

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 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. Briefing: Roads Update

Deputy Development Services Director/Planning Manager Katie Quintero provided a roads update including RFPs and RFIs received as a part of the Roads Program Initiative, related Roads Workshop being planned to view presentations, Southeast Quadrant Project, and the starting date of 9-16-21 for the new Roads Program Manager.

Note: At this point it was determined that Closed Session Item 13B needed to be removed from the agenda. Item 2 "APPROVAL OF AGENDA AS POSTED OR AMENDED" was revisited.

Action: Motion by Councilmember Franco, seconded by Councilmember Monez, Approving the amended 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

Note: Mayor Bublak paused the meeting from 6:07 p.m. to 6:09 p.m. due to technical audio difficulties.

4. PUBLIC PARTICIPATION:

The following members of the public spoke:

Paul
Milt Trieweiler
Cheryl Reiland
Ramon Rodriguez

Council provided comments.

Councilmember Nosrati spoke regarding the handling of inappropriate remarks made by members of the public calling in to City Council meetings.

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

None

6. CONSENT CALENDAR:

Mayor Bublak announced that Consent Calendar Items 6F, 6I, and 6J would be removed for separate consideration.

Action: Motion by Councilmember 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. 2021-152:** Accepting Weekly Demands of 8/5/21 in the amount of \$703,057.64; Weekly Demands of 8/12/21 in the amount of \$1,233,230.88
- B. **Motion:** Accepting Minutes of the Regular Meeting of May 25, 2021; Minutes of the Regular Meeting of June 8, 2021; Minutes of the Regular Meeting of June 22, 2021; Minutes of the Regular Meeting of July 13, 2021; Minutes of the Regular Meeting of July 27, 2021; Minutes of the Regular Meeting of August 10, 2021
- C. **Motion:** Authorizing the release of unclaimed checks pursuant to California Government Code Sections 50050 and 50053 to the City of Turlock
- D. **Motion:** Approving a Grant of Irrigation Easement to Turlock Irrigation District (T.I.D.) related to property acquired and improvements constructed for City Project No. 0828 "SR-99/Fulkerth Road Interchange"
- E. **Resolution No. 2021-154:** Adopting a revision to the Public Transportation Agency Safety Plan (PTASP) for the City of Turlock for Fiscal Year 2021-22 and certifying compliance with 49 C.F.R. Part 673
- F. *Removed for separate consideration.*
- G. **Resolution No. 2021-155:** Appropriating \$10,000 from Fund 201 "Non-Federal Asset Forfeiture" unassigned reserves to account number 201-20-241.47095_000 "Training General" for the cost of three Basic Special Weapons and Tactics (SWAT) courses for new SWAT officers
- H. **Resolution No. 2021-156:** Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19
- I. *Removed for separate consideration.*
- J. *Removed for separate consideration.*

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

- 6F. **Motion:** Authorizing the purchase of a FARO Focus 3D Laser Scanner in an amount not to exceed \$65,000 from Faro Technologies in accordance with Turlock Municipal Code Section 2-7-08(b)(2) "Bidding procedures are not required under the following circumstances regardless of the amount involved: When the supplies, materials, equipment, or services can be obtained from only one (1) vendor"

Resolution: Appropriating \$8,500 to 206-20-441.44001_000 "Traffic Safety-Supplies General" from Fund 206 "Traffic Safety" unassigned reserve to be used for the purchase of a FARO Focus 3D Laser Scanner

Resolution: Appropriating unspent funds in the amount of \$28,310 to account number 266-20-255-341.51107_007 “JAG Expenses 2018-DJ-BX-0114” and \$28,365 to account number 266-20-255-341.51107_008 “JAG Expenses 2019-DJ-BX-0533” from Fund 266 “JAG” unassigned reserve to be used for the purchase of a FARO Focus 3D Laser Scanner

Staff presented information regarding the item.

Mayor Bublak opened public comment.

The following members of the public spoke:

Milt Trieweiler

Mayor Bublak closed public comment.

Staff provided brief comment in response to public comment.

Action: Motion by Councilmember Monez, seconded by Councilmember Franco, Authorizing the purchase of a FARO Focus 3D Laser Scanner in an amount not to exceed \$65,000 from Faro Technologies in accordance with Turlock Municipal Code Section 2-7-08(b)(2) “Bidding procedures are not required under the following circumstances regardless of the amount involved: When the supplies, materials, equipment, or services can be obtained from only one (1) vendor.” 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. 2021-157: Appropriating \$8,500 to 206-20-441.44001_000 “Traffic Safety-Supplies General” from Fund 206 “Traffic Safety” unassigned reserve to be used for the purchase of a FARO Focus 3D Laser Scanner was 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

Resolution No. 2021-158: Appropriating unspent funds in the amount of \$28,310 to account number 266-20-255-341.51107_007 “JAG Expenses 2018-DJ-BX-0114” and \$28,365 to account number 266-20-255-341.51107_008 “JAG Expenses 2019-DJ-BX-0533” from Fund 266 “JAG” unassigned reserve to be used for the purchase of a FARO Focus 3D Laser Scanner was 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

- 6I. Resolution: Reaffirming the Proclamation of a Local Emergency by Interim City Manager Sarah Tamey Eddy (Director of Emergency Services) in Response to a continuing Unsheltered Homeless and Encampment Crisis (UHC) within the City of Turlock and Confirming Rules and Regulations No. 1 Made and Issued by Interim City Manager Sarah Tamey Eddy (Director of Emergency Services)

Staff responded to Council inquiry.

Council discussed the item.

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

Action: **Resolution No. 2021-159:** Reaffirming the Proclamation of a Local Emergency by Interim City Manager Sarah Tamey Eddy (Director of Emergency Services) in Response to a continuing Unsheltered Homeless and Encampment Crisis (UHC) within the City of Turlock and Confirming Rules and Regulations No. 1 Made and Issued by Interim City Manager Sarah Tamey Eddy (Director of Emergency Services) was introduced by Councilmember Franco, seconded by Councilmember Monez, and carried 5/0 by the following vote:

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

- J. Resolution: Approving a Resolution to Employ a CalPERS Annuitant (Interim Municipal Services Director) pursuant to CalPERS Requirements

Staff responded to Council inquiry.

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

Action: **Resolution No. 2021-160:** Approving a Resolution to Employ a CalPERS Annuitant (Interim Municipal Services Director) pursuant to CalPERS Requirements was introduced by Councilmember Franco, seconded by Councilmember Monez, and 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:

- A. Deputy Director of Development Services/Planning presented the staff report on the request for the City Clerk to confirm: a) Proof of Publication of Notice of Public Hearing; b) Signed Waiver and Consent; c) Completed and Signed Ballot and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and Ballot Declaring Election Results (Project Planner to prompt and facilitate these steps) AND Mayor and City Council conduct public hearing confirming that no protests have been received – close hearing and adopt the two resolutions below AND Calling a Special, Mailed-Ballot Election respecting Proposed Annexation Number 30 to existing Community Facilities District Number 2 (Services Mitigation) AND Declaring the results of Mailed-Ballot Election respecting Proposed Annexation Number 30 to Community Facilities District Number 2 (Services Mitigation) and ordering annexation.

Interim City Clerk Kellie Weaver confirmed a) Proof of Publication of the Notice of Public Hearing; b) Signed Waiver and Consent form; c) Completed and Signed Ballot, noting the ballot received from the property owner authorized the annexation of the property to the existing Community Facilities District No. 2; and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and the Ballot Declaring Election Results.

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

Action: Confirmation: City Clerk confirms: a) Proof of Publication of Notice of Public Hearing; b) Signed Waiver and Consent; c) Completed and Signed Ballot and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and Ballot Declaring Election Results (Project Planner to prompt and facilitate these steps)

Public Hearing: Mayor and City Council conduct public hearing confirming that no protests have been received – close hearing and adopt the two resolutions below

Resolution No. 2021-161: Calling a Special, Mailed-Ballot Election respecting Proposed Annexation Number 30 to existing Community Facilities District Number 2 (Services Mitigation) was 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

Resolution No. 2021-162: Declaring the results of Mailed-Ballot Election respecting Proposed Annexation Number 30 to Community Facilities District Number 2 (Services Mitigation) and ordering annexation was 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

9. ACTION ITEMS:

- A.** Housing Program Supervisor Maria Ramos presented the staff report on the request to approve the First Substantial Amendment to the Fiscal Year 2021-2022 Annual Action Plan for the Community Development Block Grant Program AND reallocate \$100,000 from 255-41-485.47210_003 (First Time Home Buyer Program) to fund 255-41-485.47215 (Public Services Program).

Council and staff discussed this item.

Mayor Bublak opened public comment.

The following members of the public spoke:

Milt Triewailer

Mayor Bublak closed public comment.

Council and staff responded briefly to public comment.

Council discussion included the effectiveness of the First Time Home Buyers Program relative to the cost of housing and addressing housing affordability and supply in Turlock.

Action: **Resolution No. 2021-163:** Approving the First Substantial Amendment to the Fiscal Year 2021-2022 Annual Action Plan for the Community Development Block Grant Program was 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

Motion by Councilmember Monez, seconded by Councilmember Franco, Reallocating \$100,000 from 255-41-485.47210_003 (First Time Home Buyer Program) to fund 255-41-485.47215 (Public Services Program) for increased funding to the Public Services Grant Program. Motion carried 5/0 by the following vote.

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

- B.** Deputy Development Services Director/Planning Manager Katie Quintero presented the staff report on the request to appropriate \$73,343 to account number 216-40-435.43030 “City Engineering Services” to be funded from Fund 216 (Division 435 – Street and Roads) unallocated reserves to provide necessary funding for the pavement management update as identified in the Cooperative Funding Agreement with Stanislaus Council of Governments (StanCOG) AND approve a Cooperative Funding Agreement with Stanislaus Council of Governments (StanCOG) to participate in a regional update to the Pavement Management Program in a form approved by the City Attorney .

Council and staff discussed this item.

Mayor Bublak opened public comment.

The following members of the public spoke:

Milt Trieweler
 Cheryl Reiland

Mayor Bublak closed public comment.

Council and staff discussion included duplication of effort, cost concerns, and federal funding requirements to receive grant monies.

Action: **Resolution No. 2021-164:** Appropriating \$73,343 to account number 216-40-435.43030 “City Engineering Services” to be funded from Fund 216 (Division 435 – Street and Roads) unallocated reserves to provide necessary funding for the pavement management update as identified in the Cooperative Funding Agreement with Stanislaus Council of Governments (StanCOG) introduced by Councilmember Larson, seconded by Councilmember Nosrati, and carried 3/2 by the following vote:

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

Motion by Councilmember Larson, seconded by Councilmember Nosrati, Approving a Cooperative Funding Agreement with Stanislaus Council of Governments (StanCOG) to participate in a regional update to the Pavement Management Program in a form approved by the City Attorney. Motion carried 3/2 by the following vote:

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

10. CITY MANAGER REPORTS/UPDATES:

- A. Fire Department
 - 1. Public Safety Briefing

A written staff update was included in the agenda packet.

- B. Police Department
 - 1. Public Safety Briefing

A written staff update was included in the agenda packet.

- C. Municipal Services
 - 1. Monthly Departmental Update

A written staff update was included in the agenda packet.

- D. Administrative Services
 - 1. Finance Update

A written staff update was included in the agenda packet.

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:

Councilmember Nosrati spoke regarding Council decorum with respect to Councilmember Monez and requested a higher level of professionalism among his colleagues.

Councilmember Franco welcomed Interim Police Chief Hampton and the four new police officers that were recently sworn in.

Councilmember Monez responded to Councilmember Nosrati's comments and noted she was unsure of what he was speaking about.

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. Removed for future consideration.

14. REPORTS FROM CLOSED SESSION:

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

15. ADJOURNMENT

Mayor Bublak adjourned the regular meeting at 7:40 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Kellie E. Weaver, Interim City Clerk