

City Council Meeting Minutes

February 13, 2024

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

Motion: Approval of Agenda as posted as motioned 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

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

A. Appointment: Parks, Arts, and Recreation Commission

Mayor Bublak recommended the appointment of Raj Sangha to the Parks, Arts, and Recreation Commission.

Action: Motion by Councilmember Monez, seconded by Vice Mayor Franco, appointing Raj Sangha to the Parks, Arts, and Recreation Commission. Motion carried by the following vote:

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

B. Briefing: Facility owned/operated by AHS Turlock Operating LLC, Alamo Health Management and/or related entities at 1617 Colorado Avenue (*Petrulakis*)

City Attorney Petrulakis gave a briefing on the facility owned/operated by AHS Turlock Operating LLC, Alamo Health Management, including the background and events that led to the item azenized. Police Chief Hedden provided statistics and history of the current facility. He noted that he requested Lieutenant Shaw reach out to other places where Alamo Health Management is operating similar facilities, to get an idea of what the community can expect. Lieutenant Shaw shared the information that he received from San Pablo Police Department, and San Bernardino Sherriff's Department, and answered questions from the Council.

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

Vito Chiesa
Betty Dominici

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Dana Travathen
Linda Ripley
Debbie Martinez
Ron Bridegroom
Lenia Leal
Wade Robinson
Cristina Casale
Patty Romero
Candace Peterson
Amanda Barnett
David Yakow
Tina
Manuel Jimenez Jr.
Cheryl Rice
Grady Welch
Andrew Nosrati
Daniel Reyes
Jody Curtice
Ryan Taylor
Robert Puffer
Mary Jackson
Leslie Stokes
Name not provided
Kelley Coelho
Joe Frensley
Luke
Donna Ensley
Gina
Becky
Name not provided

Superintendent Vito Chiesa responded to statements, and questions from the public. He provided clarification on the Stanislaus County's part. He discussed the various levels of care, and facility services.

With no further comment, Mayor Bublak closed public comment.

Council provided their thoughts on the item, and City Attorney Petrulakis responded to questions from the Council.

Mayor Bublak called for a five-minute recess at 8:45 p.m.

At 8:51 p.m. the meeting was reconvened.

3. PUBLIC PARTICIPATION

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

Loretta Walters
Donna Ensley
Christan Santos
Ron Bridegroom
Grady Welch
Milt Trieweiler

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With no further comment, Mayor Bublak closed public comment.

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 Monez 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

A. Motion: Accepting the Weekly demands 01/12/2024 through 01/18/2024 in the amount of \$2,071,144.10, the Weekly Demands of 01/19/2024 through 01/25/2024 in the amount of \$4,059,495.98, the Weekly Demand of 01/26/2024 through 02/01/2024 in the amount of \$596,495.90, AP EFT November 2023 in the amount of \$128,427.09, AP EFT December 2023 in the amount of \$7,644,730.48, Payroll EFT October 2023 in the amount of \$2,372,830.69, and the Investment and Cash Report for December 31, 2023 in the amount of \$249,657,498.17

B. Motion: Accepting Minutes of the January 23, 2024 meeting of the City of Turlock City Council

C. Resolution 2024-004: Approving a professional services agreement with GHD, Inc. of San Luis Obispo, California, in a form approved by the City Attorney, in the amount of \$32,840 for professional engineering and traffic surveys to be funded by Fund 217 Streets – Gas Tax account number 217-50-511.43060_010 “Contract Services Traffic Count Data Collection” and appropriating \$40,000 from Fund 217 Streets – Gas Tax unallocated reserves to account number 217-50-511.43060_010 “Contract Services Traffic Count Data Collection” to provide necessary funding for City Project No. 20-023 “Engineering and Traffic Surveys” (*Morris*)

D. 1) Resolution 2024-005: Approving an agreement with WMB Architects of Stockton, in a form approved by the City Attorney, California for On-call Architectural services for City Project No. 23-053 “RFQ for Architectural Services” in an amount not to exceed \$300,000, to be funded by various G/L accounts to be determined relative to the various capital projects requiring these services (*Schulze*)

2) Resolution 2024-006: Approving an agreement with RED Inc. Architects of Modesto, in a form approved by the City Attorney, California, for On-call Architectural services for City Project No. 23-053 “RFQ for Architectural Services” in an amount not to exceed \$300,000, to be funded by various G/L accounts to be determined relative to the various capital projects requiring these services

E. 1) Resolution 2024-007: Approving an agreement with BSK Associates of Tracy, California, in a form approved by the City Attorney, for On-Call Geotechnical, Materials Testing, and Special Inspection Services for City Project No. 23-054 “RFQ for Materials Testing and Special Inspection Services” in an amount not to exceed \$300,000, to be funded by various G/L accounts to be determined relative to the various capital projects requiring these services (*Schulze*)

2) Resolution 2024-008: Approving an agreement with Kleinfelder, Inc. of Stockton, California, in a form approved by the City Attorney, for On-Call Geotechnical, Materials Testing, and Special Inspection Services for City Project No. 23-054 “RFQ for Materials Testing and Special Inspection Services” in an amount not to exceed \$300,000, to be funded by various G/L accounts to be determined relative to the various capital projects requiring these services

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- 3) Resolution 2024-009: Approving an agreement with NV5 West, Inc. of Turlock, California, in a form approved by the City Attorney, for On-Call Geotechnical, Materials Testing, and Special Inspection Services for City Project No. 23-054 “RFQ for Materials Testing and Special Inspection Services” in an amount not to exceed \$300,000, to be funded by various G/L accounts to be determined relative to the various capital projects requiring these services
- 4) Resolution 2024-010: Approving an agreement with Terracon Consultants, Inc. of Lodi, California, in a form approved by the City Attorney, for On-Call Geotechnical, Materials Testing, and Special Inspection Services for City Project No. 23-054 “RFQ for Materials Testing and Special Inspection Services” in an amount not to exceed \$300,000, to be funded by various G/L accounts to be determined relative to the various capital projects requiring these services
- F. Resolution 2024-011: Approving an update to the City of Turlock Title VI Program for FFY 2024-2026 as required by the Federal Transit Administration (FTA) for recipients of federal transit funding (*York*)
- G. Resolution 2024-012: Approving Amendment No. 2 to an Agreement between the City of Turlock and Clark Pest Control of Stockton, Inc., in a form approved by the City Attorney, for pest and weed control services, to increase the annual compensation amount to \$94,140, and in a total amount not to exceed \$521,060, if all renewal periods are exercised, to Fund 410 “Water Quality Control” account 410-51-532.43125_016 “Maintenance Weed Spraying” and Fund 420 “Water” account 420-52-550.43150 “Pest Control” (*Moreno*)
- H. Motion: Accepting improvements for City Project No. 21-023 “City Utility Trench Repair 2023” and authorizing the City Engineer to file a Notice of Completion (*Fisher*)
- I. Resolution 2024-013: Accepting donations made to the City of Turlock Fire Department from various donors during Fiscal Year 2023-24 in the amount of \$1,711.33 (non-monetary donations) utilized in support of the Fire Department’s Community Open House event (*Bickle*)
- J. Resolution 2024-014: Relieving a bid submitted by Pro-Ex Construction in the amount of \$53,000; awarding bid and approving an Agreement with the next lowest responsive and responsible bidder, Glass and Window Services Inc. of Turlock, California, in a form approved by the City Attorney, in the amount of \$82,000, and authorizing a contingency amount of \$8,200 (10.0%) for construction of City Project No. 23-049 “Senior Center Window Replacements” to be funded by Fund 255 “Housing Program Services Programs Public Improvements” account number 255-41-485.47210_006 “Miscellaneous Expenses” (*Morris*)

Action: Motion by Councilmember Monez, seconded by Vice Mayor Franco to adopt the Consent Calendar, 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

None

7. PUBLIC HEARINGS

- A. Approving the first substantial amendment to the Fiscal Year 2023-2024 Annual Action Plan for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME), authorizing the submission of the Annual Action Plan Amendment to the United States Department of Housing and Urban Development (HUD), and authorizing the City Manager to execute all related and necessary documents (*Fagan*)

Housing Program Manager Fagan provided a staff report on the item.

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Mayor Bublak opened the item for public comment. There were no comments from the public, and Mayor Bublak closed public comment.

Action: Resolution 2024-015: Approving the first substantial amendment to the Fiscal Year 2023-2024 Annual Action Plan for the Community Development Block Grant Program (CDBG) and HOME Investment Partnership Program (HOME), authorizing the submission of the Annual Action Plan Amendment to the United States Department of Housing and Urban Development (HUD), and authorizing the City Manager to execute all related and necessary documents motioned by Vice Mayor Franco, seconded by Councilmember Bixel, and carried 4/1 by the following vote:

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

- B. Approving the second substantial amendment to the Fiscal Year 2020-2021 Annual Action Plan as an element of the Consolidated Plan for the Community Development Block Grant Program (CDBG), Community Development Block Grant CARES (CDBG CARES) and HOME Investment Partnership Program (HOME), authorizing the submission of the Annual Action Plan Amendment to the United States Department of Housing and Urban Development (HUD), and authorizing the City Manager to execute all related and necessary documents (*Fagan*)

Housing Program Manager Fagan provided a staff report on the item.

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

Grady Welch
Karen Vallik
Name not provided

With no further comment, Mayor Bublak closed public comment.

Action: Resolution 2024-016: Approving the second substantial amendment to the Fiscal Year 2020-2021 Annual Action Plan as an element of the Consolidated Plan for the Community Development Block Grant Program (CDBG), Community Development Block Grant CARES (CDBG CARES) and HOME Investment Partnership Program (HOME), authorizing the submission of the Annual Action Plan Amendment to the United States Department of Housing and Urban Development (HUD), and authorizing the City Manager to execute all related and necessary documents motioned 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

- C. Introduction and first reading of an Ordinance amending Turlock Municipal Code (TMC) Title 1, "General Provisions" by adding Chapter 1-9 entitled "Conflicts of Interest and Legal Compliance Documentation" (*Petrulakis*)

City Attorney Petrulakis provided a staff report on the item.

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

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Milt Trieweiler

With no further comment, Mayor Bublak closed public comment.

Action: Ordinance 13XX-CS: Introduce and conduct first reading of an Ordinance amending Turlock Municipal Code (TMC) Title 1, “General Provisions” by adding Chapter 1-9 entitled “Conflicts of Interest and Legal Compliance Documentation” with an amendment to change the disqualification from the City’s grant process from up to three (3) years to two (2) years motioned by Councilmember Abram, 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

8. ACTION ITEMS

None

9. CITY MANAGER REPORTS/UPDATES

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. City Manager Monthly Reports (*Wilson*)

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Vice Mayor Franco requested a Housing Presentation be agenized.

Mayor Bublak spoke about the status of senior housing and requested to focus on options from housing to be agenized in the future.

11. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

Councilmember Abram welcomed the three new police officers, and thanked staff for assisting with the damage from the recent storms.

Councilmember Bixel agreed with Councilmember Abram.

Vice Mayor Franco welcomed the new police officers. She mentioned that she attended California Association of Councils of Governments and a topic of discussion was losing a gas tax revenue due to electric vehicles, so they are contemplating new ways to generate revenue to assist with roads.

Councilmember Monez welcomed the three new police officers and congratulated Officer Macias for winning the true grit award from the academy.

Mayor Bublak announced she will be with the City Clerk on February 14, 2024 at the McHenry Mansion to preform marriage ceremonies.

12. CLOSED SESSION

- A. Conference with Legal Counsel – Initiation of Litigation, Cal. Gov’t Code 54956.9(d)(4)
“For the purposes of this section, litigation shall be considered pending when any of the following circumstances exist...Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.”
 Potential Cases: One (1)

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13. REPORTS FROM CLOSED SESSION

None

14. ADJOURNMENT

Mayor Bublak adjourned the meeting at 10:02 p.m.

Respectfully submitted



Julie Christel, City Clerk