

0. A. **CALL TO ORDER** – Mayor Bublak called the meeting to order at 6:00 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.

Mayor Bublak announced Action Item 9C will be removed from the agenda; however, public comment will be heard on this item.

Councilmember Monez also requested removal of Council Items for Future Consideration.

Action: Motion by Councilmember Monez, seconded by Councilmember Franco, Approving the agenda as amended. Motion carried 4/1 by the following vote:

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

3. PROCLAMATIONS, RECOGNITIONS, APPOINTMENTS, ANNOUNCEMENTS, PRESENTATIONS, AND BRIEFINGS:

A. Proclamation: Arbor Day, April 2021

Parks, Recreation and Public Facilities Director Allison Van Guilder read a proclamation from Mayor Bublak in recognition of Arbor Day, April 2021

B. Appointment: West Turlock Subbasin Groundwater Sustainability Agency, Primary Member

Mayor Bublak recommended that Councilmember Larson be appointed as the Primary Member and Councilmember Franco be appointed as the Alternate Member of the West Turlock Subbasin Groundwater Sustainability Agency.

Action: Motion by Councilmember Monez, seconded by Councilmember Franco, appointing Councilmember Larson as the Primary Member and Councilmember Franco as the Alternate Member West Turlock Subbasin Groundwater Sustainability Agency. Motion carried 5/0 by the following vote:

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

C. Briefing: COVID-19 Update, presented by Interim Fire Chief Gary Carlson

Interim Fire Chief Gary Carlson provided an update regarding COVID-19 including the tier assignment for Stanislaus County, positivity rate, metrics for Stanislaus County as compared to the state metrics, reopening of the state on June 15, 2021, hospitalization rate increases, vaccine administration, release of the Johnson & Johnson vaccine by the FDA, availability of vaccines, mobile vaccination clinics, COVID testing, mortality rates, and community briefing by the county.

*City Clerk Jennifer Land announced that members of the public will be given the opportunity to address Council on items that are within the subject matter jurisdiction of the City Council and on any item on tonight's agenda. For items listed on the agenda, we ask that you please defer your comments until that item is heard by the Council. For members of the public participating in-person and who are interested in addressing the Council, please raise your hand once the Mayor opens public comment and before she closes public comment. For members of the public participating remotely, please press the "raise hand" feature on your screen or press *9 from your telephone keypad once the Mayor opens public comment and before she closes public comment.*

Members of the public participating in-person will be called upon first and then we will move to those participating remotely. For those participating remotely, they will hear an automated prompt indicating their line has been unmuted – and that is when their comment period will begin.

Lastly, we request members who choose to address the Council to please state their first and last name in the event any follow up is needed; however, this is not mandatory.

4. PUBLIC PARTICIPATION:

The following members of the public spoke:

Ramon Rodriguez

5. MOTION WAIVING READING OF ALL ORDINANCES ON THE AGENDA, EXCEPT BY TITLE:
 None

6. CONSENT CALENDAR:

Mayor Bublak requested the removal of Agenda Item 6F for further discussion as per the request of a member of the public.

Action: Motion by Councilmember Franco, seconded by Councilmember 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

- A. **Resolution No. 2021-057:** Accepting Weekly Demands of 4/1/21 in the amount of \$4,173,605.84; Weekly Demands of 4/8/21 in the amount of \$847,456.47; Weekly Demands of 4/15/21 in the amount of \$1,257,582.10
- B. **Motion:** Accepting Minutes of the Regular Meeting of February 23, 2021; Minutes of Special Meeting of March 9, 2021
- C. 1. **Motion:** Approving Contract Change Order No. 3 (Final) in the decreased amount of \$112,167.15 (Non-General Fund – Fund 215) for City Project No. 15-44 “Rehabilitation of Hawkeye Avenue and Lander Avenue” bringing the contract total to \$1,706,888.48
 2. **Motion:** Accepting improvements for City Project No. 15-44 “Rehabilitation of Hawkeye Avenue and Lander Avenue” and authorizing the City Engineer to file a Notice of Completion
- D. **Motion:** Approving the advertisement of construction bids for City Project No. 20-013 “Water and Sewer Main Extensions – N. Golden State Blvd”
- E. **Resolution No. 2021-058:** Adopting a Resolution of vacation, pursuant to Division 9, Part 3, Chapters 2 and 4 of the Streets and Highways Code, to summarily vacate those certain portions of existing public utility easements over portions of 149 W. Canal Drive (APN: 042-009-039) & 199 W. Canal Drive (APN: 042-009-038)
- F. *Removed for separate consideration.*
- G. **Resolution No. 2021-059:** Accepting the 2020 General Plan Annual Report pursuant to California Government Code section 65400(a)(2) to be submitted to the Governor’s Office of Planning and Research and the California Department of Housing and Community Development
- H. **Motion:** Authorizing the sole source repairs to out of repair sidewalks in various locations throughout the City and approving an Agreement with Precision Emprise, LLC., Db

Precision Concrete Cutting of Sacramento, for sidewalk trip hazard removal projects for the City of Turlock, for a period of thirty-six (36) months, in an annual amount not to exceed \$60,000 and a total amount not to exceed \$360,000 if all renewal periods are exercised, without compliance to the formal bid procedure in accordance to Turlock Municipal Code Section 2-7-08(b)(2)

- I. Motion: Approving Amendment No. 1 to the Joint and Reciprocal Agreement with Turlock Unified School District (TUSD), for use of facilities, to update the language following California Department of Public Health guidelines regarding COVID-19
- J. 1. **Resolution No. 2021-060**: Approving modifications to the job descriptions for the positions of Information Technology Technician, Information Technology Analyst I/II, Information Technology Analyst - Senior, Information Technology Coordinator, and Information Technology Manager, effective April 27, 2021
 2. **Resolution No. 2021-061**: Approving the reclassification of two (2) Senior Information Technology Analysts to Information Technology Coordinators, effective May 1, 2021
- K. Motion: Authorizing the release of unclaimed checks pursuant to California Government Code section 50055 to the City of Turlock
- 6F. Resolution: Authorizing the City Manager to execute Lien Agreements in a form approved by the City Attorney for the deferred payment of development impact fees

Mayor Bublak opened public participation.

The following members of the public spoke:

Milt Trieweiler

Mayor Bublak closed public participation.

Staff provided brief comment in response to public comment.

Council and staff discussed this item.

Action: **Resolution No. 2021-062**: Authorizing the City Manager to execute Lien Agreements in a form approved by the City Attorney for the deferred payment of development impact fees 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

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:** None

9. ACTION ITEMS:

- A. Interim Development Service Director Nathan Bray presented the staff report on the request to approve Contract Change Order No. 1 (Final) in the amount of \$34,301.41 (Non-General Fund – Fund 246) for City Project No. 20-004 "2020 Slurry Seals" bringing the contract total to \$1,109,301.41 AND accept improvements for City Project No. 20-004 "2020 Slurry Seals" and authorizing the City Engineer to file a Notice of Completion AND appropriate \$525,000 to account number 246-60-600.43700 "Slurry Seals" to be funded from Fund 246 "Landscape Assessment District Maintenance" unassigned reserves to provide necessary funding for City Project No. 20-004 "2020 Slurry Seals"

Mayor Bublak opened public participation.

The following members of the public spoke:

Robert Puffer

Mayor Bublak closed public participation.

Staff provided brief comment in response to public comment.

Council and staff discussed this item.

Action: Motion by Councilmember Monez, seconded by Councilmember Larson. Approving Contract Change Order No. 1 (Final) in the amount of \$34,301.41 (Non-General Fund – Fund 246) for City Project No. 20-004 "2020 Slurry Seals" bringing the contract total to \$1,109,301.41. Motion 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 Larson, Accepting improvements for City Project No. 20-004 "2020 Slurry Seals" and authorizing the City Engineer to file a Notice of Completion. 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. 2021-063: Appropriating \$525,000 to account number 246-60-600.43700 "Slurry Seals" to be funded from Fund 246 "Landscape Assessment District Maintenance" unassigned reserves to provide necessary funding for City Project No. 20-004 "2020 Slurry Seals" 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

- B. Park, Recreation and Public Facilities Director Allison Van Guilder presented the staff report on the request to authorize the use of CARES Act funds, if necessary, for the purpose of offsetting aquatics program expenses in excess of revenue generated by swim lessons, as a result of the COVID-19 Public Health Emergency by appropriating \$34,000 from account number 110-10-189.48001_325 “Transfer Out To Respond To COVID-19 Pandemic” to account number 110-61-626-102.38001_325 “Transfer In From CARES Act Funds”

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

Council and staff further discussed this item.

Councilmember Monez introduced a modified motion to transfer unused funds back to the CARES Act Fund account at the end of swim season. Councilmember Franco seconded the modified motion.

Action: **Resolution No. 2021-064:** Authorizing the use of CARES Act funds, if necessary, for the purpose of offsetting aquatics program expenses in excess of revenue generated by swim lessons, as a result of the COVID-19 Public Health Emergency by appropriating \$34,000 from account number 110-10-189.48001_325 “Transfer Out To Respond To COVID-19 Pandemic” to account number 110-61-626-102.38001_325 “Transfer In From CARES Act Funds” and transferring any unused funds back to the CARES Act fund at the end of the swim season as 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

- C. Item removed from the agenda.

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

- D. Acting City Manager Gary R. Hampton and Human Resources Manager Sarah Eddy presented the staff report on the request to approve the reorganization of the Administrative Services Department and establishing the Finance Department, effective July 1, 2021 AND approve modifications to the job description for the position of Administrative Services Director, effective July 1, 2021 AND approve a new job description for the position of Finance Director, effective July 1, 2021 AND authorize the hiring of one (1) Administrative Services Director and one (1) Finance Director through an in-house recruitment of full-time, part-time, and volunteer/intern staff (with no priority given), and an outside recruitment if needed; authorize the Acting City Manager to engage in a contract with a professional recruiting firm for the hiring of an Administrative Services Director and a Finance Director in an amount not to exceed \$40,000; and appropriate \$40,000 from Fund 110 “General Fund”

unassigned reserves to account number 110-10-109.43060_039 “Executive Recruitments” in FY 20-21

Council and staff discussed this item.

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

Council and staff further discussed this item.

Action: **Resolution No. 2021-065:** Approving the reorganization of the Administrative Services Department and establishing the Finance Department, effective July 1, 2021 as introduced by Councilmember Monez, seconded by Councilmember Franco, and carried 3/2 by the following vote:

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

Resolution No. 2021-066: Approving modifications to the job description for the position of Administrative Services Director, effective July 1, 2021 as introduced by Councilmember Monez, seconded by Councilmember Franco, and carried 3/2 by the following vote:

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

Resolution No. 2021-067: Approving a new job description for the position of Finance Director, effective July 1, 2021 as introduced by Councilmember Monez, seconded by Councilmember Franco, and carried 3/2 by the following vote:

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

Resolution No. 2021-068: Authorizing the hiring of one (1) Administrative Services Director and one (1) Finance Director through an in-house recruitment of full-time, part-time, and volunteer/intern staff (with no priority given), and an outside recruitment if needed; authorizing the Acting City Manager to engage in a contract with a professional recruiting firm for the hiring of an Administrative Services Director and a Finance Director in an amount not to exceed \$40,000; and appropriating \$40,000 from Fund 110 “General Fund” unassigned reserves to account number 110-10-109.43060_039 “Executive Recruitments” in FY 20-21 as introduced by Councilmember Monez, seconded by Councilmember Franco, and carried 3/2 by the following vote:

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

10. CITY MANAGER REPORTS/UPDATES:

A. Administrative Services

1. Monthly Budget Update

A written staff update was included in the agenda packet.

2. Measure A Citizens Oversight Committee Update

City Clerk Jennifer Land provided an update on the Measure A Citizens Oversight Committee application process and sought Council feedback regarding the committee selection process.

Council and staff discussed this item.

Council provided direction to staff to provide recommendations for Council approval, including review of the applications by Council and Acting City Manager, and removal of the political aspect of the selection.

3. City of Turlock Elected and Appointed Officials Handbook Update

Acting City Manager Gary R. Hampton provided an update on the status of the review of the Elected and Appointed Officials Handbook including completion of the first seven chapters with the assistance of staff, review of the remaining chapters, and estimated completion by the beginning of June 2021.

Council and staff discussed this item.

4. Unsheltered Homeless and Encampments Crisis Update

Interim Chief of Police Steven Williams provided an update regarding the Unsheltered Homeless and Encampments Crisis including operational period status, upcoming area of focus, coordination with various resources, operation budget to date, impacts to community, deployment of staff to address areas of concern, and shelter availability.

Council and staff discussed this item.

B. Fire Department

1. Public Safety Briefing

A written staff update was included in the agenda packet.

C. Police Department

1. Public Safety Briefing

A written staff update was included in the agenda packet.

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION: Removed from the Agenda

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:

Councilmember Larson commented on the recruitment process for the City Manager position.

Councilmember Nosrati requested information on a community 4th of July fireworks show.

Council discussed amendments to the Agenda concerning the removal of Council Items for Future Consideration.

13. CLOSED SESSION:

City Clerk Jennifer Land introduced the Closed Session Item(s).

- A. Threat to Public Services or Facilities, Cal. Gov't Code §54957(a)
"This chapter shall not be construed to prevent the legislative body of a local agency from holding closed sessions with the Governor, Attorney General, district attorney, agency counsel, sheriff, or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, or a threat to the public's right of access to public services or public facilities."
Consultation with: Interim Fire Chief Gary Carlson and Interim City Attorney George A. Petrulakis
- 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: (1 case)
- C. 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: Human Resources 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, 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, Transit Manager, Utilities Manager, and Water Quality Control Division Manager.

D. Public Employee Discipline/Dismissal/Release, Cal. Gov't Code §54957(b)(1)

14. REPORTS FROM CLOSED SESSION:

City Clerk Jennifer Land reported for the Closed Session Item(s) that no reportable action was taken.

15. ADJOURNMENT

Mayor Bublak adjourned the regular meeting at 7:50 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Allison Martin, Deputy City Clerk
Jennifer Land, City Clerk