

City Council Meeting Minutes

August 8, 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, Rebecka Monez, Kevin Bixel, Vice Mayor Pam Franco, and Mayor Amy Bublak.

Absent: None

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
None	None	None	8B	8A

1. APPROVAL OF AGENDA AS POSTED OR AMENDED

Motion: Approval of Agenda as posted as 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

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

A. Proclamation Certificate of Appreciation – Golden Valley Health Centers (*Bublak*)

Mayor Bublak presented a certificate of appreciation to Golden Valley Health Centers.

B. Presentation Certificate of Achievement – Turlock Little League

Mayor Bublak presented a certificate of achievement to members of the Turlock Little League Teams – Turlock American Little League 11U All Stars and Turlock American Little League 10Y All Stars.

C. Presentation We Care Program Update (*Maris Sturtevant*)

This item was pulled.

D. Appointment Measure A Citizen Oversight Committee

Mayor Bublak recommended the appointment of Linda Gatton to the Measure A Citizen Oversight Committee.

Action: *Motion* by Mayor Bublak, seconded by Councilmember Monez, appointing Linda Gatton to the Measure A Citizen's Oversight Committee. Motion 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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3. PUBLIC PARTICIPATION

Mayor Bublak opened public participation and the following members of the public spoke:

Curtis (no last name given)
John Gebelein
Milt Trieweiler
Lori Smith
Ron Bridegroom
Ron Puffer
Debra Koftinow
Becky Arellano
Kathy Russell
Mary Jackson

With no further comment, Mayor Bublak closed public participation.

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

Motion: Waiving reading of all ordinances on the agenda, except by title as motioned 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

5. CONSENT CALENDAR

Mayor Bublak announced that Consent Item 5D, 5G, 5H would be pulled for separate consideration.

- A. Resolution 2023-184: Accepting Weekly Demands of 07/20/2023 in the amount of \$1,507,678.47, 07/27/2023 in the amount of \$1,797,869.11 and the EFT Payment Register for February 2023 in the amount of \$7,299,855.99
- B. Motion: Accepting Minutes of the 07/25/2023 Regular Meeting of the City of Turlock City Council
- C. Resolution 2023-185: Approving an agreement with Chemtrade Chemicals Corporation under Bay Area Chemical Consortium (BACC) cooperative agreement Bid No. 01-2023 "For Supply and Delivery of Aluminum Sulfate," for a period of one (1) year, in an amount not to exceed an annual compensation of \$200,000, funded in the Stanislaus Regional Water Authority (SRWA) operations budget fund 450 "SRWA Operations" account number 450-53-550.44005 "Chemicals" (Goodman)
- D. Item pulled for separate consideration
- E. Resolution 2023-186: Authorizing the investment of monies in the Local Agency Investment Fund (LAIF) (Moreno)

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- F. Resolution 2023-187: Approving a Memorandum of Understanding (MOU) between the Stanislaus County Office of Education, the City of Turlock, and the Turlock Unified School District authorizing the acceptance of an allocation of funds and execution of a grant MOU to implement the After-School Education and Safety (ASES) Program for the 2023-2024 school year (*Schulze*)
- G. Item pulled for separate consideration
- H. Item pulled for separate consideration
- I. Resolution 2023-190: Authorizing the City Manager to execute applications and contracts, along with any other documents necessary to apply for and accept grant funds administered by the San Joaquin Valley Air Pollution Control District for the Public Benefit Grants Program (*Hedden*)

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	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- 5D. Rejecting all bids submitted for City Project No. 21-044 "Pedretti Park Lighting Improvements" (*Schulze*)

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

Ron Bridegroom
Ron Puffer
Milt Triewailer

With no further comment, Mayor Bublak closed public comment.

Director Schulze responded to questions from the public.

Action: Motion: Rejecting all bids submitted for City Project No. 21-044 "Pedretti Park Lighting Improvements" as 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

- 5G. Approving Amendment No. 3 to an Agreement between the City of Turlock and Joe Gomes and Sons, Inc. for card-lock fueling services for gasoline and diesel fuel for all City owned vehicles and equipment, increase the annual compensation amount to \$1,000,000, and in a total amount not to exceed \$5,400,000, if all renewal periods are exercised, to City account(s) 46031 (*Moreno*)

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

Milt Triewailer
Ron Puffer

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Ron Bridegroom

With no further comment, Mayor Bublak closed public comment.

Director Moreno responded to questions from the public and from the City Council.

Action: Resolution 2023-188: Approving Amendment No. 3 to an Agreement between the City of Turlock and Joe Gomes and Sons, Inc. for card-lock fueling services for gasoline and diesel fuel for all City owned vehicles and equipment, increase the annual compensation amount to \$1,000,000, and in a total amount not to exceed \$5,400,000, if all renewal periods are exercised, to City account(s) 46031 as 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

5H. Approving the Tentative Agreement updating the Memorandum of Understanding (“MOU”) between the City of Turlock and Turlock Firefighters, Local # 2434 (FIRE) covering the period of July 1, 2022 through June 30, 2024 with no appropriation needed for \$255,362 in Fund 110 for Fiscal Year 2022-2023 due to salary savings; appropriating \$26,693 from unassigned reserve in Fund 118 “Measure A” for Fiscal Year 2022-2023 to 118-30-300 “Measure A Fire Operations” to various salary and benefit accounts; appropriating \$485,331 from unassigned reserve in Fund 110 “General Fund” for Fiscal Year 2023-2024 to 110-30-300 “Fire Operations” to various salary and benefit accounts; appropriating \$49,147 from unassigned reserve in Fund 118 “Measure A” for Fiscal Year 2023-2024 to 118-30-300 “Measure A Fire Operations” to various salary and benefit accounts (*Dhami*)

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

Ron Puffer
Milt Trieweiler

With no further comment, Mayor Bublak closed public comment.

Director Dhami and Director Moreno responded to questions from the public and from the City Council.

Action: Resolution 2023-189: Approving the Tentative Agreement updating the Memorandum of Understanding (“MOU”) between the City of Turlock and Turlock Firefighters, Local # 2434 (FIRE) covering the period of July 1, 2022 through June 30, 2024 with no appropriation needed for \$255,362 in Fund 110 for Fiscal Year 2022-2023 due to salary savings; appropriating \$26,693 from unassigned reserve in Fund 118 “Measure A” for Fiscal Year 2022-2023 to 118-30-300 “Measure A Fire Operations” to various salary and benefit accounts; appropriating \$485,331 from unassigned reserve in Fund 110 “General Fund” for Fiscal Year 2023-2024 to 110-30-300 “Fire Operations” to various salary and benefit accounts; appropriating \$49,147 from unassigned reserve in Fund 118 “Measure A” for Fiscal Year 2023-2024 to 118-30-300 “Measure A Fire Operations” to various salary and benefit accounts as motioned 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

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6. FINAL READINGS

None

Mayor called a five (5) minute recess at 7:13 p.m. and called the meeting back to order at 7:18 p.m.

7. PUBLIC HEARINGS

- A. Approving the Engineer’s Report for Fiscal Year 2023-2024 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock and confirming diagrams, assessments, and ordering the levying and collection of assessments as originally proposed for Fiscal Year 2023-2024 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock pursuant to Resolution No. 97-128 (*Schulze*)

Director Schulze provided a staff report regarding a request to approve the Engineer’s Report for FY 23-24 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock and confirming diagrams, assessments, and ordering the levying and collection of assessments as originally proposed for Fiscal Year 2023-2024 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock and explained that this report allows the City to levy all the assessments for the following year.

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

Ron Puffer

With no further comments, Mayor Bublak closed the public comment portion of the meeting.

Action:

Resolution 2023-191: Approving the Engineer’s Report for Fiscal Year 2023-2024 for all Landscaping and Lighting Assessment Districts and all Street Maintenance Benefit Assessment Areas in the City of Turlock and Resolution 2023-192: Confirming diagrams, assessments, and ordering the levying and collection of assessments as originally proposed for Fiscal Year 2023-2024 for all Landscaping and Lighting Assessment Districts (Exhibit A) and all Street Maintenance Benefit Assessment Areas (Exhibit B) in the City of Turlock pursuant to Resolution No. 97-128 as 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

8. ACTION ITEMS

- A. Approving payment of annual investor invoice of \$50,000 for year three 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*)

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Mayor Bublak stated she had a conflict of interest on this item and recused herself from the dais.

Economic Development Director Sims provided a staff report on a request to approve payment of annual investor invoice for year three of the Memorandum of Understanding with Opportunity Stanislaus. He introduced Dave White, President and CEO of Opportunity Stanislaus, who updated the City Council on current programs, projects and events for his agency.

Vice Mayor Franco opened the item for public comment and with no comments received, closed public comment.

Action: *Motion:* Approving payment of annual investor invoice of \$50,000 for year three 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 as motioned by Councilmember Monez, seconded by Councilmember Abram, and carried 4/0 by the following vote:

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

- B. Approving a Resolution of Intent to renew the Downtown Turlock Property and Business Improvement District (DTPBID), approving the Management District Plan, and reviewing the draft PBID Agreement between the City of Turlock and the Turlock Downtown Property Owner’s Association (TDPOA) and provide feedback (*Sims*)

There was a green sheet for this item.

Councilmember Monez stated she had a conflict of interest on this item and recused herself from the dais.

Economic Development Director Sims provided a staff report regarding a request to approve a resolution of intent to renew the Downtown Turlock Property and Business Improvement District (DTPBID).

Director Sims and Director Moreno responded to questions from the City Council.

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

Travis Regalo
Ron Puffer

With no further comments, Mayor Bublak closed public comment.

Director Moreno responded to questions from the public.

There was discussion regarding tree maintenance and the proposed cost of tree trimming services. Director Schulze provided additional information regarding what services may be

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necessary for the first few years of the contract. Mayor Bublak suggested working with Turlock Irrigation District to see if there could be some cost savings there.

City Attorney Petrulakis stated the City Council could take time to consider the City's obligations in the draft contract and provide direction as to items they would like to change. Councilmember Abram would like to see the costs spread out a little more so it's not such a big ask in the budget. Mayor Bublak stated she would prefer to use that money to invest in a shared video type security system such as Fusus. Police Chief Hedden provided information on this type of system.

Mayor Bublak also spoke to Helping Hands and stated that the City should not be the direct provider for their services. Vice Mayor Franco agreed and expressed concerned for the amount of money the City is being asked for.

City Attorney Petrulakis clarified that the action requested is to do the notice of intention to create the district and approving the plan and did not see anything in the report obligating the City to any specifics. He suggested inviting Mr. Regalo up to speak to provide additional clarification. Mr. Regalo confirmed that the request for tonight was for the intent for renewal of the Management District Plan. He also stated that the current contract does not expire until December 31st so there was still time to negotiate on the contract.

Action: Resolution 2023-193: Approving a Resolution of Intent to renew the Downtown Turlock Property and Business Improvement District (DTPBID), approving the Management District Plan and reviewing the draft PBID Agreement between the City of Turlock and the Turlock Downtown Property Owner's Association (TDPOA) and provide feedback as motioned by Vice Mayor Franco, seconded by Councilmember Abram and carried 4/0 by the following vote:

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

C. Seeking City Council direction on four (4) policy decisions related to the City's Cannabis Business Pilot Program (*Wilson*)

City Manager Wilson provided information on the Cannabis Ad-Hoc Committee's findings and recommendations to the City Council for the Cannabis Business Pilot Program. He explained a consensus was reached on four (4) of the six (6) policy issues and that the remaining two (2) policy matters partly relied on the City Council providing direction on the preliminary four (4) issues. City Manager Wilson stated the four (4) policy issues brought for Council deliberation and direction were:

1. Status of the pilot program. The committee is recommending the program be continued permanently with appropriate amendments to the ordinance, including removing references to a "pilot" program.
2. Should the City allow new business types to operate? The committee felt the existing ordinance covering retail, cultivation, manufacturing, distribution and laboratory testing was adequate and new business types such as consumption lounges and cannabis special events should not be considered at this time.

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3. Should the City maintain, increase, or decrease the number of retail licenses? The Committee recommends the number of retail licenses should remain at four (4).
4. Should the City set a cap on the number of non-retail licenses? The Committee feels the existing market approach is adequate and no cap is required on non-retail licenses for uses such as cultivation and manufacturing.

City Manager Wilson stated the two policy matters that would require additional deliberations were detailed in the memorandum and involved the advantages and disadvantages of utilizing development agreements, whether a cannabis tax measure should be pursued, and zoning and ordinance changes necessary to improve the program.

The City Council discussed the proposed policies

Councilmember Monez expressed concern about not requiring a cap on non-retail licenses and felt that the constituents in her district would be negatively impacted by this and, as such, did not agree with not having a cap.

Vice Mayor Franco agreed and would like additional review of the rules and regulations in the development agreements to add language that if any of the current business go out, any new business would go into a district that does not currently have a cannabis business. She felt there needs to be a cap on retail and expressed concern regarding the potential of the cannabis industry's impact on the Turlock's Westside Industrial Specific Plan.

There was discussion regarding cannabis sales tax revenue.

Councilmember Abram explained the intent of Committee was to bring forth the four ideas to set some parameters before they spend time figuring out items related to zoning, taxation, regulatory issues, etc.

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

Milt Trieweiler
Travis Regalo

With no further comment, Mayor Bublak closed public comment.

Mayor Bublak spoke about the Westside Industrial Specific Plan, keeping the cap at four, and sales tax revenue from cannabis.

The City Council responded to questions from the public and discussed this item further. City staff responded to additional questions from the City Council.

Action: There was a 4/1 consensus from the City Council (Abram, Bixel, Monez, Franco in favor, Mayor Bublak not in favor) on policies numbers 1, 2 and 3. Regarding policy number 4, the Cannabis Ad-Hoc Committee will review this item further and bring it back to City Council at a later date.

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- D. Approving the purchase of a sprinter van, property and evidence truck and two (2) unmarked vehicles with a purchase price not to exceed \$295,000 and appropriate funds from Fund 118 “Measure A” unassigned reserves to account number 118-20-210.48001_090 “Transfers Out Vehicle & Equip Replacement” and Fund 506 “Equipment Replacement” account number 506-00-000-213.38001_090 “Transfers In Vehicle & Equip Replacement” to be expensed from account 506-00-000-213.51020 “Equipment Replacement” (*Hedden*)

Police Chief Hedden provided a staff report regarding a request to purchase new vehicles for the Police Department and responded to questions from the City Council.

Mayor Bublak opened the item for public comment and comment was received from the following individuals:

Ron Puffer

With no further comment, Mayor Bublak closed public comment.

Chief Hedden responded to questions from the public.

Action: Resolution 2023-194: Approving the purchase of a sprinter van, property and evidence truck and two (2) unmarked vehicles with a purchase price not to exceed \$295,000 and appropriate funds from Fund 118 “Measure A” unassigned reserves to account number 118-20-210.48001_090 “Transfers Out Vehicle & Equip Replacement” and Fund 506 “Equipment Replacement” account number 506-00-000-213.38001_090 “Transfers In Vehicle & Equip Replacement” to be expensed from account 506-00-000-213.51020 “Equipment Replacement” as 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

9. CITY MANAGER REPORTS/UPDATES

- A. City Manager’s Monthly Reports

This item was included in the agenda packet.

- B. Homeless Ad-Hoc Committee – Future Meeting

City Manager Wilson announced the Homeless Ad-Hoc Committee will be meeting on August 31, 2023 at 5:00 p.m. He also spoke on the surveys that were sent out to the mobile home parks.

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Vice Mayor Franco stated she is still waiting for information on the Housing meetings and workshop dates and when Jeffery Lewis can provide an update to the City Council. She would like a tracking system for their votes.

Mayor Bublak requested additional information on Fusus and, in regards to the Homeless Ad-Hoc Committee, requested they look into the number of food providers and reduce and refine any

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duplications. She wants to make sure other services are not being impacted due to excessiveness in one area.

11. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

Councilmember Abram thanked everyone who was involved in National Night Out.

Councilmember Bixel also thanked everyone for their efforts in National Night Out.

Vice Mayor Franco echoed Councilmember Bixel's comments and welcomed Fire Chief Hunter. She also congratulated Mayor Bublak on earning two gold medals in shot put and javelin at the 2023 World Police and Fire Games. She also spoke on the number of homeless in Empire.

Councilmember Monez also congratulated the Mayor and spoke about the Police Department's need for the sprinter van. She talked about the Police Department's drone and the drone team.

12. CLOSED SESSION

At the request of Mayor Bublak, Deputy City Clerk Fiez read aloud the closed session items.

- A. 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): (2 cases)


13. REPORTS FROM CLOSED SESSION

Mayor Bublak announced there was no reportable action.

14. ADJOURNMENT

Mayor Bublak adjourned the meeting at 9:04 p.m.

Respectfully submitted



Julie Christel, City Clerk