

City Council Meeting Minutes

October 24, 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, Mayor Amy Bublak
Absent: None

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
None	None	None	7C & 8A	None

1. APPROVAL OF AGENDA AS POSTED OR AMENDED

Motion: Approval of Agenda as posted as motioned by Councilmember Monez, 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

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

A. Presentation Turlock Police Department Animal Services – Adoptable Pets

A representative from Turlock Police Department Animal Services provided a presentation on one of the dogs available for adoption at the shelter.

B. Presentation North Valley Regional Recycled Water Presentation (*Huff*) Water Quality Control Manager Huff provided a presentation on the North Valley Regional Recycled Water Program.

3. PUBLIC PARTICIPATION

Councilmember Monez opened public comment and the following members of the public spoke:

Michael Gonzales

Milt Trieweller

Karina Mendonza

John Gebelein

Christon Santos

Thomas Hall

Ramon Rodriguez

**CITY OF TURLOCK
CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 24, 2023**

Mary Jackson
Ron Bridegroom

With no further comment, Councilmember Monez closed public comment.

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

Action: 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

Mayor Bublak announced that Consent Calendar Item 5D would be pulled for separate consideration.

- A. Motion: Accepting Weekly Demands of 10/05/2023 in the amount of \$6,958,495.15, 10/12/2023 in the amount of \$440,174.76, and the Cash and Investment Report for September 2023 in the amount of \$254,732,990.73
- B. Motion: Accepting Minutes of the 9/26/2023 Regular Meeting of the City of Turlock City Council
- C. Resolution 2023-232: Approving an Agreement with Rash Curtis & Associates of Vacaville, California for collection agency services for a period of two (2) years, with an option to extend for one (1) additional one (1) year term, in an amount not to exceed \$50,000 annually and for a total not to exceed \$150,000 over the three (3) year term, if all renewal periods are exercised, to be paid from multiple Funds in account XXX.XX.XXX-43040 "Collection Services" (*Moreno*)
- D. Item was pulled for separate consideration
- E. Motion: Accepting improvements for City Project 22-026 "Armory Utility Extensions" and authorizing the City Engineer to file a Notice of Completion (*Schulze*)
- F. Resolution 2023-233: Re-appropriating \$165,139.00 to account number 218-40-461.51270 "Construction Project" from Fund 218 "Measure L" unallocated reserves in Fiscal Year 2023-24 for City Project No. 21-018; approving Contract Change Order No. 4 (Final) in the amount of \$287,246.52 (Fund 218 "Measure L") with George Reed, Inc. of Modesto, California, bringing the contract total to \$3,783,362.50 for City Project No. 21-018; accepting improvements for City Project 21-018 "Lander Avenue Rehabilitation between D St and SR-99" and authorizing the City Engineer to file a Notice of Completion (*Schulze*)

Action: Motion by Councilmember Monez, seconded by Vice Mayor Franco 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

**CITY OF TURLOCK
CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 24, 2023**

- 5D. Appropriating \$770,000 to account number 420-52-551.51356 "Surface Water Dist. Imp.-Terminal Facilities" to be funded from Fund 420 (Water) unallocated reserves, and approving Amendment No. 2 to the Agreement between the City of Turlock and West Yost Associates of Davis, California in the amount of \$245,703, bringing the contract total to \$2,782,805, to provide adequate funding for construction management services for City Project No. 18-69 "Surface Water Distribution System Improvements" (*Fremming*)

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

Milt Trieweller

With no further comments, Mayor Bublak closed public comment.

Staff responded to questions from the public.

Action: Resolution 2023-234: Appropriating \$770,000 to account number 420-52-551.51356 "Surface Water Dist. Imp.-Terminal Facilities" to be funded from Fund 420 (Water) unallocated reserves, and approving Amendment No. 2 to the Agreement between the City of Turlock and West Yost Associates of Davis, California in the amount of \$245,703, bringing the contract total to \$2,782,805, to provide adequate funding for construction management services for City Project No. 18-69 "Surface Water Distribution System Improvements" as motioned by Councilmember Monez, 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

6. FINAL READINGS

- A. Second and final reading of an ordinance amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2023-01 Planned Development 282 (Nivel Restaurant)] located at 309 N. Center Street, Stanislaus County APN 061-024-065 and 311 Mitchell Avenue, Stanislaus County APN 061-024-064 (*Werner*)

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

Name not provided

With no further comments, Mayor Bublak closed public comment.

Action: Ordinance 1307-cs: Introduction and first reading of an ordinance amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2023-01 Planned Development 282 (Nivel Restaurant)] located at 309 N. Center Street, Stanislaus County APN 061-024-065 and 311 Mitchell Avenue, Stanislaus County APN 061-024-064 as amended to include the added annual review of the lease, and Resolution 2023-235 establishing conditions of approval for Planned Development 282 (Nivel Restaurant) located at 309 N. Center Street, Stanislaus County APN 061-024-065 and 311 Mitchell Avenue,

**CITY OF TURLOCK
CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 24, 2023**

Stanislaus County APN 061-024-064 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

7. PUBLIC HEARINGS

- A. Approving the addition of "Gurdwara Street" as an honorary name and "rider" to Fifth Street, within the city limits of the City of Turlock and contingent upon the Sikh Temple Committee paying the costs to purchase and install all street signs (*Werner*)

Planning Manager Werner provided a staff report on this item and responded to questions from the City Council.

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

Mr. Dale
Ron Bridegroom
Mary Jackson
Ramon Rodriguez

With no further comment, Mayor Bublak closed public comment.

City Attorney Petrulakis responded to questions presented during public comment.

Action: *Resolution 2023-XXX*: Approving the addition of "Gurdwara Street" as an honorary name and "rider" to Fifth Street, within the City limits of the City of Turlock and contingent upon the Sikh Temple Committee paying the costs to purchase and install all street signs as motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 4/1 by the following vote:

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

- B. Introduction and first reading of an ordinance amending the Turlock Municipal Code (TMC) Title 10, Chapter 1, Section 11 and Section 14 (r), related to park hours and camping by youth organizations in public parks (*Schulze*)

Public Works Director Schulze provided a staff report for this item. He and Chief Hedden responded to questions from the City Council.

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

Ron Bridegroom

With no further comment, Mayor Bublak closed public comment.

**CITY OF TURLOCK
CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 24, 2023**

Action: Ordinance 13XX-cs: Introduction and first reading of an ordinance amending the Turlock Municipal Code (TMC) Title 10, Chapter 1, Section 11 and Section 14(r), related to park hours and camping by youth organizations in public parks as motioned by Councilmember Monez, 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

- C. (*Public Hearing continued from the 09/26/2023 Regular Council Meeting*) Renewing the Downtown Turlock Property and Business Improvement District, approving the assessment formula, declaring the results of the majority protest proceedings and ordering the levying of the assessments (*Sims*)

Councilmember Monez stated her conflict of interest and recused herself from the dais. Economic Development Director Sims provided a staff report on this item. Travis Regalo, Executive Director of the Downtown Turlock Property Owners Association, spoke on this item.

Mayor Bublak opened the hearing for public comment and with no speakers, closed the public comment period.

At 7:23 p.m., Mayor Bublak called a 10-minute recess so the City Clerk could count the ballots.

At 7:38 p.m., Mayor Bublak called the meeting back to order and asked City Clerk Christel to report on the ballots.

City Clerk Christel reported that forty-three ballots were received for this item: 59.85% in favor of the district and 40.15% in opposition of the district.

Mr. Regalo thanked everyone involved in the process.

The City Council discussed the 5% annual increase for the assessments. Mr. Regalo responded to their questions. City Attorney Petrulakis provided clarification on the City Council's options regarding modifying the assessment index. City Council discussed amending the cap from 5% to 2.5%.

Action: Resolution 2023-237: Renewing the Downtown Turlock Property and Business Improvement District, approving the assessment formula, declaring the results of the majority protest proceedings and ordering the levying of the assessments with the amendment of a maximum of a two and one-half percent (2.5%) increase year over year, as motioned by Councilmember Abram, seconded by Councilmember Bixel, and carried 3/1 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	No	Not Participating	Yes

8. ACTION ITEMS

- A. Authorizing the City Manager to enter into a Downtown Turlock Property and Business Improvement District (DTPBID) Services Agreement, in a form approved by the City Attorney, between the City of Turlock and the Turlock Downtown Property Owner's Association (TDPOA)

**CITY OF TURLOCK
CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 24, 2023**

and appropriate \$80,000 from Fund 110 "General Fund" account 110-10-112.47558 "TDPOA-PBID Maintenance Services/Clean Up Activities" unrestricted reserves, and one time appropriation of \$30,000 from Fund "Streets – Gas Tax" account 217-50-511.47322 "Street Light & Traffic Signal Repairs & Maintenance" unrestricted reserves (*Sims*)

Councilmember Monez was recused for this item.

Economic Development Director Sims provided a staff report on this item. Travis Regalo, Executive Director of the Downtown Turlock Property Owners Association, also spoke on this item.

City Attorney Petrulakis, Mr. Regalo and Finance Director Moreno responded to questions from the City Council regarding the agreement, 501c3 status, fiscal impacts and appropriations for assessments, benefits for providing free parking, maintenance, safety, and other items. Mayor Bublak expressed concern for possible duplication of funding requested for items and services included in the assessments and being asked for in the agreement. Mr. Regalo responded to these concerns.

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

Lori Smith
Travis Regalo
Milt Trieweler
Ryan Taylor

With no further comments, Mayor Bublak closed public comment.

City Council discussed the funding requested in the PBID agreement.

City Manager Wilson suggested deducting \$16,000 that the City is already paying for its assessment from the \$80,000 so the net number becomes \$64,000.

Action: Motion by Councilmember Abram, seconded by Councilmember Bixel authorizing the City Manager to enter into a Downtown Turlock Property and Business Improvement District (DTPBID) Services Agreement, in a form approved by the City Attorney, between the City of Turlock and the Turlock Downtown Property Owner's Association (TDPOA) and appropriate an amended amount of \$64,000 from Fund 110 "General Fund" account 110-10-112.47558 "TDPOA-PBID Maintenance Services/Clean Up Activities" unrestricted reserves, and one time appropriation of \$30,000 from Fund "Streets – Gas Tax" account 217-50-511.47322 "Street Light & Traffic Signal Repairs & Maintenance" unrestricted reserves. Motioned failed 2/2 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	No	Not Participating	No

**CITY OF TURLOCK
CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 24, 2023**

Action: Motion by Mayor Bublak to suspend this item and bring it back for consideration at the November meeting and seconded by Vice Mayor Franco. Motioned failed 2/2 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
No	No	Yes	Not Participating	Yes

Action: Resolution 2023-238: Authorizing the City Manager to enter into a Downtown Turlock Property and Business Improvement District (DTPBID) Services Agreement, in a form approved by the City Attorney, between the City of Turlock and the Turlock Downtown Property Owner's Association (TDPOA) and appropriate an amended amount of \$40,000 from Fund 110 "General Fund" account 110-10-112.47558 "TDPOA-PBID Maintenance Services/Clean Up Activities" unrestricted reserves, and one time appropriation of \$30,000 from Fund "Streets – Gas Tax" account 217-50-511.47322 "Street Light & Traffic Signal Repairs & Maintenance" unrestricted reserves as motioned by Vice Mayor Franco, seconded by Mayor Bublak, and carried 4/0 by the following vote:

Councilmember Abram	Councilmember Bixel	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Not Participating	Yes

After the vote, Councilmember Monez rejoined the meeting.

- B. Authorizing the City Manager to execute all documents associated with the purchase and installation of the playground and fitness equipment from GameTime of Spring Lake, NJ in an amount not-to-exceed \$366,053.82, which includes a contingency amount of 5% plus estimated taxes, expensed to Fund 269 Parks & Public Facilities Grants, account 269-60-614-383.51270, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5) which does not require the bidding procedure when engaged in a joint, cooperative or leveraged purchasing plan that has been competitively bid, for City Project 23-014 "Montana Park Phase 2 Improvements"; and amending the budget in the amount of \$366,053.82 to Fund 269 Parks & Public Facilities Grants, account number 269-60-614-383.51270 "Construction Project" to be funded by Prop 68 "2018 Parks Bond Act, Statewide Park Development and Community Revitalization Grant" (*Vargas*)

Recreation Superintendent Vargas provided a staff report on this item and responded to questions from the City Council.

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

Ryan Taylor

With no further comment, Mayor Bublak closed the public comment period.

**CITY OF TURLOCK
CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 24, 2023**

Action: Resolution 2023-239: Authorizing the City Manager to execute all documents associated with the purchase and installation of the playground and fitness equipment from GameTime of Spring Lake, NJ in an amount not-to-exceed \$366,053.82, which includes a contingency amount of 5% plus estimated taxes, expensed to Fund 269 Parks & Public Facilities Grants, account 269-60-614-383.51270, without compliance to the formal bid procedure pursuant to Turlock Municipal Code Section 2-7-08(b)(5) which does not require the bidding procedure when engaged in a joint, cooperative or leveraged purchasing plan that has been competitively bid, for City Project 23-014 "Montana Park Phase 2 Improvements"; and amending the budget in the amount of \$366,053.82 to Fund 269 Parks & Public Facilities Grants, account number 269-60-614-383.51270 "Construction Project" to be funded by Prop 68 "2018 Parks Bond Act, Statewide Park Development and Community Revitalization Grant" 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

- C. Approving a Memorandum of Understanding between the City of Turlock and Clean Water Ventures, Inc. on exploring the opportunity to establish Turlock as a regional hub for green energy (*Fisher*)

City Manager Wilson introduced Chris Fisher as the new Municipal Services Director. Director Fisher provided a staff report on this item and responded to questions from the City Council.

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

Milt Triewailer

With no further comment, Mayor Bublak closed the public comment period.

Action: Resolution 2023-240: Approving a Memorandum of Understanding between the City of Turlock and Clean Water Ventures, Inc. on exploring the opportunity to establish Turlock as a regional hub for green energy as motioned by Councilmember Monez, seconded by Vice Mayor Franco, and carried 3/2 by the following vote:

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

- D. Approving a Memorandum of Understanding (MOU) between Bay Valley Tech, LLC, Bay Valley Foundation and the City of Turlock for workforce development programs in Turlock (*Sims*)

Economic Director Sims provided a staff report for this item. He introduced Phillip Wong, Bay Valley Tech, LLC President, who provided an overview of their workforce development programs. Students of the program provided testimonials of their experience.

**CITY OF TURLOCK
CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 24, 2023**

Action: Resolution 2023-241: Approving a Memorandum of Understanding (MOU) between Bay Valley Tech, LLC, Bay Valley Foundation and the City of Turlock for workforce development programs in Turlock as motioned by Vice Mayor Franco, seconded by Councilmember Monez, and passed 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. 1st Quarter Budget Update (*Moreno*)

Finance Director Moreno provided a review of the 1st Quarter Budget analysis.

City Manager Wilson announced there will be an opening celebration for Columbia Pool on November 2, 2023.

10. COUNCIL ITEMS FOR FUTURE CONSIDERATION

Vice Mayor Franco would like to explore grants or some type of funding sources to assist citizens in replacing high water use lawns into low water use landscape options.

Mayor Bublak requested something on the next agenda regarding same day permitting.

11. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS

Councilmember Abram reminded everyone that the second Cannabis Ad Hoc Committee meeting is scheduled for the next Thursday.

Vice Mayor Franco thanked Public Works and Parks staffing for taking care of recent requests for stop sign down and graffiti at the park. She also thanked the Fire Department for their open house.

Councilmember Monez announced the appointment of Stanislaus County Superior Court Judge Maria Elena Ramos Ratliff and congratulated her on her appointment. She also announced the Battered Women's Haven of Stanislaus County Annual Fundraising event and encouraged everyone to attend.

Mayor Bublak spoke about the recent CSU and Pray Turlock events she attended and reminded everyone about the Turlock Airport event in Balico.

12. CLOSED SESSION

At the request of Mayor Bublak, City Clerk Christel read aloud the closed session item.

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."

**CITY OF TURLOCK
CITY COUNCIL
REGULAR MEETING MINUTES
TUESDAY, OCTOBER 24, 2023**

Agency Designated Representative: Deputy City 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: Office Assistant I, Office Assistant II, Accounting Technician, Communications Specialist, Secretary, Sr., Secretary, Supervising, Human Relations Specialist, Background Coordinator, Executive Administrative Assistant/Deputy City Clerk, Police Business Unit Supervisor, Public Affairs Analyst, Executive Administrative Assistant/City Manager's Office, Executive Administrative Assistant/City Manager's Office/Deputy City Clerk, Executive Administrative Assistant/Public Safety, Executive Administrative Assistant/Municipal Services, Executive Administrative Assistant/Public Works, Human Relations Analyst, Executive Assistant to the City Manager/City Clerk Trainee, Principal Human Relations Analyst, Parks, Recreation and Public Facilities Maintenance Superintendent, Purchasing Manager, Recreation Superintendent, Chief Building Official, Fleet Services Manager, Public Works Supervisor/City Surveyor, Planning Manager, Regulatory Affairs Manager, Roads Program Manager, Utilities Manager, Water Quality Control Division Manager, Housing Program Manager, Accountant, Principal, Civil Engineer, Principal, Executive Assistant to the City Manager/City Clerk, Police Support Operations Manager, Transit Manager, Information Technology Manager, Water Treatment Plant Manager, Deputy Public Works Director, City Engineer, Human Relations Director, Development Services Director, Finance Director, Municipal Services Director, Economic Development Director/Communications Officer, Information Technology Director, Public Works Director, Risk Management Director, Fire Chief, Deputy City Manager, Police Chief, and City Manager

13. REPORTS FROM CLOSED SESSION

Mayor Bublak announced there was no reportable action.

14. ADJOURNMENT

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

Respectfully submitted


Julie Christel, City Clerk