

- 0. A. **CALL TO ORDER** – Mayor Bublak called the meeting to order at 6:05 p.m.
- B. **SALUTE TO THE FLAG**
- C. **ROLL CALL:**

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

PRESENT: Councilmembers Nicole Larson, Becky Arellano, Andrew Nosrati, Gil Esquer, and Mayor Amy Bublak.
 ABSENT: None

- D. **DECLARATION OF CONFLICTS:** None
- 1. **CLOSED SESSION:** None

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 Nosrati, seconded by Councilmember Esquer, 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. Appointment: Planning Commission

Mayor Bublak recommended that Geoff Powers be reappointed to fill a vacancy on the Planning Commission.

Action: Motion by Councilmember Arellano, seconded by Councilmember Esquer, Reappointing Geoff Powers to fill a vacancy on the Planning Commission for a term set to expire on December 31, 2023. Motion carried 5/0 by the following vote:

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

4. PUBLIC PARTICIPATION:

The following members of the public spoke:

Stanislaus County Clerk Recorder Donna Linder
 Representative for Josh Harder Briana Gonzalez
 Milt Trieweiler
 Ron Bridegroom
 Justin Bochmann
 Joshua Jackson
 Donna Endsley

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

Action: Motion by Councilmember Nosrati, seconded by Councilmember Arellano, 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:

Action: Motion by Councilmember Arellano, seconded by Councilmember Larson, adopting the 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. 2020-004:** Accepting Weekly Demands of 12/19/19 in the amount of \$3,310,739.23; Weekly Demands of 12/26/19 in the amount of \$660,226.23; Weekly Demands of 1/2/20 in the amount of \$396,756.78
- B. **Motion:** Accepting Minutes of the Regular Meeting of November 12, 2019
- C. **Motion:** Approving a Professional Services Agreement with Provost & Pritchard Consulting Group for the Downtown Turlock PCE Project Proposition 1 Groundwater Cleanup Grant for a period of (3) years, with an option to extend the Agreement for (3) additional one-year terms, in a total amount not to exceed \$1,490,505 (non-general fund) over the 6-year term of the Agreement, if all renewal periods are exercised
- D. **Motion:** Approving a Professional Services Agreement with Provost & Pritchard Consulting Group for Perchloroethylene (PCE) Groundwater Monitoring and Reporting for a period of one (1) year, with an option to extend the Agreement for three (3) additional one-year terms, in an amount not to exceed \$39,402 (non-general fund) over the four-year term of the Agreement, if all renewal periods are exercised
- E. 1. **Motion:** Awarding RFQ No. 19-046 and approving an Agreement with Pace Supply for pipe and pipe fittings for the Municipal Services Department, for a period of one (1) year, with an option to extend the Agreement for three (3) additional one-year terms, in an annual amount not to exceed \$120,000 (non-general fund) and a total amount not to exceed

\$480,000 (non-general fund) over the 4-year term of the Agreement, if all renewal periods are exercised

2. **Resolution No. 2020-005**: Appropriating \$34,079 to account number 410-51-531.44001_005 “Supplies Piping Supplies” from Fund 410 “Collection System” unallocated reserves (non-general fund) and \$31,132 to account number 420-52-550.44001_005 “Supplies Piping Supplies” from Fund 420 “Water” unallocated reserves (non-general fund) to fund an Agreement with Pace Supply for the purchase of water and sewer parts to maintain and repair the City’s infrastructure

7. **FINAL READINGS:** None

8. **PUBLIC HEARINGS:**

A. City Attorney Douglas L. White presented the staff report on the request to introduce an Ordinance for first reading amending the Turlock Municipal Code Title 9, Chapter 2, Article 7, Section 03 regarding cannabis uses; amending Title 9, Chapter 2, Article 7, Section 05, regarding permitted uses in the Westside Industrial Specific Plan; and amending Title 9, Chapter 3, Article 3, regarding commercial use classifications

Council and staff discussed this item.

Mayor Bublak opened the public hearing.

The following members of the public spoke:

Mary Jackson

Mayor Bublak closed public the public hearing.

Council and staff provided brief comment in response to public comment.

Council and staff further discussed this item.

Action: Motion by Councilmember Nosrati, seconded by Councilmember Esquer, Introducing an Ordinance for first reading amending the Turlock Municipal Code Title 9, Chapter 2, Article 7, Section 03 regarding cannabis uses; amending Title 9, Chapter 2, Article 7, Section 05, regarding permitted uses in the Westside Industrial Specific Plan; and amending Title 9, Chapter 3, Article 3, regarding commercial use classifications and setting the final reading date for February 11, 2020. Motion carried 4/1 by the following vote:

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

B. Interim City Manager Michael I. Cooke and Parks, Recreation and Public Facilities Director Allison Van Guilder presented the staff report on the request to accept the updates to the Facility Rental Agreement for the Parks, Recreation & Public Facilities Department pursuant to Turlock Municipal Code (TMC) Section 10-1-04 Private/Public Event Permits and Conditions AND supersede and replace Resolution No. 2019-101 and adopt updated cost

recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq.

Council and staff discussed this item including implementing volunteer programs/services to offset costs, public facility usage and associated rental costs, reducing daily rental rates for the Senior Center and Rube Boesch, hourly vs. daily rates, insurance requirements, and creating operational efficiencies.

Mayor Bublak opened the public hearing.

The following members of public spoke:

Troy Mungren
Milt Triewailer
Terri Shaver
Mary Jackson

Mayor Bublak closed public the public hearing.

Staff provided brief comment in response to public comment.

Council and staff further discussed this item including hourly vs daily rates, ensuring accessibility of public facilities for the community, increasing deposits to ensure facilities are maintained since staff will not be present, reducing daily rates, increasing the field rate for issuing yard sale permits, and the cost for CD and USB devices. Councilmember Esquer seconded the modified motion.

Councilmember Nosrati introduced a modified motion to reduce the Senior Center and Rube Boesch rates (as noted below) and to increase the cost for Garage Sale permits issued in the field to \$30.00.

Senior Center \$750 regular rate
 \$600 non-profit rate

Rube Boesch \$350 regular rate
 \$200 non-profit rate

Action: **Resolution No. 2020-006:** Accepting the updates to the Facility Rental Agreement for the Parks, Recreation & Public Facilities Department pursuant to Turlock Municipal Code (TMC) Section 10-1-04 Private/Public Event Permits and Conditions as introduced by Councilmember Nosrati, 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. 2020-007: Superseding and replacing Resolution No. 2019-101 and adopting updated cost recovery percentages and the schedule of fees and charges for City services, to include City recreational services, pursuant to Turlock Municipal Code Section 3-3-301 et seq. with amendments to public facility daily rental fees for the Senior Center and the Rube Boesch Center and an increase to Garage Sale permits issued in field to \$30.00 as introduced by Councilmember Nosrati, 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

- C. Appeal regarding the Planning Commission Decision Granting Conditional Use Permit 2019-03 (Epic Wireless Group/Verizon) for the installation of a 68-foot tall monopine wireless communication facility (cell tower) behind the In-Shape gym at 2710 Geer Road (Stanislaus County APN 072-014-060)

(A Notice of Cancellation has been received for this project; therefore, the Appeal process is no longer applicable and no City Council action is being requested.)

City Attorney Douglas L. White provided information about the Notice of Cancellation received for this item, noted since this item was publicly noticed the public would be given an opportunity to speak, and further clarified there would be no action taken on this item.

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

Council and staff discussed cancellation of the project.

9. ACTION ITEMS:

- A. Parks, Recreation and Public Facilities Director Allison Van Guilder presented the staff report on the request to accept the report regarding the status of the Parks, Arts and Recreation Commission, and effective January 28, 2020, disband the Commission and rescind Resolution No. 2014-069 regarding the powers, duties, and procedures for the Commission, and designate the Planning Commission as the advisory body to the City Council for parks, arts, and recreation related items as needed OR accept the report regarding the status of the Parks, Arts and Recreation Commission, and effective January 28, 2020, adjust the meeting schedule to a quarterly basis and reevaluate the Commission activity after one year

Council and staff discussed this item.

Mayor Bublak opened public participation.

The following members of the public spoke:

Former Parks, Arts and Recreation Commissioner John Snoke
Milt Trieweller
Michelle Park

Parks, Arts and Recreation Commissioner Randy Icelow
 Donna Endsley
 Parks, Arts and Recreation Commissioner Keristofer Seryani
 Mary Jackson

Mayor Bublak closed public participation.

Council and staff further discussed this item and provided direction to staff regarding adjusting the Parks, Arts and Recreation Commission meeting schedule to a quarterly basis.

Resolution No. 2020-008: Accepting the report regarding the status of the Parks, Arts and Recreation Commission, and effective January 28, 2020, adjusting the meeting schedule to a quarterly basis and reevaluating the Commission activity after one year 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

10. CITY MANAGER REPORTS/UPDATES:

- A. Fire Department
 - 1. Public Safety Briefing

A written staff update was included in the agenda packet.

Interim Fire Chief Gary Carlson presented information regarding the Fire Department's Staffing Plan and utilization of a Limited Response Vehicle (LRV).

Council and staff discussed this item.

- B. Police Department
 - 2. Public Safety Briefing

A written staff update was included in the agenda packet.

Acting Police Chief Steve William provided a response to public comment heard earlier in the meeting regarding camping and storage of private property in public spaces/property as related to the Ninth Circuit Court of Appeals Boise decision.

Mayor Bublak opened public participation.

The following members of the public spoke:

Ron Bridegroom
 Travis Regalo

City Attorney Douglas L. White also provided information regarding a recent Executive Order by Governor Newsom related to camping on vacant state-owned property.

Mayor Bublak closed public participation.

Staff provided brief comment in response to public comment.

Mayor Bublak recessed the City Council meeting at approximately 8:20 p.m.

Mayor Bublak reconvened the City Council meeting at 8:25 p.m.

- C. City Attorney
 - 1. City of Turlock Elected and Appointed City Officials Handbook
 - 2. City of Turlock Civility Code
 - 3. The Ralph M. Brown Act (Brown Act)

Council, City Attorney Douglas L. White, and Assistant City Attorney Nubia Goldstein reviewed the City of Turlock Elected and Appointed City Officials Handbook (Handbook) and the City of Turlock Civility Code.

Council and City Attorney discussion included inquiries regarding the time allotment for reviewing these topics, potentially scheduling a special (separate) meeting, and staff participation and review of previous rules and resolutions surrounding these processes (past practices), purpose of the Handbook, general powers of elected and appointed officials, managing the agenda and vision, Council misconduct, placing matters on an agenda, Mayor and Council Member roles, the Brown Act, purpose and roles of the Rules Committee, and democracy.

Mayor Bublak opened public participation.

The following members of the public spoke:

Milt Trieweiler
Ron Bridegroom
Molly Amant
Michael Camara
Travis Regalo
Terri Shaver

Mayor Bublak closed public participation.

Council and staff provided brief comment in response to public comment.

Councilmember Esquer introduced a motion to continue the Brown Act training to a future meeting date/course. Councilmember Arellano seconded the motion. Motion carried 4/1 by the following vote:

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

11. COUNCIL ITEMS FOR FUTURE CONSIDERATION:

Councilmember Nosrati spoke about this section of the meeting/agenda being appropriate for requesting items for future consideration.

Councilmember Esquer requested an update regarding data and security issues. City Attorney Douglas L. White advised these types of matters would be discussed in Closed Session.

12. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS:

Councilmember Larson spoke regarding the Public Safety updates concerning increased call levels in comparison to staffing levels and needs.

Mayor Bublak spoke about her recent attendance in Washington, DC and opportunities/lobbying efforts regarding FEMA and COPS grant funding and economic development.

13. CLOSED SESSION: None

14. REPORTS FROM CLOSED SESSION: None

15. ADJOURNMENT

Mayor Bublak adjourned the regular meeting at 10:31 p.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED

Jennifer Land
City Clerk