

- A. CALL TO ORDER
- B. SALUTE TO THE FLAG
- C. ROLL CALL:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

PRESENT: Councilmembers Nicole Larson, Andrew Nosrati, Pam Franco, Rebecka Monez and Mayor Amy Bublak  
ABSENT: None

D. DECLARATION OF CONFLICTS

City Attorney Petrulakis declared a conflict on Consent Item 6T regarding the agreement with Petrulakis Law & Advocacy, APC law firm.

1. CLOSED SESSION:

*The Closed Session item(s) for this meeting have been agendized 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 Monez, seconded by Councilmember Franco, approving the agenda. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

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

- 1. Recognition: Active Military Banner Retirement

Parks, Recreation, and Public Facilities Director Allison Van Guilder and part-time Recreation Worker Amber Traini oversaw the retirement of Active Military Banners.

2. Recognition: Employee of the Month, October 2021, Public Facilities Maintenance Team Leader, Wayne Rogers

Mayor Bublak read a Proclamation honoring Employee of the Month, Public Facilities Maintenance Team Leader, Wayne Rogers. Public Facilities Maintenance Team Leader Wayne Rogers thanked his coworkers and office staff for their support.

**4. PUBLIC PARTICIPATION**

The following members of the public spoke:

Nick Paiz  
Milt Triewailer  
Jacob Linderman  
Cathy Doo  
Lanny Isreal  
Nigel Triplett  
Gil Esquer

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

None

**6. CONSENT CALENDAR:**

*Mayor Bublak announced that Consent Calendar Item(s) 6F, 6S, 6T, would be removed for separate consideration.*

**Action:** Motion by Councilmember Monez, seconded by Councilmember Franco, adopting the amended consent calendar. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- A. **Resolution No. 2021-234**: Accepting Weekly Demands of 10/29/21 in the amount of \$761,628.28; Weekly Demands of 11/5/21 in the amount of \$842,500.52; Weekly Demands of 11/12/21 in the amount of \$1,756,829.09; Weekly Demands of 11/19/21 in the amount of \$2,102,246.71
- B. Motion: Accepting Minutes of the Special Meeting of November 8, 2021  
Motion: Accepting Minutes of the Regular Meeting of November 9, 2021
- C. **Resolution No. 2021-235**: Initiating proceedings for the formation of the Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area for 3130 and 3200 Fulkerth Road, Stanislaus County APNs 089-019-017 and 089-019-001 and directing the Acting City Engineer to act as the Engineer of Work and produce an Engineer's Report which details the annual costs to the development

- D. **Resolution No. 2021-236**: Initiating proceedings for the formation of the PM 21-01 Dutch Bros (Development Project No. 21-005) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area and directing the Acting City Engineer to act as the Engineer of Work and produce an Engineer's Report which details the annual costs to the development
- E. **Resolution No. 2021-237**: Initiating proceedings for the formation of the Starbucks (Development Project No. 21-028) Landscaping and Lighting Assessment District and the Street Maintenance Benefit Assessment Area and directing the Acting City Engineer to act as the Engineer of Work and produce an Engineer's Report which details the annual costs to the development
- F. *Removed for separate consideration.*
- G. **Motion**: Approving Amendment No. 1 of Agreement 2021-084, between the City of Turlock and Central Valley Concrete, to absorb Agreement 2021-086, for a total not-to-exceed amount of \$120,000 (non-general fund) over the two-year term agreement
- H. **Motion**: Awarding RFB No. 11-2021 and approving an Agreement with Univar Solutions USA Inc. for Sodium Bisulfite for the Turlock Regional Water Quality Control Facility, in an annual compensation not to exceed \$150,000 (non-general fund) for the period December 14, 2021 through June 30, 2022, and an annual amount not to exceed \$300,000 (non-general fund) over the remaining three (3) year term of the Agreement, if all renewal periods are exercised
- I. **Motion**: Awarding RFB No. 13-2021 and approving an Agreement with Univar Solutions USA Inc. for Sodium Hypochlorite for the Turlock Regional Water Quality Control Facility and the City's Water System, in an amount not to exceed \$250,000 (non-general fund) for the period December 14, 2021 through June 30, 2022, and an annual amount not to exceed \$500,000 (non-general fund) over the remaining three (3) year term of the Agreement, if all renewal periods are exercised  
**Resolution No. 2021-238**: Appropriating \$50,000 to account number 410-51-530.44005\_006 "Chemicals Chlorine" to be funded from Fund 410 Water Quality Control unallocated reserves to provide necessary funding for City Contract No. 2022-025
- J. **Motion**: Approving Amendment No. 2 to the Agreement between the City of Turlock and Provost & Pritchard Engineering Group for Design, Engineering Services During Construction, & Construction Management for Wellhead Treatment Installation to include additional scope of work for continuation of construction administration, construction management, and start-up services and training videos for staff; and increasing the compensation by \$139,200, for a total not-to-exceed amount of \$1,226,880
- K. **Motion**: Approving Amendment No. 1 to an Agreement with Bay City Boiler & Engineering Co. for Boiler Services for the Municipal Services Department, increasing compensation by \$10,000 (Non-General Fund), for a total not-to-exceed amount of \$35,000
- L. **Resolution No. 2021-239**: Accepting donations made to the City of Turlock Parks, Recreation, and Public Facilities Department from various donors, January 2021 through September 2021, in the amount of \$3,077.48 (monetary donations) in account number 270-61-635-399.37200\_000 "Donations General," \$2,000 (monetary donations), in account number 110-61-622-002.35720 "Christmas Parade – Revenue," and \$500 (monetary donations) in account number 266-20-255-351.37200\_005 "National Night Out," to fund/aid a variety of Parks, Recreation, and Public Facilities Department programs, scholarships, and activities

- M. **Resolution No. 2021-240**: Approving the purchase of one (1) 2022-23 Mack MD642R with Valew 2000 Gal. Water Tank for the Parks, Recreation and Public Facilities Department from Holt of California, in an amount not to exceed \$137,000 from account number 506-00-000-231.51020 (Equipment Replacement), through Sourcewell Contract #032119-CAT and appropriating \$28,100 to account number 506-00-000-231.51020 (Equipment Replacement) to be funded from Fund 506 Unassigned Reserve for the vehicle purchase  
**Resolution No. 2021-241**: Approving the purchase of one (1) 2021 Ford F-750 Chassis with PB Loader Support Body, 10 Ft 5-7 Yard Dump Bed for the Parks, Recreation and Public Facilities Department from PB Loader Corporation, in an amount not to exceed \$149,500 from account number 219-40-428.51105 (Vehicle), through Sourcewell Contract #052417-PBL and appropriating \$11,500 to account number 219-40-428.51105 (Vehicle) to be funded from Fund 506 Unassigned Reserve for the vehicle purchase  
**Resolution No. 2021-242**: Approving the purchase of one (1) 2021 Ford F-750 Chassis with PB Loader Support Body, 10 Ft 5-7 Yard Dump Bed for the Parks, Recreation and Public Facilities Department from PB Loader Corporation, in an amount not to exceed \$149,500 from account number 506-00-000-231.51020 (Equipment Replacement), through Sourcewell Contract #052417-PBL and appropriating \$11,500 to account number 506-00-000-231.51020 (Equipment Replacement) to be funded from Fund 506 Unassigned Reserve for the vehicle purchase
- N. **Resolution No. 2021-243**: Rescinding Resolution No. 2020-072 and adopting a new resolution designating the authorized signatures for the City of Turlock bank accounts with Westamerica Bank
- O. **Resolution No. 2021-244**: Adopting the 2022 City Council meeting schedule in accordance with Turlock Municipal Code Section 2-1-02
- P. **Resolution No. 2021-245**: Approving an amendment to the Salary Schedule of the existing Confidential Schedule of Benefits and Policies adopted by Resolution No. 2021-228, dated November 9, 2021, to include all approved confidential salaries
- Q. **Resolution No. 2021-246**: Appropriating \$812,488 to Fiscal Year 2021-2022 salary and benefit accounts from each respective fund's unassigned reserves as the result of a Tentative Agreement between the City of Turlock ("City") and the Turlock City Employees Association ("TCEA") covering the period of July 1, 2020 through June 30, 2024 and updating the Memorandum of Understanding ("MOU") between the City and TCEA
- R. **Resolution No. 2021-247**: Reaffirming the Director of Emergency Services Proclamation of Existence of a Local Emergency in response to COVID-19
- S. *Removed for separate consideration.*
- T. *Removed for separate consideration.*

*The following items were removed from the Consent Calendar for separate consideration:*

- 6F Awarding bid and approving an Agreement in the amount of \$1,824,868 (Fund 412 and Fund 421) with Rolfe Construction, Inc., of Atwater, California, for City Project No. 20-013 "Water and Sewer Main Extensions – N Golden State Blvd" AND Appropriating \$237,743 to account number 421-52-552.51270 "Construction Project" to be funded from Fund 421 "Water Line Construction" unallocated reserves to provide the funding needed for City Project No. 20-013 "Water and Sewer Main Extensions – N Golden State Blvd"

Council and Staff discussion included continuing the item to allow staff to further evaluate the legal risks with this contract.

Mayor Bublak opened public comment.

The following members of the public spoke:

Milt Treiweiler

Mayor Bublak closed public comment.

**Action:** Motion by Councilmember Larson, seconded by Councilmember Monez, to continue to the January 11, 2022 Regular City Council meeting for the motion awarding bid and approving an agreement in the amount of \$1,824,868 (Fund 412 and Fund 421) with Rolfe Construction, Inc., of Atwater, California, for City Project No. 20-013 "Water and Sewer Main Extensions – N Golden State Blvd". Appropriating \$237,743 to account number 421-52-552.51270 "Construction Project" to be funded from Fund 421 "Water Line Construction" unallocated reserves to provide the funding needed for City Project No. 20-013 "Water and Sewer Main Extensions – N Golden State Blvd". Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

6S Reaffirming the Proclamation of a Local Emergency by Interim City Manager Sarah Tamey Eddy (Director of Emergency Services) in Response to a continuing Unsheltered Homeless Crisis (UHC) within the City of Turlock and Confirming Rules and Regulations No. 1 Made and Issued by Interim City Manager Sarah Tamey Eddy (Director of Emergency Services)

Council and staff discussion included:

Councilmember Nosrati noted he would vote no on this matter until it is treated as an emergency.

Mayor Bublak opened public comment.

The following members of the public spoke:

Lanny Isreal

Mayor Bublak closed public comment.

**Action:** **Resolution No. 2021-248:** Reaffirming the Proclamation of a Local Emergency by Interim City Manager Sarah Tamey Eddy (Director of Emergency Services) in Response to a continuing Unsheltered Homeless Crisis (UHC) within the City of Turlock and Confirming Rules and Regulations No. 1 Made and Issued by Interim City Manager Sarah Tamey Eddy (Director of Emergency Services) was introduced by Councilmember Monez, seconded by Councilmember Franco, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

*City Attorney Petrulakis recused himself from participating in Consent Calendar Item 6T due to having financial interest in the proposed agreement and stepped down from the dais at 7:02 pm*

6T **Motion:** Approving an Agreement between the City of Turlock and Petrulakis Law & Advocacy, APC law firm regarding the providing of City Attorney Services.

Councilmember Nosrati said that there are so many other qualified firms that the City could look into for legal services.

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

**Action:** Approving an Agreement between the City of Turlock and Petrulakis Law & Advocacy, APC law firm regarding the providing of City Attorney Services was introduced by Councilmember Monez, seconded by Councilmember Franco, and carried 4/1 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	No	Yes	Yes	Yes

*City Attorney Petrulakis returned to the dais at 7:05 pm*

**7. FINAL READINGS:**

A. ***The final reading for this Ordinance and the adoption of the Resolution Establishing Conditions of Approval was scheduled to be heard at tonight’s meeting. Staff is requesting the City Council consider continuing the matter and setting the final reading of the Ordinance and adoption of the Resolution Establishing Conditions of Approval for the January 11, 2022, City Council meeting.***

Deputy Development Services Director Katie Quintero provided information about the request for continuance of this item.

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

**Action:** Motion by Councilmember Franco, seconded by Councilmember Monez, continuing Amending the Zoning Map of the City of Turlock, California, attached to Title 9 of the Turlock Municipal Code [Rezone 2021-01 Planned Development 280 (Balisha Ranch)] AND Establishing Conditions of Approval for Planned Development 280 (Balisha Ranch) to the January 11, 2022 Regular City Council Meeting. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

**8. PUBLIC HEARINGS:**

- A. ***This item was continued from the October 26, 2021, City Council meeting. Staff is requesting the City Council consider continuing the matter and setting the public hearing for the January 11, 2022, City Council meeting.***

Deputy Development Services Director Katie Quintero provided information about the request for continuance of this item.

Mayor Bublak opened the public hearing.

The following members of the public spoke.

Gil Esquer

Mayor Bublak closed the public hearing.

**Action:** Motion by Councilmember Franco, seconded by Councilmember Monez, Continuing Denying the appeal and affirming the Planning Commission decision Denying Variance 2021-01 (Perfect Union) at 2500 N. Golden State Boulevard to the January 11, 2022 Regular City Council Meeting. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- B. Deputy Development Services Director/Planning Manager Katie Quintero presented the staff report on the request for the City Clerk to confirm: a) Proof of Publication of Notice of Public Hearing; b) Signed Waiver and Consent; c) Completed and Signed Ballot and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and Ballot Declaring Election Results (Project Planner to prompt and facilitate these steps) AND Mayor and City Council conduct public hearing confirming that no protests have been received – close hearing and adopt the two resolutions below AND Calling a Special, Mailed-Ballot Election respecting Proposed Annexation Number 32 to existing Community Facilities District Number 2 (Services Mitigation) AND Declaring the results of Mailed-Ballot Election respecting Proposed Annexation Number 32 to Community Facilities District Number 2 (Services Mitigation) and ordering annexation.

Deputy City Clerk Lisa Schimmelfennig confirmed a) Proof of Publication of the Notice of Public Hearing; b) Signed Waiver and Consent form; c) Completed and Signed Ballot, noting the ballot received from the property owner authorized the annexation of the property to the existing Community Facilities District No. 2; and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and the Ballot Declaring Election Results.

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

**Action:** Confirmation: City Clerk confirms: a) Proof of Publication of Notice of Public Hearing; b) Signed Waiver and Consent; c) Completed and Signed Ballot and d) Signed Certificate of Clerk Regarding Receipt of Property Owner Waiver and Consent Form and Ballot Declaring Election Results

Public Hearing: Mayor and City Council conduct public hearing confirming that no protests have been received.

**Resolution No. 2021-249:** Calling a Special, Mailed-Ballot Election respecting Proposed Annexation Number 32 to existing Community Facilities District Number 2 (Services Mitigation) was introduced by Councilmember Monez, seconded by Councilmember Franco, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

**Resolution No. 2021-250:** Declaring the results of Mailed-Ballot Election respecting Proposed Annexation Number 32 to Community Facilities District Number 2 (Services Mitigation) and ordering annexation was introduced by Councilmember Monez, seconded by Councilmember Franco, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- C. Utilities Manager, Carl Brown presented the staff report on the request to repeal Turlock Municipal Code Title 6, Chapter 3, regarding Garbage, Rubbish, and Organic Refuse in its entirety, and add a new Title 6, Chapter 3, regarding Garbage, Recyclable Materials, and Organic Waste to incorporate changes related to upcoming SB 1383 state mandated requirements.

Mayor Bublak opened the public hearing.

The following members of the public spoke:

Milt Treiweiler  
 Gil Esquer  
 Alan Marchant

Mayor Bublak closed the public hearing.

Council and staff discussion included encouraging composting bins.



**Action:** Motion by Councilmember Franco, seconded by Councilmember Monez, introducing an ordinance repealing Turlock Municipal Code Title 6, Chapter 3, regarding Garbage, Rubbish, and Organic Refuse in its entirety, and adding a new Title 6, Chapter 3, regarding Garbage, Recyclable Materials, and Organic Waste to incorporate changes related to upcoming SB 1383 state mandated requirements and setting the final reading date for January 11, 2022. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- D. Finance Director Isaac Moreno presented the staff report on the request to supersede and replace Resolution No. 2020-007 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.

Council and staff discussion included reassessing this document every five years.

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

**Action:** **Resolution No. 2021-251:** Superseding and replacing Resolution No. 2020-007 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. was introduced by Councilmember Franco, seconded by Councilmember Monez, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

**9. ACTION ITEMS:**

- A. Finance Director Isaac Moreno presented the staff report on the request to authorize the City Manager to execute and sign a service agreement between the City of Turlock and Downtown Modesto Partnership in a form approved by the City Attorney, in the amount not to exceed \$1,115,000, for the RAD Card Program AND a Service Agreement between the City of Turlock and Downtown Modesto Partnership for the RAD Card Program in a form approved by the City Attorney and appropriating \$1,115,000 from Fund 119 (American Rescue Plan Act (ARPA) Fund) Unassigned Reserves to Expense Account Number 119-10-188.47188 “American Rescue Plan Act – RAD Card” for the RAD Card matching program.

Council and staff discussion included questions on how businesses can participate.

Mayor Bublak opened public comment.

The following members of the public spoke:

Lori Smith  
Milt Treiweiler  
Cheryl  
Candice Gonzalez

Mayor Bublak closed public comment.

Additional Council and staff discussion included splitting the funding into two allotments. The first to be available immediately and the second to be available in February.

**Action:** Amended Motion by Councilmember Monez, seconded by Councilmember Larson, authorizing the City Manager to execute and sign a service agreement between the City of Turlock and Downtown Modesto Partnership in a form approved by the City Attorney, in the amount not to exceed \$1,115,000, for the RAD Card Program, releasing half of the funds immediately, and the remaining funds on February 1, 2022. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

**Resolution No. 2021-252:** Approving a Service Agreement between the City of Turlock and Downtown Modesto Partnership for the RAD Card Program in a form approved by the City Attorney and appropriating \$1,115,000 from Fund 119 (American Rescue Plan Act (ARPA) Fund) Unassigned Reserves to Expense Account Number 119-10-188.47188 “American Rescue Plan Act – RAD Card” for the RAD Card matching program was introduced by Councilmember Monez, seconded by Councilmember Larson, and carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- B. Deputy Development Services Director/Planning Manager presented the staff report on the request to authorize staff to prepare a Memorandum of Understanding (MOU) with Stanislaus County to participate financially in a County-led road rehabilitation project in select county islands adjacent to the City’s public right of way.

Council and staff discussion included cost analysis and roads to be included in this project.

Mayor Bublak opened public comment.

The following members of the public spoke:

Gil Esquer

Mayor Bublak closed public comment.

Additional Council and staff discussion included information the LiDAR trucks would provide related to road improvements.

**Action:** Motion by Councilmember Franco, seconded by Councilmember Monez, authorizing staff to prepare a Memorandum of Understanding (MOU) with Stanislaus County to participate financially in a County-led road rehabilitation project in select county islands adjacent to the City's public right of way. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- C. Interim Municipal Services Director Dan Madden presented the staff report on the request to authorize staff to proceed with the property owner notification requirements of Proposition 218 for the consideration of increasing the monthly solid waste fees/charges and establish a public hearing date of February 8, 2022.

*Councilmember Larson stepped down from the dais at 8:16 pm and returned at 8:21 pm.*

*Mayor Bublak stepped down from the dais at 8:24 pm and returned at 8:27 pm.*

Mayor Bublak announced there was a green sheet on this matter.

Mayor Bublak opened public comment.

The following members of the public spoke:

Alan Marchant  
Gil Esquer  
Cheryl Reiland

Mayor Bublak closed public comment.

Council and staff thanked Turlock Scavenger for their efforts.

**Action:** Motion by Councilmember Monez, seconded by Councilmember Franco, authorizing staff to proceed with the property owner notification requirements of Proposition 218 for the consideration of increasing the monthly solid waste fees/charges and establishing a public hearing date of February 8, 2022. Motion carried 5/0 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	Yes	Yes	Yes

- D. Interim Fire Chief Michael Botto presented the staff report on the request to direct the City Manager and Interim Fire Chief to request a contract proposal from the City of Modesto, Modesto Fire Department providing for administration, management, and command of the Turlock City Fire Department.

Council and staff discussion included amending the Citygate scope of work and related impacts increasing the scope would affect the contract.

Mayor Bublak opened public comment.

The following members of the public spoke:

Chad Hackett  
Milt Treiweiler  
Gil Esquer  
Debra Sextant  
Ken McDay  
Cheryl Paron  
Mark Gomez

Mayor Bublak closed public comment.

Additional Council and staff discussion included concerns related to moving a portion of the Fire Department to City of Modesto.

Councilmember Larson discussed amendments to the Citygate contract to be added to into the Fire Master Plan Study.

**Action:** Motion by Councilmember Larson, seconded by Councilmember Nosrati, Directing the City Manager and Interim Fire Chief to request a contract proposal from the City of Modesto, Modesto Fire Department providing for administration, management, and command of the Turlock City Fire Department, with this information to be provided to Citygate and included in the scope of work for the master plan study and to be included in a holistic report at the end of the master plan study by Citygate. Motion failed 2/3 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
Yes	Yes	No	No	No

**Action:** Motion by Councilmember Monez, seconded by Councilmember Franco, Directing the City Manager and Interim Fire Chief to request a contract proposal from the City of Modesto, Modesto Fire Department providing for administration, management, and command of the Turlock City Fire Department. Motion carried 3/2 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
No	No	Yes	Yes	Yes

- E. Finance Director Isaac Moreno presented the staff report on the request to authorize Interim City Manager or designee to utilize an Engineering firm to prepare specifications for Heating, Ventilation, and Air Conditioning (HVAC) replacements and UV light filtration system installation throughout city facilities and execute bid process.

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

Additional Council and staff discussion included ARPA funds being used as the funding source for this project.

**Action:** Motion by Councilmember Monez, seconded by Councilmember Franco, authorizing Interim City Manager or designee to utilize an Engineering firm to prepare specifications for Heating, Ventilation, and Air Conditioning (HVAC) replacements and UV light filtration system installation throughout city facilities and executing bid process. Motion carried 4/1 by the following vote:

Councilmember Larson	Councilmember Nosrati	Councilmember Franco	Councilmember Monez	Mayor Bublak
No	Yes	Yes	Yes	Yes

**10. 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. Fire Department
  - 1. Public Safety Briefing

A written Fire Department update was provided in the agenda packet.

- B. Municipal Services Department
  - 1. Muni Update

Interim Municipal Services Director Dan Madden provided a Municipal Services Department update including Water Quality Control Facility and recent storm events.

- C. Finance
  - 1. Finance

Finance Director Isaac Moreno provided a Finance update including Business and Employee Wellness RFP/RFI.

- D. City Manager
  - 1. Administration

A written City Manager update was provided in the agenda packet and provided information on new Department of Public Health mask requirements.

**11. COUNCIL ITEMS FOR FUTURE CONSIDERATION**

Requests for Council items for future consideration will be scheduled in accordance with the City of Turlock Elected and Appointed Officials' Handbook (Resolution No. 2019-094), unless otherwise specified by the Mayor or a majority of the Council.

Councilmember Monez requested an RFP/RFQ be issued for backup gas cards for employees.

Councilmember Larson requested a briefing by Dr. Nadu at Emanuel Medical Center on COVID information.

**12. AD HOC COMMITTEE REPORTS: None**

**13. COUNCILMEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS**

Councilmembers may ask questions, provide comments, and make brief announcements on notable topics of interest. The Brown Act does not allow discussion or action by the legislative body.

Councilmembers thanked City staff for their hard work and participation in the Christmas Parade, and wished everyone a Merry Christmas and Happy New Year.

Councilmember Monez thanked the public who came to the meeting and spoke.

Mayor Bublak appointed Councilmember Franco and Councilmember Monez to a Columbia Pool Ad Hoc Committee.

**14. CLOSED SESSION:**

*Deputy City Clerk Lisa Schimmelfennig introduced the Closed Session Items.*

A. 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."*

Agency Designated Representative: Interim City Manager Sarah Eddy

Employee Organization: Turlock Management Association-Public Safety

B. Public Employee Appointment, Cal. Gov't Code §54957(b)(1)

Title: City Manager (Discussion Only)

C. Conference with Legal Counsel – Existing Litigation, Cal. Gov't Code §54956.9(d)(1) *"For purposes of this section, litigation shall be considered pending when any of the following circumstances exist... Litigation, to which the local agency is a party, has been initiated formally."*

Name of Case(s): Michael N. Anhar vs. Turlock Police Department

D. 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): (4 cases)

E. Liability Claims, Cal. Gov't Code §54956.95

*"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."*

Claimant: John Field

Agency Claimed Against: City of Turlock

F. Liability Claims, Cal. Gov't Code §54956.95

*"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."*

Claimant: Jeff Sousa

Agency Claimed Against: City of Turlock

G. Liability Claims, Cal. Gov't Code §54956.95

*"For the purposes of [Section 54956.9], 'existing facts and circumstances' shall consist only of one of the following: The receipt of a claim pursuant to the Government Claims Act (Division 3.6 (commencing with Section 810) of Title 1 of the Government Code) or some other written communication from a potential plaintiff threatening litigation, which claim or communication shall be available for public inspection pursuant to Section 54957.5."*

Claimant: Joodel Buenostro

Agency Claimed Against: City of Turlock

**15. REPORTS FROM CLOSED SESSION**

Deputy City Clerk Lisa Schimmelfennig reported that for the Closed Session Item E, Liability Claim regarding John Field, was rejected. All other Closed Session Items no reportable action was taken.

**16. ADJOURNMENT**

Mayor Bublak adjourned the special meeting at 12:15 a.m. Motion carried unanimously.

RESPECTFULLY SUBMITTED



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Lisa Schimmelfennig, Deputy City Clerk