

# City Council Meeting Minutes

June 28, 2022

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



## CALL TO ORDER

Mayor Bublak called the meeting to order at 6:00 p.m.

## SALUTE TO THE FLAG

## ROLL CALL AND DECLARATION OF CONFLICTS

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

Absent: None

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
None	None	None	None	None

## 1. APPROVAL OF AGENDA AS POSTED OR AMENDED

Action: Motion by Councilmember Monez, seconded by Vice Mayor Franco, to approve 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

## 2. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS:

None.

## 3. PUBLIC PARTICIPATION

Mayor Bublak announced that it was the time for public participation and the following members of the public spoke:

Karina Mendoza

John Gebelein

Lori Smith

Venita Quana

Milt Trieweiler

Ron Bridegroom

Giana (No last name given)

No name given

Ryan Taylor

With no further comments, Mayor Bublak closed public participation.

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

Action: Motion waiving reading of all ordinances on the Agenda, except by title. Motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

**5. CONSENT CALENDAR:**

- A. Resolution 2022-110: Accepting Weekly Demands of 06/02/2022 in the amount of \$338,674.89, 06/09/2022 in the amount of \$1,160,754.63, and 06/16/2022 in the amount of \$575,611.98
- B. Motion: Accepting Minutes of the Special Meeting of May 17, 2022 and Special Meeting of May 24, 2022
- C. 1) Resolution 2022-111: Approving the Engineer's Report for Fiscal Year 2022-23 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock  
 2) Resolution 2022-112: Declaring the City Council's intention to levy and collect assessments for Fiscal Year 2022-23 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock
- D. Item 5D was pulled for separate consideration
- E. Resolution 2022-114: Approving revisions to the job description for Fire Engineer
- F. Motion: Approval of Contract Change Order No. 5 in the amount of \$69,491.10 (Fund 420) with Clark Bros., Inc., of Fresno, California, for City Project No. 20-027 "City Wide Chlorination" bringing the contract total to \$4,566,712.26
- G. Motion: Approving the Subdivision Improvement Agreement and Final Map with Modesto Roselle, LLC, conditioned upon construction of improvements for the Fifth Street Community subdivision (VTSM 2020-02, Development Project No. 21-006), developed by Modesto Roselle, LLC
- H. Motion: Awarding a bid and approving an Agreement in the amount of \$2,366,102 (Fund 412 and Fund 421) with Rolfe Construction, Inc., of Atwater, California, for City Project No. 20-013 "Water and Sewer Main Extensions – N Golden State Blvd"
- I. Resolution 2022-115: Approving a Purchase and Sale Agreement with Bryan D. Mello and Stefanie N. Mello, Gary W. Platt and Claudia M. Platt, and W. John R. Doidge and Judith Doidge for City Project No. 14-44 "Intersection Improvements at W. Main St and Tegner Rd" in the amount of \$4,000 (Non-General Fund - Fund 215) for right of way acquisition of 3012 W. Main Street per the terms of the Agreement
- J. Motion: Approving Amendment No. 2 to the On-Call Professional Services Agreement with WMB Architects, Inc. of Sacramento, California, for City Project No. 17-61 "Retainer Agreement for Architectural Services" to extend the term through December 31, 2022
- K. Resolution 2022-116: Appropriating an additional \$14,888.64 to account number 120-10-120.47317\_006 "City Sponsored Special Events 4<sup>th</sup> of July" from the Transient Occupancy Tax (TOT) Fund 120 2022/23 reserve balances to offset the estimated costs of the 2022 Downtown

4<sup>th</sup> of July Parade and Car Show hosted by the Turlock Downtown Property Owners Association (TDPOA), and authorizing the City Manager to allocate co-sponsorship funds beyond the estimate provided to cover all accrued actual event costs

- L. Resolution 2022-117: Approving Amendment No. 1 to the Memorandum of Understanding (MOU) between Stanislaus County Office of Education (SCOE), City of Turlock, and Turlock Unified School District (TUSD) to offer After School Education and Safety (ASES) programs (Attachment B) and appropriating \$51,000 to revenue account number 35720 and expense account number 44001\_000 "Supplies General" in Fund 270 "Recreation Grants and Donations" to the various programs delineated in Exhibit 1 of the MOU
- M. Motion: Approving Amendment No. 3 to the Agreement between the City of Turlock and Michael Baker International, Inc. (Walnut Creek, California office) for Professional Services (City Contract No. 2022-45) in the amount of \$52,650.04 (Fund 115 "Measure A – Roads") for City Project No. 21-039 "Planning and Preliminary Design for Roads Program" in a form approved by the City Attorney
- N. Resolution 2022-118: Making certain findings and determinations in compliance with Section XIII.B of the California Constitution and Section 7910 of the California Government Code and setting the Fiscal Year 2022-2023 Appropriation Limit for the City of Turlock
- O. Resolution 2022-119: Approving a job description for a part-time Background Investigator
- P. Resolution 2022-120: Approving Amendment No. 5 to a Professional Services Agreement between the City of Turlock and Cooperative Personnel Services dba CPS HR Consulting Services for temporary professional human resource services, increasing the contract amount by \$170,000, increasing the total contract to not exceed \$470,000
- Q. Motion: Approving Contract Change Order No. 2 in the amount of \$733,037.25 (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," bringing the contract total to \$32,634,717.50
- R. Motion: Awarding bid and approving an Agreement in the amount of \$57,655 (Fund 420) with Mozingo Construction, Inc. of Oakdale, California, for City Project No. 22-019 "Well No. 38 On-site Fire Hydrant"
- S. Motion: Awarding RFB No. 2022-009 and approving an Agreement with Bay City Boiler and Engineering Co., Inc. for hot water boiler repairs and preventative maintenance services for the Turlock Regional Water Quality Control Facility and the City's water system, in an annual amount not to exceed \$150,000
- T. Resolution 2022-121: Approving a reclassification of the Risk Manager to Risk Management Director, approving revisions to the job description, and an amendment to the salary schedule of the existing Management Schedule of Benefits and Policies adopted by Resolution number 2022-094 dated May 24, 2022, to include all approved management salaries

Action: *Motion* by Councilmember Monez, seconded by Vice Mayor Franco, 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

- D. Reaffirming the Proclamation of a Local Emergency in response to a continuing Unsheltered Homeless 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)

Mayor Bublak opened the item for public participation.

The following members of the public spoke:

Milt Trieweiler  
 Ron Bridegroom

With no further comments, Mayor Bublak closed public participation and asked for a motion to be made.

Action: Resolution 2022-113: Reaffirming the Proclamation of a Local Emergency in response to a continuing Unsheltered Homeless Crisis (UHC) within the City of Turlock and Confirming Rules and Regulations No. 1 made and issued by Interim City Manager Sarah Tamey Eddy as introduced by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

**6. FINAL READINGS:**

None.

**7. PUBLIC HEARINGS:**

None.

**8. ACTION ITEMS:**

A green sheet for Action Item 80 was submitted

- A. Finance Director Moreno provided a staff report on the request to adopt the City of Turlock Fiscal Year (FY) 2022-2023 General Fund and Non-General Fund Budget.

City Council and staff discussed this item.

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

Milt Trieweiler

With no further comments, Mayor Bublak closed public participation.

Staff responded to questions presented by Mr. Trieweiler.

Action: Resolution 2022-122: Adopting the City of Turlock Fiscal Year (FY) 2022-2023 General Fund and Non-General Fund Budget as introduced by Vice Mayor Franco, seconded by Councilmember Monez, and carried 3/2 by the following vote:

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

- B. Principal Civil Engineer Fremming presented a staff report regarding the request to Accept Improvements and authorizing the City Engineer to file a Notice of Completion for City Project No. 20-001 "Southeast Quadrant Road Rehabilitation."

City Council and staff discussed this item.

Mayor Bublak opened public participation. With no comments, Mayor Bublak closed public participation.

Action: Amended Motion: Accepting improvements and authorizing the City Engineer to file a Notice of Completion for City Project No. 20-001 "Southeast Quadrant Road Rehabilitation," and selecting Option #2 to work with Stanislaus County to request additional rehabilitation work on the original segment on E. Marshall Street as part of the County-led project to rehabilitate select roads within County islands, as introduced by Vice Mayor 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

- C. Human Resource Director Dhami presented a staff report on the request to authorize an Agreement between the City of Turlock and AIG/Glatfelters Insurance Company for Property Insurance, in the amount of \$158,644, covering the period of July 1, 2022 to June 30, 2023.

City Council and staff discussed this item.

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

Action: Resolution 2022-123: Authorize an Agreement between the City of Turlock and AIG/Glatfelters Insurance Company for Property Insurance, in the amount of \$158,644, covering the period of July 1, 2022 to June 30, 2023 as introduced by Vice Mayor 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

- D. Human Resource Director Dhami presented a staff report on the request to authorize an Agreement between the City of Turlock and Travelers Casualty & Surety Company of America for Cyber Liability Insurance, in the amount of \$28,000, covering the period of July 1, 2022 to June 30, 2023.

City Council and staff discussed this item.

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

Action: Resolution 2022-124: Authorize an Agreement between the City of Turlock and Travelers Casualty & Surety Company of America for Cyber Liability Insurance, in

the amount of \$28,000, covering the period of July 1, 2022 to June 30, 2023 as introduced by Vice Mayor 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

- E. Human Resource Director Dhimi presented a staff report on the request to authorize an Agreement between the City of Turlock and Chubb/Ace Insurance Company for Employment Practices Liability Insurance, in the amount of \$50,039, covering the period of July 1, 2022 to June 30, 2023.

City Council and staff discussed this item.

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

Action: Resolution 2022-125: Authorize an Agreement between the City of Turlock and Chubb/Ace Insurance Company for Employment Practices Liability Insurance, in the amount of \$50,039, covering the period of July 1, 2022 to June 30, 2023 as introduced by Vice Mayor 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

- F. Human Resource Director Dhimi presented a staff report on the request to authorize an Agreement between the City of Turlock and National Union Fire Insurance for Liability Insurance for the Turlock Municipal Airport, in the amount of \$3,575, covering the period of July 1, 2022 to June 30, 2023.

City Council and staff discussed this item.

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

Action: Resolution 2022-126: Authorize an Agreement between the City of Turlock and National Union Fire Insurance for Liability Insurance for the Turlock Municipal Airport, in the amount of \$3,575, covering the period of July 1, 2022 to June 30, 2023 as introduced by Vice Mayor 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

- G. Human Resource Director Dhimi presented a staff report on the request to authorize an Agreement between the City of Turlock and Midwest Employers Casualty for Excess Workers' Compensation Insurance, in the estimated amount of \$112,692, covering the period of July 1, 2022 to June 30, 2023.

City Council and staff discussed this item.

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

Action: Resolution 2022-127: Authorize an Agreement between the City of Turlock and Midwest Employers Casualty for Excess Workers' Compensation Insurance, in the estimated amount of \$112,692, covering the period of July 1, 2022 to June 30, 2023 as introduced by Vice Mayor 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

- H. Human Resource Director Dhami presented a staff report on the request to authorize Agreements between the City of Turlock and related benefit partners in conjunction with the Excess Loss Insurance for City employees for the period of July 1, 2022 to June 30, 2023.

City Council and staff discussed this item.

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

Milt Trieweiler

With no further public comment, Mayor Bublak closed public participation.

Staff responded to Mr. Trieweiler's questions.

Action: Resolution 2022-128: Authorize Agreements between the City of Turlock and related benefit partners in conjunction with the Excess Loss Insurance for City employees for the period of July 1, 2022 to June 30, 2023 as introduced by Vice Mayor Franco, 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

- I. Municipal Services Director Goodman provided a staff report regarding the request to approve the purchase of one (1) 2022 Ford Explorer from an authorized dealer for the Municipal Services Department, in an amount not to exceed \$55,000 (Fund 410) as approved by City Council without compliance to formal bid procedures pursuant to Turlock Municipal Code Section 2-7-08(b)(6).

City Council and staff discussed this item.

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

Action: Resolution 2022-XXX: Approve the purchase of one (1) 2022 Ford Explorer from an authorized dealer for the Municipal Services Department, in an amount not to exceed \$55,000 (Fund 410) as approved by City Council without compliance to

formal bid procedures pursuant to Turlock Municipal Code Section 2-7-08(b)(6) as introduced by Councilmember Monez, seconded by Councilmember Larson, and failed 2/3 by the following vote:

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

- J. Human Resources Director Dhami presented the staff report on the request to authorize the continued engagement of the law firm of Atkinson, Andelson, Loya, Ruud & Romo to provide labor/employment law services to the City of Turlock pursuant to an updated Attorney Representation Agreement for the period covering July 1, 2022 – June 30, 2023.

City Council and staff discussed this item.

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

Action: Resolution 2022-129: Authorize the continued engagement of the law firm of Atkinson, Andelson, Loya, Ruud & Romo to provide labor/employment law services to the City of Turlock pursuant to an updated Attorney Representation Agreement for the period covering July 1, 2022 – June 30, 2023 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

- K. Human Resources Director Dhami presented the staff report on the request to authorize renewal of a three (3) year agreement between the City of Turlock and Keenan & Associates to administer Workers' Compensation Claims and provide Risk Management Services related to the Workers' Compensation Program, covering the period of July 1, 2022 – June 30, 2023.

City Council and staff discussed this item.

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

Action: Resolution 2022-130: Authorize renewal of a three (3) year agreement between the City of Turlock and Keenan & Associates to administer Workers' Compensation Claims and provide Risk Management Services related to the Workers' Compensation Program, covering the period of July 1, 2022 – June 30, 2023 as introduced by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

- L. Human Resources Director Dhami presented the staff report on the request to authorize employment of a CalPERS Annuitant (Interim Public Works Director) pursuant to CalPERS requirements.



City Council and staff discussed this item.

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

Action: Resolution 2022-131: Authorize employment of a CalPERS Annuitant (Interim Public Works Director) pursuant to CalPERS requirements as introduced by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

- M. Human Resources Director Dhami presented the staff report on the request to authorize employment of a CalPERS Annuitant (Extra Help) pursuant to CalPERS requirements and to certify a 180-day wait period exception.

City Council and staff discussed this item.

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

Action: Resolution 2022-132: Authorize employment of a CalPERS Annuitant (Extra Help) pursuant to CalPERS requirements and to certify a 180-day wait period exception as introduced by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

- N. Deputy City Manager Eddy presented a staff report regarding the request to authorize the City Manager to release the second issuance of funding for the RAD Card Program in the amount of \$500,000.

City Council and staff discussed this item.

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

Lori Smith  
Name not given

Mayor Bublak closed public participation.

Staff responded to questions from the public and City Council.

The City Council would like to release smaller increments of funds over a period of time, date of the funds to coincide with the first of the month, for the flyers to be in English and Spanish, use the best form of digital marketing to reach the most people.

Action: Amended Motion: Authorize the City Manager to release \$25,000 as the second issuance of funding for the RAD Card Program, create flyers in English and Spanish, determine the strongest marketing push to get the word out, and identify whether or not we need to work with marketing consultant, as introduced by Councilmember Nosrati, 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

O. Proposed Relocation of Ace Train (*Eddy*)

Item 8O was pulled from agenda.

**9. CITY MANAGER REPORTS/UPDATES**

A. Monthly Department Reports

City Manager Wilson advised the monthly department reports were available for the City Council's review.

B. Water Usage Update

City Manager Wilson provided a water usage update.

City Manager Wilson also provided an update on several initiatives staff and City Council have been working on regarding homelessness and a proposed sports complex.

**10. COUNCIL ITEMS FOR FUTURE CONSIDERATION**

Councilmember Nosrati spoke about pro-housing designations.

Councilmember Larson would like to see work done on creating a sidewalk program and would like agendas and city information translated into Spanish.

Vice Mayor Franco spoke to the proposed relocation of the ACE train station and voiced concerns regarding the relocation. She also reminded everyone about the upcoming K9 fajita dinner and 4<sup>th</sup> of July parade, and encourage everyone to attend our Farmer's Market.

Councilmember Monez spoke to the proposed sports complex.

Mayor Bublak completed the 3<sup>rd</sup> Thursday event, invited everyone to attend the 4<sup>th</sup> of July parade, and provided comment to Mr. Trieweiler's comment regarding the homeless shelter. She also asked that the Planning Commission look into doing a Development Agreement in regards to cannabis and that they also look into coming up with new ordinances regarding low or no-water landscaping requirements for new businesses.

**11. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS**

Comments and announcements were provided during Council Items for Future Consideration.

**12. CLOSED SESSION:**

A. Public Employee Performance Evaluation -California Government Code §54957(b)(1)

Title: City Manager

- B. Conference with Labor Negotiators - California Government Code §54957.6(a)  
Agency Designated Representative: Deputy City Manager Sarah Eddy  
Employee Organization: Turlock Management Association – Public Safety  
Employee Organization: Turlock Firefighters Association – Local 2434

**13. REPORTS FROM CLOSED SESSION**

Mayor Bublak reported out of Closed Session stating there was nothing to report.

**14. ADJOURNMENT**

Mayor Bublak adjourned the meeting at 9:10 p.m.

Respectfully submitted



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Julie Christel, City Clerk  
City of Turlock