

City Council Meeting Minutes

January 10, 2023

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 Cassandra Abram, Kevin Bixel, Rebecka Monez, Vice Mayor Pam Franco, and Mayor Amy Bublak.

Absent: None

Councilmember Abram	Councilmember Bixel	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 Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

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

Mayor Bublak announced that items 2B, 2D and 2G were being pulled and will be presented at a later date.

A. Presentation: 2021-2022 Active Military Banner Retirement

Public Works Director Schulze spoke regarding the 2021-2022 Active Military Banner Retirement Program, thanked staff and sponsors for their efforts and contributions, and recognized the 2021-22 Active Military Banner Retirement Banner recipients.

B. Presentation: Certificate of Recognition to Matt Cranford in honor of his retirement as CEO of the Stanislaus County Fair - *pulled*

C. Proclamation: Maria Ramos, Retirement

Development Services Director Quintero read aloud a proclamation in honor of Maria Ramos' retirement.

D. Proclamation: Tim Redd, Retirement - *pulled*

E. Presentation: Introduction of Genesis of K-9 Comfort Dog Ministry, Pastor Ronald Youngdale, Good Shepherd Lutheran Church

Pastor Youngdale introduced his wife, Pam Youngdale, who introduced Genesis of K-9 Comfort Dog Ministry and spoke about their program.

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F. Presentation: Carnegie Arts Center 2021-2022 Annual Report

Lisa McDermott, Director of the Carnegie Arts Center, provided the 2021-2022 Annual Report.

G. Presentation: City-wide Chlorination Project Update by Provost and Pritchard Consulting
– pulled

H. Appointment: Vice Mayor

Mayor Bublak appointed Councilmember Franco as Vice Mayor.

Action: Motion by Councilmember Monez, seconded by Councilmember Bixel, to approve the appointment of Councilmember Franco as Vice Mayor. Motion carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

I. Appointment: Appointing members of the City Council to the Boards, Commissions, and Committees as listed in the agenda item

Mayor Bublak recommended members of the City Council be appointed to the various Boards, Commissions, and Committees as listed in the report found within the agenda packet.

Council discussed this item.

Action: Motion by Vice Mayor Franco, seconded by Councilmember Monez, appointing members of the City Council to the CDBG Community Grant Selection Committee, City/County Disaster Council, City/County Liaison Committee, City of Turlock/Turlock Unified School District/California State University Stanislaus Joint Meeting, East Stanislaus Regional Water Management Partnership (Management Group), Homeless Ad Hoc Committee, League of California Cities, Central Valley Division Executive Committee, North Valley Regional Recycled Water Program Joint Powers Policy Committee, San Joaquin Valley Air Pollution Control District Valley-Wide Special City Selection Committee, Stanislaus Economic Development Action Committee, Stanislaus Council of Governments, Stanislaus County Grant Review Panel for CARES Emergency Solutions Grant, Stanislaus Homeless Alliance, Stanislaus LAFCO Selection Committee, Stanislaus Regional Water Authority (SRWA), Turlock Public Library Partnership, West Turlock Subbasin Groundwater Sustainability Agency as outlined in the report found within the agenda packet. Motion carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

3. PUBLIC PARTICIPATION

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

- John Gebelein
- Milt Trieweler
- Ramon Rodriguez
- Cheryl Reiland
- Ron Puffer

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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 Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

5. CONSENT CALENDAR

Consent Items 5B and 5I were pulled for separate consideration.

- A. **Resolution 2023-001**: Accepting the Weekly Demands of 12/01/2022 in the amount of \$6,401,742.65, 12/08/2022 in the amount of \$462,560.92, 12/15/2022 in the amount of \$1,922,185.11, and 12/22/2022 in the amount of \$2,862,264.12
- B. Pulled for separate consideration
- C. **Resolution 2023-003**: Initiating proceedings for the formation of the California Freight (Development Project No. 22-036) 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 (*Schulze*)
- D. **Resolution 2023-004**: Initiating proceedings for the formation of the PM 22-01 Pitau (Development Project No. 22-004) 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 (*Schulze*)
- E. **Resolution 2023-005**: Initiating proceedings for the formation of the PM 21-03 Bright (Development Project No. 21-019) 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 (*Schulze*)
- F. **Resolution 2023-006**: Approving Contract Change Order No. 5 (Final) in the amount of \$135,349.04 (Non-General Fund – Fund 420) with Western Water Constructors of Santa Rosa, California, bringing the contract total to \$5,346,667.92, and authorizing the City Engineer to file a Notice of Completion for City Project No. 20-009 “Well 38 Arsenic Mitigation and ICF Treatment” (*Schulze*)
- G. **Resolution 2023-007**: Approving a Purchase and Sale Agreement with George P. and Shirley A. Barghoud in the amount of \$1,350.00 to be funded by Fund 115 “Measure A – Roads” for City Project Nos. 22-001 and 22-017 “Wayside Drive Reconstruction and Sewer Replacement Project (*Schulze*)
- H. **Resolution 2023-008**: Approving a revision to the job description for Fire Engineer (*Dhami*)
- I. Pulled for separate consideration

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- J. **Resolution 2023-010**: Approving an increase to the salary range for City Engineer by approving an amendment to the salary schedule of the existing Management Memorandum of Understanding adopted by Resolution No. 2022-205 dated October 11, 2022, to include all approved Management salary ranges (*Dhami*)
- K. **Resolution 2023-011**: Approving a revision to the job description for Water Treatment Plant Manager, Mechanical Technician II, and Mechanical Technician, Senior (*Dhami*)
- L. **Resolution 2023-016**: Approving a new job description for Background Coordinator and an amendment to the salary schedule of the existing Confidential Schedule of Benefits adopted by Resolution No. 2022-205 dated October 11, 2022, to include all approved confidential salaries (*Dhami*)

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

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Item 5B was pulled for separate consideration

5B **Resolution**: Approving Amendment No. 2 for contract 2021-83, the Professional Services Agreement with O'Dell Engineering of Modesto, California, in the amount of \$46,690.00 (Fund 301 "Construction Repairs/Improvements"), bringing the contract total to \$276,765.00 for engineering and surveying services for City Project No. 19-51 "Columbia Pool Improvements" and extending the term through December 31, 2024 (*Schulze*)

At the request of Councilmember Monez, Public Works Director Schulze provided additional information regarding this item including a brief history of the project, the scope of work required and an overview of the service agreement.

Director Schulze responded to questions from the City Council.

Mayor Bublak opened the item for Public Participation and the following members of the public spoke on this item:

Milt Trieweiler

With no further comments, Mayor Bublak closed Public Participation.

Action: **Resolution 2023-002**: Approving Amendment No. 2 for contract 2021-83, the Professional Services Agreement with O'Dell Engineering of Modesto, California, in the amount of \$46,690.00 (Fund 301 "Construction Repairs/Improvements"), bringing the contract total to \$276,765.00 for engineering and surveying services for City Project No. 19-51 "Columbia Pool Improvements" and extending the term through December 31, 2024 as introduced by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

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Item 5I was pulled for separate consideration

- 5I Resolution: Approving a revision to the job description for Public Affairs Analyst (*Dhami*)

Human Relations Director Dhami provided a brief overview of this item.

Mayor Bublak opened the item for Public Participation and the following members of the public spoke on this item:

DJ Fransen

With no further comments, Mayor Bublak closed Public Participation.

Action: **Resolution 2023-016**: Approving a revision to the job description for Public Affairs Analyst as introduced by Vice Mayor Franco, seconded by Councilmember Abram, and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

6. FINAL READINGS

- A. Ordinance 12XX-cs: An Ordinance amending the Turlock Municipal Code (TMC) Title 2, Administration, adding Chapter 2-13, Article 13, regarding augmenting state law provisions on local lobbying

Mayor Bublak opened the item for Public Participation and the following members of the public spoke on this item and with no comments, Mayor Bublak closed Public Participation.

Action: **Ordinance 1296-cs**: An Ordinance amending the Turlock Municipal Code (TMC) Title 2, Administration, adding Chapter 2-13, Article 13, regarding augmenting state law provisions on local lobbying as introduced by Councilmember Monez, seconded by Councilmember Bixel, and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

7. PUBLIC HEARINGS

- A. Ordering the improvements and formation of the Crowell (Development Project No. 22-028) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for Fiscal Year 2023-2024 for the Crowell (Development Project No. 22-028) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, pursuant to Resolution No. 97-128

Director Schulze provided a summary review of this item.

Mayor Bublak opened the public hearing requesting any members of the public to come forward if they would like to provide comment. With none, Mayor Bublak closed public participation and the public hearing.

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City Clerk Christel read the results of the results of the assessment ballots and advised one ballot was received and it was in favor of the district therefore the City Council could move forward with the formation of the district.

Action: **Resolution 2023-012**: Ordering the improvements and formation of the Crowell (Development Project No. 22-028) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for Fiscal Year 2023-2024 for the Crowell (Development Project No. 22-028) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, pursuant to Resolution No. 97-128 as introduced by Councilmember Abram, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- B. Ordering the improvements and formation of the “Parcel Map 21-05 Hackler” (Development Project No. 21-024) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for Fiscal Year 2023-2024 for the “Parcel Map 21-05 Hackler” (Development Project No. 21-024) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, pursuant to Resolution No. 97-128

Director Schulze provided a summary review of this item.

Mayor Bublak opened the public hearing requesting any members of the public to come forward if they would like to provide comment. With none, Mayor Bublak closed public participation and the public hearing.

City Clerk Christel read the results of the results of the assessment ballots and advised one ballot was received and it was in favor of the district therefore the City Council could move forward with the formation of the district.

Action: **Resolution 2023-013**: Ordering the improvements and formation of the “Parcel Map 21-05 Hackler” (Development Project No. 21-024) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, and confirming the diagram and benefit assessments as set forth in the annual report of the Engineer of Work and the levying and collection of assessments set forth therein for Fiscal Year 2023-2024 for the “Parcel Map 21-05 Hackler” (Development Project No. 21-024) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area, pursuant to Resolution No. 97-128 as introduced by Vice Mayor Franco, seconded by Councilmember Bixel, and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- C. Introducing an Ordinance for first reading amending the Turlock Municipal Code (TMC) Title 6, Chapter 6-6, Sections 6-6-04, 6-6-10, and 6-6-12 regarding cross-connection control and backflow prevention devices to incorporate changes in order to increase compliance in the City’s Backflow Prevention Program (*Goodman*)

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Municipal Services Director Goodman provided a summary of this item and responded to questions presented by the City Council.

Mayor Bublak opened the public hearing requesting any members of the public to come forward if they would like to provide comment. The following members of the public spoke:

Milt Triewailer
DJ Fransen

Mayor Bublak closed public participation and the public hearing.

Action: Ordinance: Introduce and Ordinance for first reading amending the Turlock Municipal Code (TMC) Title 6, Chapter 6-6, Sections 6-6-04, 6-6-10, and 6-6-12 regarding cross-connection control and backflow prevention devices to incorporate changes in order to increase compliance in the City's Backflow Prevention Program as introduced by Councilmember Monez, seconded by Councilmember Bixel, and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

8. ACTION ITEMS

- A. Authorizing staff to transition utility service billing cycle for Refuse, Sewer, and Water services from a quadrant-based (weekly) billing back to monthly billing (*Moreno*)

Finance Director Moreno provided a summary of this item and responded to questions presented by the City Council.

Mayor Bublak opened the item for Public Participation. The following members of the public spoke:

Milt Triewailer
Cheryl Reiland

Mayor Bublak closed public participation.

Director Moreno responded to questions from the public.

Action: **Motion**: Authorizing staff to transition utility service billing cycle for Refuse, Sewer, and Water services from a quadrant-based (weekly) billing back to monthly billing as introduced by Councilmember Abram, seconded by Councilmember Bixel, and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- B. Approving Regional Surface Water Supply Project Operations Agreement dated January 1, 2023 between the City of Turlock, City of Ceres, and Stanislaus Regional Water Authority to operate the Regional Treatment Facility (*Goodman*)

Municipal Services Director Goodman provided a summary of this item and responded to questions presented by the City Council.

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Mayor Bublak opened the item for Public Participation. The following members of the public spoke:

Cheryl Reiland

Mayor Bublak closed public participation.

Director Goodman responded to questions from the public.

Action: **Resolution 2023-014:** Approving Regional Surface Water Supply Project Operations Agreement dated January 1, 2023 between the City of Turlock, City of Ceres, and Stanislaus Regional Water Authority to operate the Regional Treatment Facility as introduced by Councilmember Monez, seconded by Councilmember Bixel, and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- C. Approving a Resolution proclaiming the existence of a local emergency due to the extreme weather conditions, pursuant to Government Code Section 8630 and Title 4, Chapter 2, Section 4-2-105 of the City of Turlock Municipal Code (Consideration of this item is subject to a two-thirds vote by the City Council for inclusion to the agenda pursuant to Cal. Gov. Code §54954.2(b)(2)) (*Jelinek*)

Fire Chief Jelinek provided a summary of this item.

Action: **Motion:** The City Council determines that there is a need to take immediate action and that the need for action came to the attention of the City Council subsequent to the agenda originally being posted and therefore approves the inclusion of Item 8C as an action item, pursuant to Cal. Gov. Code §54954.2(b)(2) and per the City Manager's recommendation as the Director of Emergency Services for the City of Turlock in response to the extreme weather conditions throughout the state of California in which declarations of a state of emergency were proclaimed by the Governor of the State of California on January 4, 2023 and the Stanislaus County Office of Emergency Services on January 9, 2023 as introduced by Vice Mayor Franco, seconded by Councilmember Monez, and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Mayor Bublak opened the item for Public Participation and with no public comment, Mayor Bublak closed public participation.

Action: **Resolution 2023-015:** Proclaiming the existence of a local emergency due to the extreme weather conditions, pursuant to Government Code Section 8630 and Title 4, Chapter 2, Section 4-2-105 of the City of Turlock Municipal Code as introduced by Vice Mayor Franco, seconded by Councilmember Bixel, and carried 5/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

9. CITY MANAGER REPORTS/UPDATES

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City Manager reports/updates are provided for informational purposes only and no action or discussion may be undertaken. The City Manager may direct department heads to provide reports/updates at the City Manager's request.

A. Point In Time Count Update (*Wilson*)

City Manager Wilson provided information on the upcoming Point In Time Count.

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Vice Mayor Franco would like to have a short presentation from staff sometime in the future on how to fill out the online forms for items such as potholes and police reports. She also asked when the joint session is scheduled for the dispensaries to which City Manager Wilson responded the date was January 24, 2023 at 5:00 p.m.

Councilmember Monez stated that funds are needed to repair the concrete at Soderquist Park for little league area and would like for this to be an item for future consideration. She would also like to have a contest set up for children to submit designs for the mural going in at Columbia Pool and would like a panel set up for judging.

11. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

Councilmember Abram thanked the directors of Public Works and Municipal Services and their teams for all the work they have had to do with the current storms. She also announced Chief Hedden's Meet and Greet on Thursday, January 12th.

Councilmember Bixel expressed gratitude to staff for what they have been dealing with as a result of the storms.

Vice Mayor Franco expressed her sympathies to the Officer Anthieny, the Police Department, and the Turlock K9 Team for the loss of Bravo. She congratulated Maria Ramos and Tim Redd on their recent retirements as well as the fire academy graduates, encouraged people to report any potholes they see, and thanked staff for their work during the storms.

Councilmember Monez also expressed her thanks to City staff for their work on keeping the City safe. She also thanked Chief Jelinek and Chief Ernst for their assistance with keeping fire apparatus in the city up and running.

Mayor Bublak echoed the City Council's gratitude to staff and announced that she is wearing the Oakridge shirt and read aloud a letter from Supervisor Hidahl.

12. CLOSED SESSION

City Clerk Christel read aloud the closed session items.

- A. Threat to Public Services or Facilities, California Government Code §54957(a)
Consultation with: Representatives from the Stanislaus County District Attorney's Office
- B. Threat to Public Services or Facilities, California Government Code §54957(a)
Consultation with: Chief Hedden, Turlock Police Department
- C. Conference with Legal Counsel – Existing Litigation, California Government Code §54956.9(d)(1)
Name of Case(s): Jammu Petro Food, Inc. vs. City of Turlock
- D. Conference with Legal Counsel - Anticipated Litigation, California Government Code §54956.9(d)(2)
Potential Case(s): (1 case)

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- E. 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

No reportable action.

14. ADJOURNMENT

Mayor Bublak adjourned the meeting at 9:43 p.m.

Respectfully submitted



Julie Christel, City Clerk
City of Turlock