



CITY OF MERCED

Meeting Agenda

City Council Chambers
Merced Civic Center
2nd Floor
678 W. 18th Street
Merced, CA 95340

City Council/Public Finance and Economic Development Authority/Parking Authority

Monday, October 5, 2015

7:00 PM

Council Chambers, 2nd Floor, Merced Civic
Center, 678 W. 18th Street, Merced, CA 95340

Closed Session at 6:00 PM

NOTICE TO PUBLIC

WELCOME TO THE MEETING OF THE MERCED CITY COUNCIL

At least 72 hours prior to each regular City Council meeting, a complete agenda packet is available for review on the City's website at www.cityofmerced.org or at the City Clerk's Office, 678 W. 18th Street, Merced, CA 95340. All public records relating to an open session item that are distributed to a majority of the Council will be available for public inspection at the City Clerk's Office during regular business hours.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

Members of the audience who wish to address the City Council are requested to complete a speaker card available at the podium against the right-hand side of the Council Chambers. Please submit the completed card to the City Clerk before the item is called, preferably before the meeting begins.

INDIVIDUALS WITH DISABILITIES

Accommodation for individuals with disabilities may be arranged by contacting the City Clerk at (209) 388-8650. Assisted hearing devices are available for meetings held in the Council Chambers

A. CLOSED SESSION ROLL CALL

B. CLOSED SESSION

- B.1.** [15-250](#) SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: Director of Support Services Deneen Proctor; Employee Organization: International Association of Fire Fighters, Local 1479. AUTHORITY: Government Code Section 54957.6
- B.2.** [15-252](#) SUBJECT: CONFERENCE WITH LEGAL COUNSEL - Significant Exposure to Litigation: (2) Cases; Authority: Government Code Section 54956.9(d)(2)

C. CALL TO ORDER

C.1. Invocation - Pastor Al Schaap, Gateway Community Church

C.2. Pledge of Allegiance

D. ROLL CALL

D.1. In accordance with Government Code 54952.3, it is hereby announced that the City Council sits either simultaneously or serially as the Parking Authority, and Public Financing and Economic Development Authority. City Council Members receive a monthly stipend of \$20.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$50.00 each month as a part of the adopted budget and Resolution 1975-37. The members of the Parking Authority, and Public Financing and Economic Development Authority receive no compensation.

E. REPORT OUT OF CLOSED SESSION

F. CEREMONIAL MATTERS

F.1. [15-256](#) SUBJECT: Letter of Recognition for Onis Lentz

REPORT IN BRIEF
Accepted by Onis Lentz.

F.2. [15-255](#) SUBJECT: Proclamation - Breast Cancer Awareness Month

REPORT IN BRIEF
Accepted by representative of Merced City Fire Department, IAFF Local #1479.

F.3. [15-253](#) SUBJECT: Proclamation - Fire Prevention Month

RECOMMENDATION
Accepted by Merced Fire Captain Jim Evans.

F.4. [15-254](#) SUBJECT: Proclamation - Freedom from Workplace Bullies Week

REPORT IN BRIEF
Accepted by Director of Support Services, Deneen Proctor.

G. WRITTEN PETITIONS AND COMMUNICATIONS

H. ORAL COMMUNICATIONS

Members of the public who wish to speak on any matter not listed on the agenda may speak during this portion of the meeting and will be allotted 5 minutes. State law prohibits the City Council from acting at this meeting on any matter raised during the public comment period. The Mayor may, at his discretion, decrease the time allotted to speakers in order to accommodate as many speakers as possible. Members of the public who wish to speak on a matter this is listed on the agenda will be called upon to speak during discussion of that item.

I. CONSENT CALENDAR

Adoption of the Consent Calendar may be made by one motion of the City Council, provided that any Councilmember, individual, or organization may request removal of an item from the Consent Calendar for separate consideration. If a request for removal of an item from the Consent Calendar has been received, the item will be discussed and voted on separately.

I.1. [15-247](#) SUBJECT: Information Only Contracts

I.2. [15-157](#) SUBJECT: Information Only - Economic Development Advisory
Committee Minutes of April 2015, Lack of Quorum Form of June 2015
and Economic Development Advisory Committee Minutes of July 2015

I.3. [15-248](#) SUBJECT: City Council/Public Financing and Economic
Development/Parking Authority Meeting Minutes of May 13, 2015, May
28, 2015, June 1, 2015, June 8, 2015, June 15, 2015, July 6, 2015, July
8, 2015, July 20, 2015 and July 22, 2015

REPORT IN BRIEF

Official adoption of previously held meeting minutes.

RECOMMENDATION

City Council/Public Financing and Economic Development/Parking
Authority - Adopt a motion approving the meeting minutes of May 13,
2015, May 28, 2015, June 1, 2015, June 8, 2015, June 15, 2015, July 6,
2015, July 8, 2015, July 20, 2015 and July 22, 2015.

I.4. [15-251](#) SUBJECT: Reading by Title of All Ordinances and Resolutions

REPORT IN BRIEF

Ordinances and Resolutions which appear on the public agenda shall
be determined to have been read by title and a summary title may be
read with further reading waived.

RECOMMENDATION

City Council - Adopt a motion waiving the reading of Ordinances and
Resolutions, pursuant to Section 412 of the Merced City Charter.

- I.5. [15-191](#) SUBJECT: Revised Job Description and Salary Range for Public Works Director

REPORT IN BRIEF

Consider adopting Resolution revising the Job Description and Salary Range for the Public Works Director to become single incumbent position.

RECOMMENDATION

City Council - Adopt Resolution 2015-40, A Resolution of the City Council of the City of Merced, California, amending the personnel allocation in the Public Works Department by deleting one Public Works Director position and amending the Job Description and Salary Range for the Public Works Director.

- I.6. [15-249](#) SUBJECT: Second Reading - Ordinance Dealing with No Parking Zones, Two-Way Stop Intersections, and Stop Sections Designated

REPORT IN BRIEF

Second Reading of previously introduced Ordinance.

RECOMMENDATION

City Council - Adopt Ordinance 2448, and Ordinance of the City Council of the City of Merced, California, Amending Section 10.28.230, "No Parking Zones", Section 10.28.370, "Two-Way Stop Intersections", and Section 10.28.380, "Stop Intersections Designated" of the Merced Municipal Code.

- I.7. [15-226](#) SUBJECT: Accept and Appropriate Donated Funds for National Night Out Celebration

REPORT IN BRIEF

Accept donation from McLane Company and appropriate funds to offset costs of National Night Out Celebration

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting the donation of \$2,000 from the McLane Company for National Night Out Celebration

B. Increasing Police revenue account #001-1001-360-01-01 by \$2,000 and appropriating the same in Fund #001-1037-522-29-00 for expenses related to National Night Out.

J. PUBLIC HEARINGS

Members of the public who wish to speak on public hearings listed on the agenda will be heard when the Public Hearing is opened, except on Public Hearing items previously heard and closed to public comment. After the public has commented, the item is closed to further public comment and brought to the Council for discussion and action. Further comment will not be received unless requested by the Council.

- J.1.** [15-232](#) SUBJECT: Consideration of City Council District Maps Recommended by the Independent Districting Advisory Commission and Determination When Council Members Will Be Elected from New Districts

REPORT IN BRIEF

Review City Council district map recommendations submitted by the Independent Districting Advisory Commission. Through the adoption of an ordinance, the City Council will make its selection of one map for the area of the City north of the Burlington/Santa Fe railroad tracks (three City Council districts) and one map for the area of the City south of these railroad tracks (three City Council districts). In addition, through the adoption of this ordinance, the City Council will determine which three of the new City Council districts will be up for election in 2016 and which three will be up for election in 2018.

RECOMMENDATION

City Council - Adopt a motion introducing Ordinance 2449, and Ordinance of the City Council of the City of Merced, California, Adding Chapter 1.17 Entitled "City Council Districts" to the Merced Municipal Code.

K. REPORTS

- K.1.** [15-202](#) SUBJECT: City of Merced Water Conservation Efforts Update

REPORT IN BRIEF

Report on the efforts made to date by City forces for water conservation.

RECOMMENDATION

Information Only

L. BUSINESS

L.1. Request to Add Item to Future Agenda

L.2. City Council Comments

M. ADJOURNMENT

City Council - Adopt a motion adjourning to October 7, 2015 at 5:30 p.m. in the Council Chamber.



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

Agenda Item B.1.

Meeting Date: 10/5/2015

SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: Director of Support Services Deneen Proctor; Employee Organization: International Association of Fire Fighters, Local 1479. AUTHORITY: Government Code Section 54957.6



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

Agenda Item B.2.

Meeting Date: 10/5/2015

SUBJECT: CONFERENCE WITH LEGAL COUNSEL - Significant Exposure to Litigation: (2) Cases;
Authority: Government Code Section 54956.9(d)(2)



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

Agenda Item F.1.

Meeting Date: 10/5/2015

SUBJECT: Letter of Recognition for Onis Lentz

REPORT IN BRIEF

Accepted by Onis Lentz.

ATTACHMENTS

1. Letter of Recognition

CITY OF MERCED

Certificate of Recognition

presented to:

Onis Lentz

75 Year Scouting Veteran & Outstanding Eagle Scout

For Dedicated and Loyal Service to the
Boy Scouts of America.



Stan Thurston
Mayor

October 5, 2015

Date





CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

Agenda Item F.2.

Meeting Date: 10/5/2015

SUBJECT: Proclamation - Breast Cancer Awareness Month

REPORT IN BRIEF

Accepted by representative of Merced City Fire Department, IAFF Local #1479.

ATTACHMENTS

1. Proclamation



Proclamation

WHEREAS, October is National Breast Cancer Awareness Month; and

WHEREAS, breast cancer affects one in eight women and thousands of men annually; and

WHEREAS, breast cancer is often hereditary, and individuals whose family history puts them at increased risk for breast cancer should discuss with their doctor or qualified health professional the proper prevention and early diagnosis strategies; and

WHEREAS, the efforts of the Merced City Firefighters, IAFF Local #1479 and other organizations have made a major contribution to spreading breast cancer awareness to both women and men in our community through outreach, education, and screening programs, and have empowered women with the life-saving message of early detection and the importance of having annual mammograms; and

WHEREAS, the 2.5 million breast cancer survivors living in the United States today are a testament to courage and the importance of promoting awareness, funding research, following recommended screening guidelines, and providing treatment to those affected; and

WHEREAS, throughout the month of October, women are encouraged to make a renewed commitment to following recommended screening guidelines and to make a mammogram appointment,

NOW, THEREFORE, I, STANLEY P. THURSTON, Mayor of the City of Merced, do hereby proclaim October 2015, as BREAST CANCER AWARENESS MONTH in the City of Merced and encourage all citizens to talk to their health care providers about regular screening and early detection and encourage participation in breast cancer awareness activities throughout the community.

Signed this 5th day of October, 2015.

Stanley P. Thurston, Mayor of Merced



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

Agenda Item F.3.

Meeting Date: 10/5/2015

SUBJECT: Proclamation - Fire Prevention Month

RECOMMENDATION

Accepted by Merced Fire Captain Jim Evans.

ATTACHMENTS

1. Proclamation



Proclamation

WHEREAS, the City of Merced is committed to ensuring the safety and security of all those living in and visiting Merced; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires killed 2,755 people in the United States in 2013, according to the National Fire Protection Association (NFPA), and fire departments in the United States responded to 369,500 home fires; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half and three out of five home fire deaths result from fires in properties without working smoke alarms; and

WHEREAS, in one-fifth of all homes with smoke alarms, none were working and when smoke alarms should have operated but did not do so it was usually because batteries were missing, disconnected, or dead; and

WHEREAS, Merced's residents should install smoke alarms in every sleeping room, outside each separate sleeping area, and on every level of the home; and

WHEREAS, Merced's residents should install smoke alarms and alert devices that meet the needs of people who are deaf or hard of hearing; and

WHEREAS, Merced's residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, Merced's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, the 2015 Fire Prevention Month theme, "Hear the Beep Where You Sleep. Every Bedroom Needs a Working Smoke Alarm!" effectively serves to remind us that we need working smoke alarms to give us the time to get out safely.

NOW, THEREFORE, I, STANLEY P. THURSTON, Mayor of the City of Merced do hereby proclaim October 2015, as FIRE PREVENTION MONTH throughout this city, and I urge all the people of Merced to install smoke alarms in every bedroom, outside each sleeping area, and on every level of the home, including the basement, and to support the many public safety activities and efforts of Merced's fire and emergency services.

Signed this 5th day of October 2015.

Stanley P. Thurston, Mayor of Merced



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

Agenda Item F.4.

Meeting Date: 10/5/2015

SUBJECT: Proclamation - Freedom from Workplace Bullies Week

REPORT IN BRIEF

Accepted by Director of Support Services, Deneen Proctor.

ATTACHMENTS

1. Proclamation



Proclamation

WHEREAS, the City of Merced has an interest in promoting the social and economic well-being of its citizens, employees and employers; and

WHEREAS, that well-being depends upon the existence of healthy and productive employees working in safe and abuse-free environments; and

WHEREAS, research has documented the stress-related health consequences for individuals caused by exposure to abusive work environments; and

WHEREAS, abusive work environments are costly for employers, with consequences including reduced productivity, absenteeism, turnover, and injuries; and

WHEREAS, protection from abusive work environments should apply to every worker, and not be limited to legally protected class status based only on race, color, gender, national origin, age, or disability.

NOW, THEREFORE, I, STANLEY P. THURSTON, Mayor of the City of Merced, do hereby proclaim October 18 -25, 2015, as FREEDOM FROM WORKPLACE BULLIES WEEK in the City of Merced and commend the California Healthy Workplace Advocates and the Workplace Bullying Institute, which raise awareness of the impacts of, and solutions for, workplace bullying in the U.S.; and encourage all citizens to recognize this special observance.

Signed this 5th day of October, 2015.

Stanley P. Thurston, Mayor of Merced



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

Agenda Item I.1.

Meeting Date: 10/5/2015

SUBJECT: Information Only Contracts

ATTACHMENTS

1. Information Only Contracts Table

Exhibit 1 – Table of Contracts10/05/2015 City Council Meeting

Department/Division	Vendor	Purpose/Location	Amount
0803 – Engineering	Kleinfelder, Inc.	Downtown Parking Lot – Compaction testing for parking lots 5, 9, and 10 (Project No. 114043).	\$ 1,245.00
1001 – Police	Duncan Parking Technologies, Inc.	Maintenance Agreement for hand-held electronic ticket books (Annual Renewal: 7/1/15 – 6/30/16).	\$ 1,830.00
0701 – Finance	Bank of the West	Custody Agreement – Safekeeping services to hold financial assets credited to one or more securities accounts.	\$ 2,000.00
0803 – Engineering	Technicon Engineering Services, Inc.	2015 Water Main Installation along Mission Ave. and Tyler Rd. (75 compaction tests for c. 7,725 LF of backfill).	\$ 2,195.00
0409 – Insurance	Self Insured Services Company (DBA: Benefit Coordinators Corp.)	Affordable Care Act (ACA) Works Service Agreement – Web-based service for ACA recordkeeping and reporting.	\$ 3,532.50

Copies of all of the contracts listed above are available in the City Clerk's Office.



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

Agenda Item I.2.

Meeting Date: 10/5/2015

Report Prepared by: *Maria Mendoza, Development Associate, Economic Development*

SUBJECT: Information Only - Economic Development Advisory Committee Minutes of April 2015, Lack of Quorum Form of June 2015 and Economic Development Advisory Committee Minutes of July 2015

ATTACHMENTS

1. EDAC Minutes April 2015
2. EDAC Lack of Quorum June 2015
3. EDAC Minutes July 2015

**CITY OF MERCED
Economic Development Advisory Committee**

MINUTES

Third Floor Conference Room
Tuesday, July 28, 2015

Vice Chairperson Doug FLUETSCH called the meeting to order at 7:05 a.m.

ROLL CALL

Commissioners Present: Mary Camper, Doug Fluetsch, Christie Hendricks, Vanessa Lara, Steve Roussos, and John Sundgren.

Commissioners Absent: Paul Lundberg (excused), Jeff Pennington (excused) Joe Ramirez (excused) (two vacancies).

Staff Present: City Manager John Bramble, Director of Economic Development Frank Quintero, Development Associate, Maria Mendoza, Development Associate Karen Baker, and Program Coordinator Marcus Tucker.

Others Present: None.

1. **MINUTES**

M/S CAMPER/ROUSSOS, and carried by unanimous voice vote (two vacancies) to approve the Minutes of April 28, 2015, as submitted.

2. **COMMUNICATIONS**

None.

3. **DIRECTOR'S REPORT**

Director of Economic Development Frank QUINTERO stated that the Director's Report would be incorporated into item 4.2.

4. **ITEMS**

4.1 **High Speed Rail Downtown Station Plan Update**

Program Coordinator Marcus TUCKER provided an update on the High Speed Rail Downtown Station Plan. Five proposals were evaluated and four firms were interviewed. Opticos Design was ultimately chosen by the Ad Hoc Selection Committee.

4.2 Economic Development Projects Update

Director of Economic Development Frank QUINTERO stated that 2014 was a good year for commercial and industrial investments. Key factors contributing to the recent economic growth include the expansion of existing industries and increased commercial investment. Application was submitted to the City for the 77 acre shopping center on Hwy 99 and Mission Ave. and the Venture Lab partnership between UC Merced, Small Business Development Center and the City, is near completion.

4.3 Election of Chair and Vice-Chair

For the Chair

M/S ROUSSOS/HENDRICKS to elect Committee Vice-Chair Vanessa LARA as EDAC Chair.

For the Vice-Chair

M/S ROUSSOS/CAMPER to elect Committee Member Christie Hendricks as EDAC Vice-Chair.

The motions passed by a unanimous voice vote of all members present.

5. OTHER BUSINESS

None.

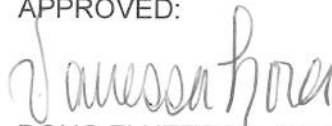
6. ADJOURNMENT

There being no further business, Vice Chairperson Vanessa LARA adjourned the meeting at 8:08 a.m.

Respectfully Submitted

MARIA MENDOZA, Secretary
Economic Development Advisory Committee

APPROVED:



DOUG FLUETSCH, Chairperson
Economic Development Advisory Committee

**CITY OF MERCED
ECONOMIC DEVELOPMENT ADVISORY COMMITTEE MINUTES**

**THIRD FLOOR CONFERENCE ROOM
MERCED CIVIC CENTER
678 WEST 18TH STREET
MERCED, CA**

**TUESDAY
JUNE 30, 2015**

Meeting was cancelled due to lack of quorum. California High Speed Rail representatives Terry Ogle and Melissa Dumond gave a California High Speed Rail update. All other agenda items will be carried over to the July meeting.



Maria Mendoza,
Recording Secretary

ITEM E

CITY OF MERCED Economic Development Advisory Committee

MINUTES

Third Floor Conference Room
Tuesday, April 28, 2015

Vice Chairperson Vanessa LARA called the meeting to order at 7:00 a.m.

ROLL CALL

Commissioners Present: Mary Camper, Christie Hendricks, Vanessa Lara, Ashley Leffard, Paul Lundberg, Jeff Pennington, Joe Ramirez, Steve Roussos, and John Sundgren.

Commissioners Absent: Chairperson Doug Fluetsch (excused), (one vacancy).

Staff Present: City Manager John Bramble, Director of Economic Development Development Associate Maria Mendoza, Development Associate Karen Baker.

Others Present: Director of County Community and Economic Development Mark Hendrickson.

1. MINUTES

M/S LUNDBERG/PENNINGTON, and carried by unanimous voice vote (one vacancy) to approve the Minutes of March 31, 2015, as submitted.

2. COMMUNICATIONS

None.

3. DIRECTOR'S REPORT

Development Associate Maria MENDOZA stated that Director of Economic Development Frank QUINTERO was out attending the Industrial Asset Management Council forum on behalf of the City and as part of TeamCalifornia. Mr. QUINTERO prepared Attachment F-1 to serve as the Director's Report regarding Economic Development activity during the month of April 2015. For additional information, refer to Item F-1 of the April 28, 2015 Economic Development Advisory Committee Agenda.

4. ITEMS

4.1 Cancellation of the May 26, 2015 EDAC Meeting

M/S LUNDBERG/LEFFARD to cancel the EDAC Meeting of Tuesday, May 26, 2015. The motion passed by unanimous voice vote of all members present.

4.2 Airport Industrial Park Purchase and Sale Agreement

Development Associate Maria MENDOZA reviewed the terms of the Purchase and Sale Agreement between Roig Properties Corporation (Buyer) and the City of Merced. The subject site is 0.50 acres in the Airport Industrial Park. For further information, refer to Item G-2 of the April 28, 2015 Economic Development Advisory Committee Agenda.

M/S LEFFARD/RAMIREZ to recommend approval of the Purchase and Sale Agreement with Roig Properties Corporation to the Merced City Council.

The motion passed by a unanimous voice vote of all members present.

4.3 Merced County Economic Development Partnership Overview and Update

Director of County Community and Economic Development Mark HENDRICKSON gave the Committee a presentation regarding the economic development efforts between Merced County and all of its partner Cities.

No action was needed since the item was for information only.

5. OTHER BUSINESS

Committee Member Steve ROUSSOS discussed the Flashtalks series presented by UC Merced. Development Associate Maria MENDOZA thanked Committee Member Ashley LEFFARD for her two year service term on the Economic Development Advisory Committee.

6. ADJOURNMENT

There being no further business, Vice Chairperson Vanessa LARA adjourned the meeting at 8:03 a.m.

Respectfully Submitted



MARIA MENDOZA, Secretary
Economic Development Advisory Committee

APPROVED:



VANESSA LARA, Vice-Chair
Economic Development Advisory Committee



ADMINISTRATIVE REPORT

Agenda Item I.3.

Meeting Date: 10/5/2015

SUBJECT: City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of May 13, 2015, May 28, 2015, June 1, 2015, June 8, 2015, June 15, 2015, July 6, 2015, July 8, 2015, July 20, 2015 and July 22, 2015

REPORT IN BRIEF

Official adoption of previously held meeting minutes.

RECOMMENDATION

City Council/Public Financing and Economic Development/Parking Authority - Adopt a motion approving the meeting minutes of May 13, 2015, May 28, 2015, June 1, 2015, June 8, 2015, June 15, 2015, July 6, 2015, July 8, 2015, July 20, 2015 and July 22, 2015.

ALTERNATIVES

1. Approve as recommended; or,
2. Approve, subject to amendments.

ATTACHMENTS

1. Minutes of May 13, 2015
2. Minutes of May 28, 2015
3. Minutes of June 1, 2015
4. Minutes of June 8, 2015
5. Minutes of June 15, 2015
6. Minutes of July 6, 2015
7. Minutes of July 8, 2015
8. Minutes of July 20, 2015
9. Minutes of July 22, 2015

CITY COUNCIL MINUTES May 13, 2015

A. CLOSED SESSION ROLL CALL

Mayor Stanley Thurston, Mayor Pro Tempore Josh Pedrozo, Council Members Michael Belluomini, Kevin Blake, Tony Dossetti, Noah Lor, Mike Murphy

All Council Members were present, with the exception of Council Member LOR.

B. CLOSED SESSION

Mayor THURSTON called the Closed Session of the City Council of the City of Merced, California, to order at 5:04 p.m. The session adjourned at 5:29 p.m.

1. CONFERENCE WITH LEGAL COUNCIL – SIGNIFICANT EXPOSURE TO LITIGATION: (1) Potential Case; AUTHORITY: Government Code Section 54956.9(d)(2)

C. CALL TO ORDER

Mayor THURSTON called the Adjourned Regular meeting of the City Council of the City of Merced, California to order at 5:31 p.m.

D. ROLL CALL

Mayor Stanley Thurston, Mayor Pro Tempore Josh Pedrozo, Council Members Michael Belluomini, Kevin Blake, Tony Dossetti, Noah Lor, Mike Murphy

All Council Members were present, with the exception of Council Member LOR, who was absent, and Council Member DOSSETTI, who arrived at 5:33 p.m.

E. REPORT OUT OF CLOSED SESSION

There was no report out of Closed Session.

F. REPORTS

1. Consideration and Confirmation of Emergency Water Meter Purchase

City Manager BRAMBLE briefed Council on the need to meet Governor Brown's new water mandates with the purchase of water meters. He stated a motion was needed to add this item to the agenda.

City Manager BRAMBLE explained that urgency is needed because there are a number of cities in the state that will be purchasing these meters, and in order to get a head start on meeting the water conservation target.

On a motion by Mayor Pro-Tem PEDROZO, seconded by Council Member BLAKE, a motion was made to make a determination that this item was an emergency item needing immediate action, and adopting **Resolution 2015-18** with amendments.

City Manager BRAMBLE clarified that the installation will begin with City staff, but that the issue of ongoing installation will be brought back before the Council at a later date.

Clerk's Note: The motion passed with at 6-0 vote. Council Member LOR was absent.

G. SPECIAL PRESENTATIONS

1. Revenue Forecast 2015-2016 and Five Year Financial Forecast

Finance Officer Brad GRANT made a presentation to Council on what funds the budget, including the difference between discretionary and non-discretionary revenue, tax sources, and revenue estimates.

Council Members asked questions regarding revenue sources and fund balances. Finance Officer GRANT responded.

Council Member PEDROZO asked for clarification on the “triple flip” tax. Finance Officer GRANT explained that during the Schwarzenegger administration there were economic stabilization bonds that were issued because of the deficit in the State. The underwriters demanded a dedicated revenue source for the bonds, which the State identified as the city’s sale tax with the promise that the void would be backfilled with property tax. The “triple flip” tax is going to end in the next year, which means the sales tax will start coming back as it did before the bonds.

Council Member MURPHY requested that he historical fund balance be included in future reports, along with the projected and actual fund balances for each fiscal year.

2. Overview of Budget and New Programs

City Manager John BRAMBLE made a presentation on City Council goals for Fiscal Year 2015-2016, budget guidelines, growth assumptions, and a general overview of the proposed 2015-16 budget.

3. City Council Questions/Requests

Council Member BELLUOMINI asked for clarification on the possibility that industrial development would suffer from Governor Brown’s water mandate. City Manager BRAMBLE explained that experience with drought in other communities and visits with perspective clients looking at locating in Merced, there is a lot of speculation whether there is sufficient water in a jurisdiction to handle a high water user. Some may delay their decision, and some may decide that California isn’t where they want to be.

Council Member BELLUOMINI asked about boosting recreation activities this summer. City Manager BRAMBLE responded that we are already boosting recreation with new programs, but this summer is already underway so the City is behind the curve in the budget process in terms of being able to

allocate funds to new programs.

4. Departmental Reviews

City Manager John BRAMBLE presented highlights from the proposed City Council budget, including a portion budgeted for Youth Council.

Council Member MURPHY asked if the Youth Council would be developing their own budget. City Manager BRAMBLE responded that money was being allocated to line items, but that money could be transferred between line items, if needed.

Michelle XIONG, Merced spoke about Youth Council issues.

Rev. Don RAMSEY, Merced spoke about Youth Council issues.

Caden LOR, Merced, spoke about Youth Council issues.

Rachelle ABRIL, Merced spoke about Youth programs.

Andres REYES, Merced spoke about Youth Council issues.

City Council Members responded to comments made by members of the audience. Assistant to the City Manager Mike CONWAY also responded to comments made by members of the audience.

City Manager John BRAMBLE continued on to present highlights from the City Manager and City Clerk, Attorney, Finance and Economic Development department budgets.

Council Member MURPHY asked about the cost of adding an Assistant City Manager or a devoted Assistant to the City Manager. City Manager BRAMBLE responded that the Assistant to the City Manager would be about \$80,000 fully loaded, and an Assistant City Manager would be about \$150,000.

Council Member BELLUOMINI asked about the expansion services to the University Industrial Park. City Manager BRAMBLE responded that he would like to have another conversation with the property owner about what is financially affordable.

Council Member BELLUOMINI asked about the status of the Regional Retail Center development. City Manager BRAMBLE responded he is waiting to hear from the developer on the allocation of funding for an environmental review. The City has received a conceptual plot plan for the site and staff is still in talks about a virtual building plan.

Council Member MURPHY asked about beautification around the highway off-ramps. City Manager BRAMBLE responded that the City could have some impact on Highway 99, but the rest are the responsibility of Caltrans and would need to enter into an agreement and accept liability for any damage that may occur to the landscaping. Economic Development Director Frank QUINTERO also responded that through the rehabilitation plan, there is a possibility that HUD funds could be used.

City Council MURPHY asked about the status of Mercy Gulch Days preparation. City Manager BRAMBLE responded he was hoping that the group that was working on it before would help out again and that staff would contribute as much time as possible.

City Manager John BRAMBLE continued on to present highlights from the Recreation and Community Services.

Council Member PEDROZO asked about the MacNamara Park maintenance. City Manager BRAMBLE responded that there are very few repairs that are still needed.

Mayor THURSTON asked if the cost of lighting for the Youth Sports Organizations is still subsidized. City Manager BRAMBLE responded that the costs are reduced by 50% and will continue for the next year.

Council Member BELLUOMINI inquired why the Girls' Drop-in Program is not planned for some of the schools that the City has already has joint use agreements with. Assistant to the City Manager Mike CONWAY responded

that Hoover site was selected because of its location.

Kelly TURNER, Merced - asked about McNamara maintenance issues.

Michelle XIONG, Merced - spoke about youth programming.

City Manager John BRAMBLE continued on to present highlights from the Fire Department budget.

Fire Chief Shawn HENRY made a presentation on the proposed purchase of an Emergency Response Squad vehicle.

Council Member BELLUOMINI asked about the replacement of Fire Engine 253. Chief HENRY responded that it has been out due to mechanical issues, for which the parts can no longer be ordered.

Council Member MURPHY asked when the next truck or engine would need to be purchased. Chief HENRY responded that the next truck would be 2-3 years, and the next engine would be 6-7 years.

Mayor THURSTON asked if the Fire Department is aware of the nature of an emergency call when they are dispatched. Chief HENRY responded that they normally know, but during brownouts a ladder truck responds to medical emergency calls.

Council Member MURPHY asked if some of the cost of the new engine would be recovered through the sale of the old truck. Chief HENRY responded that it would.

City Manager John BRAMBLE continued on to present highlights from the Development Services Department.

Council Member BELLUOMINI asked where residential growth is planned for the Southern part of the City. City Manager BRAMBLE responded that the developer for Bellevue Ranch East has purchased lots in the Southern part of the community. Development Services Director David GONZALVES responded that Blue Moon Construction has purchased lots near Farmdale

School south of Childs, east of Highway 59. They are empty lots in an existing subdivision.

City Manager John BRAMBLE continued on to present highlights from the Engineering department.

Council Member BELLUOMINI asked if there was an approximate cost on the two new wells and wellhead treatment systems. City Manager BRAMBLE responded that the treatment systems are about \$1 Million and the wells are \$3-5 Million depending on connections.

H. ORAL COMMUNICATIONS

There were no requests from audience members to speak.

I. ADJOURNMENT

A motion was made by Mayor Pro-Tem PEDROZO, seconded by Council Member DOSSETTI to adjourn to Thursday, May 28, 2015 at 5:30 p.m. for an Adjourned Regular Meeting for budget discussions.

Clerk's Note: The vote passed 5-0 with Council Member BLAKE absent from the vote due to leaving at 6:15 p.m. and Council Member LOR who was absent. The meeting adjourned at 7:52 p.m.

CITY COUNCIL MINUTES May 28, 2015

A. CALL TO ORDER

Mayor THURSTON called the adjourned Regular Meeting of the City Council of the City of Merced, California, to order at 5:30 p.m.

B. ROLL CALL

Mayor Stanley Thurston, Mayor Pro Tempore Josh Pedrozo, Council Members Michael Belluomini, Kevin Blake, Tony Dossetti, Noah Lor, Mike Murphy

All Council Members were present.

C. REPORT OUT OF CLOSED SESSION

There was no report.

D. SPECIAL PRESENTATIONS

1. Overview of Guidelines and Council Goals

City Manager John BRAMBLE gave a brief overview of the guidelines and Council goals.

Council Member MURPHY requested historical budgeted vs. actual information for the General Fund.

2. Departmental Reviews

A. Information Technology

City Manager BRAMBLE gave an overview of the budget items for the Information Technology department.

B. Support Services

City Manager BRAMBLE gave an overview of the budget items for the Support Services department.

Council Member PEDROZO inquired about the increase in general liability insurance premiums. City Manager BRAMBLE responded that in the past 5 years there have been a number of claims that resulted in losses that led to a 10% premium increase. The risk management pool had a review and the City received some funds to help offset the increase.

Council Member BELLUOMINI asked for clarification on financial impacts of replacing retiring staff with new employees and the proposed succession plan. City Manager BRAMBLE answered that people who put off retirement may be able to do that with the recovering economy. With 40-60% of the workforce eligible to retire in the next 5 years, there needs to be more training for employees to be able to move up into those positions. There are savings replacing retiring employees with new employees, but there are still costs because of saved vacation, sick and administrative leave payout.

Andres REYES, Merced – spoke on the Youth Council.

Mayor THURSTON requested that Mr. REYES submit a written proposal that includes the names of volunteers willing to help with the Youth Council with mentoring.

C. Public Works Operations

City Manager BRAMBLE gave an overview of the budget items for the Public Works Operations department.

Council Member MURPHY asked about Gas Tax money. City Manager BRAMBLE responded that the money will likely be for the rehabilitation

of streets, and will not help fund staff and operations.

City Manager BRAMBLE continued to present budget items for the various Public Works departments.

Council Member MURPHY asked about flexibility in the Airport Fund. Finance Officer GRANT responded that the airport is funded by various airport related revenue, but there is approximately \$36,000 that is transferred from the General Fund to meet operational costs. Finance Officer GRANT also added that money could be removed, but that it would create a bigger gap for the General Fund to fill.

Council Member BELLUOMINI questioned why vehicle replacement fund had been significantly reduced from the previous year. Finance Officer GRANT said he would need to report back on this item.

City Manager BRAMBLE continued with his presentation.

D. Police Department

City Manager BRAMBLE gave an overview of the budget items for the Police Department.

Council Member MURPHY asked about the cost of the new predictive software and new camera system. City Manager BRAMBLE responded that it would be \$30,000. Police Captain TRINDAD added that the system will be installed in the police car and there will be four locations for the license plate camera system.

Council Member MURPHY asked about retiring Code Enforcement Officers. City Manager BRAMBLE answered. City Manager BRAMBLE responded that the City has one Code Enforcement Officer and one Animal Control Officer who are both cross-trained, and an additional new staff member. Council Member MURPHY asked about the cost of an additional Code Enforcement Officer. City Manager BRAMBLE said he would get back with that information.

Mayor Pro Tem PEDROZO asked about the ongoing costs for the

predictive policing software. Captain TRINIDAD said that there shouldn't be any costs unless the City changes technology and it needs to be updated.

Mayor Pro Tem PEDROZO asked about the cost of another Animal Control officer. City Manager BRAMBLE responded that it would be the same as Code Enforcement since they will be cross-trained. They are now called Community Services Officers.

Mayor Pro Tem PEDROZO asked about the cost of another Dispatcher. City Manager BRAMBLE responded that it is approximately \$60,000.

Council Member BELLUOMINI asked for clarification on the three neighborhood beautification projects listed in the budget and the recruitment of new officers. Police Chief ANDRADE responded that it was meant to be for Code Enforcement Officers when they work with neighborhoods on cleanups.

Council Member BELLUOMINI asked about the difficulty of recruitment. Chief ANDRADE responded that the Department had been asked by Council to come up with a list of recruitment incentives, which is currently being complied. Chief ANDRADE added that some people quit because they are not prepared for the conditions of the job.

E. Water Resources and Reclamation

City Manager BRAMBLE gave an overview of the budget items for the Water Resources and Reclamation Department.

Mayor THURSTON commented on the use of methane to generate electricity at the Wastewater Treatment Plant. Merced County Association of Governments is planning to evaluate two companies who manufacture the conversion engines. City Manager BRAMBLE responded that the City has been working with Siemens to evaluate options.

Council Member MURPHY questioned the use of reclaimed water for replenishing Merced's aquifer. City Manager BRAMBLE responded

that a feasibility study should be done. Council Member MURPHY requested the cost be presented.

Mayor THURSTON suggested putting water into Merced Irrigation District's canal the City can get credit and draw it out at a later time to irrigate parks. Mayor Pro Tem PEDROZO concurred with the comments of Council Member MURPHY and Mayor THURSTON.

Reverend RAMSEY, Merced – commented on stray dogs in South Merced.

Council Member MURPHY suggested hiring a Veterinarian to spay or neuter animals.

Council Member BELLUOMINI questioned the Measure C Fund balance and why the reserves are so high. City Manager BRAMBLE responded that the reserves are there for cash flow. Finance Director GRANT responded that most of the revenue for last fiscal year comes in around September and secondly, the City maintains a reserve recommended by the Government Finance Officers Association.

3. Outside Agency Requests

A. McNamara Center Request

Kelly TURNER, Merced – Spoke about the budget needs of the programs at McNamara Center.

Council discussed concerns in funding programs that were supposed to be self-sustaining.

Monica GRASLEY, Merced – Spoke about the need for youth programs.

Mayor THURSTON asked if partial funding would be adequate to keep the center open.

Council Member BELLUOMINI asked for clarification on which items

were one time and which were recurring.

Kelly TURNER answered.

Mayor Pro Tempore PEDROZO asked about the number of kids being served and questioned why they were not using after school programs.

Ms. TURNER stated she would get the numbers requested.

Rachelle ABRIL, Merced – Spoke on the need for additional funding.

Council Member MURPHY questioned what the CDBG funding would cover.

Ms. TURNER said she would get the numbers to the Council.

B. Hmong Law Enforcement Association

City Manager BRAMBLE presented a request for funding from the Hmong Law Enforcement Association.

C. Merced Rescue Mission

City Manager BRAMBLE stated the budget request from the Merced Rescue Mission.

City Manager BRAMBLE said a late request had come from the Feet Changing Lives organization.

Council Member MURPHY asked for a breakdown of what the money would be spent on.

Rick MCMILLION, Merced – Spoke in support of Feet Changing Lives.

Michelle XIONG, Merced – Spoke on the Youth Council.

Mayor THURSTON announced that Feet Changing Lives had also requested funding in the amount of \$5,000.

4. Other Funding Requests

A. Quiet Zone Study

City Manager BRAMBLE gave a brief account of a Quiet Zone Study for the City of Merced, and recommended that if Council wants to move forward, all crossings should be included for an approximate cost of \$50,000.

Mayor THURSTON said that quiet zones require complete inaccessibility to the track, which would cost millions of dollars.

Council Member MURPHY asked if closing a couple of minor crossings could be a bargaining chip to get the railroads to contribute money.

City Manager BRAMBLE proposed reorganizing the Public Works Department to include a Director, Assistant Director, and a Water Engineer.

Council Member PEDROZO stated he would like to see an Assistant City Manager position. City Manager BRAMBLE added that the cost would be \$180,000 including benefits.

Council Member BELLUOMINI asked for clarification on the Recreation Coordinator position. City Manager BRAMBLE responded that the position is proposed for half a year at \$41,000.

E. ORAL COMMUNICATIONS

Tom SIVERLY, Merced – Spoke on youth sports and the facilities at the sports complex requesting some additional shade structures.

Kevin HAMMON, Merced – Requested money for the Art Hop Event.

F. ADJOURNMENT

On a motion by Council Member BELLUOMINI with a second by Council Member BLAKE the meeting was adjourned to June 1, 2015 at 5:00 p.m. The vote passed 6-0 with Council Member LOR absent.

Clerk's Note: The meeting adjourned at 8:57 p.m.

**CITY COUNCIL
MINUTES
June 1, 2015**

Amended

A. CLOSED SESSION ROLL CALL

Mayor Stanley Thurston, Mayor Pro Tempore Josh Pedrozo, Council Members Michael Belluomini, Kevin Blake, Tony Dossetti, Noah Lor, Mike Murphy

All Council Members were present, with the exception of Council Member Noah LOR who was absent.

B. CLOSED SESSION

Mayor THURSTON called the Closed Session of the City Council of the City of Merced, California, to order at 5:02 p.m. The session adjourned at 6:44 p.m.

1. CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: Director of Support Services Deneen Proctor; Employee Organizations: International Association of Fire Fighters, Local 1479; Merced Association of Police Sergeants. AUTHORITY: Government Code Section 54957.6
2. CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Marcia King v. City of Merced; Workers Compensation Appeals Board Case No. SJO-ADJ 7884556; AUTHORITY: Government Code Section 54956.9(d)(1)

Added 3. CONFERENCE WITH LEGAL COUNSEL --
Late INITIATION OF LITIGATION: One (1) Potential Case
 AUTHORITY: Government Code Section 54956.9 (c)

C. CALL TO ORDER

Mayor THURSTON called the regular meeting of the City Council of the City of Merced, California to order at 7:03 p.m.

1. Invocation - Elder Raymundo Gonzalez, Church of Jesus Christ of

Latter Day Saints

The Invocation was presented by Elder Raymundo Gonzalez, Church of Jesus Christ of Latter Day Saints.

2. Pledge of Allegiance to the Flag

D. ROLL CALL

1. Mayor Stanley Thurston, Mayor Pro Tempore Josh Pedrozo, Council Members Michael Belluomini, Kevin Blake, Tony Dossetti, Noah Lor, Mike Murphy

All Council Members were present, with the exception of Council Member LOR who was absent.

2. City Clerk Announcement Pursuant to Government Code 54952.3
(In accordance with Government Code 54952.3, it is hereby announced that the City Council sits either simultaneously or serially as the Parking Authority, and Public Financing and Economic Development Authority. City Council Members receive a monthly stipend of \$20.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$50.00 each month as a part of the adopted budget and Resolution 1975-37. The members of the Parking Authority, and Public Financing and Economic Development Authority receive no compensation.)

E. REPORT OUT OF CLOSED SESSION

There was no report out of Closed Session.

F. WRITTEN PETITIONS AND COMMUNICATIONS

1. City Manager's, City Attorney's and/or City Clerk's Offices will announce the receipt of any written petitions or communications.

There were no written petitions or communications.

G. ORAL COMMUNICATIONS

Jamie JIMENEZ, Merced - expressed appreciation for the cleanup of

Stephen Gray Park.

Anita ASKEW, Merced - described her positive experience with the Merced Police Department Citizens' Academy.

Tamara COBB, Merced - requested the removal of red paint from the sidewalks along K Street to Martin Luther King, Jr. Street.

Mark KAILES, Merced - suggested City Council adopt a Resolution that requires residents to point their sprinklers towards their lawn.

Rick McMILLION, Merced - spoke about issues in the downtown area.

Monica K. VILLA, Merced - spoke about the Districting Committee meetings.

H. CONSENT CALENDAR

At the request of Mayor THURSTON, Items J.1. Stephen Leonard Park Youth Center Use and K.3. Consideration of a Resolution Requesting Merced County Association of Governments to Administer Continuum of Care Services for Program Year 2015/2016 and Conduct a Bid Process were heard before the Consent Calendar.

The following items were removed from the Consent Calendar for separate consideration: H.13. - First Amendment to Agricultural Lease with Seth Rossow and H.15. - Expansion of the 9 hole Disc Golf Course at Fahrens Park. City Manager BRAMBLE removed items H.14. - Contract for Summer Camp Services with Boys and Girls Club of Merced and H.22. - Consideration of a Purchase and Sale Agreement Between the City of Merced and Roig Properties Corporation for consideration at a future meeting.

Josh Pedrozo Moved, Tony Dossetti Seconded

Vote: 6-0

Voting Aye: Michael Belluomini , Kevin Blake , Tony Dossetti , Mike Murphy , Josh Pedrozo , Stan Thurston

Absent: Noah Lor

1. Information Only - Site Plan Review Committee Minutes of February 19, 2015
2. Information Only - Planning Commission Minutes of April 8, 2015
3. Information Only - Traffic Committee Minutes of January 13, 2015
4. Information Only - Site Plan Review Committee Minutes of April 23, 2015
5. Information Only - Planning Commission Minutes of April 22, 2015
6. Information Only - Bicycle Advisory Commission Minutes of February 24, 2015
7. Information Only - Measure "C" Minutes of February 10, 2015
8. Information Only - Programmatic Climate Action Plan Update
(*This is an informational item summarizing Staff's progress in crafting the draft Programmatic Climate Action Plan.*)

RECOMMENDATION:

No action is requested.

9. Information Only Contracts
(*Notification of awarded Non-Public Works contracts under \$28,000 and Public Works contracts under \$61,785.*)
10. Information Only - Boards and Commissions Annual Attendance Reports
(*Annual attendance review conducted with results filed with the City Clerk's Office.*)
11. City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of March 2, 2015 and March 16, 2015
(*Official adoption of previously held meeting minutes.*)

RECOMMENDATION:

City Council/Public Financing and Economic Development Authority/Parking Authority - Adopt a motion approving the meeting

minutes of March 2, 2015 and March 16, 2015.

12. Reading by Title of All Ordinances and Resolutions

(Ordinances and Resolutions which appear on the public agenda shall be determined to have been read by title and a summary title may be read with further reading waived.)

RECOMMENDATION:

Adopt a motion waiving the reading of Ordinances and Resolutions, pursuant to Section 412 of the Merced City Charter.

13. First Amendment to Agricultural Lease with Seth Rossow

(First amendment to lease agreement with Seth Rossow to change amount of lease.)

RECOMMENDATION:

City Council - Adopt a motion approving the amendment to the lease agreement with Seth Rossow; and, authorizing the City Manager to execute the necessary documents.

This item was removed by Council Member BELLUOMINI to ask that the lease include years 1, 2, 3 and then bring it back for reconsideration for years 4 and 5.

Council Member BELLUOMINI made a motion to delete years 4 and 5 from the lease for low rental rates and make sure the rate is appropriate when closer to years 4 and 5. The motion was seconded by Council Member BLAKE.

Michael Belluomini Moved, Kevin Blake Seconded

Vote: 5-1

Voting Aye: Michael Belluomini , Kevin Blake , Tony Dossetti , Mike Murphy , Josh Pedrozo

Voting Nay: Stan Thurston

Absent: Noah Lor

14. Contract for Summer Camp Services with Boys and Girls Club of Merced
(Consider approving agreement with Boys and Girls Club of Merced to provide summer camp services in the amount of \$20,000 for FY 2015-16.)

RECOMMENDATION:

City Council - Adopt a motion approving the agreement with the Boys and Girls Club of Merced in the amount of \$20,000 to provide summer camp services; and, authorizing the City Manager to execute the necessary documents.

15. Expansion of the 9 Hole Disc Golf Course at Fahrens Park
(Consider expanding the 9 hole disc golf course to 18 holes at Fahrens Park.)

RECOMMENDATION:

City Council - Adopt a motion approving the expansion of the Fahrens Park Disc Golf Course from 9 holes to 18 holes; and authorizing the City Manager to execute the necessary documents.

Mayor Pro Tem PEDROZO removed this item to state he is pleased to see this unique venue expanding.

Josh Pedrozo Moved, Michael Belluomini Seconded

Vote: 6-0

Voting Aye: Michael Belluomini , Kevin Blake , Tony Dossetti , Mike Murphy , Josh Pedrozo , Stan Thurston

Absent: Noah Lor

16. Request to Use Donation to Lower Swim Lesson Fees
(Consider accepting donation from the Swim 4 Jaylin Scholarship Fund to offset City costs and temporarily lower swim lesson fees.)

RECOMMENDATION:

City Council - Adopt a motion:

- A. Accepting the donation from the Swim 4 Jaylin Scholarship Fund through the Boys and Girls Club of Merced County; and,
- B. Approving the temporary reduction in the fee charged for swimming lessons from \$35 to \$10 for lessons during the summer of 2015; and,
- C. Directing staff to meet with partners after the swim season to analyze the program and see how it can become sustainable; and,
- D. Authorizing the City Manager to execute the necessary documents.

17. Fiscal Year 2015-2016 Tow Service Agreement
(*Review and approve the 2015-2016 Tow Service Agreement.*)

RECOMMENDATION:

City Council - Adopt a motion approving **Resolution 2015-21**, a Resolution of the City Council of the City of Merced, California, establishing and approving the 2015-2016 Master Tow Service Agreement; and, authorizing the City Manager to execute the necessary documents.

18. Purchase Three Equipment Items Using the National Joint Powers Alliance Government Procurement Program
(*Requests authority to sole source purchase three heavy equipment items using a government procurement program. All three items are budgeted for FY 14/15 and no local vendors can supply this equipment.*)

RECOMMENDATION:

City Council - Adopt a motion waiving the City's bidding requirement, allowing a direct purchase from the applicable municipal contracting agency for the purchase of a new Hydro Excavator Truck, a Portable Vacuum trailer and Portable Generator.

19. Merced Regional Airport - Proposed One-Year Extension of Full-Service Consultant Agreement with RS&H California, Inc.
(*Approve one-year extension of existing agreement with RS and H*)

California, Inc., to provide full-service consulting services to the Merced Regional Airport.)

RECOMMENDATION:

City Council - Adopt a motion approving a one-year extension to the term of the contract with RS&H California, Inc., to provide full-service consulting and engineering services to the Merced Regional Airport, as provided in the terms of the existing contract; and, authorizing the City Manager to execute necessary documents.

- Changed 20. Workers' Compensation Structured Settlement With Use of Pooled Cash which will be reimbursed to the City
(Authorization for workers' compensation structured settlement with use of pooled cash not to exceed \$890,000 which will be reimbursed to the City.)

RECOMMENDATION:

City Council - Adopt a motion authorizing the City Finance Officer to make appropriate budget adjustments and advances from pooled cash not to exceed \$890,000 for payment of workers' compensation structured settlement; and, authorizing the City Manager to execute any and all documents.

21. First Amendment to Settlement Agreement between the City of Merced and Plaintiffs Andres Reyes, Cindy Quiralte, and Kristie Marquez [represented by the Mexican American Legal Defense and Educational Fund ("MALDEF")]
(Staff recommends approving an amendment to the City's Settlement Agreement with Plaintiffs Andres Reyes, Cindy Quiralte, and Kristie Marquez [represented by MALDEF].)

RECOMMENDATION:

City Council - Adopt a motion approving an amendment to City's Settlement Agreement with Plaintiffs Andres Reyes, Cindy Quiralte, and Kristie Marquez (represented by MALDEF) allowing for an extension of time for two draft maps to be submitted to City Council by the Independent Districting Advisory Committee; and authorizing the

City Manager to execute the necessary documents.

22. Consideration of a Purchase and Sale Agreement Between the City of Merced and Roig Properties Corporation
(*Roig Properties Corporation would like to acquire a 21,738 square feet of property at the Airport Industrial Park in exchange for improvements installed along the perimeter of the Commercial Truck Parking Lot.*)

RECOMMENDATION:

City Council - Adopt a Motion:

A. Approving **Resolution 2015-19**, a Resolution of the City Council of the City of Merced, California, Declaring a Portion of Assessor Parcel Number 059-420-064 to be Surplus and Authorizing Its Sale to Roig Properties Corporation; and,

B. Approving the terms of the Purchase and Sale Agreement with Roig Properties Corporation; and,

C. Authorizing the City Manager to execute documents as necessary.

I. PUBLIC HEARINGS

1. Adoption of an Urgency and Regular Ordinance for Water Conservation Regulations of the Merced Municipal Code
(*Consider adoption of urgency and regular Ordinance of the City Council to be in compliance with Governor Brown's Executive Order of April 1, 2015 and the State Water Resources Control Board's Resolution and Emergency Statewide Urban Water Conservation Regulations of May 5, 2015.*)

RECOMMENDATION:

City Council - Adopt a motion:

A. Approving **Ordinance 2442**, an Urgency Ordinance of The City Council of The City of Merced, California, amending Sections 15.32.140, "Sprinkler Systems," 15.42.040, "Prohibited Uses," and 15.42.090, "Prohibited Uses - Mandatory," of the Merced Municipal Code, and declaring the urgency thereof; and,

B. Approving the introduction of **Ordinance 2443**, an Ordinance of The City Council of The City of Merced, California, amending sections 15.32.140, "Sprinkler Systems," 15.42.040, "Prohibited Uses," and 15.42.090, "Prohibited Uses - Mandatory," of the Merced Municipal Code.

Director of Public Works - Water and Reclamation Mike WEGLEY reviewed the two proposed Ordinances.

City Council members asked questions, and Director WEGLEY responded.

Mayor THURSTON opened the Public Hearing at 9:51 p.m., and subsequently closed it as no members of the audience wished to speak.

Water Conservation Specialist Leah BROWN said that she has heard from some builders who are already modifying their plans to comply with the Governor's Orders.

Council Member BELLUOMINI made a motion to approve the ordinance minus the sentence referring to drip and micro spray sprinklers in both the urgency and the regular ordinance.

Michael Belluomini Moved, Stan Thurston Seconded

Vote: 6-0

Voting Aye: Michael Belluomini , Kevin Blake , Tony Dossetti , Mike Murphy , Josh Pedrozo , Stan Thurston

Absent: Noah Lor

J. REPORTS

1. Stephen Leonard Park Youth Center Use
(*Award the use of the Stephen Leonard Park Youth Center to a community group.*)

RECOMMENDATION:

City Council - Adopt a motion selecting a user for the Stephen Leonard

Park Youth Center as recommended by the Recreation and Parks Commission and authorize staff to begin drawing up a contract for the use of the center for final approval by the City Council at a later date.

This item was heard before the Consent Calendar.

Assistant to the City Manager Mike CONWAY introduced the two applicants for the Stephen Leonard Park contract.

Fernando AGUILERA and Rosa BARRAGAN, Merced Soccer Academy - gave an overview of their program.

Necola ADAMS and Ida JOHNSON, NAACP - gave an overview of the 4-H program that will be used at the center.

Council Members asked questions of each applicant.

Mayor THURSTON suggested the two groups get together to see if a joint use agreement could be worked out.

Mayor Pro Tem PEDROZO made a motion to bring this item back in July after the applicants have met with each other. Council Member BELLUOMINI seconded the motion.

Clerk's Note: Mayor THURSTON called for a brief recess at 8:30 p.m. The meeting reconvened at 8:41 p.m.

Josh Pedrozo Moved, Michael Belluomini Seconded

Vote: 6-0

Voting Aye: Michael Belluomini , Kevin Blake , Tony Dossetti , Mike Murphy , Josh Pedrozo , Stan Thurston

Absent: Noah Lor

Changed 2. Sewer System Management Plan
(*Request to adopt Sewer System Management Plan.*)

RECOMMENDATION:

City Council - Adopt a motion approving

Resolution 2015-17, a Resolution of the City Council of the City of Merced, California, adopting the Sanitary Sewer Management Plan.

Director of Public Works - Water and Reclamation Mike WEGLEY made a presentation on the Sewer System Management Plan.

Michael Belluomini Moved, Kevin Blake Seconded

Vote: 6-0

Voting Aye: Michael Belluomini , Kevin Blake , Tony Dossetti , Mike Murphy , Josh Pedrozo , Stan Thurston

Absent: Noah Lor

3. Maintenance Districts' Engineer's Reports and Budgets Fiscal Year 2015/2016 - Public Meeting
(*Consider public input on the various Maintenance Districts' budgets during the public meeting, without taking action on the determination of assessment levy, until the close of the public hearing scheduled for Monday, June 15, 2015.*)

RECOMMENDATION:

City Council - Adopt a motion seeking public input on the Fiscal Year 2015/2016 Maintenance Districts' budgets, without taking action until the public hearing is closed on June 15, 2015.

Public Works - Operations Director Stan MURDOCK made a presentation on the Maintenance Districts' Engineer's Reports and Budgets for Fiscal Year 2015-16.

Council Members asked questions, and Director MURDOCK responded.

Council Member BELLUOMINI asked for the ballot language to be brought to Council for approval before it goes out.

K. BUSINESS

1. City Council Member Lor Request to Add Agenda Item to have Staff

Present a Two-Lane Street Connection for Parsons Avenue at a Future City Council Meeting

(This Administrative Report is in response to City Council Member Lor's request to add a Staff Presentation on the Design of Parsons Avenue as a Two-Lane Street for a Future City Council Study Session.)

RECOMMENDATION:

City Council - Discussion regarding adding the Design of Parsons Avenue as a Two-Lane Street to a future City Council Study Session Agenda with full staff analysis.

Mayor THURSTON moved to decline to take action.

Stan Thurston Moved, Kevin Blake Seconded

Vote: 6-0

Voting Aye: Michael Belluomini , Kevin Blake , Tony Dossetti , Mike Murphy , Josh Pedrozo , Stan Thurston

Absent: Noah Lor

2. Request to Schedule a Joint meeting with the Parks and Recreation Advisory Commission and City Council for a Pre-City Council Meeting Study Session

(A Member of the Parks and Recreation Advisory Commission requested that the City Council meeting in a Study Session setting to discuss current and future recreation and park issues.)

RECOMMENDATION:

City Council - Discussion regarding selection of a meeting date that will work for the City Council and Parks and Recreation Advisory Commission in August or September of this year.

City Manager BRAMBLE suggested that the meeting be scheduled for August 17, September 8, or September 21st as a 5:00 p.m. study session.

Napoleon WASHINGTON, Merced - spoke about the concern that the Parks & Recreation Commission feel they are not being given information needed to make decisions, and that information about

Commission decisions is not being given to Council.

3. Consideration of a Resolution Requesting Merced County Association of Governments to Administer Continuum of Care Services for Program Year 2015/2016 and Conduct a Bid Process
(*Consider adoption of Resolution requesting Merced County Association of Governments to administer Continuum of Care services for Program Year 2015/2016 and conduct a bid process.*)

RECOMMENDATION:

City Council - Adopt a motion approving **Resolution 2015-20**, a Resolution of the City Council the City of Merced, California, authorizing Merced County Association of Governments to administer the Continuum of Care services for Program Year 2015-2016 on behalf of the City of Merced.

This item was heard before the Consent Calendar.

Mayor THURSTON recommended that no action be taken on this item because the Continuum of Care will be transitioning to be run by a different organization.

Carol BOWMAN, Atwater, CEO of United Way - spoke about the purpose of the Continuum of Care.

Council Member DOSSETTI expressed his concern that there needs to be more done about the homeless problem.

Council Member BELLUOMINI pointed out that the language in the Resolution is unclear and needs to be clarified.

Housing Supervisor Mark HAMILTON stated that the Urban Initiatives contract ends at the end of the fiscal year, and that services are contracted through MCAG.

Council Member MURPHY stated that it is good practice to go out to bid.

Margie Kern, Executive Director MCAG - stated MCAG is looking to get out from underneath this project as it is primarily a transportation planning agency who took this project to fill a need because no other

agency would do it.

Council Member BELLUOMINI expressed concern that the Resolution, as written, does not communicate the Council's concerns.

Mayor THURSTON made a motion to deny the Resolution and direct staff to write a letter to MCAG and United Way that the Continuum of Care facilitator be put out to bid. Council Member MURPHY seconded.

Stan Thurston Moved, Mike Murphy Seconded

Vote: 5-1

Voting Aye: Michael Belluomini , Kevin Blake , Mike Murphy , Josh Pedrozo , Stan Thurston

Voting Nay: Tony Dossetti

Absent: Noah Lor

4. Requests to Add Item to Future Agenda

There were no requests.

5. City Council Comments

Mayor Pro-Tem PEDROZO gave an update on the One Voice trip to Washington, D.C. made by himself, Council Member MURPHY and Mayor THURSTON.

Mayor THURSTON provided details on the activities during the trip.

Council Member MURPHY also added details on conversations he had with Senators on his flight home.

L. ADJOURNMENT

1. Adjourn to June 8, 2015 at 5:30 p.m.

RECOMMENDATION:

City Council - Adopt a motion adjourning to June 8, 2015 at 5:30 p.m.

A motion was made by Mayor Pro-Tem PEDROZO, seconded by Council Member DOSSETTI to adjourn to Monday, June 8, 2015 at 5:30 p.m. for a Adjourned Regular Meeting for budget discussions.

Clerk's Note: The meeting adjourned at 10:47 p.m.

Josh Pedrozo Moved, Tony Dossetti Seconded

Vote: 6-0

Voting Aye: Michael Belluomini , Kevin Blake , Tony Dossetti , Mike Murphy , Josh Pedrozo , Stan Thurston

Absent: Noah Lor

CITY COUNCIL

MINUTES

June 8, 2015

A. CALL TO ORDER

A Regular Session of the City Council of the City of Merced, California, was held on Monday, June 8, 2015. Mayor THURSTON called the meeting to order at 5:36 p.m.

B. ROLL CALL

Mayor Stanley Thurston, Mayor Pro Tempore Josh Pedrozo, Council Members Michael Belluomini, Kevin Blake, Tony Dossetti, Noah Lor, Mike Murphy

All Council Members were present, with the exception of Council Member LOR.

C. SPECIAL PRESENTATIONS

1. Purpose of Session

City Manager John BRAMBLE reported that the Transient Occupancy Tax (TOT) numbers that have been collected from the operator of each hotel needed to be amended, resulting in an additional one-time source of revenue.

City Manager BRAMBLE reviewed his recommendations for additions to the budget.

City Manager BRAMBLE announced that he had submitted his letter of retirement effective December 5, 2015.

Council Member MURPHY suggested having a strategic policy discussion on building the reserve fund.

2. Responses to City Council Requests

City Manager BRAMBLE reviewed possible budget items identified by Council. City Council Members asked questions related to costs of items possibly included in the budget.

Mayor Pro-Tempore PEDROZO added that Council should also have a strategic discussion on the Measure “C” fund.

Mayor Pro-Tempore PEDROZO asked about the amount delegated for Fire brown-outs, and the cost of having a full staff. City Manager BRAMBLE responded that the Budget included two new positions and money for overtime.

City Manager BRAMBLE reviewed a handout of historical projected and actual General Fund balances.

City Manager BRAMBLE explained that within the Measure “C” fund budget there are currently 22.99 police officers, 13.8 fire officers, \$374,689 to be transferred to the Streets Department, \$300,000 for capital projects, and \$30,000 for predictive police software and camera system. That leaves a \$1.1 million fund balance, which is within the two month reserve requirement set by the Government Finance Officers Association.

Mayor THURSTON asked the annual revenue for Measure “C”. City Manager BRAMBLE responded that this year it was \$6.2 million.

Council Member DOSSETTI emphasized that the Measure “C” fund needs to be built up as much as possible in anticipation of the 2026 sunset on the tax.

Vehicle Fleet fund balance will end at \$12,492,626, which comes out of the refuse rates. Mayor THURSTON asked about police and fire vehicles. City Manager BRAMBLE responded that those vehicles come out of the General fund.

City Manager BRAMBLE reported that the Feasibility Study for re-using waste treatment water for parks and medians would cost around \$175,000 of water enterprise funds. Council Member BELLUOMINI expressed his concern about the cost and logistics of implementation. Council Member MURPHY added that the Council should still look into a recharge basin with Merced Irrigation District.

Merced Firefighter Chad ENGLERT - asked for clarification on what is being done to end the brownouts. City Manager BRAMBLE responded that the money appropriated in the Budget will cover the

cost of overtime, it would only be a matter if personnel is available to take on those extra shifts.

Chief Shawn HENRY confirmed that with the two additional positions and money allocated for overtime, it will help alleviate the problem, but brownouts will still happen. A squad vehicle that can be staffed by only two firefighters will be used to respond to medical calls.

City Manager BRAMBLE reviewed the cost of items to potentially be added to the budget.

Mayor THURSTON asked about options for lighting downtown. City Manager BRAMBLE responded that canopy lights may be an option. Mayor Pro-Tempore PEDROZO asked if the Main Street Association were willing to put in money towards lighting. Council Member MURPHY expressed his support for this item.

Council Member BELLUOMINI requested a scope of work for the Wastewater Feasibility Study. City Manager BRAMBLE responded that there is not sufficient time to request a scope of work before the budget needs to be voted on.

3. Outside Agency Requests for Funding

Kelly TURNER and Rochelle ABRIL, Merced - responded to questions related to the McNamara funding request.

Donna HALL, Merced – spoke in favor of funding for McNamara Park programming.

Kevin HAMMOND, Merced – answered questions related to the Art Hop funding request.

City Council Members asked questions related to allocations for staff time from the Downtown Fund. Director of Economic Development Frank QUINTERO responded.

Council asked questions relating to a new Recreation & Parks coordinator position. City Manager BRAMBLE responded.

D. ORAL COMMUNICATIONS

Isai PALMA, Merced – spoke about a survey by the Merced County Association of Governments (MCAG).

Aldofo LOPEZ, Communities for a New California – spoke in favor of designating additional funds for the Youth Council.

Marilyn MOCHEL, Merced – spoke in favor of community partnerships to provide more youth programs.

E. COUNCIL BUSINESS

1. Council Direction for Budget Hearing

On a motion by Mayor Pro-Tempore PEDROZO, seconded by Council Member BLAKE, and with all in favor, the Council voted to add the City Manager's recommendations to the Fiscal Year 2015-16 budget errata. Council Member LOR was absent.

Council Member BELLUOMINI made a motion, seconded by Mayor THURSTON, to appropriate \$15,280 to McNamara Center Funding. The motion failed with Mayor Pro-Tempore PEDROZO, Council Member DOSSETTI and Council Member BLAKE voting no. Council Member LOR was absent.

Council Member MURPHY made a motion, seconded by Mayor THURSTON, and with all in favor, to appropriate \$10,800 to Art Hop in the Fiscal Year 2015-16 budget errata. Council Member LOR was absent.

On a motion by Mayor Pro-Tempore PEDROZO, seconded by Council Member MURPHY, and with all in favor, the Council voted to add the \$175,000 for a consultant Feasibility Study in the Fiscal Year 2015-16 budget errata. Council Member LOR was absent.

On a motion by Council Member MURPHY, seconded by Council Member BLAKE, and with all in favor, the Council voted to add downtown lighting in the Fiscal Year 2015-16 budget errata. Council Member LOR was absent.

City Engineer Ken ELWIN made a brief presentation on the R Street Project. City Council Members asked questions. Mr. ELWIN responded to the

questions.

F. ADJOURNMENT

On a motion by Council Member MURPHY, seconded by Mayor Pro-Tempore PEDROZO, and with all in favor, the Council voted to adjourn to Monday June 15, 2015 at 5:00 p.m. Council Member LOR was absent.

The meeting adjourned at 8:45 p.m.

CITY COUNCIL MINUTES June 15, 2015

A. STUDY SESSION ROLL CALL

Clerk's Note: Closed Session was taken out of order on the Agenda and placed before the Study Session.

All Council Members were present with the exception of Council Members LOR and DOSSETTI who were absent.

B. STUDY SESSION

1. Planning Commission Applicant Interviews

City Manager John BRAMBLE conducted an interview session with the Planning Commission applicants.

Applicants in attendance were William BAKER, Robert DYLINE, and Lee LOR.

C. CLOSED SESSION ROLL CALL

Mayor Stanley Thurston, Mayor Pro Tempore Josh Pedrozo, Council Members Michael Belluomini, Kevin Blake, Tony Dossetti, Noah Lor, Mike Murphy

Mayor THURSTON called the Closed Session of the City Council of the City of Merced, California to order at 5:30 p.m. All Council Members were present with the exception of Council Member LOR who was absent.

D. CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS -- Agency

Designated Representative: Director of Support Services Deneen Proctor; Employee Organizations: International Association of Fire Fighters, Local 1479; Merced Association of Police Sergeants.
AUTHORITY: Government Code Section 54957.6

E. CALL TO ORDER

Mayor THURSTON called the Regular Meeting of the City Council of the City of Merced, California to order at 7:02 p.m.

1. Invocation - Pastor Bruce Logue, Lifespring Church

The Invocation was presented by Pastor Bruce Logue, Lifespring Church.

2. Pledge of Allegiance to the Flag

F. ROLL CALL

1. Mayor Stanley Thurston, Mayor Pro Tempore Josh Pedrozo, Council Members Michael Belluomini, Kevin Blake, Tony Dossetti, Noah Lor, Mike Murphy

All Council Members were present with the exception of Council Member LOR who was absent.

2. City Clerk Announcement Pursuant to Government Code 54952.3
(In accordance with Government Code 54952.3, it is hereby announced that the City Council sits either simultaneously or serially as the Parking Authority, and Public Financing and Economic Development Authority. City Council Members receive a monthly stipend of \$20.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$50.00 each month as a part of the adopted budget and Resolution 1975-37. The members of the Parking Authority, and Public Financing and Economic Development Authority receive no compensation.)

G. REPORT OUT OF CLOSED SESSION

There was no report.

H. CEREMONIAL MATTERS

1. Proclamation - Social Media Day

Council Member MURPHY read a Proclamation for Social Media Day.
The Proclamation was accepted by Toni PIRTLE, Merced College.

I. WRITTEN PETITIONS AND COMMUNICATIONS

1. City Manager's, City Attorney's and/or City Clerk's Offices will announce the receipt of any written petitions or communications.

There were no written petitions or communications.

J. ORAL COMMUNICATIONS

Isaias RUMERE, Merced - spoke in favor of High Speed Rail.

Lisa KEYSER-GRANT, Merced - spoke on bicycle issues.

Daniel KAZAKOS, Merced - spoke on issues with the Downtown Fund.

Marco LAGUNA, Merced - spoke on using the Amphitheater in Applegate Park.

Miranda LUTZOW, Assistant City Clerk - introduced the High School Ambassadors.

K. CONSENT CALENDAR

Items K.6. - Award of Bid to West Valley Construction Company, Inc., for the Community Development Block Grant (CDBG) T & 7th Streets Water Main Replacement Project 115033 and K.9. - Appropriation of Additional Funds from Measure C for Police Overtime were pulled for separate consideration.

Clerk's Note: The balance of the Consent Calendar was passed in a single vote.

Josh Pedrozo Moved, Kevin Blake Seconded

Vote: 6-0

Voting Aye: Michael Belluomini , Kevin Blake , Tony Dossetti ,
Mike Murphy , Josh Pedrozo , Stan Thurston

Absent: Noah Lor

1. Information Only - Site Plan Review Committee Minutes of May 7, 2015
2. Information Only - Recreation and Park Commission Minutes of November 24, 2014, February 23, 2015 and March 23, 2015
3. Information Only - Planning Commission Minutes of May 6, 2015
4. Reading by Title of All Ordinances and Resolutions
(*Ordinances and Resolutions which appear on the public agenda shall be determined to have been read by title and a summary title may be read with further reading waived.)*

RECOMMENDATION:

Adopt a motion waiving the reading of Ordinances and Resolutions, pursuant to Section 412 of the Merced City Charter.

5. Amendment to the Contract with ABS Direct, Inc. for Printing and Mailing Services
(*Consider approving the amendment to the contract with ABS Direct, Inc. for printing and mailing services.)*

RECOMMENDATION:

City Council - Adopt a motion approving the amended contract with ABS Direct, Inc. to provide printing and mailing services for the City's billing statements; and, authorizing the City Manager to execute all necessary documents.

6. Award of Bid to West Valley Construction Company, Inc., for the Community Development Block Grant (CDBG) T & 7th Streets Water Main Replacement Project 115033.
(*Consider awarding a construction contract in the amount of \$454,870.10 for the replacement of a City water main located at T and 7th Streets)*

RECOMMENDATION:

City Council - Adopt a motion:

A. Awarding the bid for the Community Development Block Grant (CDBG) T & 7th Street Water Main Replacement Project 115033, to West Valley Construction Company, Inc., in the amount of \$454,870.10; and,

B. Authorizing the City Manager to execute the necessary documents and approve change orders not to exceed 10% of the total contract.

Council Member BELLUOMINI pulled this item to state he would like to see a local contractor preference for construction bids.

Michael Belluomini Moved, Mike Murphy Seconded

Vote: 6-0

Voting Aye: Michael Belluomini , Kevin Blake , Tony Dossetti , Mike Murphy , Josh Pedrozo , Stan Thurston

Absent: Noah Lor

7. 2015-16 Annual Special Tax Rates for Community Facilities District (CFD) No. 2003-2 (Services) of the City of Merced
(*Consider setting the Annual Special Tax Rates for Fiscal Year 2015-16 for Community Facilities [CFD] No. 2003-2 [Services.]*)

RECOMMENDATION:

City Council - Adopt a motion approving **Resolution 2015-23**, a Resolution of the City Council of the City of Merced, Acting as the Legislative Body of the Community Facilities District No. 2003-2 (Services) of the City of Merced, Authorizing the Establishment of an Annual Special Tax for Said District for Fiscal Year 2015-2016.

8. Supplemental Appropriation from General Fund, Fund Balance for McNamara Park Improvements
(*Consider authorizing a supplemental appropriation for the widening of the Canal Street driveway to McNamara Park Community Center and to*

complete purchase of shade sail structures for the picnic/playground area.)

RECOMMENDATION:

City Council - Adopt a motion authorizing the a supplemental appropriation from the General Fund, Fund Balance to Account 001-1120-532.25-00 Parks Maintenance, Maintenance Materials and Supplies in the amount of \$10,500 for the following:

A. \$6,000, including building permit, for widening driveway access to the McNamara Community Center and Merced Police Department, South Precinct; and,

B. \$4,500 to complete purchase of shade sail structures in the picnic/playground area of the park

9. Appropriation of Additional Funds from Measure C for Police Overtime
(*Request to appropriate additional funding for police overtime under Measure C Fund 061.)*

RECOMMENDATION:

City Council - Adopt a motion authorizing City Finance Officer to make budget adjustments as recommended by staff.

Council Member BELLUOMINI pulled this item to question why Measure C funds were being used to pay overtime. Council discussed the options of this item.

Council Member BELLUOMINI made a motion to move this item to later in the meeting. Council Member BLAKE seconded. The motion failed with a 3-3 vote. Council Member LOR was absent.

Mayor Pro Tem PEDROZO made a motion to approve this item. Council Member DOSSETTI seconded. The motion failed with a 4-2 vote. Finance Officer Brad GRANT pointed out that this item requires a Super Majority Vote to pass. Council Members BELLUOMINI and BLAKE voted no. Council Member LOR was absent.

Clerk's Note: This item was brought back after Public Hearings at the request of Council Member BLAKE and Mayor THURSTON in order

to vote again.

Kevin Blake Moved, Josh Pedrozo Seconded

Vote: 6-0

Voting Aye: Michael Belluomini , Kevin Blake , Tony Dossetti ,
Mike Murphy , Josh Pedrozo , Stan Thurston

Absent: Noah Lor

10. Property, Boiler and Machinery Insurance Renewal
(*Consider approving the renewal of the City's policy through Alliant Property Insurance Programs [APIP] at 1.65% premium decrease amounting to \$176,972.10 for program year 2015/2016.)*

RECOMMENDATION:

City Council - Adopt a motion ratifying the renewal of the property and boiler and machinery insurance through Alliant Property Insurance Programs (APIP) administered by Alliant Insurance Services for the period of July 1, 2015 through June 30, 2016; and authorizing the City Manager to execute any necessary documents.

11. Agreement with Abel Navarrete-Chavez to Operate Food Truck at Applegate Park (25th and P Street)
(*Consider approving an agreement to provide Food Truck services at Applegate Park [25th and P Street.])*

RECOMMENDATION:

City Council - Adopt a motion approving the Food Truck services agreement for with Abel Navarrete-Chavez (Applegate Park 25th Street parking lot); and, authorizing the City Manager to execute the necessary documents.

12. Contract for Summer Camp Services with Boys and Girls Club of Merced
(*Consider approving agreement with Boys and Girls Club of Merced to provide summer camp services in the amount of \$20,000 for FY 2015-16.)*

RECOMMENDATION:

City Council - Adopt a motion approving the agreement with the Boys and Girls Club of Merced in the amount of \$20,000 to provide summer camp services; and, authorizing the City Manager to execute the necessary documents.

13. Amendment to City Manager Employment Agreement
(*Amendment to City Manager Employment Agreement to clarify that City shall not automatically provide cost of living increase equivalent to other Executive Management employees.*)

RECOMMENDATION:

City Council - Adopt a motion approving the Second Amendment to Employment Agreement of the City Manager.

14. Second Reading Ordinance for Water Conservation Regulations of the Merced Municipal Code
(*Consider adoption of regular Ordinance of the City Council to be in compliance with Governor Brown's Executive Order of April 1, 2015 and the State Water Resources Control Board's Resolution and Emergency Statewide Urban Water Conservation Regulations of May 5, 2015.*)

RECOMMENDATION:

City Council - Adopt a motion approving the adoption of **Ordinance 2443**, an Ordinance of The City Council of The City of Merced, California, amending sections 15.32.140, "Sprinkler Systems," 15.42.040, "Prohibited Uses," and 15.42.090, "Prohibited Uses - Mandatory," of the Merced Municipal Code.

15. Increase Revenue Account for HIDTA (High Intensity Drug Trafficking Area) Overtime Reimbursement
(*Request to increase revenue account for reimbursement of overtime hours worked on HIDTA [High Intensity Drug Trafficking Area] Operation Red Right Hand.*)

RECOMMENDATION:

City Council – Adopt a motion:

- A. Accepting and increasing the revenue budget in account 001-1002-324-02-00 by \$75,000; and,
- B. Appropriating the same amount to Police Operations Division overtime account 001-1002-521-04-01; and
- C. Authorizing the City Manager to sign the necessary documents

L. PUBLIC HEARINGS

1. Public Hearing - Maintenance Districts' Engineer's Reports and Budgets - Fiscal Year 2015/2016
(*Consider adopting a Resolution approving, confirming, and adopting Engineer's Reports and budgets; and a Resolution approving abeyances for Districts with reserve balances above the amount required by the Fund Balance policy for the various Maintenance Districts' after the close of the Public Hearing.)*

RECOMMENDATION:

City Council - Adopt a motion:

- A. Approving **Resolution 2015-24**, a Resolution of the City Council of the City of Merced, California, approving, confirming, and adopting Engineer's Reports on Maintenance Districts; and,
- B. Approving **Resolution 2015-25**, A Resolution of the City Council of the City of Merced, California, approving, confirming, and adopting Engineer's Reports on Glenhaven Park, Quail Run, Sequoia Hill and Sky Moss Maintenance Districts, including the adoption of temporary partial abeyance of assessments for each district.

Public Works Director Stan MURDOCK gave a slide presentation on Maintenance Districts.

Mayor THURSTON opened the Public Hearing at 7:49 p.m. There

were no audience members who wished to speak. Mayor THURSTON closed the Public Hearing at 7:49 p.m.

Mike Murphy Moved, Josh Pedrozo Seconded

Vote: 6-0

Voting Aye: Michael Belluomini , Kevin Blake , Tony Dossetti , Mike Murphy , Josh Pedrozo , Stan Thurston

Absent: Noah Lor

2. Adoption of the Fiscal Year 2015-2016 Budget for the City, Public Financing and Economic Development Authority and Parking Authority
(*A request for the City Council to adopt the Fiscal Year 2015-2016 Budget for the City, Public Financing and Economic Development Authority and Parking Authority of Merced.*)

RECOMMENDATION:

City Council - Adopt a motion:

A. Approving the adoption of **Resolution 2015-22**, a Resolution of the City Council of the City of Merced, California, Adopting the Budget and Appropriating Revenues for Fiscal Year 2015-2016; and,

B. Approving capital projects based upon the Planning Commission's May 20, 2015 finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2015.

Public Financing and Economic Development Authority - Adopt a motion:

A. Approving the adoption of **Resolution PFA 2015-01**, a Resolution of the City of Merced Public Financing and Economic Development Authority Adopting the Budget and Appropriating Revenues for Fiscal Year 2015-2016; and,

B. Approving capital projects based upon the Planning Commission's May 20, 2015 finding for consistency of the Capital Improvement

Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2015.

Parking Authority - Adopt a motion:

A. Approving the adoption **Resolution PA 2015-01**, a Resolution of the City of Merced Parking Authority Adopting the Budget and Appropriating Revenues for Fiscal Year 2015-2016; and,

B. Approve capital projects based upon the Planning Commission's May 20, 2015 finding of consistency of the Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2015.

City Manager John BRAMBLE gave a presentation on the 2015/2016 budget.

Council Member MURPHY had questions about the sign ordinance. City Manager BRAMBLE responded.

Mayor THURSTON asked about Police Dispatch positions. City Manager BRAMBLE answered.

Council Member BLAKE questioned adding Police recruitment incentives to the budget. City Manager BRAMBLE clarified on this.

Mayor Pro Tem PEDROZO questioned lighting downtown. City Manager BRAMBLE said it was being looked into.

Council Member BELLUOMINI asked which Police incentives made it into the budget. City Manager BRAMBLE stated the City was paying for the Police Academy and giving a working wage to new applicants.

Council Member MURPHY requested that an Assistant City Manager position be added to the budget. Council discussed the item further.

Council Member BELLUOMINI gave a slide presentation with his ideas for the budget.

Council Member BELLUOMINI answered questions of Council regarding his ideas.

Council discussed adding positions to the Recreation and Parks Department.

Council Member DOSSETTI stated it was too late to try and fund the requested positions but suggested having talks in the future for these items.

Council Member MURPHY moved to add \$10,000 for Art Hop funding which Council Member BELLUOMINI seconded. The motion passed with a 4-2 vote with Council Members PEDROZO and DOSSETTI voting no. Council Member LOR was absent.

Council Member MURPHY moved to add \$36,000 for the shelter which was seconded by Mayor Pro Tem PEDROZO. The motion passed with a 6-0 vote. Council Member LOR was absent.

Mayor THURSTON moved to add \$10,000 for the McNamara Center which was seconded by Council Member BELLUOMINI. The motion failed with a 2-4 vote. Council Members MURPHY, DOSSETTI, BLAKE, and Mayor Pro Tem PEDROZO voted no. Council Member LOR was absent.

Council Member MURPHY moved to add \$30,000 to the budget for the False Alarm Ordinance which was seconded by Council Member DOSSETTI. The motion passed with a 6-0 vote. Council Member LOR was absent.

Mayor THURSTON opened the Public Hearing at 9:55 p.m.

Daniel KAZAKOS, Merced - spoke in favor of changing the sign ordinance.

Wayne EISENHART, Merced - spoke in favor of the proposed budget and public safety.

Marco LAGUNA, Merced - spoke on being involved in the community.

Council discussed when supplemental items would be brought back for further discussion.

Finance Officer GRANT stated all of the numbers used in the five year forecast would not be available until October.

Josh Pedrozo Moved, Mike Murphy Seconded

Vote: 6-0

Voting Aye: Michael Belluomini , Kevin Blake , Tony Dossetti ,
Mike Murphy , Josh Pedrozo , Stan Thurston

Absent: Noah Lor

M. BUSINESS

1. Appointment - Planning Commission
(*Consider accepting nominations and appointing up to two members to the Planning Commission.*)

RECOMMENDATION:

City Council - Accept nominations and appoint up to two individuals to the Planning Commission.

Mayor THURSTON nominated Bill BAKER for the Planning Commission and Mayor Pro Tem PEDROZO seconded. The vote passed 5-0 with Council Member DOSSETTI abstaining and Council Member LOR absent.

Mayor Pro Tem PEDROZO nominated Robert DYLINE for the Planning Commission with Mayor THURSTON seconding. The vote passed 3-2 with Councilmembers BELLUOMINI and MURPHY voting no, Council Member DOSSETTI abstaining and Council Member LOR absent.

2. Requests to Add Item to Future Agenda

There were no requests.

3. City Council Comments

Mayor Pro Tem PEDROZO thanked the Merced Fire Department for removing grass from the landscape at the stations to conserve water during the drought.

N. ADJOURNMENT

1. Adjourn to Monday, July 6, 2015 at 6:30 p.m.

RECOMMENDATION:

City Council - Adopt a motion adjourning to Monday, July 6, 2015 at 6:30 p.m. for Closed Session.

Mike Murphy Moved, Josh Pedrozo Seconded

Vote: 5-0

Voting Aye: Michael Belluomini , Kevin Blake , Tony Dossetti ,
Mike Murphy , Josh Pedrozo

Voting Abstain: Stan Thurston

Absent: Noah Lor



CITY OF MERCED

City Council Chambers
Merced Civic Center
2nd Floor
678 W. 18th Street
Merced, CA 95340

Minutes

City Council/Public Finance and Economic Development Authority/Parking Authority

Monday, July 6, 2015

7:00 PM

Closed Session at 6:30 p.m.; Regular Session at 7:00 p.m.

A. CLOSED SESSION ROLL CALL

Present: 7 - Mayor Stanley P. Thurston, Mayor Pro Tempore Joshua Pedrozo, Council Member Michael Belluomini, Council Member Kevin Blake, Council Member Tony Dossetti, Council Member Noah Lor, and Council Member Mike Murphy

Absent: 0

B. CLOSED SESSION

Closed Session was called to order at 6:30 p.m.

Closed Session adjourned at 6:55 p.m.

B.1.

SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: Director of Support Services Deneen Proctor; Employee Organizations: International Association of Fire Fighters, Local 1479; Merced Association of Police Sergeants. **AUTHORITY:** Government Code Section 54957.6

C. CALL TO ORDER

Mayor THURSTON called the meeting to order at 7:01 p.m.

C.1 Invocation - Abdur Wali, President Ahmdiya Muslim Community, Merced Chapter

The invocation was presented by Abdur Wali, President Ahmdiya Muslim Community, Merced Chapter.

C.2 Pledge of Allegiance to the Flag

D. ROLL CALL

E. REPORT OUT OF CLOSED SESSION

There was no report out of Closed Session.

F. CEREMONIAL MATTERS

F.1 Proclamation - Parks Make Life Better Month

The Proclamation presented by Council Member Tony DOSSETTI and accepted by Dr. Napoleon WASHINGTON and Jerome RASBERRY.

F.2 Father of the Year Award - Presented by Paul Lundberg

The Father of the Year Award presentation was tabled until the July 20, 2015 City Council meeting.

G. WRITTEN PETITIONS AND COMMUNICATIONS

There were none.

H. ORAL COMMUNICATIONS

Abdur WALI, Merced - spoke on the topic of Ramadan.

Mike CONWAY, Assistant to the City Manager - spoke on the McNamara Park Revitalization Project.

Lorraine ANDERSON, Merced - spoke on the watering schedule for City parks.

Rick TELEGAN, Fresno - spoke on the sewer master plan.

Monica VILLA, Merced - spoke about election districts.

Clifford DALE, Merced - spoke about McNamara Park.

Derek CARLON, Merced - spoke about water issues and planting wildflowers and nut trees around town.

Peter HOWELL, Merced - spoke about annexation of the land between Bellevue and UC Merced.

John BURCHETT, Merced - spoke against the proposed Bellevue Ranch project.

K. REPORTS

Mayor THURSTON requested that Reports be heard before the Consent Calendar.

K.1

SUBJECT: Stephen Leonard Park Youth Center lease

REPORT IN BRIEF

Consider awarding the lease to use the Stephen Leonard Park Youth Center to a local organization to support youth activities.

RECOMMENDATION

City Council - Adopt a motion selecting from one of two applicants to use the Youth Center, and; authorizing the City Manager to sign the necessary documents.

City Manager John BRAMBLE reviewed the conflicts that prevented the NAACP and 4-H Club, and the Atlas Soccer Club had in sharing the Stephen Leonard Park.

Mayor THURSTON spoke in favor of the Atlas Soccer Academy.

Council Member DOSSETTI stated that the Atlas Soccer Academy would be better suited at McNamara Park because soccer fields are located there, and that the groups should work together to share the McNamara space. He expressed his concern that the groups cannot collaborate.

Mayor Pro-Tempore PEDROZO spoke in favor of the Atlas Soccer Academy due to their proven track record, but stated he would like all of the youth groups to get together and cooperatively provide services.

Council Member BLAKE spoke in favor of the Atlas Soccer Academy due to their proven track record, but is hopeful that the NAACP could find an alternative location for their curriculum. He stated that the McNamara Park contract should not be changed.

Council Member BELLUOMINI asked about flexibility in the current McNamara Park contract. Assistant to the City Manager Mike CONWAY responded that the contract can be cancelled within 60 days without any reason. Mr. BELLUOMINI stated that he is supportive of all the proposals, and that the buildings should be shared in order to accommodate everyone, with the assistance of staff to help with scheduling.

Council Member MURPHY suggested the groups get together with the help of a trained mediator to work out a schedule. He expressed his desire to keep the McNamara contract intact with the existing groups.

Council Member LOR stated that he would like to see joint use of the facility, but that it is difficult to have groups collaborate because of the responsibility for damage.

Rosa BARRIGAN, Merced - presented the proposed program for the Atlas Soccer Academy.

William GOMEZ, Merced - spoke about his positive experience with the Atlas Soccer Club.

Fernando AGULIAR, Atlas Soccer Club - spoke about the number of children they assist.

Juan MENA, Merced - spoke about his positive experience with the Club.

Necola ADAMS, Merced NAACP - reviewed the Spirit of Excellence Academy proposal.

Monica GRASLEY, Lifeline - expressed her willingness to work cooperatively with other groups.

Kelly TURNER, Merced - spoke of her willingness to collaborate with other groups.

Rochelle ABRIL, Merced - expressed her frustration that 5 groups should share McNamara Park when Stephen Leonard will only house 1 group.

A motion was made by Council Member Dossetti that use of Stephen Leonard Park Youth Center be granted to both applicants, who can coordinate with the assistance of a third party. The Motion failed due to a lack of second.

The meeting went into recess at 9:02 p.m.

The meeting reconvened at 9:12 p.m.

A motion was made by Mayor Thurston, seconded by Council Member Blake, to award the contract to Atlas. The motion carried by the following vote:

Aye: 5 - Mayor Thurston, Council Member Belluomini, Council Member Blake, Council Member Lor, and Council Member Murphy

No: 2 - Mayor Pro Tempore Pedrozo, and Council Member Dossetti

Absent: 0

I. CONSENT CALENDAR

I.3

SUBJECT: City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of February 9, February 23, April 1, April 6, April 20 and May 4, 2015

REPORT IN BRIEF

Official adoption of previously held meeting minutes.

RECOMMENDATION

City Council/Public Financing and Economic Development/Parking Authority - Adopt a motion approving the meeting minutes of February 9, February 23, April 1, April 6, April 20 and May 4, 2015.

Council Member BELLUOMINI removed this item to request changes to the April 6, 2015 City Council Meeting minutes.

A motion was made by Council Member Belluomini, seconded by Council Member Blake, that the minutes be approved with amendments. The motion carried by the following vote:

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

I.5

SUBJECT: Award Bid to Carbon Activated Corporation for Well #3C GAC Adsorption System, Project No. 115048

REPORT IN BRIEF

Consider awarding a contract in the amount of \$519,717.42 to Carbon Activated Corporation to construct wellhead treatment system carbon vessels for Well #3C.

RECOMMENDATION

City Council - Adopt a motion awarding the bid for the Well #3C GAC Adsorption System Project No. 115048 to Carbon Activated Corporation,

in the amount of \$519,717.42; and, authorizing the City Manager to execute the necessary documents and to approve change orders not to exceed 10% of the total contract.

Council Member BELLUOMINI removed this item to ask a question relating to the costs of the well. Environmental Project Manager Joe ANGULO responded.

A motion was made by Council Member Belluomini, seconded by Council Member Dossetti, that this agenda item be adopted. The motion carried by the following vote:

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

I.7

SUBJECT: Reject All Bids for the CMAQ Traffic Signal Synchronization Project 113066 (5085-035)

REPORT IN BRIEF

Consider rejecting all bids due to insufficient funding.

RECOMMENDATION

City Council - Adopt a motion rejecting all bids for the CMAQ Traffic Signal Synchronization Project 113066 (5085-035) and directing staff to advertise the project for rebidding.

Council Member BELLUOMINI removed this item to ask clarifying questions about the timeline of the project.

City Engineer Ken ELWIN responded.

A motion was made by Council Member Belluomini, seconded by Council Member Blake, that this agenda item be adopted. The motion carried by the following vote:

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

I.8

SUBJECT: Increase Contingency Percentage and Approve Change Order for CMAQ Sidewalk Infill on Carol Avenue Project 114047

REPORT IN BRIEF

Authorizes approval of a change order to the CMAQ Sidewalk Infill on Carol Avenue construction contract in the amount of \$33,838.49 for additional concrete work.

RECOMMENDATION

City Council - Adopt a motion increasing the contingency to 15% and approving a change order for the CMAQ Sidewalk Infill on Carol Avenue Project 114047, to George Reed, Incorporated, in the amount of \$33,838.49; and, authorizing the City Manager to sign the necessary documents.

City Manager BRAMBLE removed this item to clarify that the contingency requested is 10.56%

A motion was made by Mayor Pro Tempore Pedrozo, seconded by Council Member Blake, that this agenda item be adopted. The motion carried by the following vote:

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

I.9

SUBJECT: Increase Contingency Percentage of Avison Construction, Inc., Construction Contract for the Merced Roadway Rehabilitation Project 114037/115032

REPORT IN BRIEF

Consider approval of an increase to the contingency for up to 15% of the original contract bid amount for the roadway rehabilitation of M and R Streets.

RECOMMENDATION

City Council - Adopt a motion approving a contingency percentage increase not to exceed 15% of the original contract bid amount for the Merced Roadway Rehabilitation Project 114037/115032 with Avison Construction, Inc.; and, authorizing the City Manager to execute the necessary documents and to approve change orders not to exceed 15% of the total contract.

A motion was made by Council Member Murphy, seconded by Council Member Blake, that this agenda item be adopted. The motion carried by the following vote:

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

J. PUBLIC HEARINGS

J.1

SUBJECT: General Plan Amendment #15-01, Site Utilization Plan Revision #11 to Planned Development (P-D) #42, Appeal of Conditional Use Permit #1197 for the Bellevue Apartment Project

REPORT IN BRIEF

C.W.N. Development, LLC seeks City Council approval to: modify the road improvement order and financing of off-site infrastructure and to allow the construction of a 432-unit apartment project on a site bounded by M Street, M Street Circle, Mandeville Lane and Barclay Way within the Bellevue Ranch Master Development Plan Area.

RECOMMENDATION

City Council - Adopt a motion (denying the project as recommended by the Planning Commission) approving **Resolution 2015-26**, "A Resolution of The City Council of The City of Merced, California, Adopting a Notice of Exemption (Environmental Review #15-03), Denying the Amendment of the General Plan (General Plan Amendment #15-01) to Modify the Order and Financing of Off-site Public Infrastructure of the Bellevue Ranch Master Development Plan; Denying a Site Design with all Parking Lots to be Sited Between the Street and Buildings (Site Utilization Plan Revision #11 to Planned Development #42); and Rejecting the Applicant's Appeal to Approve Conditional Use Permit #1197 (Attachment 9).

OR

City Council - Adopt a motion (approving the projects, overturning the recommendation of the Planning Commission):

- A. Approving Resolution 2015-27, "A Resolution of The City Council of The City of Merced, California, Adopting a Notice of Exemption (Environmental Review #15-03), Amending the General Plan (General Plan Amendment #15-01) to Modify the Order and Financing of Off-site Public Infrastructure of the Bellevue Ranch Master Development Plan; to Allow a Site Design with all Parking Lots to be Sited Between the Street and Buildings; Upholding

- Applicant's Appeal to Approve Conditional Use Permit #1197; and
Approving a Developer Agreement Therefore (Attachment 10); and,
- B. Introducing **Ordinance 2444**, "An Ordinance of The City Council of The City of Merced, California, Amending Planned Development #42 by Changing the Order and Financing of Off-Site Public Infrastructure of the Bellevue Ranch Master Development Plan, and to Allow a Site Design with All Parking Lots to be Sited Between the Street and Buildings, and Approving the Developer Agreement Therefore (Attachment 11); and,
- C. Authorizing the City Manager to execute the Developer Agreement (Attachment 12) and all related documents.

City Planner Bill KING reviewed the proposed project and the Planning Commission's decision to deny the General Plan Amendment.

Council Member BELLUOMINI asked if Council had any obligation to approve the General Plan Amendment, whether Council could impose conditions, and why a 20-year EIR is being used. City Planner Bill KING responded. City Attorney HOM responded to the question about the EIR.

Council Member LOR asked clarifying questions. City Planner KING responded.

Council Member MURPHY asked why the building was setback and whether the building would house students. Mr. CARTER responded.

Council Member BELLUOMINI asked why the design requires visitors to go through a bedroom to get to a bathroom. Mr. CARTER responded.

Council Member MURPHY expressed that City Council could not legally take away the right to build multi-housing units.

Council Member BELLUOMINI suggested that building units 2, 3, and 4, were reduced to single-story units, it would reduce the height, number of total units by 102 bedrooms and free up parking for the other units. In addition, buildings 1 and 5 were reduced to 2-story unit, it would reduce 34 bedrooms. The total units would be reduced 848 to 576 bedrooms.

Mayor THURSTON expressed his concern that this project is too big, even for future student demand. He also stated that the Planning Commission's finding of incompatible use should be respected. Mayor THURSTON suggested that Council Member BELLUOMINI's idea be plotted out before City Council made a decision.

Council Member DOSSETTI stated he could not support the project as it is now, but that property owners could get together with the developer to work something out that is mutually agreeable.

Planning Manager Kim ESPINOZA stated if the City Council denies the item without prejudice, it could be brought back before a year if there are significant changes.

Council Member PEDROZO agreed that the density should be lowered, and would like the project to come back with options for lower density.

Council Member BLAKE expressed his concern with the current plan, but would potentially support a scaled-back project.

Council Member MURPHY requested the proposed number of occupants be included when the revised project comes before Council.

Director of Development Services David GONZALVES suggested that Council continue the item and allow the developer to come back with a substantially changed project.

Mayor THURSTON opened the Public Hearing at 9:38 p.m.

Kevin CARTER, CNW Developments - briefly reviewed the project and answered City Council questions.

Jenny TROST, Merced - spoke against overturning the Planning Commission's decision.

Eric MOORE, Merced - spoke against overturning the Planning Commission's decision.

Steve GUTIERREZ, Merced - spoke against overturning the Planning Commission's decision.

Wendy BLAINE, Merced - spoke against overturning the Planning Commission's decision.

Karen CRANE-McNAB, Merced - spoke against overturning the Planning Commission's decision.

John BURCHETT, Merced - spoke against overturning the Planning Commission's decision.

Tia MAXON, Merced - spoke against overturning the Planning Commission's decision.

John ANGUS, Merced - spoke against overturning the Planning Commission's decision.

Marilyn OBERA, Merced - spoke against overturning the Planning Commission's decision.

Mike LUEVANO, Merced - spoke against overturning the Planning Commission's decision.

Judy HARSE, Merced - spoke against overturning the Planning Commission's decision.

Brenda TOVAR, Merced - spoke against overturning the Planning Commission's decision.

Delores CRULL, Merced - spoke against overturning the Planning Commission's decision.

William HEISER, Merced - spoke against overturning the Planning Commission's decision.

Gloria ACOBA, Merced - spoke against overturning the Planning Commission's decision.

Lois WELLS, Merced - spoke against overturning the Planning Commission's decision.

Ricky WELLS, Merced - spoke against overturning the Planning Commission's decision.

Peter HOWELL, Merced - spoke against overturning the Planning Commission's decision.

Mayor THURSTON closed the Public Hearing at 10:38 p.m.

Mayor THURSTON re-opened the public hearing at 10:37 p.m.

Kevin CARTER, CNW Developments spoke in favor of the project.

Mayor THURSTON re-closed the Public Hearing at 10:51 p.m.

Meeting went into Recess at 11:25 p.m.

A motion was made by Mayor Thurston, seconded by Mayor Pro Tempore Pedrozo, that this agenda item be tabled. The motion carried by the following vote:

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

L. BUSINESS

L.1. SUBJECT: Appointments - Planning Commission and Regional Airport Authority

REPORT IN BRIEF

Consider reappointing one member to the Planning Commission and one member to the Regional Airport Authority and accepting one nomination and appointing one new member to the Regional Airport Authority.

RECOMMENDATION

City Council - Accept nominations and appoint individuals to serve as members of the Planning Commission and the Regional Airport Authority for a full term.

A motion was made by Council Member Murphy, seconded by Mayor Pro-Tempore PEDROZO, that Alvin Osborn, Jr. be appointed to the Regional Airport Commission. The motion carried by the following vote:

Aye: 6 - Mayor Pro-Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 1 - Mayor Thurston

A motion was made by Council Member Dossetti, seconded by Council Member Belluomini, that Peter Padilla be appointed to the Planning Commission for a second term. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Lor

No: 1 - Council Member Murphy

Absent: 1 - Mayor Thurston

L.2 Request to Add Item to Future Agenda

L.3 City Council Comments

Council Member MURPHY reported he attended the Greater Merced Chamber of Commerce's installation dinner.

Council Member BELLUOMINI requested if there is another way to save the required 36% of water without neglecting the landscape in parks and requested a report back from staff.

Council Member PEDROZO thanked the Streets and Roads department for their work on R street.

M. ADJOURNMENT

The meeting adjourned at 11:49 p.m.

A motion was made by Council Member Murphy, seconded by Council Member Lor, adjourning the meeting to Wednesday, July 8, 2015 at 5:00 p.m. The motion carried by the following vote:

Aye: 6 - Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 1 - Mayor Thurston



CITY OF MERCED

City Council Chambers
Merced Civic Center
2nd Floor
678 W. 18th Street
Merced, CA 95340

Minutes

City Council/Public Finance and Economic Development Authority/Parking Authority

Wednesday, July 8, 2015

5:00 PM

Closed Session Only

Closed Session at 5:00 PM

A. CALL TO ORDER

The Closed Session was called to order at 5:05 p.m.

B. CLOSED SESSION ROLL CALL

All Council Members were present.

C. CLOSED SESSION

- C.1. **SUBJECT:** PUBLIC EMPLOYMENT - Title: City Manager; Authority: Government Code Section 54957
- C.2. **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - Significant Exposure to Litigation: (1) Case; Authority: Government Code Section 54956.9

D. REPORT OUT OF CLOSED SESSION

There was no report out of Closed Session.

E. ADJOURNMENT

With a motion by Council Member MURPHY and a second by Council Member BELLUOMINI and with all in favor, the meeting adjourned at 7:42 p.m.



CITY OF MERCED

City Council Chambers
Merced Civic Center
2nd Floor
678 W. 18th Street
Merced, CA 95340

Minutes

City Council/Public Finance and Economic Development Authority/Parking Authority

Monday, July 20, 2015

7:00 PM

Study Session at 6:00 p.m., Regular Session at 7:00 p.m.

A. STUDY SESSION ROLL CALL

Present: 7 - Mayor Stanley P. Thurston, Mayor Pro Tempore Joshua Pedrozo, Council Member Michael Belluomini, Council Member Kevin Blake, Council Member Tony Dossetti, Council Member Noah Lor, and Council Member Mike Murphy

Absent: 0

B. STUDY SESSION

The Study Session was called to order at 6:01 p.m..

B.1.

SUBJECT: Re-evaluation of the Future Police Building Site

REPORT IN BRIEF

The City Council has indicated an interest in re-evaluating the site that was selected as the City's future Police Headquarters Building.

RECOMMENDATION

City Council - Adopt a motion providing the City Manager with direction regarding the future Police Headquarters Building.

City Manager BRAMBLE gave a brief report on options regarding the sale of the property identified for the new police station site.

City Council Members asked questions relating to the sale of existing property. Deputy City Attorney Ken ROZELL and City Manager BRAMBLE responded.

Mayor THURSTON asked Council if they thought that the public should have more input into the process. Council Member BELLUOMINI suggested that potential sites be identified before the public is encouraged to comment.

Council Members asked additional questions related to the requirements of declaring the site as surplus. City Manager BRAMBLE responded.

Council Member BELLUOMINI suggested that the police headquarters should be located in the downtown area among other criminal justice institutions like the court and sheriff's office.

Council Member BELLUOMINI asked for clarification on the criteria outlined in the staff report.

Council Member BELLUOMINI suggested that staff look into a site at 23rd Street and N Street.

Mayor THURSTON suggested the former Orchard Supply building and the area bordering 16th, Martin Luther King Jr. Street and M Street to K Street.

Council Member LOR suggested 25th Street, 26th Street and M Street, across from Applegate Park, which previously housed clinics.

Council Member DOSSETTI asked Director of Economic Development Frank QUINTERO if there is a proposal in the old Travis Credit Union. Director QUINTERO responded.

Council Member MURPHY suggested the old Yankee Produce factory at West Olive Avenue.

The Study Session adjourned at 6:42 p.m.

A motion was made by Mayor Pro Tempore Pedrozo, seconded by Council Member Belluomini, that this agenda item be adopted. The motion carried by the following vote:

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

C. CALL TO ORDER

The Regular Session was called to order at 7:01 p.m.

C.1. Invocation - Chas Jolly, Member of the Board Congregation Etz Chaim

C.2. Pledge of Allegiance to the Flag

D. ROLL CALL

F. CEREMONIAL MATTERS

F.1. Father of the Year Award - Presented by Paul Lundberg

Council Member DOSSETTI introduced Paul LUNDBERG, coordinator of the Father of the Year award program.

Paul LUNDBERG made a presentation to the essay winner of the Father of the Year, Elliana and her father Nelson ORTIZ.

G. WRITTEN PETITIONS AND COMMUNICATIONS

H. ORAL COMMUNICATIONS

Monica VILLA, Merced - spoke on the election districting process and homeless issues.

I. CONSENT CALENDAR

Adoption of the Consent Calendar may be made by one motion of the City Council, provided that any Councilmember, individual, or organization may request removal of an item from the Consent Calendar for separate consideration. If a request for removal of an item from the Consent Calendar has been received, the item will be discussed and voted on separately.

Approval of the Consent Agenda

A motion was made by Mayor Pro Tempore Pedrozo, seconded by Council Member Blake, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

I.1. **SUBJECT:** Information Only - Economic Development Advisory Committee Minutes of January 27, 2015 and March 31, 2015

This Consent Item was approved.

I.2. **SUBJECT:** Reading by Title of All Ordinances and Resolutions

REPORT IN BRIEF

Ordinances and Resolutions which appear on the public agenda shall be determined to have been read by title and a summary title may be read with further reading waived.

RECOMMENDATION

City Council - Adopt a motion waiving the reading of Ordinances and Resolutions, pursuant to Section 412 of the Merced City Charter.

This Consent Item was approved.

I.4.

SUBJECT: Award Bid to DOD Construction for the CDBG South Merced ADA Ramps Project 115028

REPORT IN BRIEF

Consider awarding a construction contract in the amount of \$105,990 for the installation of handicap access ramps and sidewalks at various locations.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a technical amendment to the 2014 HUD Annual Action Plan in the amount of \$50,000 due to construction costs; and,
- B. Authorizing a transfer from Fund 018-Housing to Fund 450-Streets and Signals CIP in the amount of \$50,000 and appropriating the same to Account 450-1104-637.65-00-Project 115028 South Merced ADA Ramps; and,
- C. Approving the First Amendment to Interdepartmental Cooperative Agreement between the City of Merced Economic Development and Development Services Departments in the amount of \$50,000; and,
- D. Awarding the bid for the CDBG South Merced ADA Ramps Project 115028, to DOD Construction, in the amount of \$105,990; and,
- E. Authorizing the City Manager to execute the necessary documents and to approve change orders not to exceed 10% of the total contract.

This Consent Item was approved.

I.5. **SUBJECT:** Street Sweeping Agreement with Merced Camelot Owners Association

REPORT IN BRIEF

Consider providing street sweeping services to Merced Camelot Owners Association, as the residents pay for refuse services, which include street sweeping

RECOMMENDATION

City Council - Adopt a motion approving an agreement to provide street sweeping to Merced Camelot Owners Association

This Consent Item was approved.

I.6. **SUBJECT:** Purchase a Pierce Quantum Pump Under Cab (PUC) Pumper Fire Engine Utilizing a Government Procurement Program and Waiving the Competitive Bidding Process

REPORT IN BRIEF

Recommends purchasing a Pierce Quantum PUC Pumper Fire Engine from Pierce Manufacturing, Inc., (Pierce) using the Houston-Galveston Area Council Government (HGAC) Cooperative Purchasing Program and waiving the bidding threshold.

RECOMMENDATION

City Council - Adopt a motion:

- A. Authorizing the purchase of one (1) Quantum PUC Pumper Fire Engine from Pierce, with a total purchase price of \$575,203.42, which includes the discount through the HGAC Cooperative Program, factory inspection trips, delivery/dealer preparation, performance bond, contingency fund, 100% pre-payment discount, and 8% sales tax; and,
- B. Waiving the competitive bid requirements, in conformance with Section 3.04.210 of the Merced Municipal Code.

This Consent Item was approved.

I.8. **SUBJECT:** Authority to Sign Addendum and License E-mail Archiving Product

REPORT IN BRIEF

Consider approving an addendum to the City's existing Enterprise

Agreement (EA) contract with Microsoft for e-mail archive product.

RECOMMENDATION

City Council - Adopt a motion approving an addendum to the City's Enterprise Software Agreement with Microsoft by licensing Microsoft's email archiving product (Exchange Online Archiving); and, authorizing the City Manager to sign the necessary documents.

This Consent Item was approved.

I.9.

SUBJECT: Predictive Policing Software Contract

REPORT IN BRIEF

Enter into a contract with Predpol to provide predictive policing software that will assign probabilities of future crime events for \$44,700.00 for three years. The initial payment will be for \$30,000.00 and the next fiscal year payment will be \$14,700.00 for a total of \$44,700.00.

RECOMMENDATION

City Council - Adopt a motion approving the contract with Predpol, and; authorizing the City Manager to execute the necessary documents.

This Consent Item was approved.

I.12.

SUBJECT: Supplemental Appropriation from General Fund, FY 14/15 Fund Balance for Contract City Attorney Services

REPORT IN BRIEF

A supplemental appropriation is required to reimburse Best, Best, & Krieger, Attorneys at Law for services rendered.

RECOMMENDATION

City Council - Adopt a motion authorizing a supplemental appropriation from the General Fund, FY 14/15 Fund Balance to Account 001-0301-512.17-00 (Professional Services) in the amount of \$7,973.90 to reimburse Best, Best, & Krieger, Attorneys at Law for services rendered and not anticipated in the original contract.

This Consent Item was approved.

I.3.

SUBJECT: Award Bid to BMY Construction Group, Inc., for the Wastewater Treatment Plant UV Building Remodel Project 115029

REPORT IN BRIEF

Consider awarding a construction contract in the amount of \$245,543 for the remodel of the WWTP UV Building.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the bid for the Wastewater Treatment Plant UV Building Remodel Project 115029, to BMY Construction Group, Inc., in the amount of \$245,543.00; and,

B. Authorizing the City Manager to execute the necessary documents and to approve change orders not to exceed 10% of the total contract.

Council Member BELLUOMINI pulled this item to ask questions. Principal Architect John SAGIN responded.

A motion was made by Council Member Belluomini, seconded by Mayor Pro Tempore Pedrozo, that this agenda item be adopted. The motion carried by the following vote:

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

I.7. SUBJECT: Citizen Engagement Application Service Contract

REPORT IN BRIEF

Enter into a contract with PublicStuff, and amend a contract with SunGard for a Citizen Engagement Application for \$17,784.29 per year.

RECOMMENDATION

City Council - Adopt a motion approving the PublicStuff contract and approving the SunGard contract amendment for a citizens engagement application; and, authorizing the City Manager to execute the necessary documents.

Council Member MURPHY pulled this item to ask questions.

Information Technology Manager Jeff BENNYHOFF gave a brief presentation on the smart phone application.

City Council Members asked additional questions. Mr. BENNYHOFF answered.

A motion was made by Council Member Murphy, seconded by Council Member Lor, that this agenda item be adopted. The motion carried by the following vote:

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

I.10. SUBJECT: Parking Enforcement on County Parking Lots

REPORT IN BRIEF

Agreement between the City of Merced and Merced County for parking enforcement services on county owned parking lots located within the jurisdiction of the City of Merced.

RECOMMENDATION

City Council/Parking Authority - Adopt a motion approving an agreement with the County of Merced for the Merced Police Department to provide parking enforcement services on all County owned parking lots within the jurisdiction of the City of Merced; and authorizing the City Manager to execute all necessary documents.

City Manager BRAMBLE requested that this item be tabled until a future City Council Meeting.

This Consent Item was tabled.

I.11. SUBJECT: Fahren's Park Assessment District Bond Call

REPORT IN BRIEF

Consider approving Fahren's Park Assessment District early Bond Call.

RECOMMENDATION

City Council - Adopt a motion approving Fahren's Park Assessment District Early Bond Call; and, authorizing the Finance Officer to make the necessary budget adjustments.

Council Member PEDROZO, DOSSETTI and LOR recsued themselves from the vote because they live in the area. Because the vote required a super-majority vote, the City Attorney's Office recommended that the Council table this item for 2 weeks until contact is made with the Fair Political Practices Commission.

A motion was made by Mayor Thurston, seconded by Council Member Blake, that this agenda item be tabled. The motion carried by the following vote:

Aye: 4 - Mayor Thurston, Council Member Belluomini, Council Member Blake, and Council Member Murphy

No: 0

Absent: 0

Abstain: 3 - Mayor Pro Tempore Pedrozo, Council Member Dossetti, and Council Member Lor

J. PUBLIC HEARINGS

J.1.

SUBJECT: Public Hearing - General Plan Amendment #14-04, Revision #2 to the Fahrens Creek Specific Plan, and Site Utilization Plan Revision #4 to Planned Development (P-D) #46 for an approximately 6 acre portion of a 10.42 acre parcel located at the southeast corner of Pacific Drive and Horizons Avenue

REPORT IN BRIEF

Request for City Council approval to change the General Plan, Specific Plan, and Site Utilization Plan designations for a portion of a parcel located at the southeast corner of Pacific Drive and Horizons Avenue to allow the future construction of an apartment complex.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving **Resolution 2015-29**, A Resolution of the City Council of the City of Merced, California, approving a Mitigated Negative Declaration for General Plan Amendment #14-04, Revision #2 to the Fahrens Creek Specific Plan, and Site Utilization Plan Revision #4 to Planned Development (P-D) #46 and approving General Plan Amendment #14-04 and Revision #2 to the Fahrens Creek Specific Plan changing the land use designation from Low Density Residential (LD) to Village Residential (VR) for an approximately 6 acre portion of an approximately 10.42 acre parcel located at the southeast corner of Pacific Drive and Horizons Avenue;
- B. Introducing **Ordinance 2445**, an Ordinance of the City Council of the City of Merced, California, approving Site Utilization Plan Revision #4 to Planned Development (P-D) #46 changing the land use designation from Low Density Residential (LD) to Village Residential (VR) for an approximately 6 acre portion of an approximately 10.42 acre parcel generally located at the southeast corner of Pacific Drive and Horizons Avenue; and,

C. Approving the Developer Agreement and Authorizing the City Manager to execute the necessary documents.

Director of Development Services David GONZALVES made a presentation on the requested General Plan Amendment and Site Utilization Plan Revision.

Council Members asked questions about the project. Director GONZALVES responded.

Mayor THURSTON opened the Public Hearing at 7:58 p.m. John Hindney was called to speak. The Public Hearing was closed at 8:02 p.m.

Council Members asked additional questions. Director GONZALVES answered.

John HINDNEY spoke about the density of the project and requested Council's support.

Katie FENTERS offered to answer any questions.

A motion was made by Council Member Murphy, seconded by Mayor Pro Tempore Pedrozo, that this agenda item be adopted. The motion carried by the following vote:

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

K. BUSINESS

K.1. SUBJECT: Appointment to Fill Vacancy on the Independent Districting Advisory Committee (IDAC)

REPORT IN BRIEF

Consider appointing one candidate to fill a vacancy on the IDAC.

RECOMMENDATION

City Council - Adopt a motion appointing one candidate to the Independent Districting Advisory Committee to fill the seat vacated by Carl Pollard.

A motion was made by Mayor Pro Tempore Pedrozo, seconded by Council Member Blake, to appoint Isabel Sanchez as a replacement member to the

Independent Districting Advisory Committee. The motion carried by the following vote:

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

K.2. Request to Add Item to Future Agenda

Council Member BELLUOMINI requested to have an item placed on the September 8, 2015 meeting agenda to discuss City Council policies and procedures.

K.3. City Council Comments

Council Member MURPHY provided an update on the UC Merced workspace.

Mayor Pro Tempore PEDROZO commented on the McNamara mural project.

L. ADJOURNMENT

Adjourned to 5:30 pm on Wednesday, July 22, 2015

Council Member DOSSETTI adjourned in memory of Ted Eillis, a former police officer in Merced.

The meeting adjourned at 8:22 p.m.

A motion was made by Council Member Dossetti, seconded by Council Member Lor, that this agenda item be adopted. The motion carried by the following vote:

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0



CITY OF MERCED

City Council Chambers
Merced Civic Center
2nd Floor
678 W. 18th Street
Merced, CA 95340

Minutes

City Council/Public Finance and Economic Development Authority/Parking Authority

Wednesday, July 22, 2015

5:30 PM

Closed Session Only

Closed Session at 5:30 PM

A. CLOSED SESSION ROLL CALL

The meeting was called to order at 5:33 p.m.
All Council Members were present with the exception of Mayor
THURSTON who arrived at 5:56 p.m. and Council Member BLAKE who
was absent.

B. CLOSED SESSION

- B.1.** **SUBJECT: PUBLIC EMPLOYMENT** - Title: City Manager; Authority:
Government Code Section 54957

C. REPORT OUT OF CLOSED SESSION

There was no report out of Closed Session.

D. ADJOURNMENT

With a motion by Council Member LOR and a second by Mayor Pro Tem
PEDROZO and with all in favor, the meeting adjourned at 6:09 p.m.



CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

Agenda Item I.4.

Meeting Date: 10/5/2015

SUBJECT: Reading by Title of All Ordinances and Resolutions

REPORT IN BRIEF

Ordinances and Resolutions which appear on the public agenda shall be determined to have been read by title and a summary title may be read with further reading waived.

RECOMMENDATION

City Council - Adopt a motion waiving the reading of Ordinances and Resolutions, pursuant to Section 412 of the Merced City Charter.



ADMINISTRATIVE REPORT

Agenda Item I.5.

Meeting Date: 10/5/2015

Report Prepared by: *Deneen L. Proctor, Director of Support Services, Personnel*

SUBJECT: Revised Job Description and Salary Range for Public Works Director

REPORT IN BRIEF

Consider adopting Resolution revising the Job Description and Salary Range for the Public Works Director to become single incumbent position.

RECOMMENDATION

City Council - Adopt **Resolution 2015-40**, A Resolution of the City Council of the City of Merced, California, amending the personnel allocation in the Public Works Department by deleting one Public Works Director position and amending the Job Description and Salary Range for the Public Works Director.

ALTERNATIVES

1. Approve as recommended; or
2. Deny; or
3. Refer to staff for further study; or
4. Take no action.

AUTHORITY

Article VII, Section 710, of the Merced City Charter, and as recommended by the Merced City Personnel Board at their meeting of July 15, 2015.

CITY COUNCIL PRIORITIES

As provided for in the 2015-16 Adopted Budget.

DISCUSSION

On January 19, 2010, City Council approved the job description and salary range for Public Works Director to allow for two incumbents in the position. This was due to organizational needs and personnel availability at that time. At this time both positions are expected to be vacant and it is recommended that the position be revised back to the single incumbency.

The job description was revised to combine Operations functions and Water Resources and Reclamation functions under a single position. The salary range was reduced in 2010 due to the fact that the responsibility for the department was shared.

The reorganization in 2010 achieved the goals established for the two departments. First, the

operations department was able to improve the efficiency of each organizational unit. Second, the separation of water, sewer, and storm drainage allowed for a greater focus on water resources planning and gaining compliance with the state's storm drainage requirements.

The organizational structure approved in the fiscal year 15-16 budget will add a water engineer position in order to continue the City's water resources planning process. The establishment of the water engineer classification will come before the Council at a later date.

The salary range has been adjusted to reflect the range received prior to the splitting of the position and to reflect any subsequent pay adjustments. The proposed Salary Range is 875 (\$9490.63 - \$11535.92 per month).

IMPACT ON CITY RESOURCES

No appropriations will be necessary.

ATTACHMENTS

1. Resolution and Job Description

RESOLUTION NO. 2015-_____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
AMENDING THE PERSONNEL ALLOCATION IN
THE PUBLIC WORKS DEPARTMENT BY
DELETING ONE PUBLIC WORKS DIRECTOR
POSITION AND AMENDING THE JOB
DESCRIPTION AND SALARY RANGE FOR THE
PUBLIC WORKS DIRECTOR**

THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY
RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. The Classification Plan of the City of Merced is hereby
amended by amending the personnel allocation in the Public Works Department by
deleting one Public Works Director position.

SECTION 2. The Classification Plan of the City of Merced is hereby
amended by amending the job specifications for the position of Public Works
Director at salary range 875. The job description for the Public Works Director
shall be as set forth in Exhibit "A" attached hereto.

PASSED AND ADOPTED by the City Council of the City of Merced at a
regular meeting held on the ____ day of _____ 2015, by the following
vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

Mayor

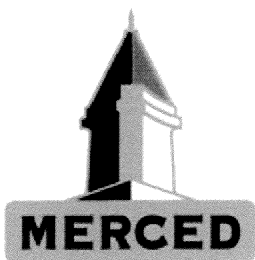
ATTEST:
JOHN M. BRAMBLE, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:
RANDOLPH S. HOM, CITY ATTORNEY

Kelly Fincher 8/13/15
City Attorney Date

**Director of Public Works**

Bargaining Unit: Unrepresented - Executive
Management

Class Code:
2800

CITY OF MERCED
Established Date: Jan 12, 2010
Revision Date: Jun 19, 2015

SALARY RANGE

\$0.00 Hourly
\$0.00 Biweekly
\$0.00 Monthly
\$0.00 Annually

CLASS CONCEPT:
DEFINITION

Under direction of the City Manager, to plan, direct, organize, coordinate, supervise and review the activities of the divisions comprising the Public Works Department; to formulate departmental policies, goals, and directives; to provide highly responsible professional and technical staff assistance to the City Manager on public works matters; to foster cooperative working relationships with citizen groups and other agencies; and, to perform related work as assigned.

DISTINGUISHING CHARACTERISTICS

This is the top level management classification that has responsibility for overall policy development, program planning, fiscal management and operation of assigned divisions comprising the Public Works Department. Incumbents are responsible for developing and implementing department goals, objectives and work standards in addition to furthering City goals and objectives.

REPORTS TO

City Manager

CLASSIFICATIONS SUPERVISED

Exercises direct supervision over management, supervisory, professional, technical, and administrative support personnel.

EXAMPLES OF DUTIES:

(The following is used as a partial description and is not restrictive as to duties required.)

Develops and directs the implementation of goals, objectives, work standards and departmental administrative policies and procedures;

Plans, organizes, coordinates and directs, through subordinate supervisors, specific public works functions of the City;

Works closely with the City Manager, City departments and a variety of public and private organizations to develop programs and implement projects to solve problems related to public works issues;

Interprets City regulations, codes and applicable laws and provides technical assistance to staff and commissions;

Determines priorities, reviews staff work and directs the development of management systems to evaluate policies and operating procedures for overall effectiveness;

Develops the Public Works Department budget and makes presentations justifying expenditure levels; monitors on-going budget expenditures and initiates transfers, as needed;

Confers with and gives guidance to division managers regarding matters affecting employer-employee relations; provides for the selection and termination, work review and professional development of staff;

Coordinates the formulation of long-range planning, including financial and capital improvement programs and budget;

Represents the City and Public Works Department in meetings with public officials, other public agencies and civic groups in order to coordinate, develop and implement projects and programs;

Directs the preparation of and/or personally prepares a variety of complex administrative and technical reports; directs the maintenance of departmental records;

Monitors development related to designated service areas, evaluates their impact on City operations and implements policy and procedure improvements;

Maintains departmental awareness of state-of-the-art developments in management and the fields of Public Works operations;

Ensures work safety requirements and safety training programs are met;

Responds to and resolves citizen inquiries and complaints;

Responds to questions and provides information regarding assigned areas of responsibility; and

Ensures that utility systems and facilities meet State and EPA requirements.

TYPICAL QUALIFICATIONS:

TYPICAL PHYSICAL REQUIREMENTS

Sit for extended periods; frequently stand and walk; normal manual dexterity and eye-hand coordination; lift and move objects weighing up to 25 lbs.; corrected hearing and vision to normal range; verbal communication; use of engineering and office equipment, including computer, telephone, calculator, copiers, and FAX.

TYPICAL WORKING CONDITIONS

Work is performed in an office environment; work may be performed outside in varying temperatures; frequent contact with staff and the public.

Knowledge of:

Methods, equipment (including maintenance, operation and utilization) time, materials, and techniques used in public works maintenance, repair, and construction of facilities.

Principles of public works planning and development.

Budget development, administration, and expenditure control.

Data processing methods, equipment, and principles applicable to public works services and operations.

Federal, State and Local laws, rules, regulations, and policies affecting public works operations and services.

Contract and grant development and administration.

Principles of management, supervision, training and employee evaluation.

Technical, legal, financial and public relations problems involved in the conduct of municipal public works programs.

Methods of preparing designs, plans, specifications, estimates, reports, and recommendations relating to proposed municipal facilities.

Safety regulations related to maintenance and repair of public works facilities.

Guidelines under the Americans with Disabilities Act.

General methods, tools and equipment used in public works operations and maintenance.

Ability to:

Plan, organize, manage, and direct the functions and services of the City's Public Works Department.

Plan, manage, and oversee a variety of services, projects, and programs.

Provide supervision, training and work evaluations for assigned staff.

Provide a variety of consultation to City elected officials, management, and staff.

Develop and administer grants and contracts.

Prepare comprehensive and complex technical reports.

Use a computer and appropriate software in performing management and administrative responsibilities.

Effectively represent the City and the Public Works Department in contacts with the public, other City staff, and other government agencies.

Establish and maintain cooperative working relationships.

Training and Experience:

Any combination of training and experience, which would likely provide the required knowledge and abilities, is qualifying. A typical way to obtain the required knowledge and abilities would be:

Completion of the requirements for a Bachelor's degree from an accredited college or university with major course work in business, engineering, finance, economics, public administration or a related field and five (5) years of increasingly responsible professional Public Works experience with at least three (3) in a Public Works management or supervisory capacity.

May require one or more licenses or professional certifications related to the specific technical discipline(s). May require professional certification within a specific timeframe as mandated by national, state or locally recognized agency.

Special Requirements:

Possession of a valid California driver's license, issued by the Department of Motor Vehicles.

SUPPLEMENTAL INFORMATION:

Reference: City of Merced Personnel Rules and Regulations, Sections 5.05 and 5.07.

The contents of this class specification shall not be construed to constitute any expressed or implied warranty or guarantee, nor shall it constitute a contract of employment. The City of Merced assumes no responsibility beyond the general accuracy of the document, nor does it assume responsibility for any errors or omissions in the information contained herein. The contents of this specification may be modified or revoked without notice. Terms and conditions of employment are determined by the City Manager.



ADMINISTRATIVE REPORT

Agenda Item I.6.

Meeting Date: 10/5/2015

Report Prepared by: John Tresidder, Deputy City Clerk, City Clerk's Office

SUBJECT: Second Reading - Ordinance Dealing with No Parking Zones, Two-Way Stop Intersections, and Stop Sections Designated

REPORT IN BRIEF

Second Reading of previously introduced Ordinance.

RECOMMENDATION

City Council - Adopt **Ordinance 2448**, and Ordinance of the City Council of the City of Merced, California, Amending Section 10.28.230, "No Parking Zones", Section 10.28.370, "Two-Way Stop Intersections", and Section 10.28.380, "Stop Intersections Designated" of the Merced Municipal Code.

ALTERNATIVES

1. Approve, as recommended by the Traffic Committee and staff; or,
2. Approve subject to modifications as conditioned by the City Council; or,
3. Deny; or,
4. Refer back to staff for reconsideration of specific items (to be addressed in the motion); or,
5. Continue to a future meeting (date and time to be specified in the motion.)

AUTHORITY

This request amends the designated no parking zones listed in Merced Municipal Code (MMC) Section 10.28.230. This request also amends the designated two-way stop intersections listed in MMC Section 10.28.370 and all-way stop intersections listed in MMC Section 10.28.380.

The California Vehicle Code (CVC) gives a local body (or official) jurisdiction for traffic control devices, provided the devices are installed in accordance with the State Traffic Manual

ATTACHMENTS

1. Ordinance

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
AMENDING SECTION 10.28.230, “NO PARKING
ZONES,” SECTION 10.28.370, “TWO-WAY STOP
INTERSECTIONS,” AND SECTION 10.28.380,
“STOP INTERSECTIONS DESIGNATED” OF THE
MERCED MUNICIPAL CODE**

**THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN
AS FOLLOWS:**

SECTION 1. AMENDMENT TO CODE. Section 10.28.230, “No Parking Zones”, of the Merced Municipal Code is hereby amended by adding the following portions of the following street:

“Street:

Portion:

South side of Alexander
Avenue

Beginning at the
northwest corner of
672 E. Alexander
Avenue beginning at
the western return of
the driveway entrance,
then westerly 8 feet.

South side of Alexander
Avenue

Beginning at the
northeast corner of 672
E. Alexander Avenue
beginning at the eastern
return of the driveway
entrance, then easterly
8 feet.”

SECTION 2. AMENDMENT TO CODE. Section 10.28.370, “Two-Way Stop Intersections”, of the Merced Municipal Code is hereby amended by adding the following street intersections:

“Approaching Streets
Required to Stop

At Any Entrance
Thereof With

Ballantyne Drive

Laughlin Lane

K Street

West 21st Street”

SECTION 3. AMENDMENT TO CODE. Section 10.28.380, “Stop Intersections Designated”, of the Merced Municipal Code is hereby amended by adding the following street intersection:

“The intersection of East South Bear Creek Drive and
Glen Avenue”

SECTION 4. AMENDMENT TO CODE. Section 10.28.380, “Stop Intersections Designated”, of the Merced Municipal Code is hereby amended by removing the following street intersection:

“Intersection of K Street and West 21st Street”

SECTION 5. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 6. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 7. PUBLICATION. The City Clerk is directed to cause a summary of this Ordinance to be published in the official newspaper at least once within fifteen (15) days after its adoption showing the vote thereon.

///

///

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the ____ day of _____, 2015, and was passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2015, by the following called vote:

AYES: **Council Members:**

NOES: **Council Members:**

ABSTAIN: **Council Members:**

ABSENT: **Council Members:**

APPROVED:

Mayor

ATTEST:
JOHN M. BRAMBLE, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:
RANDOLPH S. HOM, CITY ATTORNEY


City Attorney Date



ADMINISTRATIVE REPORT

Agenda Item I.7.

Meeting Date: 10/5/2015

Report Prepared by: Eugene Drummond, Community Liaison

SUBJECT: Accept and Appropriate Donated Funds for National Night Out Celebration

REPORT IN BRIEF

Accept donation from McLane Company and appropriate funds to offset costs of National Night Out Celebration

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting the donation of \$2,000 from the McLane Company for National Night Out Celebration
- B. Increasing Police revenue account #001-1001-360-01-01 by \$2,000 and appropriating the same in Fund #001-1037-522-29-00 for expenses related to National Night Out.

ALTERNATIVES

1. Approve, as recommended by staff; or,
2. Approve, subject to other than recommended by (identify specific findings and/or conditions amended to be addressed in the motion); or,
3. Deny; or,
4. Refer to staff for reconsideration of specific items (specific items to be addressed in the motion); or,
5. Continue to a future meeting (date and time to be specified in the motion).

AUTHORITY

Charter of the City of Merced, Section 200.

CITY COUNCIL PRIORITIES

The donation of \$2,000 by the McLane Company is in line with the City Council 2015/2016 priorities of establishing Family Friendly Events and Enhancing the Communications and Neighborhood Watch efforts. These two priorities were both accomplished at the National Night Out Celebration, which celebrated law enforcement, neighborhood watch and the community.

DISCUSSION

The National Night Out Celebration is a national celebration that the Merced Police Department participates in annually. The celebration occurs on the first Tuesday in the month of August. This year's celebration occurred on August 4, from 6 to 8 p.m. at Applegate Park. Night National Out is a celebration of law enforcement and the community. Neighborhood Watch is the program that is accented during the celebration.

The coordination of the celebration is done by the Merced Police Department. The back bones of this event are the volunteers from the Kiwanis Kiddie Land, Merced Police Department Explorers Scouts and VIPs. The event is also heavily support by the City of Merced Public Works Department (Trees, Parks, Water, and Building Maintenance).

This year's event received donations from the McLane Company, Safeway, TARGET, ADT, Foster Farms, Food4less, San Joaquin Valley Veterans Project, PEPSICO and Merced County Community Action Agency. The event was also supported by over 30 local organizations and business such as: City of Merced Public Works Department, Lowe's, Milan Institute, Life Line for Healing, Boys & Girls Club, Golden Valley Health Center, Building Healthy Communities, Farmer Insurance, just to name a few.

The donation of \$2,000 by the McLane Company and the additional donations of 1,000 Nutri Grain Bars, 1,600 hot dogs, 1 pallet of water and 2 boxes of Jolly Rancher pops greatly added to this year's event.

The Merced Police Department is grateful to all the donors, volunteers, vendors, staff and citizens who help make the 2015 National Night Out Celebration a celebration Merced can be proud of and can look forward to for many years to come.

IMPACT ON CITY RESOURCES

Accept and increase revenue account line 001-1001-360-01-01 by \$2,000 and appropriate the same into account line 001-1037-522-29-00 for Fiscal year 2015/2016.

ATTACHMENTS

1. Event Flyer

NATIONAL NIGHT OUT



POLICE • COMMUNITY PARTNERSHIPS

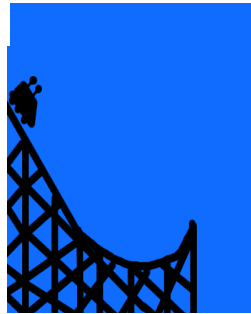
Tuesday, August 4, 2015

6:00-8:00 P.M.

Applegate Park

(In Front of Kiwanis Kiddieland)

Free Kiddieland Rides



Food

FREE FUN FOR THE WHOLE FAMILY!!!

Police & Fire Vehicles * Face Painting * Free Hot Dogs
Recycling Info * Information on Community Resources
Kids Fingerprinting * Public Safety Displays

Be Part of Making a Safer Community JOIN NEIGHBORHOOD WATCH

Join the Merced Police Department, Community Organizations and area Businesses to learn more about crime prevention and public safety awareness.





CITY OF MERCED

Merced Civic Center
678 W. 18th Street
Merced, CA 95340

ADMINISTRATIVE REPORT

Agenda Item J.1.

Meeting Date: 10/5/2015

Report Prepared by: *Kenneth Rozell, Senior Deputy City Attorney, City Attorney's Office*

SUBJECT: Consideration of City Council District Maps Recommended by the Independent Districting Advisory Commission and Determination When Council Members Will Be Elected from New Districts

REPORT IN BRIEF

Review City Council district map recommendations submitted by the Independent Districting Advisory Commission. Through the adoption of an ordinance, the City Council will make its selection of one map for the area of the City north of the Burlington/Santa Fe railroad tracks (three City Council districts) and one map for the area of the City south of these railroad tracks (three City Council districts). In addition, through the adoption of this ordinance, the City Council will determine which three of the new City Council districts will be up for election in 2016 and which three will be up for election in 2018.

RECOMMENDATION

City Council - Adopt a motion introducing **Ordinance 2449**, and Ordinance of the City Council of the City of Merced, California, Adding Chapter 1.17 Entitled "City Council Districts" to the Merced Municipal Code.

ALTERNATIVES

1. Approve modified City Council districts, subject to making one or more findings that the modifications are necessary to ensure full compliance with the California Voting Rights Act or the federal Voting Rights Act and related court decisions.

AUTHORITY

Merced City Charter, Sections 400 and 1000
California Election Code Section 21620

CITY COUNCIL PRIORITIES

Adopting a District Election Map and Ordinance is listed as one of Council's administrative priorities.

DISCUSSION

Background

On November 4, 2014, Merced voters approved an amendment to Section 400 of the City's Charter (Measure T) that changed the way in which members of the City Council will be elected - from an at-large election of Council Members to an election of Council Members by district. Starting in November 2016, three Council Members will be elected from districts by voters residing in those districts. In November 2018, voters in the other three Council Districts will elect representatives to the City Council.

The City Council originally placed Measure T on the ballot as a result of allegations made in April 2014 by the Mexican-American Legal Defense and Education Fund ("MALDEF") that the City's at-large method of electing members of the City Council violated the California Voting Rights Act ("CVRA"). MALDEF indicated it was ready and willing to file suit against the City for violation of the CVRA unless there was an acceptable resolution of the matter.

The City denied MALDEF's allegations, and maintained that its elections have been held in full compliance with all state and federal laws. The City Council, however, directed staff to negotiate a resolution on the matter. On July 7, 2014, the City and MALDEF agreed to a settlement which was executed by the three plaintiffs in the case.

Terms of the settlement included placing a measure on the ballot to change the at-large method of electing Council Members to election by districts and - if the measure passed - the creation of an independent advisory committee on districts to recommend district boundary maps to the City Council.

Committee Formation

Measure T passed in November 2014. From December 22, 2014 to February 3, 2015, the City accepted applications from individuals interested in sitting on the Independent Districting Advisory Committee (the "Committee"). The City received a total of 39 applications, which were then turned over to the Merced County League of Women Voters ("League") for its consideration. After conducting a thorough review of the applications, the League recommended seven candidates who were subsequently appointed by the City Council:

See Lee
Miguel Lopez
Theresa McIntire
Carl Pollard
Kelly Roseman
Shane Smith
Maria Vega

Unfortunately, Carl Pollard resigned his positions due to health reasons in June 2015. The League reconsidered the remaining applicants, and recommended Isabel Sanchez to fill Mr. Pollard's seat. City Council appointed Isabel Sanchez to the Committee at their meeting of July 20, 2015.

Districting Criteria

The settlement agreement provided mandatory criteria for the Committee to follow when considering proposed district maps. The settlement stated:

“...Furthermore, the maps creating six (6) single-member districts shall ensure that there are three districts that are entirely encompassed in the area south of the Burlington Northern Santa Fe Rail Line and three districts that are entirely encompassed in the area north of the Burlington Northern Santa Fe Rail Line...”

Also included in the settlement was the consideration of:

- “(1) Topography,
- (2) Geography,
- (3) Cohesiveness, contiguity, integrity and compactness of territory; and,
- (4) Community of interest of the districts”

as long as that consideration complied with California Elections Code Section 21620, state and federal voting rights laws, and did not disperse Latinos or other minority voters to constitute an ineffective minority or condense those voters to constitute an excessive majority.

To assist the Committee in undertaking the mapping of City Council districts, the City underwent a competitive procurement for consultant services. After a review of the submissions and interviews, staff recommended the selection of National Demographics, Inc. (“NDC”) to facilitate the process. The City Council approved an agreement with NDC at its November 17, 2014 meeting.

Public Outreach & Engagement

The settlement agreement stated that:

“Merced shall actively engage in a program of advertising and outreach activities reasonably calculated to inform and educate city residents regarding the districting process and the work of the Committee and to encourage participation in the Committee’s public meetings.”

City Clerk staff created several educational materials to help inform citizens on the districting process. This included a project-dedicated section on the City’s website, a districting fact sheet and a frequently asked questions flyer. The fact sheet and FAQ were also translated into both Spanish and Hmong. These flyers were available at Committee meetings and distributed at community events.

In late May 2015, the City Clerk’s Office published an RFP for an Outreach/Engagement Consultant to assist with advertising and outreach activities. In June 2015 a contract was signed with Emily Bernard for her services. Ms. Bernard facilitated presentations for many community groups, including:

- All Dads Matter - June 25, 2015
- NAACP leadership - July 2, 2015

- Mt. Pisgah - July 19, 2015
- Kiwanis - July 20, 2015
- NAACP general meeting - July 20, 2015
- League of Women Voters - July 24, 2015
- Kiwanis - July 29, 2015
- Merced Lions - July 30, 2015
- Healthy South Merced - August 5, 2015
- Kiwanis - August 24, 2015
- Rotary - August 25, 2015

Committee members also conducted outreach at community events, including:

- Sacred Heart Church - July 12, 2015
- Food Distribution Site Tri-College - July 17, 2015
- Art Hop - July 18, 2015
- Golden Valley Health Center Block Party - August 14, 2015

Marketing efforts to engage citizens to participate in the districting process included continuous conversations with reporters about meetings and outreach efforts and options for coverage. Articles were published in the Merced Sun-Star on July 8, 2015; July 19, 2015; August 28, 2015; and September 2, 2015. The Merced County Times published a full-page map for use by citizens to submit their comments on boundary locations. The Merced County Times also published a full page ad with the three focus maps and flyer for final meeting. Districting specific messages on the City of Merced's Facebook page were published on July 14, 2015; July 17, 2015; July 20, 2015; July 27, 2015; and August 14, 2015.

Committee Meetings

The settlement agreement included a series of required community meetings:

“The Committee shall hold at least two rounds of public meetings. The first round of public meetings shall consist of at least two public community meetings (one each in the northeast and the southwest regions of Merced) to be held before the district maps are drawn....”

“After the Committee has received draft district maps from a demographer, or community members, and before presenting any recommendation to the City Council, the Committee shall hold a second round of two public meetings (one each in the northwest and southeast regions of Merced).”

The Committee held the following organizing and “first round” meetings:

Thursday, March 19, 2015, 6:00 p.m.	- City Council Chambers
Thursday, April 9, 2015, 6:00 p.m.	- Sam Pipes Room
Thursday, April 16, 2015, 6:00 p.m.	- City Council Chambers
Tuesday, May 5, 2015, 6:30 p.m.	- Tenaya Middle School
Tuesday, May 19, 2015, 6:30 p.m.	- Merced Senior Center
Saturday, May 30, 2015, 2:00 p.m.	- Rivera Middle School

At the meetings, Douglas Johnson of NDC provided an overview of the districting process, the criteria, and how members of the public could become involved and submit comments or information to the Committee. Former Assistant City Clerk Miranda Lutzow served as the City staff representative to the Committee throughout the entire process.

Generally, the meetings lasted two to three hours. The number of attendees at these public meetings ranged between approximately six to 30 members of the public.

The Committee also held the following “round two” meetings:

Tuesday, July 7, 2015, 5:30 p.m.	- Merced Senior Center
Wednesday, July 22, 2015, 5:30 p.m.	- Rivera Middle School
Saturday, August 1, 2015, 2:00 p.m.	- Tenaya Middle School

At these meetings, Douglas Johnson of NDC provided an overview of the maps that had been submitted by citizens and discussed the specific details for each submission. The public then had the opportunity to walk around the room and view the large printed maps, vote using color dot stickers, and complete comment forms. These meetings also lasted two to three hours, but had a higher average attendance of approximately 15 to 35 members of the public.

Aside from public comment at meetings, members of the public could also submit comments about the drawing of district boundaries to the Committee by email, mail, or through the City’s website. Comments could also be submitted through the City Clerk’s Office.

The community outreach and meetings resulted in the submission of 21 public maps and three maps created by NDC.

Recommended District Maps

Committee members met again at City Hall on August 4, August 18, and September 1, 2015 to study the maps in detail with the goal of selecting two maps for recommendation to City Council. The final three meetings had a much higher average attendance, ranging from 24 to 67 participants. Committee members listened to public comments, and requested that NDC make changes to the maps in order to keep neighborhoods together and use major arterial streets as the borders wherever possible. At the conclusion of the September 1 meeting, Committee members voted to submit the Belluomini Map (northern portion only), the Palma map (southern portion only) and the NDC ‘C’ map

(both northern and southern portions) for consideration by City Council.

IMPACT ON CITY RESOURCES

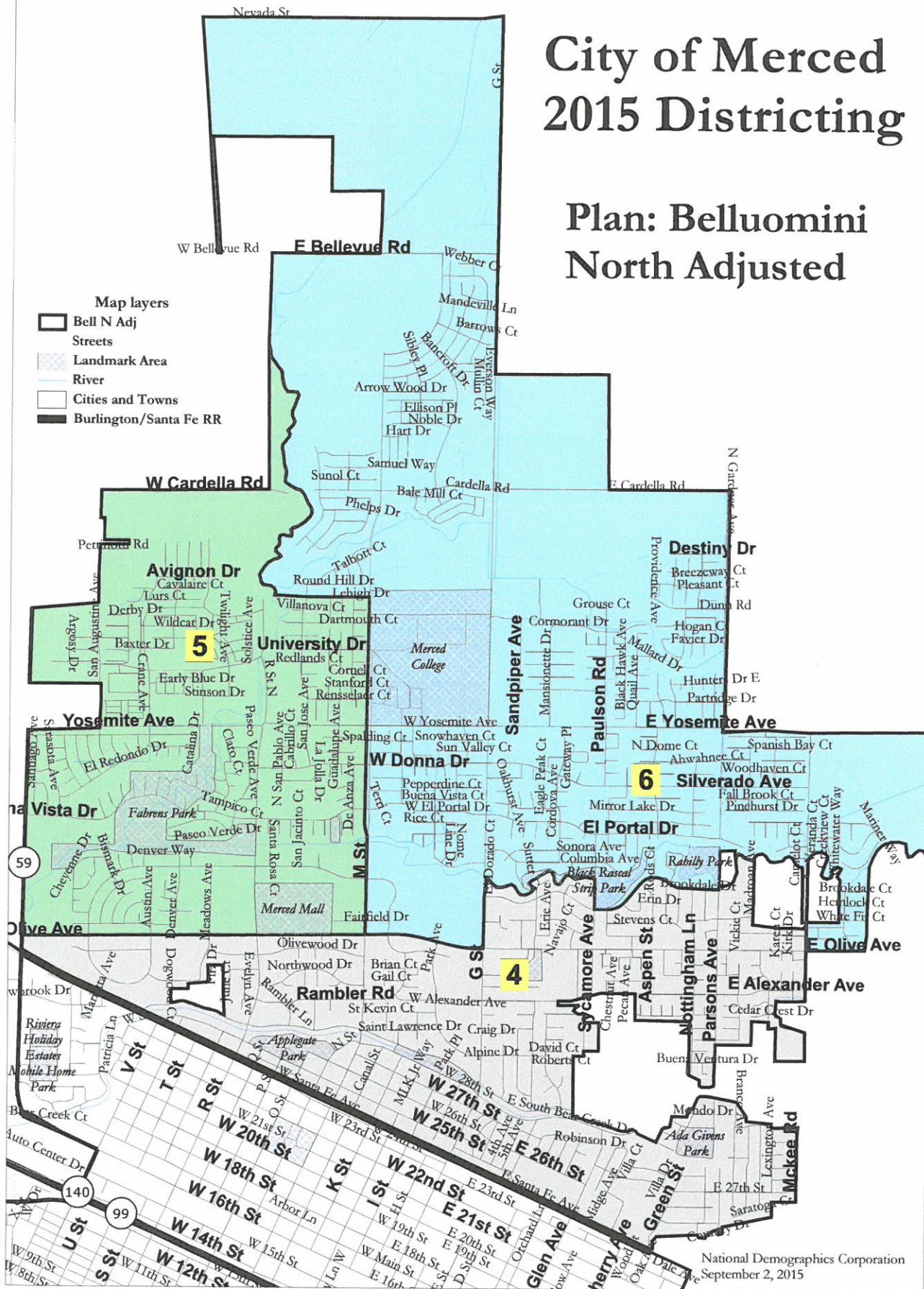
Merced County Elections Office has estimated their fee to integrate the new districts into their existing systems at approximately \$3,000 - \$5,000.

ATTACHMENTS

1. Belluomini North Adjusted Map (north of Burlington/Santa Fe railroad tracks)
2. NDC-C North Adjusted Map (north of Burlington/Santa Fe railroad tracks)
3. NDC-C South Adjusted Map (south of Burlington/Santa Fe railroad tracks)
4. Palma South Adjusted Map (south of Burlington/Santa Fe railroad tracks)
5. Draft Ordinance adopting Districts

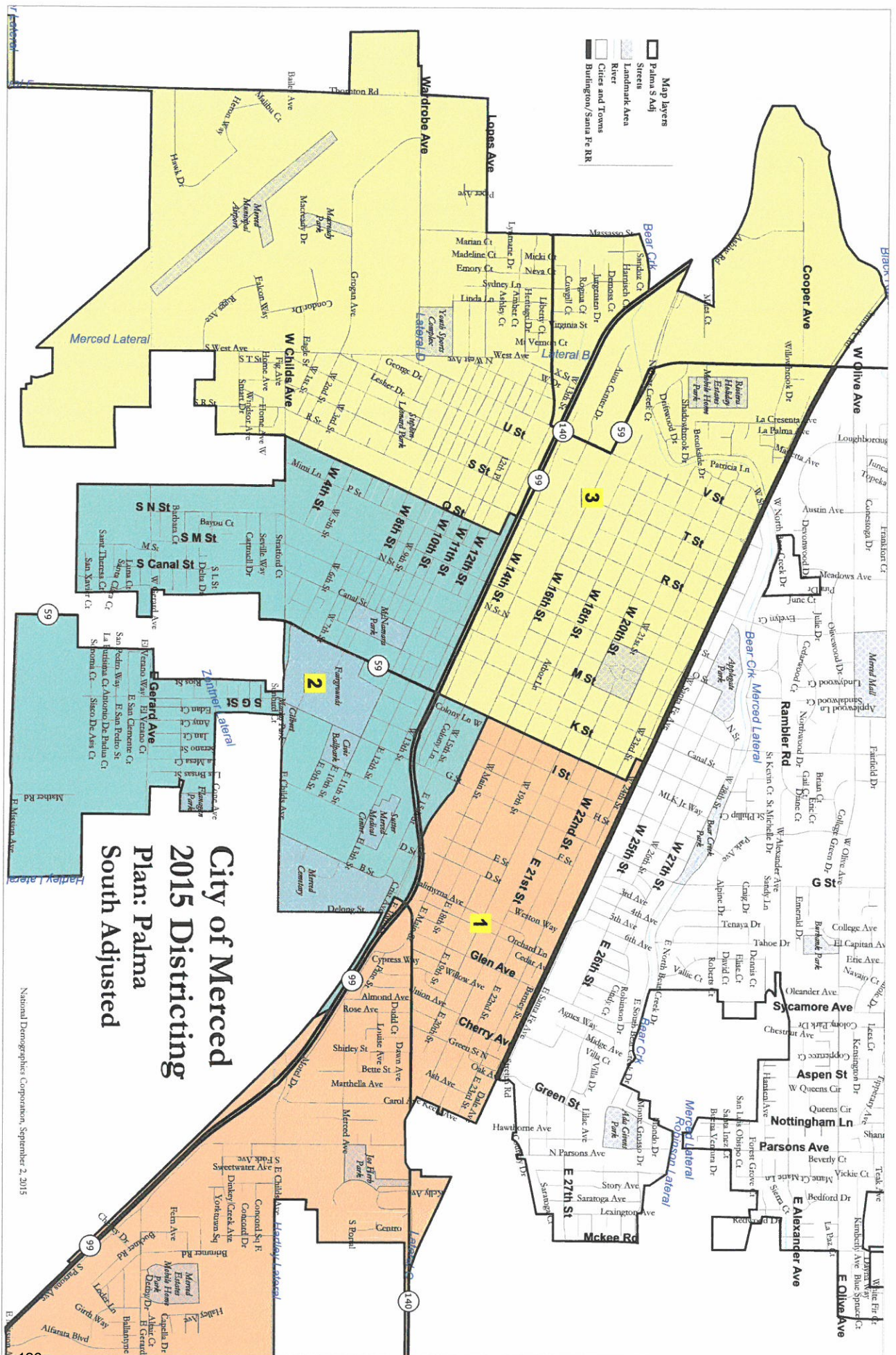
City of Merced 2015 Districting

Plan: Belluomini North Adjusted



Plan: NDC C
North Adjusted





ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA, ADDING
CHAPTER 1.17 ENTITLED “CITY COUNCIL
DISTRICTS” TO THE MERCED MUNICIPAL
CODE**

**THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN
AS FOLLOWS:**

SECTION 1. ADOPTION OF CHAPTER 1.17. Chapter 1.17 “City Council Districts” is added to the Merced Municipal Code to read as follows:

**“CHAPTER 1.17
CITY COUNCIL DISTRICTS**

Sections:

- 1.17.010 Manner of Drawing City Council Districts.**
1.17.020 Drawing of City Council Districts.
1.17.030 Election Dates for City Council Districts.

1.17.010 Manner of Drawing City Council Districts.

Pursuant to Section 400(E) of the Charter, the City is required to draw Council districts by ordinance. Pursuant to Section 400(A) of the Charter, there are to be six single-member districts with the Council Members elected by district and the Mayor elected at-large.

1.17.020 Drawing of City Council Districts.

A. The City Council hereby selects the [*Belluomini North Adjusted* OR *NDC C North Adjusted*] Plan as the boundaries for the three City Council districts for that portion of the City of Merced located north of the

Burlington/Santa Fe Railroad. A true and correct copy of the [*Belluomini North Adjusted* OR *NDC C North Adjusted*] Plan shall remain on file in the City Clerk's Office.

B. The City Council hereby selects the [*NDC C South Adjusted* OR *Palma South Adjusted*] Plan as the boundaries for the three City Council districts for that portion of the City of Merced located south of the Burlington/Santa Fe Railroad. A true and correct copy of the [*NDC C South Adjusted* OR *Palma South Adjusted*] Plan shall remain on file in the City Clerk's Office.

C. City staff is directed to prepared legal descriptions that are consistent with the [*Belluomini North Adjusted* OR *NDC C North Adjusted*] Plan and the [*NDC C South Adjusted* OR *Palma South Adjusted*] Plan and shall forward said legal descriptions to the County of Merced for use in subsequent City of Merced City Council elections. No subsequent City Council action shall be necessary to confirm the validity of these legal descriptions.

1.17.030 Election Dates for City Council Districts

A. The initial election date for District 1 shall be in [*2016* or *2018*] and every four years thereafter.

B. The initial election date for District 2 shall be in [*2016* or *2018*] and every four years thereafter.

C. The initial election date for District 3 shall be in [*2016* or *2018*] and every four years thereafter.

D. The initial election date for District 4 shall be in [*2016* or *2018*] and every four years thereafter.

E. The initial election date for District 5 shall be in [*2016* or *2018*] and every four years thereafter.

F. The initial election date for District 6 shall be in [2016 or 2018] and every four years thereafter.”

SECTION 2. INCORPORATION BY REFERENCE OF CITY COUNCIL DISTRICT MAPS.

A. The [*Belluomini North Adjusted* OR *NDC C North Adjusted*] Plan for the City Council district boundaries north of the Burlington/Santa Fe Railroad is attached hereto as Exhibit A and incorporated herein by this reference.

B. The [*NDC C South Adjusted* OR *Palma South Adjusted*] Plan for the City Council district boundaries south of the Burlington/Santa Fe Railroad is attached hereto as Exhibit B and incorporated herein by this reference.

SECTION 3. FORWARDING CERTIFIED COPY OF ORDINANCE TO COUNTY OF MERCED. City staff is directed to provide a certified copy of this Ordinance to the County of Merced for use in subsequent City of Merced City Council elections.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 5. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 6. PUBLICATION. The City Clerk is directed to cause a summary of this Ordinance to be published in the official newspaper at least once within fifteen (15) days after its adoption showing the vote thereon.

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The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the ____ day of _____, 2015, and was passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2015, by the following called vote:

AYES: **Council Members:**

NOES: **Council Members:**

ABSTAIN: **Council Members:**

ABSENT: **Council Members:**

APPROVED:

Mayor

ATTEST:
JOHN M. BRAMBLE, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:
RANDOLPH S. HOM, CITY ATTORNEY

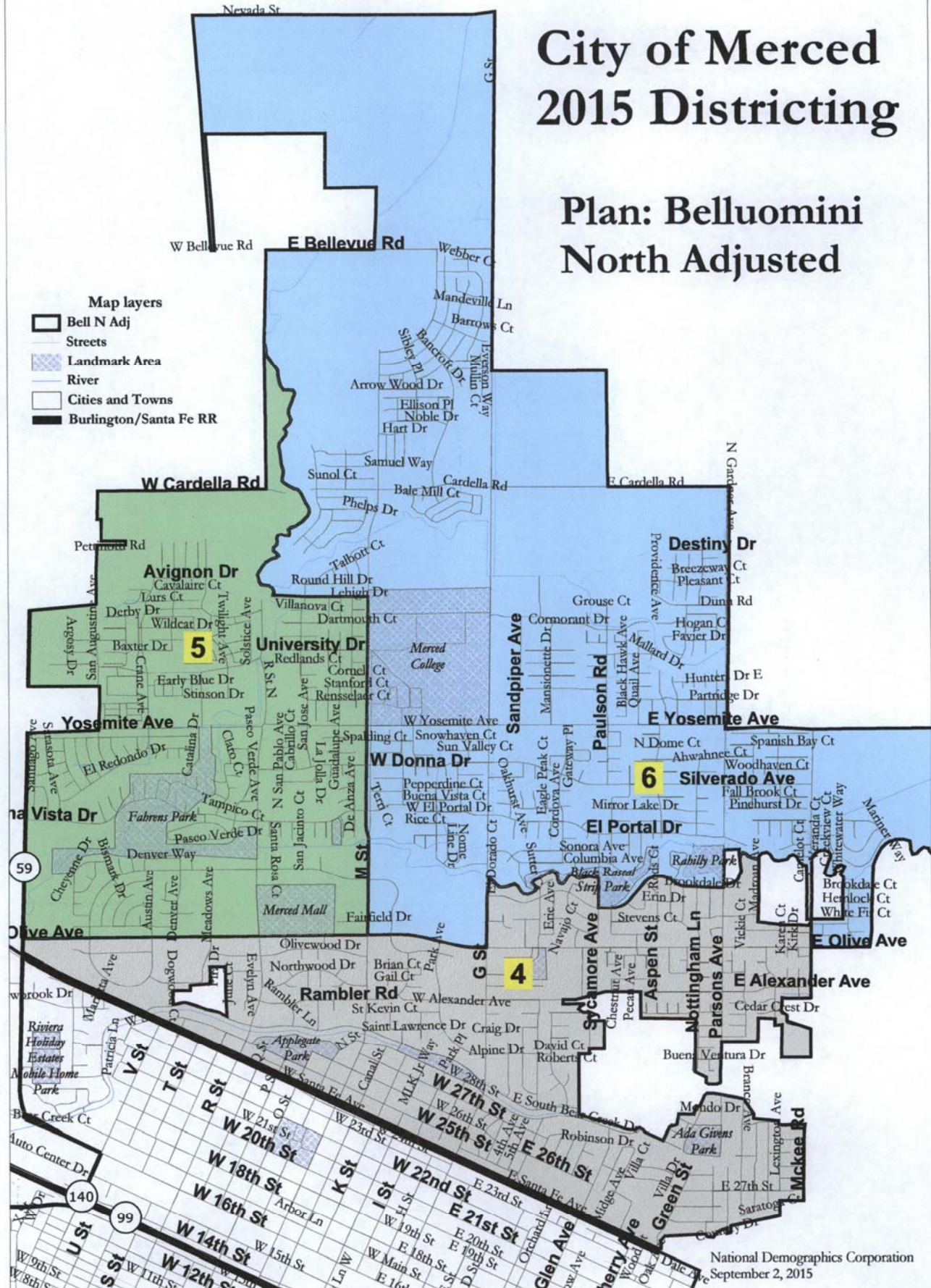
Ra Agel *9/24/15*
City Attorney **Date**

Exhibit A

[Note: Both the Belluomini North Adjusted and NDC C North Adjusted Plans for the City Council district boundaries north of the Burlington/Santa Fe Railroad are attached behind this page for reference purposes only. Once the City Council selects one of the district boundary maps for this area, then that particular map selected by the City Council will be included as Exhibit A in the executed version of this Ordinance.]

City of Merced 2015 Districting

Plan: Belluomini North Adjusted



Plan: NDC C North Adjusted

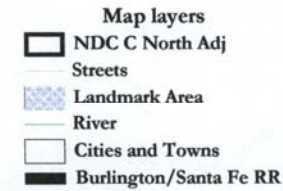
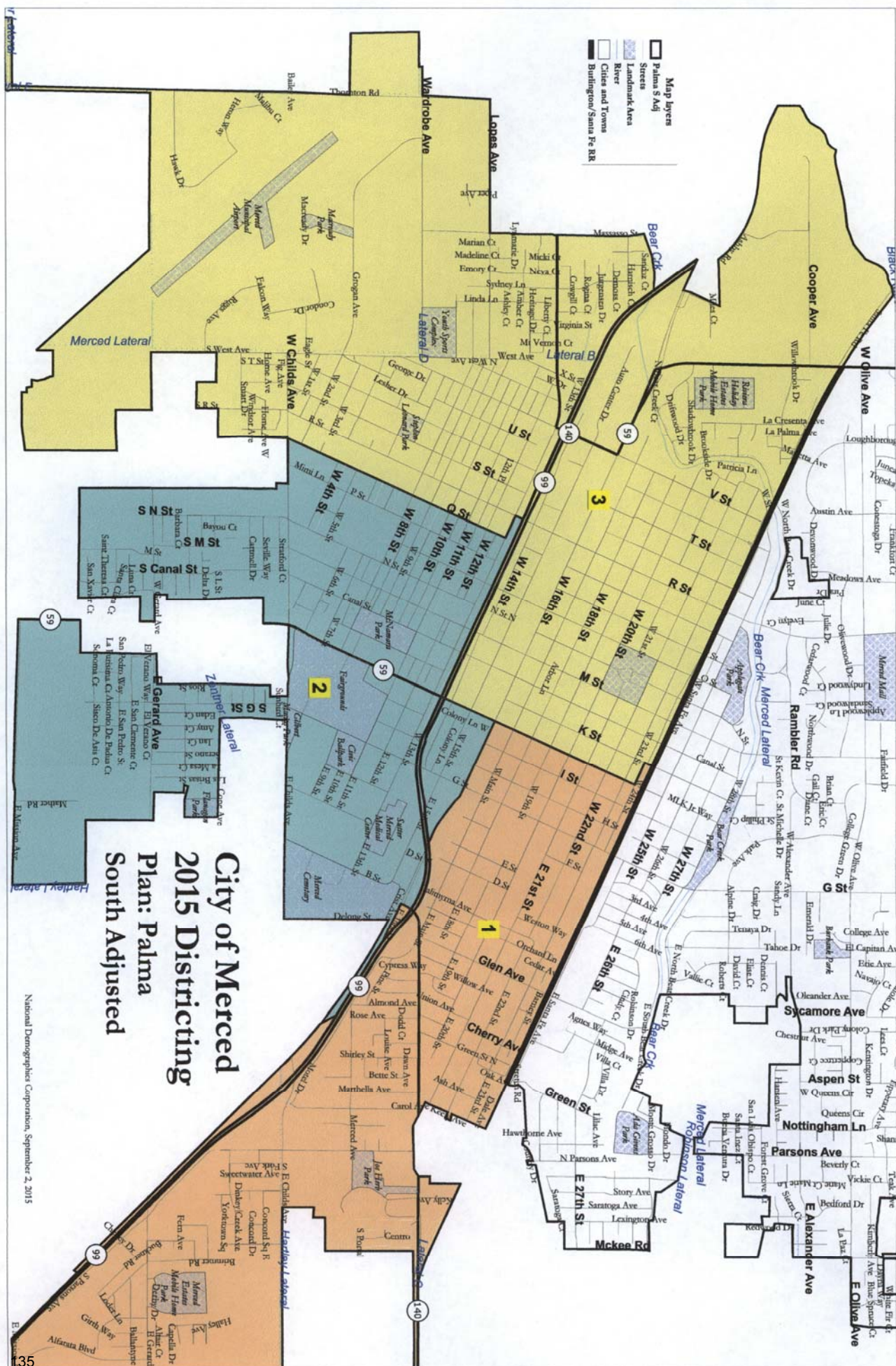
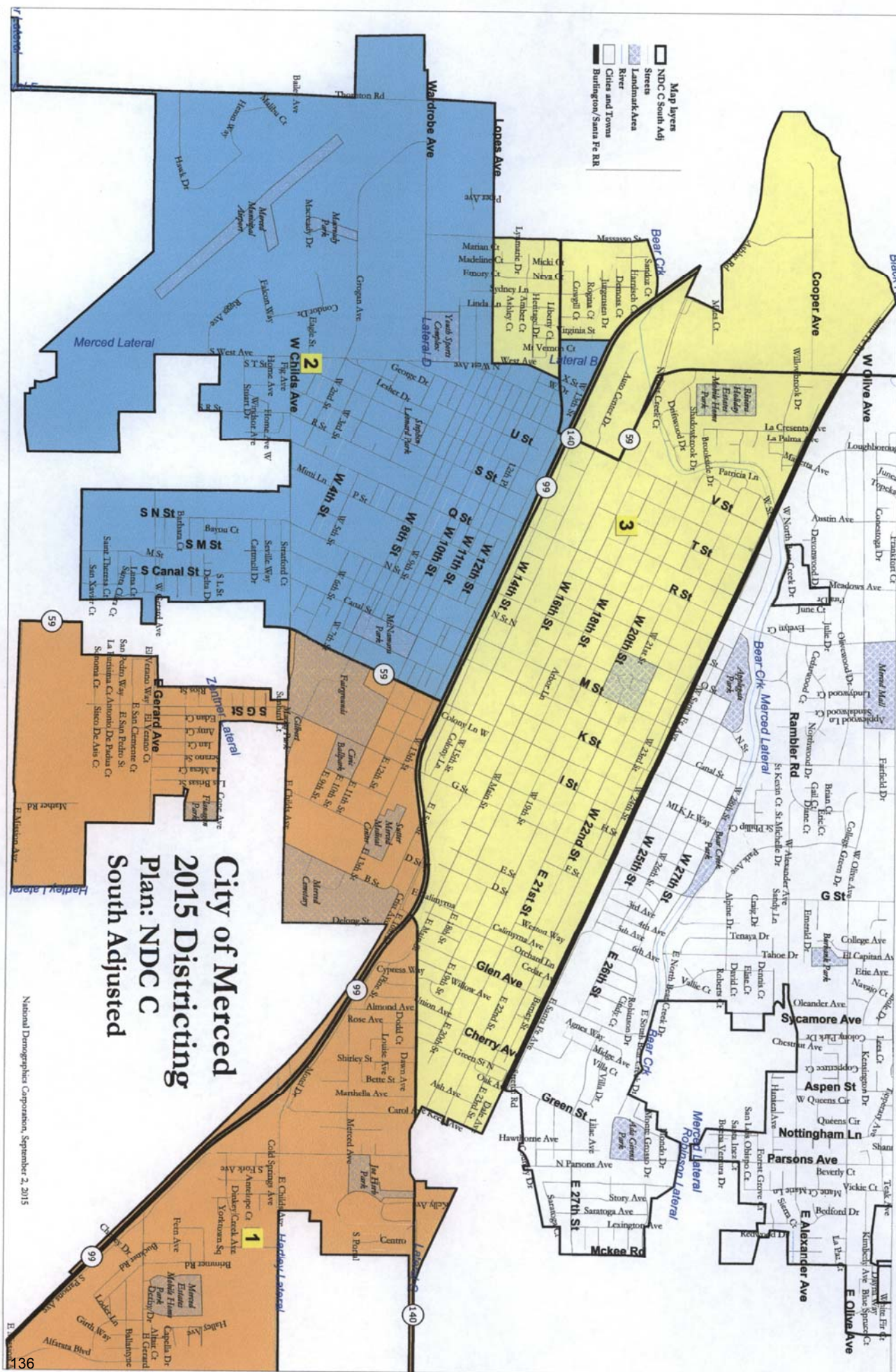


Exhibit B

[Note: Both the NDC C South Adjusted and Palma South Adjusted Plans for the City Council district boundaries south of the Burlington/Santa Fe Railroad are attached behind this page for reference purposes only. Once the City Council selects one of the district boundary maps for this area, then that particular map selected by the City Council will be included as Exhibit B in the executed version of this Ordinance.]







ADMINISTRATIVE REPORT

Agenda Item K.1.

Meeting Date: 10/5/2015

Report Prepared by: Stan Murdock, Director of Public Works Operations

SUBJECT: City of Merced Water Conservation Efforts Update

REPORT IN BRIEF

Report on the efforts made to date by City forces for water conservation.

RECOMMENDATION

Information Only

CITY COUNCIL PRIORITIES

Water Conservation

DISCUSSION

In response to the Governor's Executive Order and the resulting regulations from the State Water Resources Board, the City of Merced Public Works Department has undertaken several steps to conserve our underground water supply. Based on those efforts and the water savings our citizens have accomplished, it is appropriate to update Council on conditions to date.

Council will recall the regulations which arose from the Governor's Executive Order mandated that Merced (along with many other agencies throughout California) reduce monthly water consumption by 36% when compared to the same month in 2013. Merced has exceeded the mandated reduction every month since reporting began in June 2013.

Urban water suppliers that failed to meet the regulatory mandate imposed upon them have been contacted by the State. State intervention can range from a warning letter to a \$10,000 per day fine should an agency violate a Cease and Desist Order.

City Water Use

- Water pumped in millions of gallons in the month of July from 2012 to 2015
 - July 2012 1,163 MGD
 - July 2013 1,197 MGD

- July 2014 1,090 MGD
- July 2015 666 MGD

City Staff Conservation Efforts

Sports Fields and Parks

- Sports fields irrigated twice per week
- Neighborhood Parks - with no organized sports activity
 - 1 time per week irrigation beginning in late June
 - 2 times per week irrigation beginning in mid-August

Medians and Park Strips

- Olive Avenue Median was constructed with drip irrigation system
- Areas converted to drip irrigation (as required in the Executive Order)
 - Yosemite Avenue, R Street to El Redondo
 - Yosemite Avenue, San Jose Avenue to R Street
 - R Street, Donna Drive to Yosemite Avenue
 - G Street, west side north of El Portal Avenue to Yosemite Avenue, (maintenance district)
- Areas yet to be converted
 - G Street, Bear Creek to El Portal Avenue
 - El Redondo, Santa Monica to Sarasota
 - Remaining street landscape strips throughout Merced
 - Conversion throughout remainder of year as staff and budget levels allow

Recycled Water Program

Residents will start seeing City watering trucks on the streets with little purple signs that say: Recycled Water in Use, Do Not Drink.

These trucks will be hauling recycled water to irrigate trees and plants that need an extra drink or two because of the drought. Recycled water is the end-product that comes out of the City's wastewater treatment plant after the water has gone through tertiary treatment with extensive filtering and UV disinfection. The water normally would pour into Hartley Slough and nourish our wetlands, but instead some is going to feed our local landscaping.

The City's Recycled Water Program will be expanding in the near future to allow people in the private sector to take advantage of the water source to irrigate trees, gardens, vegetables and lawns, wash cars or outdoor surfaces such as paths, walls or windows. In addition to the landscape irrigation program, the City will also use it to flush sewer lines and for street sweeping.

Water meters

The City is actively encouraging residents and businesses to conserve water both indoors and out. In May, 2015 the City Council approved spending more than \$3 million to install water meters for the half of Merced homes that did not have meters. A \$2.5 million state grant is helping pay for the meter program. All businesses, industries, parks and medians in the City already have water meters.

A look at water consumption trends in Merced shows that homes without water meters tend to use about twice as much water as those with a water meter.

Since June, the City has installed 6,100 water meters. The conversion to water meters is expected to be completed by Spring 2016.

Other Efforts

- Fire Hydrant Flushing - all water is captured and used on urban forest, primarily Fahrens Park and M Street eucalyptus groves
- Fire Department Exercises - water from exercises is also captured and used for landscaped areas
- Re-use of WWTP effluent is waiting final approval by the California Regional Water Quality Control Board. (anticipated first week of September)
 - Many uses possible, including street sweeping
 - Watering of redwoods and similar tree species
- The City hired a water conservation specialist in 2011 year to educate the residents and enforce its water ordinances. Workshops with the Master Gardeners and extensive media campaigns have helped educate the public on how to save water.
- The City had its first water conservation ordinances in 1992 with an odd-even outdoor watering schedule and other water-saving measures. Last year the Council limited outdoor watering from three days a week to two days a week. Residents with even addresses can water on Tuesdays and Saturdays, those with odd addresses can water on Wednesdays

and Sundays. No outdoor watering can take place between 9 a.m. and 9 p.m.

Summary

After four years of extreme drought, coupled with mandatory reduction in irrigation this year, it is undeniable there have been and continue to be impacts on the urban landscape. A greater than average loss of trees and landscape plantings will continue to occur until the drought is over. Older trees and water loving species may be especially hard hit. The loss among evergreen trees, especially redwoods, will be particularly noticeable; however, in general the urban forest in Merced is in fair to good health.

Redwood trees were often proposed for park development in the past as they are fast growing, attractive trees - which are not truly suited for the environment in Merced. While they will grow here successfully when there is adequate rainfall, they are very sensitive to a lack of rainfall, and as mentioned a significant number of Merced's redwoods will succumb to the drought. More appropriate alternatives are available, and are being recommended by staff, including the Deodor Cedar and the Incense Cedar.

In conclusion, Merced residents and staff alike are to be commended for their swift response to the drought and the Governor's Executive Order this year.

IMPACT ON CITY RESOURCES

Funds are being expended that were not anticipated as part of the annual 2016 FY budget, particularly in the area of irrigation system modification. Complete budget impacts are not known at this time, but will likely cause a reduction in services in other areas of the Parks Maintenance budget.