

0. A. CALL TO ORDER – Mayor Bublak called the meeting to order at 6:01 p.m.

B. SALUTE TO THE FLAG

Mayor Bublak announced the City Council meeting is open to the public with limited seating capacity and that compliance with health and safety guidelines including COVID-19 screening, temperature checks, face coverings, and physical distancing measures are required for in-person attendance.

Mayor Bublak also announced the meeting is being conducted via the Zoom system and streamed on the City’s website, YouTube, & Spectrum Channel 2.

Lastly, Mayor Bublak 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 Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

PRESENT: Councilmembers Nicole Larson, Andrew Nosrati, Pam Franco, Rebecka Monez, and Mayor Amy Bublak.

ABSENT: None

D. DECLARATION OF CONFLICTS: None

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 Franco, seconded by Councilmember Monez, Approving the agenda as posted Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

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

- A. Recognition: Employee of the Month, May 2021, Payroll Coordinator, Taryn Perry

Mayor Bublak announced that Payroll Coordinator Taryn Perry is the Employee of the Month for May 2021 and read her bio.

- B. Presentation: Carnegie Arts Center 2020 Annual Report

Carnegie Arts Center Director Lisa McDermott presented the Carnegie Arts Center Annual Report.

- C. Briefing: Roads Update

Interim Development Services Director Nathan Bray provided a roads update including hiring status of the Roads Program Manager, Hedstrom Road and Golden State Boulevard projects, and RFP/RFI status for roads innovation strategies.

Council and staff discussion included a request for updates on the Lander Avenue Project and Southeast Quadrant bids, the Golden State Boulevard Project, and the possibility of receiving funding for lighting through the Community Grant Program.

*Interim City Clerk Kellie Weaver 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 members of the public participating in-person and who are interested in addressing the Council, please raise your hand once the Mayor opens public comment and before she closes public comment. For members of the public participating remotely, 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 participating in-person will be called upon first and then we will move to those participating remotely. For those participating remotely, they will hear an automated prompt indicating their line has been unmuted – and that is when their comment period will begin. Please be aware, for those participants who have accessed the meeting through the phone number provided on the agenda, their personal phone numbers will be displayed publicly.

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:

The following members of the public spoke:

Milt Trieweler
Vito Chiesa
Ronald Bridegroom

Ramon Rodriguez
Mary Jackson
Jupiter

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

None

6. CONSENT CALENDAR:

Mayor Bublak announced that Consent Calendar Items 6C, 6G, 6I, 6M, and 6N would be removed for separate consideration.

Action: Motion by Councilmember Pam Franco, seconded by Councilmember Monez, adopting the amended consent calendar. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- A. **Resolution No. 2021-143:** Accepting Weekly Demands of 7/15/21 in the amount of \$1,774,951.03; Weekly Demands of 7/22/21 in the amount of \$882,555.54; Weekly Demands of 7/29/21 in the amount of \$1,098,276.69
- B. **Motion:** Accepting Minutes of the Special Meeting of May 11, 2021; Minutes of the Regular Meeting of May 11, 2021; Minutes of the Special Meeting of May 18, 2021; Minutes of the Special Meeting of May 21, 2021; Minutes of the Special Meeting of June 15, 2021
- C. *Removed for separate consideration*
- D. **Resolution No. 2021-144:** Authorizing the City Manager, or his or her designee, to approve a short-term extension to the reduced transit fare structure previously approved by the City Council under Resolution No. 2020-123, with a new expiration date of September 30, 2021, providing additional time to consider permanent fare options given pending State legislation and to allow for fare changes to align with other system changes
- E. **Resolution No. 2021-145:** Rescinding Resolution No. 2021-042 and approving the sole source purchase of air purification and surface treatment technology for City transit vehicles from United Safety and Survivability Corporation (USSC) of Exton, Pennsylvania, to address the COVID-19 public health emergency in an amount not to exceed \$60,094 (Fund 426), without compliance to formal bid procedures in accordance with Turlock Municipal Code Section 2-7-08(b)(6) and in support of City Project No. 21004 "Transit Air Purification Upgrades"
- F.
 - 1. **Motion:** Approving an Access Agreement for Installation and Monitoring of Groundwater Monitoring Wells with West Turlock Groundwater Sustainability Agency
 - 2. **Motion:** Granting a Groundwater Monitoring Well Easement to West Turlock Groundwater Sustainability Agency for Installation and Monitoring of Groundwater Monitoring Wells
- G. *Removed for separate consideration*
- H. **Motion:** Approving an Agreement between the City of Turlock and the Turlock Unified School District for Police Officer services at Turlock High School and Pitman High School
- I. *Removed for separate consideration*
- J. **Resolution No. 2021-146:** Approving the S.B. 1 State of Good Repair (SGR) project list for FY 2021-22, transferring SGR funding from the Transit Operations Facility Project to a future bus stop rehabilitation and enhancement project

- K. 1. Motion: Approving Amendment No. 1 to the Agreement between the City of Turlock and R3 Consulting Group, Inc. for Solid Waste Consulting Services to include additional scope of work for continuation of Solid Waste Rate development and assistance with meeting Solid Waste Regulatory Compliance, merging City Contract No. 2020-43 “Solid Waste Rate and Fee Study and City Contract No. 2020-77 “Solid Waste Consulting Services”, and increasing the compensation by \$64,600, for a total not-to-exceed amount of \$131,516.00
- 2. Resolution No. 2021-147: Re-appropriating unspent funds of \$16,000 from Fiscal Year 2020-2021 to Fiscal Year 21-22 account number 204-50-505.43320 “Special Services/Projects” from Fund 204 “AB 939 Integrated Waste Mgmt” for Amendment No. 1 to Agreement No. 2020-77 “Solid Waste Consulting Services” between the City of Turlock and R3 Consulting Group, Inc. for Solid Waste Consulting Services
- L. Resolution No. 2021-148: Rescinding Resolution No. 2021-142 and adopting a new Resolution establishing an Advisory Redistricting Commission to assist the City Council in the council district redistricting process necessitated by the 2020 Federal Census, to be titled “City of Turlock Redistricting Commission,” establishing requirements for membership on the Commission, and establishing the manner in which appointments are made to the Commission
- M. *Removed for separate consideration*
- N. *Removed for separate consideration*

The following items were removed from the Consent Calendar for future consideration:

- C. 1. Motion: Approval of Contract Change Order No. 2 (Final) with Sinclair General Engineering Construction in the amount of \$4,944.00 (Non-General Fund – Fund 215) for City Project No. 17-59 “Pedestrian Intersection Improvements, Various Locations” bringing the contract total to \$265,622.00
- 2. Motion: Accepting improvements for City Project No. 17-59 “Pedestrian Intersection Improvements, Various Locations” and authorizing the City Engineer to file a Notice of Completion
- 3. Resolution: Appropriating \$6,000 to account number 215-40-420.51210 “Federal Street Projects” to be funded via a transfer from Fund 217 “Streets Maintenance (Gas Tax)” unallocated reserves to provide necessary funding for City Project No. 17-59 “Pedestrian Intersection Improvements, Various Locations”

Staff responded to Council inquiry.

Mayor Bublak opened public participation.

Mayor Bublak closed public participation.

Action: Motion by Councilmember Monez, seconded by Councilmember Larson, Approving Contract Change Order No. 2 (Final) with Sinclair General Engineering Construction in the amount of \$4,944.00 (Non-General Fund – Fund 215) for City Project No. 17-59 “Pedestrian Intersection Improvements, Various Locations” bringing the contract total to \$265,622.00. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Motion by Councilmember Monez, seconded by Councilmember Larson, Accepting improvements for City Project No. 17-59 “Pedestrian Intersection Improvements, Various Locations” and authorizing the City Engineer to file a Notice of Completion. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Resolution No. 2021-149: Appropriating \$6,000 to account number 215-40-0.51210 “Federal Street Projects” to be funded via a transfer from Fund 217 “Streets Maintenance (Gas Tax)” unallocated reserves to provide necessary funding for City Project No. 17-59 “Pedestrian Intersection Improvements, Various Locations,” as introduced by Councilmember Monez, seconded by Councilmember Larson, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- G. **Motion:** Approving an Agreement between the Stanislaus County Office of Education, the City of Turlock, and the Turlock Unified School District authorizing the acceptance of an allocation of funds and execution of a grant agreement to implement the After School Education and Safety (ASES) Program

Mayor Bublak opened public participation.

The following members of the public spoke:

Ron Bridegroom

Mayor Bublak closed public participation.

Action: Motion by Councilmember Franco, seconded by Councilmember Monez, Approving an Agreement between the Stanislaus County Office of Education, the City of Turlock, and the Turlock Unified School District authorizing the acceptance of an allocation of funds and execution of a grant agreement to implement the After School Education and Safety (ASES) Program. Motion carried 5/0 by the following vote.

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- I. Motion: Approving Amendment No. 1 to the Agreement with White Brenner LLP (“Firm”) to extend the term for providing special counsel legal services to the City of Turlock (“City”) and authorizing the Interim City Manager to execute Amendment No. 1 to the Agreement on behalf of the City

Mayor Bublak opened public participation.

The following members of the public spoke:

Ron Bridegroom

Mayor Bublak closed public participation.

Staff provided brief remarks in response to public comment.

Council discussed this item including amending Amendment No. 1 to the Agreement with White Brenner LLP to extend the Agreement for a term of 90 days, instead of the requested extension to be through June 30, 2022.

Action: Motion by Councilmember Monez, seconded by Councilmember Larson, Approving Amendment No. 1 to the Agreement with White Brenner LLP (“Firm”) to extend the term for providing special counsel legal services to the City of Turlock (“City”) as amended, to extend the term for a period of 90 days, and authorizing the Interim City Manager to execute the *amended* Amendment No. 1 to the Agreement on behalf of the City. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- M. Resolution: Adopting a Resolution to Employ a CalPERS Annuitant (Interim Chief of Police) pursuant to CalPERS Requirements

Mayor Bublak opened public participation.

The following members of the public spoke:

Robert Puffer

Mayor Bublak closed public participation.

Staff provided brief remarks in response to public comment.

Council and staff discussed the item.

Action: Resolution No. 2021-150: Motion by Councilmember Monez, seconded by Councilmember Franco, Adopting a Resolution to Employ a CalPERS Annuitant (Interim Chief of Police) pursuant to CalPERS Requirements. Motion passed 4/1 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
No	Yes	Yes	Yes	Yes

- N. Motion: Authorizing the Interim City Manager to enter into an agreement with CPS HR Consulting for recruitment services related to the vacant positions of City Manager, Chief of Police, Fire Chief, Municipal Services Director, and Development Services Director, in an amount not to exceed \$100,000

Mayor Bublak opened public participation.

The following members of the public spoke:

Robert Puffer

Mayor Bublak closed public participation.

Council and staff discussed the item including the urgency of hiring a City Manager.

Action: Motion by Councilmember Franco, seconded by Councilmember Monez, Authorizing the Interim City Manager to enter into an agreement with CPS HR Consulting for recruitment services related to the vacant positions of City Manager, Chief of Police, Fire Chief, Municipal Services Director, and Development Services Director, in an amount not to exceed \$100,000. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:** None

9. **ACTION ITEMS:**

- A. Principal Civil Engineer Stephen Fremming presented the staff report on the request to Award bid and approve an agreement in the amount of \$31,894,398 (Non-General Fund - Fund 420) with Mountain Cascade Inc. of Livermore, California for construction of City Project No. 18-69 "Surface Water Distribution System Improvements" AND Approve a procurement agreement for purchase of pumps, electrical motors, and variable frequency drives with Patterson Pump Company of Toccoa, Georgia in the amount of \$832,985 (Non-General Fund - Fund 420) for City Project No. 18-69 "Surface Water Distribution System Improvements" AND Approve a Purchase and Sale Agreement with Good Shephard Lutheran Church for property located at 3500 North Quincy Road for City Project No. 18-69 "Surface Water Distribution System Improvements" AND Approve Amendment No. 6 to an Agreement with Carollo Engineers of Walnut Creek, California in

the amount of \$1,315,261 (Non-General Fund - Fund 420) for engineering services during construction for City Project No. 18-69 "Surface Water Distribution System Improvements" AND Approve an Agreement with West Yost of Davis, California in the amount of \$2,181,055 (Non-General Fund - Fund 420) for construction management services for City Project No. 18-69 "Surface Water Distribution System Improvements."

Council and staff spoke regarding different aspects of the project.

Mayor Bublak opened the public hearing.

The following members of the public spoke:

Milt Trieweiler
 Robert Puffer
 Ronald Bridegroom

Mayor Bublak closed the public hearing.

Staff responded to Council and public comment including providing information about material price increases and third-party management services.

Councilmember Franco left the dais at 7:38 p.m.

Councilmember Franco returned to the dais at 7:39 p.m.

Action: Motion by Councilmember Monez, seconded by Councilmember Larson, Awarding bid and approving an agreement in the amount of \$31,894,398 (Non-General Fund - Fund 420) with Mountain Cascade Inc. of Livermore, California for construction of City Project No. 18-69 "Surface Water Distribution System Improvements." Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Motion by Councilmember Monez, seconded by Councilmember Franco, Approving a procurement agreement for purchase of pumps, electrical motors, and variable frequency drives with Patterson Pump Company of Toccoa, Georgia in the amount of \$832,985 (Non-General Fund - Fund 420) for City Project No. 18-69 "Surface Water Distribution System Improvements." Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Motion by Councilmember Monez, seconded by Councilmember Larson, Approving a Purchase and Sale Agreement with Good Shephard Lutheran Church for property located at 3500 North Quincy Road for City Project No. 18-69 "Surface Water Distribution System Improvements." Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Motion by Councilmember Monez, seconded by Councilmember Larson, Approving Amendment No. 6 to an Agreement with Carollo Engineers of Walnut Creek, California in the amount of \$1,315,261 (Non-General Fund - Fund 420) for engineering services during construction for City Project No. 18-69 "Surface Water Distribution System Improvements." Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Motion by Councilmember Monez, second by Councilmember Larson, Approving an Agreement with West Yost Associates of Davis, California in the amount of \$2,181,055 (Non-General Fund - Fund 420) for construction management services for City Project No. 18-69 "Surface Water Distribution System Improvements." Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- B.** Interim Finance Director Julie Burke presented the staff report on the request to Authorize the acceptance of the American Rescue Plan Act funds from the U.S. Department of Treasury Coronavirus Local Fiscal Recovery Fund up to the allocated amount of \$15,753,190 in 119-10-188.34307 "American Rescue Plan Act" AND authorize the City Manager or his/her designee to execute all documents necessary to process the receipt and disbursement of those funds.

Councilmember Monez left the dais at 8:09 p.m.

Councilmember Monez returned to the dais at 8:10 p.m.

Council and staff spoke regarding different aspects of the funding.

Mayor Bublak opened the public hearing.
The following members of the public spoke:

Milt Triewailer
Ronald Bridegroom

Mayor Bublak closed the public hearing.

Council and staff had further discussion.

Action: **Resolution No. 2021-151:** Authorizing the acceptance of the American Rescue Plan Act funds from the U.S. Department of Treasury Coronavirus Local Fiscal Recovery Fund up to the allocated amount of \$15,753,190 in 119-10-188.34307 “American Rescue Plan Act” and authorizing the City Manager or his/her designee to execute all documents necessary to process the receipt and disbursement of those funds as introduced by Councilmember Monez, seconded by Councilmember Franco, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- C. Development Services Director/City Engineer Nathan Bray presented the staff report on the request to provide direction to staff to prepare and bring back a new Resolution rescinding Resolution No. 2009-246 and adopt a new Resolution identifying a revised Contract Change Order procedure.

Council and staff spoke regarding different aspects of the procedure.

Mayor Bublak opened the public hearing.

Mayor Bublak closed the public hearing.

Council provided direction to staff regarding revising the Contract Change Order procedure.

Action: None taken. Council provided direction to staff.

10. CITY MANAGER REPORTS/UPDATES:

- A. City Manager
 - 1. Items for Future Consideration Update

A written staff update was included in the agenda packet related to the placement of a matter on the agenda for future consideration.

Council and staff discussed the item.

The City Manager provided information related to a HOME Consortium Item being placed on a future agenda.

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:

Councilmember Nosrati thanked the Assyrian American Civic Club and Mayor Bublak for their support in remembrance of the Assyrian Genocide, his recent attendance at the Stanislaus County Library – Turlock Branch grand opening, and encouraged civility during the public comment period at City Council meetings.

Councilmember Franco spoke regarding the recent National Night Out event and thanked City staff for their efforts.

Councilmember Monez spoke regarding the recently held National Night Out event and noted the community response was positive. Additionally, Councilmember Monez commented on statistics related to internet coverage mentioned earlier in the meeting by Milt Trieweiler.

Mayor Bublak spoke regarding National Night Out. Additionally, she encouraged her colleagues and members of the public requesting additional information on staff reports to please make those requests to city staff prior to a City Council meeting.

13. CLOSED SESSION:

Interim City Clerk Kellie Weaver introduced the Closed Session Item(s).

- A. Conference with Labor Negotiators, Cal. Gov't Code §54957.6(a)
“Notwithstanding any other provision of law, a legislative body of a local agency may hold closed sessions with the local agency's designated representatives regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation.”

Agency Designated Representative: Interim City Manager Sarah Eddy

Employee Organization: Turlock Associated Police Officers

Employee Organization: Turlock City Employees Association

Employee Organization: Turlock Firefighters Association-Local 2434

Employee Organization: Turlock Management Association-Public Safety

Unrepresented Employees: Accountant, Sr., Administrative Analyst, Administrative Services Director, Assistant to the City Manager for Economic Development/Community Housing, Chief Building Official, City Clerk, Community Housing Program Supervisor, Deputy Director Development Services/Planning, Development Services Director, Development Services Supervisor/City Surveyor, Executive Administrative Assistant/Deputy City Clerk, Executive Administrative Assistant/Municipal Services, Executive Administrative Assistant/Public Safety, Finance Director, Fire Chief, Human Resources Analyst, Sr., Human Resources Manager, Human Resources Technician, Information Technology Manager, Legal Assistant, Municipal Services Deputy Director, Municipal Services Director, Office Assistant I, Parks, Recreation and Public Facilities Director, Parks, Recreation and Public Facilities Manager, Payroll Coordinator, Police Business Unit Supervisor, Police Chief, Principal Civil Engineer, Regulatory Affairs Manager, Roads Program Manager, Transit Manager, Utilities Manager, and Water Quality Control Division Manager.

- B. 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: Cheek, Melissa and Medina, Manuel
Agency Claimed Against: City of Turlock
- 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: Newton, Caitlin
Agency Claimed Against: City of Turlock

14. REPORTS FROM CLOSED SESSION:

Interim City Clerk Kellie Weaver reported that for the Closed Session Item(s) no reportable action was taken.

15. ADJOURNMENT

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

RESPECTFULLY SUBMITTED

Kellie E. Weaver, Interim City Clerk