

0. A. **CALL TO ORDER** – Mayor Bublak called the meeting to order at 6.06 p.m.

B. **SALUTE TO THE FLAG**

Mayor Bublak announced that members of Council and staff are participating in the meeting via teleconference and advised that the Council meeting is being streamed on the City’s website, YouTube, and Spectrum Channel 2.

Mayor Bublak also 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 Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

PRESENT: Councilmembers Becky Arellano (*via teleconference*), Nicole Larson (*via teleconference*), Andrew Nosrati (*via teleconference*), Gil Esquer (*via teleconference*), and Mayor Amy Bublak.

ABSENT: None

D. **DECLARATION OF CONFLICTS:** None

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
No	No	No	No	No

1. **CLOSED SESSION:**

The Closed Session item(s) for this meeting have been agendaized 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.

Action: Motion by Councilmember Esquer, seconded by Councilmember Nosrati, Approving the agenda as posted. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

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

- A. Recognition: Employee of the Month, March 2020, Animal Services Supervisor Glena Jackson

Mayor Bublak announced that Animal Services Supervisor Glena Jackson is the Employee of the Month for March 2020 and read her bio.

- B. Proclamation: Animal Care and Control Appreciation Week, April 12-18, 2020

Mayor Bublak presented a Proclamation in recognition of Animal Care and Control Appreciation Week, April 12-18, 2020.

- C. Proclamation: National Telecommunicators Week, April 12-18, 2020

Mayor Bublak presented a Proclamation in recognition of National Telecommunicators Week, April 12-18, 2020.

*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 those who are interested in addressing the Council, please press *5 once the Mayor opens public comment and before she closes public comment.*

Members of the public will be allotted three (3) minutes for comments and will be taken in the order of which requests are received. When it is a member's turn to speak, they will hear an automated prompt indicating their line has been unmuted – and that is when the three (3) minutes 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:

Milt Trieweiler
Terri Shaver

Council provided brief comment in response to public comment.

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

Action: Motion by Councilmember Esquer, seconded by Councilmember Larson, Waiving reading of all Ordinances on the agenda, except by title. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

6. CONSENT CALENDAR:

Mayor Bublak announced that Consent Calendar Items 6G and 6L would be removed for separate consideration. Councilmember Arellano also requested Consent Calendar Item 6H be removed for separate consideration.

Action: Motion by Councilmember Esquer, seconded by Councilmember Arellano, adopting the amended consent calendar. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- A. **Resolution No. 2020-040:** Accepting Weekly Demands of 3/5/20 in the amount of \$1,172,124.12; Accepting Weekly Demands of 3/12/20 in the amount of \$893,274.77; Accepting Monthly Demands of 11/30/19 in the amount of \$1,590,761.94; Accepting Monthly Demands of 1/31/20 in the amount of \$1,775,759.24
- B. **Motion:** Accepting Minutes of the Regular Meeting of February 11, 2020; Minutes of the Special Meeting of February 25, 2020; Minutes of the Regular Meeting of February 25, 2020
- C. **Motion:** Accepting improvements for City Project No. 13-65 “Intersection Improvements at N. Olive Avenue and Wayside Drive” and authorizing the City Engineer to file a Notice of Completion
- D. 1. **Motion:** Approving Amendment No. 1 with West Yost Associates of Davis, California in the amount of \$266,270 (Non-General Fund - Fund 416), bringing the contract total to \$2,187,775 for construction management services for City Project No. 17-22B "North Valley Regional Recycled Water Program – Turlock Component"
 2. **Motion:** Approving Amendment No. 1 with Carollo Engineers of Walnut Creek, California in the amount of \$88,761 (Non-General Fund - Fund 416), bringing the contract total to \$954,656 for professional engineering services during construction for City Project No. 17-22C “North Valley Regional Recycled Water Program – Turlock Component”
- E. **Motion:** Approving Change Order No. 3 in the amount of \$9,547.65 (Non-General Fund - Fund 426), bringing the contract total to \$668,070.25 for City Project No. 17-51 “Roger K. Fall Transit Center Phase 3 TI”
- F. **Resolution No. 2020-041:** Initiating proceedings for the formation of the PM 19-01 Warrior Crossing (Development Project No. 19-22) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area and directing the Interim City Engineer to act as the Engineer of Work and produce an Engineer’s Report which details the annual costs to the development
- G. *Item removed for separate consideration.*

- H. *Item removed for separate consideration.*
 - I. **Motion:** Approving Amendment No. 1 to an Agreement between the City of Turlock and Don Pedro Pump, Inc. for pump repair services, increasing compensation by \$50,000 for a total annual not-to-exceed amount of \$100,000 (non-general fund)
 - J. **Motion:** Approving Amendment No. 1 to an Agreement between the City of Turlock and Industrial Electrical Company for water well motor repair services, increasing compensation by \$50,000 for a total annual not-to-exceed amount of \$75,000 (non-general fund)
 - K. **Motion:** Approving Amendment No. 2 to an Agreement between the City of Turlock and Shape, Inc. for Flygt Submersible Pumps, increasing compensation by \$50,000 for a total annual not-to-exceed amount of \$132,131 (non-general fund)
 - L. *Item removed for separate consideration.*
 - M.
 1. **Resolution No. 2020-042:** Designating the City Manager, Finance Director, and Accountant, Sr. as the Authorized Agents to execute for and on behalf of the City of Turlock any and all documents with the Federal Emergency Management Agency, the California Governor's Office of Emergency Services for the purpose of obtaining certain financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act
 2. **Motion:** Authorizing the Mayor and Vice Mayor of the City of Turlock as the approving Governing Body Representatives to be listed on the Designation of Applicant's Agent Resolution for Non-State Agencies Form (Cal OES Form 130)
 - N. **Motion:** Approving Contract Change Orders No. 1.1, 5, 6, 9, and 11 in the amount of \$83,136.16 (Fund 305) with Agee Construction of Clovis, California, for City Project No. 0828 "SR-99/Fulkerth Road Interchange" bringing the contract total to \$11,478,713.90
 - O. **Resolution No. 2020-043:** Authorizing the City Manager to execute Agreements for the Payment of the Northeast Turlock Master Plan Supplemental Fees, in a form approved by the City Attorney
- 6G.
 1. **Resolution:** Extending the Adopted Fee Deferral Program for the Capital Facility Fees, Northwest Triangle Specific Plan, and Westside Industrial Specific Plan Impact Fees
 2. **Motion:** Approving the execution of a Lien Agreement for deferred payment of Development Impact fees in the amount of \$532,999.31 between the City of Turlock and SS Turlock, LLC, 1351 Fulkerth Road, Turlock, CA 95380

Council and staff discussed this item.

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 further discussed this item.

Action: **Resolution No. 2020-044:** Extending the Adopted Fee Deferral Program for the Capital Facility Fees, Northwest Triangle Specific Plan, and Westside Industrial Specific Plan Impact Fees as introduced by Councilmember Esquer, seconded by Councilmember Nosrati, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Motion: Approving the execution of a Lien Agreement for deferred payment of Development Impact fees in the amount of \$532,999.31 between the City of Turlock and SS Turlock, LLC, 1351 Fulkerth Road, Turlock, CA 95380 as introduced by Councilmember Esquer, seconded by Councilmember Nosrati, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- 6H. 1. **Resolution:** Approving an Agreement (Exhibit A) between the City of Turlock and the Turlock Certified Farmers Market (TCFM) to provide traffic control labor and equipment as approved by the City of Turlock, at the TCFM’s assumption of liability and risk, reoccurring weekly for the period of twenty-two (22) weeks, on Saturdays from 6:00 a.m. to 2:00 p.m., beginning May 2, 2020 through September 26, 2020
2. **Resolution:** Authorizing the City Manager, or his/her designee, to approve, annually, the agreement between the City of Turlock and the Turlock Certified Farmers Market (TCFM) to provide traffic control labor and equipment as approved by the City of Turlock, at the TCFM’s assumption of liability and risk, for future market seasons, to be reviewed annually by the special event committee, and to be revoked at City Staff’s discretion if it is determined that TCFM is not maintaining the integrity of the agreement or adhering to the Temporary Traffic Control Plan (TTCP) provided

Council and staff discussed this item.

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

Action: **Resolution No. 2020-045:** Approving an Agreement (Exhibit A) between the City of Turlock and the Turlock Certified Farmers Market (TCFM) to provide traffic control labor and equipment as approved by the City of Turlock, at the TCFM’s assumption of liability and risk, reoccurring weekly for the period of twenty-two (22) weeks, on Saturdays from 6:00 a.m. to 2:00 p.m., beginning May 2, 2020 through September 26, 2020 as introduced by Councilmember Arellano, seconded by Councilmember Esquer, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Resolution No. 2020-046: Authorizing the City Manager, or his/her designee, to approve, annually, the agreement between the City of Turlock and the Turlock Certified Farmers Market (TCFM) to provide traffic control labor and equipment as approved by the City of Turlock, at the TCFM's assumption of liability and risk, for future market seasons, to be reviewed annually by the special event committee, and to be revoked at City Staff's discretion if it is determined that TCFM is not maintaining the integrity of the agreement or adhering to the Temporary Traffic Control Plan (TTCP) provided as introduced by Councilmember Arellano, seconded by Councilmember Esquer, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- 6L. **Resolution:** Rescinding Resolution No. 2013-013 and adopting the amended Personnel System Rules and Regulations specifically, Section 14.05 regarding Employment of Relatives, Anti-Nepotism Policy, and Conflict of Interest Living Arrangements Relating to City Employment

Council and staff discussed this item.

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 further discussed this item.

Action: **Resolution No. 2020-047:** Rescinding Resolution No. 2013-013 and adopting the amended Personnel System Rules and Regulations specifically, Section 14.05 regarding Employment of Relatives, Anti-Nepotism Policy, and Conflict of Interest Living Arrangements Relating to City Employment as introduced by Councilmember Esquer, seconded by Councilmember Nosrati, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

7. FINAL READINGS:

- A. Deputy Development Services Director / Planning Katie Quintero presented the staff report on the request to amend the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2019-03 Planned Development 278 (FQC Inc)] AND establish Conditions of Approval for Planned Development 278 (FQC Inc)

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

Action: **Ordinance No. 1276-CS:** Motion by Councilmember Larson, seconded by Councilmember Esquer, Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2019-03 Planned Development 278 (FQC Inc)] as introduced at the April 14, 2020 City Council meeting. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Resolution 2020-048: Establishing Conditions of Approval for Planned Development 278 (FQC Inc) introduced by Councilmember Larson, seconded by Councilmember Esquer, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

8. PUBLIC HEARINGS

- A. City Attorney Douglas L. White introduced the staff report on the request to waive reading and introduction of an Urgency Ordinance, reading by title only, waiving further reading, and adoption of an Urgency Ordinance of the City Council of the City of Turlock: (1) adopting the Stanislaus County Health Officer’s March 31, 2020 Order, directing all individuals living in the County to shelter at their place of residence; (2) adopting the Governor’s Executive Order N-33-20, directing all individuals living in the state to shelter at their place of residence; (3) adopting any subsequent orders that the Stanislaus County Health Officer or any other official of the State of California may issue to limit the spread of COVID-19 during the duration of the COVID-19 state of emergency; and (4) ordering all individuals in the City of Turlock to shelter at their place of residence and setting forth enforcement rules

Council and staff discussed this item.

Mayor Bublak opened the public hearing. No one spoke. Mayor Bublak closed the public hearing.

Action: **Ordinance No. 1277-CS:** Motion by Councilmember Larson, seconded by Councilmember Esquer, Waiving reading and introduction of an Urgency Ordinance, reading by title only, waiving further reading, and adopting an Urgency Ordinance of the City Council of the City of Turlock: (1) adopting the

Stanislaus County Health Officer’s March 31, 2020 Order, directing all individuals living in the County to shelter at their place of residence; (2) adopting the Governor’s Executive Order N-33-20, directing all individuals living in the state to shelter at their place of residence; (3) adopting any subsequent orders that the Stanislaus County Health Officer or any other official of the State of California may issue to limit the spread of COVID-19 during the duration of the COVID-19 state of emergency; and (4) ordering all individuals in the City of Turlock to shelter at their place of residence and setting forth enforcement rules. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

9. ACTION ITEMS:

- A. Assistant to the City Manager for Economic Development / Housing Maryn Pitt presented the staff report on the request to approve Amendment No. 1 to an Agreement with We Care, a nonprofit association, to add an additional \$24,000 to their 2019-2020 Community Development Block Grant Public Services Contract and authorize the City Manager to sign all related documents AND approve Amendment No. 1 to an Agreement with United Samaritans Foundation, a nonprofit association, to add an additional \$26,000 to their 2019-2020 Community Development Block Grant Public Services Contract and authorize the City Manager to sign all related documents

Mayor Bublak opened public participation.

The following members of the public spoke:

Mary Jackson (*regarding Public Hearing Item 8A*)

Mayor Bublak closed public participation.

Action: Motion by Councilmember Esquer, seconded by Councilmember Arellano, Approving Amendment No. 1 to an Agreement with We Care, a nonprofit association, to add an additional \$24,000 to their 2019-2020 Community Development Block Grant Public Services Contract and authorizing the City Manager to sign all related documents. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

Motion by Councilmember Esquer, seconded by Councilmember Arellano, Approving Amendment No. 1 to an Agreement with United Samaritans Foundation, a nonprofit association, to add an additional \$26,000 to their 2019-2020 Community Development Block Grant Public Services Contract and authorizing the City Manager to sign all related documents. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Arellano	Councilmember Nosrati	Councilmember Esquer	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

10. CITY MANAGER REPORTS/UPDATES:

- A. Administrative Services Department
 - 1. Economic Development Update

Assistant to the City Manager for Economic Development / Housing Maryn Pitt provided an update regarding the operational status of the top 25 sales tax generators in Turlock, sales tax report for Christmas quarter coming available soon, WARN Notices received in response to COVID-19, new and ongoing construction projects, unemployment rates, and an award of CDBG COVID-19 funds.

Council and staff discussed this item.

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

- 2. Finance Update

Interim City Manager Michael I. Cooke provided an update regarding the General Fund budget for Fiscal 2020 through March 31, 2020 including projected revenues and expenditures for the remainder of the fiscal year, impacts of COVID-19, service levels, demands, and resources, staffing levels and vacancies, upcoming budget workshops, and the need for a tax measure to help with revenue and services levels.

A written staff update was also included in the agenda packet.

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Tim Redd

Mayor Bublak closed public participation.

Council provided brief comment in response to public comment.

B. City Attorney
1. Budget Update

City Attorney Douglas L. White presented information regarding the Fiscal Year 2019-2020 budget for the City Attorney's office including City Attorney service models (in-house vs. contract services) and associated costs, billing categories/services, budgeted amount for current fiscal year, creation of a separate litigation account for potential litigation services, expenditures through February 2020, projected expenditures for the remainder of the fiscal year, and a necessary increase to the budget (in the estimated range of \$50,000-100,000).

A written staff update was also included in the agenda packet.

Council and staff discussed this item.

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

C. Development Services Department Update

A written staff update was included in the agenda packet.

D. Fire Department
1. COVID-19 Update

Interim Fire Chief Gary Carlson provided an update regarding COVID-19 including opening of the City of Turlock Emergency Operations Center (EOC), education of the stay at home order, expenditures incurred to date, reimbursement forms and process, self-check wellness stations installed at City buildings, cloth face coverings procured and alternative work schedules implemented for City staff, City partnerships and resources, COVID-19 webpage on the City website, current statistics in Stanislaus County, and review (reaffirmation) of the Proclamation of a Local Emergency at the next Council meeting.

Council and staff discussed this item.

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

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Nosrati requested a discussion item at the next meeting related to a tax measure.

Mayor Bublak requested a discussion item regarding the fee deferral program and subordination agreements.

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:

Councilmember Arellano expressed thanks to Interim City Manager Michael Cooke for his hard work and leadership and congratulated him on his new position, noted she will be available for small

business assistance, and acknowledged parents who are homeschooling their children.

Councilmember Esquer expressed appreciation to Interim City Manager Michael Cooke and announced a need for volunteers at the United Samaritans Foundation.

Councilmember Larson acknowledged the efforts of community partners, City Council, City staff, and surrounding Mayors in response to COVID-19 and also expressed thanks to Interim City Manager Michael Cooke for his time with the City.

Councilmember Nosrati expressed thanks to Interim City Manager Michael Cooke and wished him the best.

Mayor Bublak provided an update regarding the ongoing meeting status of the Presidential Commission she serves on.

Interim City Manager Michael I. Cooke expressed thanks to the Mayor and Council for the opportunity and expressed gratitude to the employees who helped contribute to his success throughout his career.

13. CLOSED SESSION:

City Attorney Douglas L. White introduced the Closed Session Item and announced there would be a report out (before the conclusion of the meeting); however, he didn't believe there would be any reportable action.

- 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 City Manager Michael I. Cooke and City Attorney Douglas L. White

14. REPORTS FROM CLOSED SESSION:

City Clerk Jennifer Land reported for the Closed Session Item that Council provided direction to staff, but no reportable action was taken.

15. ADJOURNMENT

Mayor Bublak adjourned the regular meeting at 9:55 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Allison Martin, Deputy City Clerk
Jennifer Land, City Clerk