



CITY OF MERCED

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

Minutes

City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency

Monday, December 4, 2023

6:00 PM

A. CLOSED SESSION ROLL CALL

B. CLOSED SESSION

Mayor SERRATTO called the Closed Session to order at 5:02 PM.

Clerk's Note: Council Member SMITH arrived to Closed Session at 5:04 PM via Teleconference and Council Member ORNELAS arrived to Closed Session at 5:08 PM.

- B.1.** SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Scott McBride; Employee Organizations: Merced Police Officers' Association (MPOA) and Merced Association of Police Sergeants (MAPS). AUTHORITY: Government Code Section 54957.6
- B.2.** SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Scott McBride; Employee Organizations: International Association of Fire Fighters, Local 1479. AUTHORITY: Government Code Section 54957.6
- B.3.** SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Scott McBride; Unrepresented Management AUTHORITY: Government Code Section 54957.6
- B.4.** SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): City Manager Scott McBride; Employee Organizations: American Federation of State, County, and Municipal Employees (AFSCME) Council 57 and Merced Association of City Employees (MACE). AUTHORITY: Government Code Section 54957.6
- B.5.** SUBJECT: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED

LITIGATION Initiation of Litigation Pursuant to Government Code
Section 54956.9 (d)(4): one (1) Potential Case

Clerk's Note: Council adjourned from Closed Session at 5:27 PM.

C. STUDY SESSION ROLL CALL

Clerk's Note: Council Member SMITH was present via teleconferencing.

Present: 7 - Mayor Matthew Serratto, Mayor Pro Tempore Bertha Perez, Council Member Jesse Ornelas, Council Member Sarah Boyle, Council Member Ronnie DeAnda, Council Member Shane Smith, and Council Member Fue Xiong

Absent: 0

D. STUDY SESSION

Mayor SERRATTO called the Study Session to order at 5:31 PM.

D.1.

SUBJECT: Study Session to Discuss Advance Life Support (ALS)
Transport for the City of Merced and Merced County Emergency
Medical Services Agency (MCEMSA) Request for Proposal (RFP)

REPORT IN BRIEF

Study Session to Discuss Advance Life Support (ALS) Transport for the City of Merced and Merced County Emergency Medical Services Agency (MCEMSA) Request for Proposal (RFP).

RECOMMENDATION

Provide staff direction.

Fire Chief Derek PARKER gave a slideshow presentation to discuss the Advance Life Support (ALS) transport for the City of Merced and Merced County Emergency Medical Services Agency (MCEMSA).

Council and Mr. PARKER discussed the details of the hardship waiver, details of obtaining a billing vendor, balance bill, guidelines that the vendor follows, income verification, necessary ambulance personnel, the emergency care response time in Merced County, and the EMS agency report Request For Proposal (RFP) process.

Clerk's Note: There was no formal vote taken, item was for information only.

Clerk's Note: Council adjourned from Study Session at 5:57 PM.

E. CALL TO ORDER

Mayor SERRATTO called the Regular Meeting to order at 6:02 PM.

E.1. Invocation - Pastor Al Schaap, Gateway Church

The Invocation was delivered by Pastor Al SCHAAP of the Gateway Church.

E.2. Pledge of Allegiance to the Flag

Pastor Al SCHAAP led the Pledge of Allegiance to the Flag.

F. ROLL CALL

Clerk's Note: Council Member SMITH was present via teleconferencing.

Present: 7 - Mayor Matthew Serratto, Mayor Pro Tempore Bertha Perez, Council Member Jesse Ornelas, Council Member Sarah Boyle, Council Member Ronnie DeAnda, Council Member Shane Smith, and Council Member Fue Xiong

Absent: 0

F.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, the Public Financing and Economic Development Authority, and the Successor Agency to the Redevelopment Agency. City Council members receive a monthly stipend of \$400.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$100.00 each month as a part of the adopted budget and Resolution 2020-86. The members of the Parking Authority, the Public Financing and Economic Development Authority, and the Successor Agency to the Redevelopment Agency receive no compensation.

G. REPORT OUT OF CLOSED SESSION

There was no report.

H. CEREMONIAL MATTERS

H.1. SUBJECT: Proclamation - Homeless Memorial Day

REPORT IN BRIEF

Accepted by Yamilet Valladolid - Director of Governmental and Community Affairs, Golden Valley Health Centers.

Mayor SERRATTO presented the Homeless Memorial Day Proclamation to representatives from Golden Valley Health Centers.

H.2. SUBJECT: Recognition of Mi Gente Motorcycle Club for the

Community Service Work They Have Done in Merced for Years

REPORT IN BRIEF

Accepted by Mi Gente Motorcycle Club.

Mayor SERRATTO and Council Member ORNELAS recognized Mi Gente Motorcycle Club.

I. WRITTEN PETITIONS AND COMMUNICATIONS

Clerk's Note: Emails were received for the following agenda item and forwarded to Council prior to the meeting.

Oral Communication: Steven DONAHUE and Delia GALLARDO.

J. ORAL COMMUNICATIONS

Clerk's Note: The following comments were received via voicemail.

Gloria GIVENS, Merced - spoke in opposition of the First Responder fee.

Lynn BARRERA, Merced - spoke in opposition of the First Responder fee and issues regarding city beautification and stray animals.

Fernando ECHEVARRIA, Merced - spoke in opposition of the First Responder fee.

Clerk's Note: The following speakers appeared in person.

Christan SANTOS, Representative of Congressman John DUARTE - spoke on the recreation of Yosemite, Christmas festivities, and the issues in the health care communities of rural hospitals.

Rick WENDLING, Merced - spoke on the labor negotiations being held in Closed Session and acts that violate a Council Member's Oath of Office.

Steven GRAHAM, Merced - thanked Council Member ORNELAS for his service, spoke on the Merced Symphony, and the usage of the word "homeless."

Necola ADAMS, Merced - spoke on details of the Jazz Fest event and Nut Festival.

Gloria SANDOVAL, Merced - spoke on details of the Solstice event and

the Human Rights Day event.

Cindy ROSE, Merced - spoke in support of the EMS fire fees.

K. CONSENT CALENDAR

Clerk's Note: There were no items pulled for separate consideration.

Approval of the Consent Agenda

A motion was made by Council Member Boyle, seconded by Council Member Ornelas, to approve the Consent Agenda. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

K.1. **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.

K.2. **SUBJECT:** Information Only Contracts for the Month of November 2023

REPORT IN BRIEF

Notification of awarded Non-Public Works contracts under \$37,000 and of Public Works contracts under \$84,338.

This Consent Item was approved.

K.3. **SUBJECT:** Approval of City Council/Public Financing and Economic Development/Parking Authority/Successor Agency to the

Redevelopment Agency Meeting Minutes of October 2, 2023 and
October 13, 2023

REPORT IN BRIEF

Official adoption of previously held meeting minutes.

RECOMMENDATION

**City Council/Public Financing and Economic
Development/Parking Authority/Successor Agency to the
Redevelopment Agency** - Adopt a motion approving the meeting
minutes of October 2, 2023 and October 13, 2023.

This Consent Item was approved.

K.4.

SUBJECT: Approval to Transfer \$1,000,000 from the Public
Facilities Financing Plan (PFFP) to the Fire Department's Fire
Station # 56 Capital Improvement Project

REPORT IN BRIEF

Considers approving to transfer \$1,000,000 from the Public Facilities
Financing Plan (PFFP) to the Fire Department's Capital Improvement
Project CP090007 for the design of a new Fire Station # 56 in the
general vicinity of Bellevue Rd. / Barclay Ave. Project consists of
designing a new fire station capable of housing one fire engine, one fire
truck, one ambulance, and one command officer as well as an
Emergency Operations Center.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a \$1,000,000 supplemental appropriation from the
unencumbered, unreserved fund balance of Fund 3502-Facilities-Fire
City, and transferring to Fund 5004-Public Safety CIP, and
appropriating to project CP090007 Fire Station #56; and,

B. Authorizing the Finance Officer to make the necessary budget
transfers.

This Consent Item was approved.

K.5.

SUBJECT: Approval of a Second Amendment with SDI Presence

LLC. for Project Management Professional Services of the
Enterprise Resource Planning Software Replacement Project, and
Authorization to Increase the not to Exceed Spending Authority
from \$467,950 to \$940,845

REPORT IN BRIEF

Considers approving the second amendment with SDI Presence LLC.
for project management services and increasing the not to exceed
spending authority from \$467,950 to \$940,845.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving the Second Amendment with SDI Presence LLC.; and,
- B. Authorizing the not to exceed spending authority to SDI Presence
LLC for \$940,845; and,
- C. Authorizing the City Manager or the Deputy City Manager to execute
the necessary Documents; and,
- D. Authorizing the Finance Officer to make the necessary budget
adjustments.

This Consent Item was approved.

K.6.

SUBJECT: Approval of an Early Site Access Agreement with the
Merced County Regional Waste Management Authority
(MCRWMA) for Early Morning Operations at the Highway 59
Landfill in the Amount of \$51,000

REPORT IN BRIEF

Considers approving an Early Site Access Agreement with the
MCRWMA for conducting early morning operations at the Highway 59
Landfill in the amount of \$51,000.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving an Early Site Access Agreement with the Merced County
Regional Waste Management Authority in the Amount not to Exceed

\$51,000; and,

B. Authorizing the City Manager or Deputy City Manager to execute the necessary documents; and,

C. Authorizing the Finance Officer to make the necessary budget transfers.

This Consent Item was approved.

K.7.

SUBJECT: Adoption of a Resolution Setting a Public Hearing on January 2, 2024, for the Annual Compliance Report for Development Impact Fees as Required by Government Code Section 66000 et. seq. and City Council Resolution 88-72

REPORT IN BRIEF

Considers approving to set a Public Hearing for January 2, 2024, to accept public comment and consider approving the annual report regarding the collection and spending of Development Impact Fees.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2023-90**, a Resolution of the City Council of the City of Merced, California, establishing a date when the final annual report of development fees will be available for public review, and setting a Public Hearing thereon for January 2, 2024.

This Consent Item was approved.

K.8.

SUBJECT: Introduction of an Ordinance Amending Sections 10.28.230 "No Parking Zones," 10.28.231, "No Truck Parking Zones," 10.28.275, "Disabled Persons - On-Street Parking," And 10.28.295, "Limited Time Parking Zones - Three Hours" of the Merced Municipal Code

REPORT IN BRIEF

Introducing an Ordinance and considers approving recommendations from the Traffic Committee approving the following: "Additional no parking zone on both the north and south sides of 15th Street, from G Street to approximately 1030 feet east of G Street", "Additional no truck parking zone on the west side of West Avenue from Eagle Street to Riggs Avenue", "Additional disabled persons - on-street parking on the

east side of B Street, approximately 460 feet north of Childs Avenue”, and “Additional limited time parking zones - three hours on the east side of B Street From Childs Avenue to the curve at 15th Street”.

RECOMMENDATION

City Council - Adopt a motion:

A. Introducing **Ordinance 2558**, an Ordinance of the City Council of the City of Merced, California, Amending Sections 10.28.230 “No Parking Zones,” 10.28.231, “No Truck Parking Zones,” 10.28.275, “Disabled Persons - On-Street Parking,” And 10.28.295, “Limited Time Parking Zones - Three Hours” of the Merced Municipal Code; and,

B. Approving recommendations from the Traffic Committee listed above.

This Consent Item was approved.

L. PUBLIC HEARINGS

L.1.

SUBJECT: Public Hearing - Vacation #23-03 - Initiated by Devonwood Apartments, Limited Partnership, for Devonwood 64, Limited Partnership, Property Owner, to Vacate a 64-Foot-Wide Public Utilities Easement (PUE) Located on the South Side of Devonwood Drive, Approximately 450 Feet West of Bannon Lane

REPORT IN BRIEF

Considers adopting a Resolution to order the vacation of a 64-foot-wide Public Utility Easement located on the south side of Devonwood Drive, approximately 450 feet west of Bannon Lane.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2023-91**, a Resolution of the City Council of the City of Merced, California, Ordering the Vacation of a 64-foot wide Public Utilities Easement on the South Side of Devonwood Drive Approximately 450 Feet West of Bannon Lane (Vacation #23-03).

Associate Planner Francisco MENDOZA gave a slideshow presentation on Vacation #23-03 to vacate a 64-foot-wide Public Utilities Easement (PUE).

Mayor SERRATTO opened the Public Hearing at 6:43 PM and subsequently closed the Public Hearing at 6:43 PM due to lack of public comments.

Clerk's Note: There was no Council discussion.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

L.2.

SUBJECT: Public Hearing - Vacation #23-04 - Initiated by Merced City School District, Property Owner, to Vacate a 15-Foot-Wide Public Utilities Easement (PUE) Located at 2111 Wardrobe Avenue, Generally Located on the North Side of Wardrobe Avenue, Approximately 1,360 Feet East of Thornton Road

REPORT IN BRIEF

Considers adopting a Resolution to order the vacation of a 15-foot-wide Public Utility Easement located at 2111 Wardrobe Avenue, generally located on the north side of Wardrobe Avenue, approximately 1,360 feet east of Thornton Road.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2023-92**, a Resolution of the City Council of the City of Merced, California, Ordering the Vacation of a 15-foot wide Public Utilities Easement Located at 2111 Wardrobe Avenue, Generally Located on the North Side of Wardrobe Avenue, Approximately 1,360 Feet East of Thornton Road (Vacation #23-04).

Associate Planner Francisco MENDOZA gave a slideshow presentation on Vacation #23-04 to vacate a 15-foot-wide Public Utilities Easement (PUE).

Mayor SERRATTO opened the Public Hearing at 6:49 PM and subsequently closed the Public Hearing at 6:49 PM due to lack of public comments.

Clerk's Note: There was no Council discussion.

A motion was made by Council Member Boyle, seconded by Council Member Ornelas, that this agenda item be approved. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

M. REPORTS

M.1.

SUBJECT: Report on the Merced Applegate Zoo and Adoption of a New Zoo Logo

REPORT IN BRIEF

Report on the Merced Applegate Zoo and the considers adopting a new zoo logo.

RECOMMENDATION

City Council - Adopt a motion adopting the new Merced Applegate Zoo logo.

Parks and Community Services Director Christopher JENSEN and Recreation Supervisor Michelle REID gave a slideshow presentation on updates of the Merced Applegate Zoo and the adoption of a new Zoo logo.

Council and Mr. JENSEN discussed the new Zoo logo, details of the revenue, the potential of bringing the Zoological Society, involving community organizations, renovation efforts, and timeline for engineering designs.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

N. BUSINESS

- N.1.** **SUBJECT:** Direction on the Format and Dates for the 2024 Community Town Halls and Strategic Planning Session to Provide Input on the Development of the Fiscal Year 2024/25 Budget

REPORT IN BRIEF

Seeks direction on the format and dates for the 2024 Community Town Halls and Council Strategic Planning Session to provide input on the development of the fiscal year 2024/25 Annual Budget.

RECOMMENDATION

Provide staff with dates for three Community Town Hall meetings and direction on the format and preferred dates for the Strategic Planning Session.

Council discussed the format and dates for the 2024 Town Halls and the Strategic Planning Session.

Council agreed on three (3) in-person Town Hall meetings on January 23th in the Central Merced location, January 29th in the North Merced location, and February 15th in the South Merced location; and a Strategic Planning Session on February 24th located at the Civic Center in the Sam Pipes room.

Clerk's Note: There was no formal vote taken, item was for information only.

- N.2.** **SUBJECT:** Council Member Ornelas' Request for an Update from the South Merced Subcommittee

REPORT IN BRIEF

Council Member Ornelas' request for an update from the South Merced subcommittee.

RECOMMENDATION

Provide direction to staff on the next steps.

Council Member ORNELAS gave a brief update on events from the South Merced Subcommittee.

Council and City Manager Scott MCBRIDE discussed potential grants, creating a tourist zone, parks and social zones in South Merced, outside Government entities being involved, concerns with public services and facilities, the traffic issues around Alicia Reyes Elementary School, communicating with South Merced residents, community outreach, a potential Town Hall, Senate Bill 244 updates, and details of the city-wide Community Facilities Districts.

Robert DYLINE, Merced - spoke on future development in South Merced.

Monica SOTELO, Merced - spoke in support for a Town Hall in South Merced to address the concerns of residents.

Council, Mr. MCBRIDE, and Deputy City Manager Frank QUINTERO discussed updates on a grocery store in South Merced, funding for commercial units, and continuing to work on city-wide issues.

Clerk's Note: There was no formal vote taken, item was for information only.

N.3. **SUBJECT:** Request to Add Item to Future Agenda

REPORT IN BRIEF

Provides members of the City Council to request that an item be placed on a future City Council agenda for initial consideration by the City Council.

Council Member XIONG requested to view the Request for Proposal (RFP) for the Emergency Medical Services billing vendor.

Mayor SERRATTO requested an update on storm preparation efforts for the December 18, 2023 Council meeting.

Mayor SERRATTO and City Manager Scott MCBRIDE agreed for staff to give a brief verbal update.

N.4. **SUBJECT:** City Council Comments

REPORT IN BRIEF

Provides an opportunity for the Mayor and/or Council Member(s) to make a brief announcement on any activity(ies) she/he has attended on behalf of the City and to make a brief announcement on future community events and/or activities. The Brown Act does not allow discussion or action by the

legislative body under this section.

Council Member BOYLE reported on attending the Christmas Parade and the Not So Silent Night event.

Council Member ORNELAS reported on attending the Christmas Parade and stated he will be attending the Parent Leadership Training Institute, Human Rights event, and the Performing Arts Fundraiser.

Council Member DEANDA reported on attending the Christmas Parade.

Council Member SMITH reported on attending the Christmas Parade.

Mayor SERRATTO thanked everyone for organizing the Christmas Parade, the organizations donating turkeys and food, reported on attending the High Speed Rail meeting, congratulated the Economic Development department for announcing the arrival of Chic-Fil-A, and thanked Interim City Attorney Brian DOYLE for all his work in the City.

O. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 9:23 PM.

A motion was made by Council Member Boyle, seconded by Council Member Ornelas, that this Regular Meeting be adjourned. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0