilmember Esquer, Approving an Out of Boundary Service Agreement for Water and/or Sanitary Sewer Connections Affecting Real Property located at 1056 Mitchell Avenue, Turlock, California (Stanislaus County Assessor's Parcel Number 042-021-049) and 1060 Mitchell Avenue, Turlock, California (Stanislaus County Assessor's Parcel Number 042-021-048) establishing the conditions under which the City would provide water and/or sanitary sewer services to the properties and authorizing the City Manager to sign an Out of Boundary Service Agreement for Water and/or Sanitary Sewer Connection Affecting Real Property upon approval of the Out of Boundary Service Application by the Stanislaus LAFCO, and to execute all documents, applications, assurances, agreements, and statements that may be required to implement the agreement. Motion carried 3/2 by the following vote:

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

Motion by Mayor Bublak, seconded by Councilmember Esquer, Authorizing the City Manager to certify a Stanislaus LAFCO Out of Boundary Service Application, requesting LAFCO approval for the properties located at 1056 Mitchell Avenue, Turlock, California, (Stanislaus County APN 042-021-049) and 1060 Mitchell Avenue, Turlock, California, (Stanislaus County APN 042-021-048) properties located outside the City of Turlock jurisdictional boundary and within its Sphere of Influence, to connect to the City of Turlock water and sewer system. Motion carried 3/2 by the following vote:

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

- 6K. **Resolution:** Accepting the Turlock Downtown Property Owners Association 2019-2020 Annual Report to be filed with the City Clerk in accordance with California Streets and Highways Code Section 36650

Councilmember Nosrati requested a formal presentation from the Turlock Downtown Property Owners Association (TDPOA) on this item.

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

TDPOA Vice President Danny Mann

Mayor Bublak closed public participation.

Councilmember Nosrati introduced a modified motion to continue this item to the December 8, 2020 City Council meeting. Councilmember Arellano seconded the modified motion.

Action: Motion by Councilmember Nosrati, seconded by Councilmember Arellano to continue this item to the December 8, 2020 City Council meeting. Motion carried 5/0 by the following vote:

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

7. FINAL READINGS: None

8. PUBLIC HEARINGS

- A. Interim Development Services Director Nathan Bray presented the staff report on the request to order the vacation abandonment (AB 20-01) of all right-of-way of that certain City street known as Isaac Way

Interim Director Bray also noted the green sheet for this item which identifies the public utility easement.

Council and staff discussed this item.

Mayor Bublak opened the public hearing.

The following members of the public spoke:

Brian Jones
Hemanta Agarwala

Mayor Bublak closed the public hearing.

Council and staff further discussed this item including concerns regarding access for the adjacent property and a public utility easement for infrastructure purposes.

Council provided direction to staff to include language in the resolution regarding reserving a public utility easement for water and sewer infrastructure and requiring the execution of a private access easement between the developer and the adjacent property for as long as that property is farmed. The developer (Hemanta Agarwala) agreed to these conditions.

Action: **Resolution No. 2020-171**: Ordering the vacation abandonment (AB 20-01) of all right-of-way of that certain City street known as Isaac Way, as

introduced by Councilmember Nosrati, seconded by Councilmember Esquer, and carried 3/2 by the following vote:

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

- B. City Manager Toby Wells presented the staff report on the request to supersede and replace Resolution No. 2020-007 and adopt updated cost recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq.

Council and staff discussed this item.

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

Council and staff further discussed this item.

Action: **Resolution No. 2020-172:** Superseding and replacing Resolution No. 2020-007 and adopting updated cost recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq. as introduced by Councilmember Nosrati, seconded by Councilmember Esquer, and carried 4/1 by the following vote:

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

9. ACTION ITEMS:

Councilmember Esquer stepped down from the dais at 8:01p.m.
Councilmember Esquer returned to the dais at 8:03pm.

- A. Assistant to the City Manager for Economic Development/Housing Maryn Pitt presented the staff report on the request to approve the sale agreement, loan agreement, and joint escrow instructions in a form approved by the City Attorney for the sale of the property located at 1143 Park Street, Turlock (APN # 061-002-059-000), to be sold to the Housing Authority of the County of Stanislaus, a Body Politic and Corporate, in the amount of \$433,000 subject to the terms and conditions as outlined in Attachment A, and authorize the City Manager to sign all necessary documents to effectuate the transaction

Council and staff discussed this item.

Councilmember Elect Franco and staff discussed this item.

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

Council and staff further discussed this item.

Action: **Resolution No. 2020-173:** Approving the sale agreement, loan agreement, and joint escrow instructions in a form approved by the City Attorney for the sale of the property located at 1143 Park Street, Turlock (APN # 061-002-059-000), to be sold to the Housing Authority of the County of Stanislaus, a Body Politic and Corporate, in the amount of \$433,000 subject to the terms and conditions as outlined in Attachment A, and authorizing the City Manager to sign all necessary documents to effectuate the transaction as introduced by Councilmember Arellano, seconded by Councilmember Esquer, and carried 5/0 by the following vote:

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

B. Assistant to the City Manager for Economic Development/Housing Maryn Pitt presented the staff report on the request to approve a promissory note, loan agreement with forgivable terms, and deed of trust in a form approved by the City Attorney, between the City of Turlock and Turlock Gospel Mission, a 501 (c)(3) non-profit organization, for the acquisition and closing costs of the real property located at 425 South Broadway, Turlock (APN # 043-049-060-000), in the total amount of \$179,000 plus escrow fees in the total amount not to exceed \$4,000, subject to the terms and conditions as outlined in Attachment A, and authorize the City Manager to sign all necessary documents to effectuate the transaction

Councilmember Elect Monez inquired about the addition of a covenant for the City to recover the property when not in use by Turlock Gospel Mission as storage space and recommended this language be added.

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Turlock Gospel Mission Executive Director Christian Curby

Councilmember Elect Franco and staff discussed this item.

Michael Melendez

Mayor Bublak closed public participation.

Staff and Turlock Gospel Mission provided brief comment in response to public comments.

Council, Councilmember Elects, staff, and Turlock Gospel Mission further discussed this item including how to address any future changes in use of the property.

Action: Motion by Councilmember Arellano, seconded by Councilmember Larson, Approving a promissory note, loan agreement with forgivable terms, and deed of trust in a form approved by the City Attorney, between the City of

Turlock and Turlock Gospel Mission, a 501 (c)(3) non-profit organization, for the acquisition and closing costs of the real property located at 425 South Broadway, Turlock (APN # 043-049-060-000), in the total amount of \$179,000 plus escrow fees in the total amount not to exceed \$4,000, subject to the terms and conditions as outlined in Attachment A, and authorizing the City Manager to sign all necessary documents to effectuate the transaction. Motion failed 2/3 by the following vote:

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

Councilmember Nosrati introduced a modified motion to include stipulations of meet and confer requirements upon change of use and an acceleration clause. Councilmember Esquer seconded the modified motion.

Action: Motion by Councilmember Nosrati, seconded by Councilmember Esquer, Approving a promissory note, loan agreement with forgivable terms, and deed of trust in a form approved by the City Attorney, between the City of Turlock and Turlock Gospel Mission, a 501 (c)(3) non-profit organization, for the acquisition and closing costs of the real property located at 425 South Broadway, Turlock (APN # 043-049-060-000), in the total amount of \$179,000 plus escrow fees in the total amount not to exceed \$4,000, subject to the terms and conditions as outlined in Attachment A, and authorizing the City Manager to sign all necessary documents to effectuate the transaction, to include stipulations of meet and confer required upon change of use and an acceleration clause. Motion carried 4/1 by the following vote:

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

- C. City Attorney Douglas L. White presented the staff report on the request to provide direction to City staff regarding establishing contribution limits for candidates for City Office

Council and staff discussed this item including clarification if State limits are not adopted, enforcement of campaign limits for candidates for City Office by the City Clerk if the State limits are not adopted.

Mayor Bublak opened public participation.

The following members of the public spoke:

Milt Trieweiler

Mayor Bublak closed public participation.

Council and staff further discussed this item including State campaign contribution limits, enforcement protocols, disclosure requirements, the City of Turlock voluntary contribution policy, limited staffing and resources, and requirements to adopt regulations before January 1, 2021.

Councilmember Elects Franco and Monez and staff discussed this item.

Mayor Bublak continued 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 provided direction to staff to bring back an item for the December 8, 2020 City Council meeting repealing the voluntary limits and defaulting to the State limits. No formal action was taken.

- D. City Manager Toby Wells presented the staff report on the request to amend the 2020-21 Municipal Budget (Fund 110) as outlined in the Resolution to reflect increased Coronavirus Aid, Relief and Economic Security (CARES) Act funding priorities for the Coronavirus Relief Fund (CRF) and expenditures for business and community relief programs

Council and staff discussed this item.

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

Action: **Resolution No. 2020-174:** Amending the 2020-21 Municipal Budget (Fund 110) as outlined in the Resolution to reflect increased Coronavirus Aid, Relief and Economic Security (CARES) Act funding priorities for the Coronavirus Relief Fund (CRF) and expenditures for business and community relief programs as introduced by Councilmember Nosrati, seconded by Councilmember Larson, and carried 5/0 by the following vote:

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

10. CITY MANAGER REPORTS/UPDATES:

- A. Administrative Services

- 1. Board, Commission, and Committee Vacancies

City Clerk Jennifer Land announced that information regarding upcoming vacancies can be found in the agenda packet as well as on the City’s website and spoke regarding the application process.

A written staff update was also included in the agenda packet.

2. Fiscal Year 2019-20 Budget Year-End Review

City Manager Toby Wells and Interim Finance Director Tina Envia presented information regarding the Fiscal Year 2019-20 Budget Year-End Review including the audit schedule, General Fund projections, updated fund balances, 5-year history of sales tax, CalPERS changes and funding status, CalPERS unfunded liability, CalPERS employer normal cost rates, pension cost, and health care insurance.

A written staff update was also included in the agenda packet.

Mayor Bublak requested audit results be presented by the audit firm.

3. Fiscal Year 2020-21 Budget First-Quarter Review

City Manager Toby Wells and Accountant, Sr. Nadine Silva presented information regarding the Fiscal Year 2020-21 Budget First Quarter Review including General Fund revenues and expenditures, sales tax revenue overview, and unfunded equipment replacement.

A written staff update was also included in the agenda packet.

4. Re-opening Public Meetings

City Manager Toby Wells spoke regarding public attendance at Council meetings as it relates to the status of COVID-19.

B. Development Services

1. Departmental Update

A written staff update was included in the agenda packet.

C. Fire Department

1. COVID-19 Update

Interim Fire Chief Gary Carlson provided an update regarding COVID-19 including case rate increase, an appeal filed with the State by the County Health Officer, anticipated movement into a more restrictive tier, upcoming flu season, increased rapid testing for COVID-19, firefighting staff with COVID-19, and the active cases and mortality rate in Stanislaus County.

D. Parks, Recreation and Public Facilities

1. Columbia Park Update

Parks, Recreation and Public Facilities Director Allison Van Guilder provided an update regarding the Columbia Park Master Plan including the virtual town hall meeting held on November 9, 2020 and online survey.

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Nosrati requested a discussion regarding the restoration of basic City services related to public safety and capital infrastructure with Measure A sales tax revenues.

City Manager Toby Wells updated Council regarding upcoming workshops scheduled for January 2021 to set priorities.

Mayor Bublak spoke regarding transparency and requested a discussion at the December 8, 2020 City Council meeting regarding procurement authority of the City Manager, review of contracts that have been signed, examine issues with timely payments, and review of current procurement card limits and procedures.

Councilmember Nosrati also requested a discussion regarding review of the Fire services model.

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:

Mayor Bublak announced the Veteran's Day drive thru on November 11, 2020.

Councilmember Esquer requested a workshop regarding Measure A sales tax revenues and the establishment of the oversight committee.

Councilmember Larson announced the open registration for the City of Turlock Christmas Cruise, developed as a safe alternative to the annual Christmas Parade due to COVID-19.

13. CLOSED SESSION:

City Clerk Jennifer Land introduced the Closed Session Items.

- A. Threat to Public Services or Facilities, Cal. Gov't Code §54957(a)
"This chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, or a threat to the public's right of access to public services or public facilities."
Consultation with: City Manager Toby Wells and City Attorney Douglas L. White

- B. 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)

- C. Liability Claims, Cal. Gov't Code §54956.95
"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written

communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5.”

Claimant: Carlos Espinoza

Agency Claimed Against: City of Turlock

D. Liability Claims, Cal. Gov't Code §54956.95

“For the purposes of [Section 54956.9], ‘existing facts and circumstances’ shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5.”

Claimant: Lance and Jennifer LeVake

Agency Claimed Against: City of Turlock

14. REPORTS FROM CLOSED SESSION:

City Clerk Jennifer Land reported for Closed Session Items 13A, 13B, and 13C that Council provided direction to staff but no reportable action was taken.

City Clerk Jennifer Land reported for Closed Session Item 13D (Claim Filed Against the City by Lance and Jennifer LeVake) the City Council by a 5/0 vote rejected this claim for damages.

15. ADJOURNMENT

Mayor Bublak adjourned the regular meeting at 10:43 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Allison Martin, Deputy City Clerk
Jennifer Land, City Clerk