

# City Council Meeting Minutes

August 27, 2024

6:00 p.m.

City of Turlock Yosemite Room

156 S. Broadway, Turlock, California



## 1. CALL TO ORDER

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

## 2. SALUTE TO THE FLAG

## 3. 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	Vice Mayor Franco	Councilmember Monez	Mayor Bublak
None	None	None	None	None

## 4. APPROVAL OF AGENDA AS POSTED OR AMENDED

Mayor Bublak announced that Item 10C will be pulled from the agenda.

Motion: Approval of Agenda as amended, motioned by Vice Mayor Franco, seconded Councilmember Monez and carried 5/0 by the following vote:

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

## 5. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS

### A. Proclamation: Erik Schulze – Retirement

Deputy Director Packwood in the Municipal Services Department presented Erik Schulze with a proclamation in honor of his retirement.

### B. Presentation: Small Business Development and Assistance Program Update - Pressert Marketing (Sims)

Economic Development Director Sims introduced Mr. Fransen from Pressert Marketing, who gave an update on the Small Business Development and Assistance Program.

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- C. Appointment: By motion, appointing Brent Bohlender to the Parks, Arts and Recreation Commission for a term expiring on 12/31/2027 (Christel)

Action: Motion by Councilmember Monez, seconded by Councilmember Abram, appointing Brent Bohlender to the Parks, Arts and Recreation Commssion. Motion carried 5/0 by the following vote:

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

**6. PUBLIC PARTICIPATION**

Mayor Bublak opened the item to public comment and the following members of the public spoke:

Karina Mendoza  
Milt Triewailer  
Ron Bridegroom  
Justin Farkas  
Diane

With no further comments, Mayor Bublak closed public comment.

**7. CONSENT CALENDAR**

- A. Motion: Accepting the Weekly demands of August 2, 2024 through August 8, 2024 in the amount of \$845,006.47, August 9, 2024 through August 15, 2024 in the amount of \$1,133,331.48, AP EFT June 2024 in the amount of \$213,589.26, the Investment and Cash Report for July 31, 2024 in the amount of \$285,654,496.94
- B. Motion: Accepting the Minutes of the August 13, 2024 Regular City Council meeting
- C. Motion: Waiving Reading of All Ordinances on the Agenda, Except by Title
- D. Item Pulled for Separate Consideration
- E. Motion: Accepting improvements for City Project No. 18-69 "Surface Water Distribution System Improvements" and authorizing the City Engineer to file a Notice of Completion (Fremming)
- F. 1) Motion: Reaffirming the determination made by the City Manager in response to the emergency created by the inoperative computer room air conditioning units at the Public Safety Facility and finding that the emergency will not permit a delay resulting from a competitive solicitation for bids pursuant to Public Contract Code 22050(c)(2) (Fisher)
- 2) Resolution 2024-130: Appropriating \$325,377 to Fund 118 "Measure A - General" account number 118-20-205.51413 "HVAC" from Fund 118 unallocated reserves and authorizing a contingency amount of \$15,000 (5.01%) for Contract 2025-019 with Champion Industrial Contractors, Inc. for costs associated with City Project No. 24-035 "Server Room AC Unit Replacement at the Public Safety Facility" (Fisher)

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G. Resolution 2024-131: Approving Amendment No. 2 to City Contract 2024-062 with NV5, Inc. in the amount of \$28,107.43, bringing the contract total to \$128,107.43, to be funded by Fund 420 "Water Enterprise," account number 420-52-551.51126 "Water Main/Waterline Replacement" for Materials Testing and Inspection Services for City Project No. 18-67, "Water Main and Sewer Replacement 2023" (Morris)

H. Item Pulled for Separate Consideration

**Action:** Motion by Vice Mayor Franco, seconded by Councilmember Bixel, to adopt the Consent Calendar as amended, and carried 5/0 by the following vote:

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

7D. Approving the purchase and delivery of four (4) 2024 Ford E-Transit 350 MR battery electric vans from A-Z Bus Sales, Inc. of Sacramento, California, to be used as revenue services vehicles, utilizing the CalACT/Basin Transit cooperative purchasing agreement, in an amount not to exceed \$827,325, expensed to Fund 426 "Transit" account number 426-40-415-243-002.51261 without compliance to formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5), in support of City Project No. 22012 "Transit Demand Response Zero-Emission Vehicle Purchase," and authorizing the City Manager to execute all documents necessary to seek related grant funding and complete the purchase (York)

Mayor Bublak opened the item for public comment and the following members of the public spoke:

Ron Bridegroom

With no further comments, Mayor Bublak closed public comment.

**Recommended Action:** Resolution 2024-132: Approving the purchase and delivery of four (4) 2024 Ford E-Transit 350 MR battery electric vans from A-Z Bus Sales, Inc. of Sacramento, California, to be used as revenue services vehicles, utilizing the CalACT/Basin Transit cooperative purchasing agreement, in an amount not to exceed \$827,325, expensed to Fund 426 "Transit" account number 426-40-415-243-002.51261 without compliance to formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5), in support of City Project No. 22012 "Transit Demand Response Zero-Emission Vehicle Purchase," and authorizing the City Manager to execute all documents necessary to seek related grant funding and complete the purchase as motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

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7H. Approving an agreement between the City of Turlock and Axon Enterprise, Inc. to enter into a five (5) year agreement to provide the City of Turlock Police Department with Axon Enterprises Officer Safety Plan 7 Plus, the body cameras for the Turlock Police Department, Axon Air, and merging the existing agreements for a five (5) year cost not to exceed \$2,060,900 (Hedden)

Mayor Bublak opened the item for public comment, and with none, closed public comment.

Resolution 2024-133: Approving an agreement between the City of Turlock and Axon Enterprise, Inc. to enter into a five (5) year agreement to provide the City of Turlock Police Department with Axon Enterprises Officer Safety Plan 7 Plus, the body cameras for the Turlock Police Department, Axon Air, and merging the existing agreements for a five (5) year cost not to exceed \$2,060,900 as motioned by Councilmember Abram, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

**8. FINAL READINGS**

None

**9. PUBLIC HEARINGS**

- A. Introduction and first reading of an Ordinance amending the Turlock Municipal Code Title 5, Chapter 5-20 regarding camping on public property. This amendment would revoke the current Chapter 5-20 and replace this chapter with a new one for matters relating to camping prohibitions and penalties. (Petrulakis)

Mayor Bublak opened the item for public comment and the following members of the public spoke:

- Jon Gabelon
- Ron Bridegroom
- Milt Treweiler
- DJ Fransen
- Corey Mai
- Travis Regalo

With no further comments, Mayor Bublak closed public comment.

**Recommended Action:** Ordinance 13XX-CS Introduction and first reading of an Ordinance amending the Turlock Municipal Code Title 5, Chapter 5-20 regarding camping on public property. This amendment would revoke the current Chapter 5-20 and replace this chapter with a new one for matters relating to camping prohibitions and penalties, as motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 4/1 by the following vote:

Councilmember Abram	Councilmember Bixel	Vice Mayor Franco	Councilmember Monez	Mayor Bublak
No	Yes	Yes	Yes	Yes

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**10. ACTION ITEMS**

- A. Authorize the City Manager to enter into another agreement with Legacy Health Endowment for the City to continue to support the Person-Centered Care Program from October 1, 2024 to September 30, 2025 and appropriate \$400,000 from Fund 119 "American Rescue Plan Act" unassigned reserve to account 119-10-188.43060\_000 "Contract Services General" (Loehr)

Mayor Bublak opened the item for public comment and the following members of the public spoke:

Mark Warwick  
Ron Bridegroom  
Jon Gabelon

With no further comments, Mayor Bublak closed public comment.

**Recommended Action:** Resolution 2024-134: Authorize the City Manager to enter into another agreement with Legacy Health Endowment for the City to continue to support the Person-Centered Care Program from October 1, 2024 to September 30, 2025 and appropriate \$400,000 from Fund 119 "American Rescue Plan Act" unassigned reserve to account number 119-10-188.43060\_000 "Contract Services General" as motioned by Councilmember Abram, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

- B. Authorizing the City Manager to enter into an agreement with Kosmont & Associates, Inc., DBA Kosmont Companies to provide services for an Economic Development Strategic Plan Update in the amount not to exceed \$77,470 and appropriate this amount from unrestricted reserves within Fund 120 "Tourism Fund" to account 120-10-120.43288 "Economic Development Strategic Plan" (Sims)

Mayor Bublak opened the item for public comment, and with none, closed public comment.

**Recommended Action:** Resolution 2024-135: Authorizing the City Manager to enter into an agreement with Kosmont & Associates, Inc., DBA Kosmont Companies to provide services for an Economic Development Strategic Plan Update in the amount not to exceed \$77,470 and appropriate this amount from unrestricted reserves within Fund 120 "Tourism Fund" to account 120-10-120.43288 "Economic Development Strategic Plan" as motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

- C. Item Pulled for Future Consideration: Approving payment of annual investor invoice of \$50,000 for year four (4) of a five-year Memorandum of Understanding (MOU) with Stanislaus Business Alliance (Opportunity Stanislaus) Economic Development and Workforce Strategies and authorizing the City Manager approve annual payment (Sims)

Mayor Bublak opened the item for public comment, and with none, closed public comment.

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- D. Accepting the Turlock Downtown Property Owners Association 2023-2024 Annual Report to be filed with the City Clerk in accordance with California Streets and Highways Code Section 36650 (Sims)

Mayor Bublak opened the item for public comment and the following members of the public spoke:

Teri Shaver

With no further comments, Mayor Bublak closed public comment.

**Recommended Action:** Resolution 2024-136: Accepting the Turlock Downtown Property Owners Association 2023-2024 Annual Report to be filed with the City Clerk in accordance with California Streets and Highways Code Section 36650 as motioned by Vice Mayor Franco, seconded by Councilmember Monez, and carried 5/0 by the following vote:

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

- E. Appointing and employing CalPERS retired annuitant Gary Hampton as Acting City Manager pursuant to CalPERS requirements and suspending the applicability of section 14.05 of the City's personnel system rules and regulations, as to the City Manager and/or the City Manager's relatives during the period of Mr. Hampton's appointment as Acting City Manager (Eddy)

Mayor Bublak opened the item for public comment and the following members of the public spoke:

Ron Bridegroom

With no further comments, Mayor Bublak closed public comment.

**Recommended Action:** Resolution 2024-137: Appointing and employing CalPERS retired annuitant Gary Hampton as Acting City Manager pursuant to CalPERS requirements and suspending the applicability of section 14.05 of the City's personnel system rules and regulations, as to the City Manager and/or the City Manager's relatives during the period of Mr. Hampton's appointment as Acting City Manager as motioned by Vice Mayor Franco, seconded by Councilmember Monez, and carried 5/0 by the following vote:

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

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- F. Approving an Employment Agreement between the City of Turlock and Gary Hampton as Acting City Manager (Dhami)

Mayor Bublak opened the item for public comment, and with none, closed public comment.

**Recommended Action:** Resolution 2024-138: Approving an Employment Agreement Between the City of Turlock and Gary Hampton as Acting City Manager as motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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

**11. CITY MANAGER REPORTS/UPDATES**

- A. Columbia Pool Update (Fisher)

Municipal Services Director Fisher gave an update regarding the Columbia Pool progress.

**12. COUNCILMEMBER COMMENTS AND ANNOUCEMENTS**

Vice Mayor Franco stated that Mayor Bublak and herself walked Pedras road and noted that it was done well. She congratulated Road Program Manager Fred Pezeshk on recently winning \$4.8 million in grant funds from StanCOG for Geer Road.

**13. COUNCILMEMBER ITEMS FOR FUTURE CONSIDERATION**

Councilmember Abram asked that staff bring an item forward regarding the needs of the animal shelter, she added that she would like to see a study or assessment with an updated cost. Councilmember Abram added that she would like an update on the website process, and ideally an item to come before Council for approval.

Mayor Bublak asked for staff to look into the roof of the Senior Center and the Marty Yerby facility.

**14. CLOSED SESSION**

- 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: Deputy City Manager Sarah Eddy  
Employee Organization: Turlock City Employees Association  
Employee Organization: Turlock Firefighters Association-Local 2434  
Employee Organization: Turlock Management Association-Public Safety  
Unrepresented Groups: Turlock Management and Confidential Employees
- B. Conference with Legal Counsel – Anticipated Litigation, Cal. Gov't Code §54956.9(d)(2)“For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist... A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.” Potential Case(s): Three (3)

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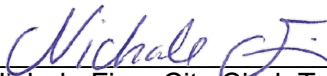
**15. REPORTS FROM CLOSED SESSION**

None

**16. ADJOURNMENT**

Mayor Bublak adjourned the meeting at 9:51 p.m.

Respectfully submitted

  
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Nichole Fiez, City Clerk Trainee