

City Council Meeting Minutes

October 22, 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

Councilmember Monez requested to amend the agenda to move agenda item 10A and 10B after 8D.

Motion: Approval of Agenda as amended, motioned by Councilmember Monez, seconded 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

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

- A. Briefing: Status of facility owned/operated by AHS Turlock Operating LLC, Alamo Health Management MHRE Turlock RE LLC, and/or related entities at 1617 Colorado Avenue

City Attorney Petrulakis gave a briefing regarding the status on the facility at 1617 Colorado Avenue.

6. PUBLIC PARTICIPATION

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

Venita Quame
Curtis
Kyle Roach
Keisha Sangha
Milt Trieweiler
John Gabelon
Justin Farkas

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Ron Bridegroom

With no further comments, Mayor Bublak closed public comment.

7. CONSENT CALENDAR

- A. Motion: Accepting the Weekly demands of September 20, 2024 through September 26, 2024 in the amount of \$2,924,115.35, September 27, 2024 through October 3, 2024 in the amount of \$1,580,535.88, October 4, 2024 through October 10, 2024 in the amount of \$2,845,641.03, AP EFT for August 2024 in the amount of \$709,995.25, and Payroll EFT for July 2024 in the amount of \$12,660,549.42.
- B. Motion: Accepting the Minutes of the October 8, 2024 Regular City Council meeting, and the Minutes of the October 15, 2024 Special City Council meeting
- C. Motion: Waiving Reading of All Ordinances on the Agenda, Except by Title
- D. 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)
- E. Resolution 2024-156: Rescinding Resolution No. 2024-011 and approving an update to the City of Turlock's Title VI Program for Federal Fiscal Years (FFY) 2024-2026 as required by the Federal Transit Administration (FTA) for recipients of federal transit funding (York)
- F. Motion: Accepting improvements for City Project No. 23-038 "Well Sites 15, 20, and 22 Roofs Repair" and authorizing the City Engineer to file a Notice of Completion (Morris)
- G. Resolution 2024-157: Approving Amendment No. 1 to the Memorandum of Understanding between the City of Turlock and the StanCOG to accept an increase in the suballocation of Regional Early Action Plan (REAP) funds in the amount not to exceed \$73,401.14 and appropriating \$73,401.14 to account number 271-40-400-452.34168 Regional Early Action Plan (REAP) funding (Werner)

Action: Motion by Councilmember Monez, seconded by Councilmember Abram, 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

8. FINAL READINGS

- A. Second and final reading of an Ordinance extending by Amendment, in a form approved by the City Attorney, the Development Agreement between Perfect Union and the City of Turlock for the operation of a cannabis retail dispensary at 2500 N. Golden State Boulevard, Turlock, CA, County of Stanislaus, Assessor's Parcel Number 088-007-025 through June 30, 2025. (Werner)

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

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Action: Ordinance-1318: Second and final reading of an Ordinance extending by Amendment, in a form approved by the City Attorney, the Development Agreement between Perfect Union and the City of Turlock for the operation of a cannabis retail dispensary at 2500 N. Golden State Boulevard, Turlock, CA, County of Stanislaus, Assessor’s Parcel Number 088-007-025 through June 30, 2025, as motion 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
Yes	Yes	Yes	Yes	No

- B. Second and final reading of an Ordinance extending by Amendment, in a form approved by the City Attorney, the Development Agreement between Fire House and the City of Turlock for the operation of a cannabis retail dispensary at 1601 W. Main Street, Turlock, CA, County of Stanislaus, Assessor’s Parcel Number 089-015-006 through June 30, 2025. (Werner)

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

Action: Ordinance-1319: Second and final reading of an Ordinance extending by Amendment, in a form approved by the City Attorney, the Development Agreement between Fire House and the City of Turlock for the operation of a cannabis retail dispensary at 1601 W. Main Street, Turlock, CA, County of Stanislaus, Assessor’s Parcel Number 089-015-006 through June 30, 2025, as motion by Vice Mayor Franco, seconded by Councilmember Monez, and carried 4/1 by the following vote:

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

- C. Second and final reading of an Ordinance extending by Amendment, in a form approved by the City Attorney, the Development Agreement between JDI Farms, Inc. and the City of Turlock for the operation of an indoor cannabis cultivation, manufacturing, and distribution business at 600 D Street, Turlock, CA, County of Stanislaus, Assessor’s Parcel Number 043-018-016 through June 30, 2025 (Werner)

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

Action: Ordinance-1320: Second and final reading of an Ordinance extending by Amendment, in a form approved by the City Attorney, the Development Agreement between JDI Farms, Inc. and the City of Turlock for the operation of an indoor cannabis cultivation, manufacturing, and distribution business at 600 D Street, Turlock, CA, County of Stanislaus, Assessor’s Parcel Number 043-018-016 through June 30, 2025, as motion by Vice Mayor Franco, seconded by Councilmember Bixel, and carried 4/1 by the following vote:

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

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- D. Second and final reading of an ordinance amending Turlock Municipal Code Title 6 (Sanitation and Health), Chapter 6-4 (Sewage Disposal), Article 1 (General Provisions); Article 4 (Fees and Charges); Article 5 (Wastewater Treatment Facility Capacity Charges); Article 7 (Sewer Service User Rates); Article 9 (Testing Methods and Procedures Used to Determine Influent Flow Characteristics); and Article 11 (Sewer Lines and Reimbursement) (Fisher)

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

Milt Trieweiler
John Gabelon
Ron Bridegroom

Action: Ordinance 1321: Second and final reading of an ordinance amending Turlock Municipal Code Title 6 (Sanitation and Health), Chapter 6-4 (Sewage Disposal), Article 1 (General Provisions); Article 4 (Fees and Charges); Article 5 (Wastewater Treatment Facility Capacity Charges); Article 7 (Sewer Service User Rates); Article 9 (Testing Methods and Procedures Used to Determine Influent Flow Characteristics); and Article 11 (Sewer Lines and Reimbursement) as motion 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

- 10A. Adopting a temporary Industrial Ratepayer Assistance Program to assist Significant Industrial Users with payment of their sewer service rates and authorizing the City Manager or Municipal Services Director to execute agreements, in a form approved by the City Attorney, pursuant to this resolution and appropriating \$2,180,606.92 from Fund 413 (WQC-Capital Expansion Reserve) unallocated reserves to expense account Fund 413 (WQC-Capital Expansion Reserve) 413-51-537.47083 "Industrial Rate Payer Assistance Program" to provide funding for the temporary Industrial Ratepayer Assistance Program (Fisher)

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

Milt Trieweiler

With no further comments, Mayor Bublak closed public comment.

Action: Resolution 2024-161: Adopting a temporary Industrial Ratepayer Assistance Program to assist Significant Industrial Users with payment of their sewer service rates and authorizing the City Manager or Municipal Services Director to execute agreements, in a form approved by the City Attorney, pursuant to this resolution and appropriating \$2,180,606.92 from Fund 413 (WQC-Capital Expansion Reserve) unallocated reserves to expense account Fund 413 (WQC-Capital Expansion Reserve) 413-51-537.47083 "Industrial Rate Payer Assistance Program" to provide funding for the temporary Industrial Ratepayer Assistance Program, as motioned by Councilmember Abram, seconded by Councilmember Bixel, and carried 5/0 by the following vote:

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

- 10B. Approving an agreement with Genesis Behavior Center, Inc., in a form approved by the City Attorney, in an amount not to exceed \$642,500 for Personalized repetitive Transcranial Magnetic Stimulation (PrTMS®) for public safety personnel to be funded by American Rescue Plan Act (ARPA) and appropriate funds to Fund 119 “American Rescue Plan Act” account 119-10-188.43060_000 “Contract Services General” (Dhami)

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

Milt Triewailer
Name not provided
John Gabelon
Name not provided
Sebastian Malek
Ron Bridegroom
Joe Cortez
Name not provided
Mary Jackson

With no further comments, Mayor Bublak closed public comment.

Action: Resolution 2024-162: Approving an agreement with Genesis Behavior Center, Inc., in a form approved by the City Attorney, in an amount not to exceed \$642,500 for Personalized repetitive Transcranial Magnetic Stimulation (PrTMS®) for public safety personnel to be funded by American Rescue Plan Act (ARPA) and appropriate funds to Fund 119 “American Rescue Plan Act” account 119-10-188.43060_000 “Contract Services General”, as motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 3/2 by the following vote:

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

Mayor Bublak called for a 5-minute recess at 7:40 p.m. and reconvened the meeting back to order at 7:46 p.m.

9. PUBLIC HEARINGS

- A. Introduction and first reading of an ordinance amending Turlock Municipal Code Title 4 (Public Safety), Chapter 7 (Traffic), Article 14 (Special Speed Zones) (Morris)

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

Action: Ordinance 13XX: Introduction and first reading of an ordinance amending Turlock Municipal Code Title 4 (Public Safety), Chapter 7 (Traffic), Article 14 (Special Speed Zones), as motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 5/0 by the following vote:

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Yes	Yes	Yes	Yes	Yes

City Attorney Petrulakis recused himself from the Dias, citing a conflict of interest with the party in agenda item 9B.

- B. In the matter of adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Rezone 2024-01, Planned Development 283 (PD 283), Introduction and first reading amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2024-01 Planned Development 283 - RBK Development] at 337 West Avenue South, Stanislaus County APN 050-003-042 (Werner)

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

Mallory
Milt Trieweiler

With no further comments, Mayor Bublak closed public comment.

Action:

Resolution 2024-159: Adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Rezone 2024-01 at 337 West Avenue South, Stanislaus County APN 050-003-042

Ordinance 13XX-CS: Introduction and first reading amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2024-01 Planned Development 283] at 337 West Avenue South, Stanislaus County APN 050-003-042

As motioned by Councilmember Bixel, 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

10. ACTION ITEMS

- A. Item moved after 8D
- B. Item moved after 8D
- C. Amending the FY 2024-25 municipal budget within Fund 426 “Transit” to complete project funding for City Project No. 22011 “Transit Midsize Bus Purchase” and approving the purchase and delivery of seven (7) 2025 Arboc Spirit of Mobility midsize buses from Model 1 Commercial Vehicles of Chino, California, to be used as transit revenue service vehicles, purchased under the CalACT/MBTA Purchasing Cooperative RFP No. 20-01, in an amount not to exceed \$1,800,911 (Fund 426), without compliance to formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5) (York)

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

Action:

Resolution 2024-163: Amending the FY 2024-25 municipal budget within Fund 426 “Transit” to complete project funding for City Project No. 22011 “Transit Midsize Bus Purchase”

Resolution 2024-164: Approving the purchase and delivery of seven (7) 2025 Arboc Spirit of Mobility midsize buses from Model 1 Commercial Vehicles of Chino, California, to be used as transit revenue service vehicles, purchased under the CalACT/MBTA Purchasing Cooperative RFP No. 20-01, in an amount not to exceed \$1,800,911 (Fund 426), without compliance to formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5)

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

11. CITY MANAGER REPORTS/UPDATES

None

12. COUNCILMEMBER COMMENTS AND ANNOUNCEMENTS

Councilmember Bixel wished everyone a safe Halloween.

Vice Mayor Franco gave the following reminders of events: trick and treat at the public safety facility center on October 24, 2024, Diwali on November 1st, Veterans Day ceremony on November 11, 2024 at 10 a.m. at the public safety facility, and leaf pickup starting on November 4th.

Mayor Bublak recognized Erika Phillips in placing second in her recent competition, and congratulated SRWA on their success in having less than one percent in change orders on the SRWA project.

13. COUNCILMEMBER ITEMS FOR FUTURE CONSIDERATION

Councilmember Abram would like the small business development program to be brought back for consideration.

Mayor Bublak asked about the status of same day permitting, and the software for online permitting.

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

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Employee Organization: Turlock Management Association-Public Safety

- 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): Four (4)

15. REPORTS FROM CLOSED SESSION

None

16. ADJOURNMENT

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

Respectfully submitted



Nichole Fiez, City Clerk Trainee