



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, November 20, 2023

6:00 PM

A. CLOSED SESSION ROLL CALL

- Present:** 6 - Mayor Matthew Serratto, Mayor Pro Tempore Bertha Perez, Council Member Sarah Boyle, Council Member Ronnie DeAnda, Council Member Shane Smith, and Council Member Fue Xiong
- Absent:** 1 - Council Member Jesse Ornelas

B. CLOSED SESSION

Mayor SERRATTO called the Closed Session to order at 5:01 PM.

Clerk's Note: Council Member XIONG arrived to Closed Session at 5:25 PM.

- B.1.** **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Reynaldo Alvarez v. City of Merced; Workers' Compensation Appeals Board Case Number 20811501; AUTHORITY: Government Code Section 54956.9(d)(1)
- B.2.** **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Joseph Weiss v. City of Merced; Workers' Compensation Appeals Board Case Number 17665265; AUTHORITY: Government Code Section 54956.9(d)(1)
- B.3.** **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.4.** **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.5. SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Scott McBride; Unrepresented Management AUTHORITY: Government Code Section 54957.6

B.6. 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.7. SUBJECT: PUBLIC EMPLOYEE APPOINTMENT - TITLE: City Attorney; AUTHORITY: Government Code 54957

Clerk's Note: Council adjourned from Closed Session at 5:50 PM.

C. CALL TO ORDER

Mayor SERRATTO called the Regular Meeting to order at 6:00 PM.

C.1. Invocation - Pastor Joel Dorman, First Baptist Church

The Invocation was delivered by Pastor Joel DORMAN of the First Baptist Church.

C.2. Pledge of Allegiance to the Flag

Pastor Joel DORMAN led the Pledge of Allegiance to the Flag.

D. ROLL CALL

Present: 6 - Mayor Matthew Serratto, Mayor Pro Tempore Bertha Perez, Council Member Sarah Boyle, Council Member Ronnie DeAnda, Council Member Shane Smith, and Council Member Fue Xiong

Absent: 1 - Council Member Jesse Ornelas

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, 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.

E. REPORT OUT OF CLOSED SESSION

Mayor SERRATTO stated, "The report is that on a 5/0/0 vote the City Council has appointed Craig CORNWELL as the City Attorney effective December 5, 2023, and to that end I entertain a motion to move Agenda Item L.1. to this point."

A motion was made by Mayor Pro Tempore Perez, seconded by Council Member Boyle, to move Agenda Item L.1. to be heard. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member Ornelas

L.1.

SUBJECT: Approval of the City Attorney's Employment Agreement for a Term of Three Years and Adoption of a Resolution to Establish the Publicly Adopted Pay Scale for the City Attorney

REPORT IN BRIEF

Considers approving the City Attorney's Employment Agreement for a term of three years and adoption of Resolution 2023-89 to establish the publicly adopted pay scale for the City Attorney.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the City Attorney's Employment Agreement for a term of three years; and,

B. Adopting **Resolution 2023-89**, a Resolution of the City Council of the City of Merced, California, appointing Craig Cornwell as City Attorney and approving an Employment Agreement therefore, including annual compensation of \$250,000, plus one-time relocation benefits of \$15,000, and other conditions of employment; and,

C. Authorizing staff to submit the adopted Resolution to the California Public Employees' Retirement System (CalPERS) for confirmation of annual salary amounts and pay scales; and,

D. Authorizing the Mayor to execute the necessary documents; and,

E. Authorizing the Finance Officer to make necessary budget adjustments.

Clerk's Note: A motion was made to move Agenda Item L.1. to be heard after Agenda E.

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member Ornelas

Mayor SERRATTO thanked Interim City Attorney Brian DOYLE for all his work with the City.

Council and newly appointed City Attorney Craig CORNWELL discussed his future service in Merced.

F. CEREMONIAL MATTERS

F.1. **SUBJECT:** Proclamation - Small Business Saturday

REPORT IN BRIEF

Accepted by members of the Property Based Improvement District Formation Committee.

Mayor SERRATTO presented the Small Business Saturday Proclamation to representatives of the Property Based Improvement District Formation Committee.

F.2. **SUBJECT:** Proclamation - National Diabetes Day

REPORT IN BRIEF

Accepted by Lauren Figg, an advocate for National Diabetes.

Mayor SERRATTO presented the National Diabetes Day Proclamation to Lauren FIGG of the Insulin 4 All.

F.3. **SUBJECT:** Certificate for Participants that Completed the Community Emergency Response Team (C.E.R.T.) Basic Course

REPORT IN BRIEF

Accepted by participants of the Community Emergency Response Team (C.E.R.T.) Basic Course.

Mayor SERRATTO and members of the Fire Department presented the Community Emergency Response Team (CERT) certificate to participants of the basic course.

F.4.

SUBJECT: Recognition of The Merced County Disc Golf Club for Their Donation of Labor and Materials in the Value of \$4,999 and Continued Support of Disc Golf in the City of Merced

REPORT IN BRIEF

Accepted by the Merced County Disc Golf Club (MCDGC). The Department of Parks & Community Services would like to recognize the MCDGC for their donation of labor and materials in the value of \$4,999.

Mayor SERRATTO presented a Certificate of Recognition to the Merced County Disc Golf Club for their donation to the City of Merced.

G. WRITTEN PETITIONS AND COMMUNICATIONS

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

Oral Communication: Lisa CHAVEZ, Joette COTTA, Sebastien CSAPO, and Jerry PEREZCHICA.

Agenda Item I.9.: Greg TERZAKIS.

Agenda Item J.1.: Lydia DODSON, Larrae IENCARELLI, Charla MILLER, Warren WESTERBERG, Jean WILLIAMS, and Marie WILSON.

H. ORAL COMMUNICATIONS

Jason SALTERS, Merced - spoke on contract union negotiations and issues with retention.

Cindy KELLY, Society for the Prevention of Cruelty of Animals (SPCA) President, Merced - spoke on focusing on education to community on the Trap and Release Program and statistics on what the SPCA has done.

Rick WENDLING, Merced - spoke on federal funds, public employees

salaries, and Council Members violating their Oath of Office.

Christan SANTOS, Merced - spoke on the Veterans Day Parade and the negotiations at Washington D.C.

Jerry RED, President of MACE Union, Merced - spoke on looking forward to working with Council with labor negotiations.

Nathan QUEVEDO, Merced - spoke on the Annual Gateway to Yosemite 5K, thanked City of Merced Police Department, and the benefits this event has for the Parks in Merced.

Japjeet SINGH UPPAL, Merced - spoke on a cease fire Resolution.

Greg ZUNIGA, Merced - asked Council to allocate funds to two Designated Green Spaces/Parks in North Merced.

Louis SMITH, Merced - spoke on circulating a petition on train passing on G Street.

I. CONSENT CALENDAR

Agenda Items I.8. Award Bid to the Low Bidder, Day's Generator Service, Inc., for the Replacement of the Generators at Well Site 3 and Well Site 10R2, Project Number CP180018, Awarding a Construction Contract in the Amount of \$956,661, I.9. Adoption of a Resolution Amending the Regional Housing Needs Allocation Unit Production Plan Including a Schedule for In-Lieu Fees, I.10. Adoption of a Resolution Approving Final Map #5406 for the Renaissance II, Subdivision for 5 Large Lots, Generally Located North of Merced Avenue, East of Coffee Street, I.11. Adoption of a Resolution Approving Final Map #5407 for Renaissance 154, Phase 1 Subdivision for 30 Single-Family Lots, Generally Located North of Merced Avenue, West of Coffee Street Avenue and the Approval of the Subdivision Agreement for the Renaissance 154, Phase 1 Subdivision, and I.12. Adoption of a Resolution Approving Final Map #5411 for Renaissance 154, Phase 2 Subdivision for 31 Single-Family Lots, Generally Located North of Merced Avenue, West of Coffee Street Avenue and the Approval of the Subdivision Agreement for the Renaissance 154, Phase 2 Subdivision; were pulled for separate consideration.

Approval of the Consent Agenda

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member Ornelas

I.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.

I.2. SUBJECT: Authorization to Accept \$112,000 in Grant Funds from the California Office of Traffic Safety to Conduct DUI Checkpoints, DUI Saturation Patrols, Traffic Safety Enforcement, Distracted Driving Enforcement, Motorcycle Enforcement, Pedestrian/Bicycle Enforcement, Street Racing Enforcement, and Educational Presentations, Along with Funds for Attending Training and Funds for Checkpoint Supplies as Part of the 2023 California Office of Traffic Safety Traffic Enforcement Program Grant

REPORT IN BRIEF

Considers accepting grant funding from the California Office of Traffic Safety offered to the Merced Police Department in the amount of \$112,000 from the Traffic Enforcement Program Grant to conduct DUI Checkpoints, DUI Saturation Patrols, Traffic Safety Enforcement, Distracted Driving Enforcement, Motorcycle Enforcement, Pedestrian/Bicycle Enforcement, Street Racing and Sideshow Enforcement, Educational Presentations; and, to purchase checkpoint supplies, and to attend training related to alcohol enforcement.

RECOMMENDATION

City Council - Adopt a motion:

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- A. Accepting the 2023 California Office of Traffic Safety Traffic Enforcement Program Grant in the amount of \$112,000; and,
 - B. Approving the use of pooled cash until grant funds are reimbursed; and,
 - C. Authorizing the Merced Police Department, the City Manager or Designee to execute all necessary documents.

This Consent Item was approved.

I.3.

SUBJECT: Adoption of Resolution Acknowledging Receipt of the Merced Fire Department's Annual State Mandated Inspection Compliance Report Regarding the Inspection of Certain Occupancies for the Reporting Period of October 1, 2022, Through September 30, 2023, Pursuant to California Health and Safety Code §13146.4

REPORT IN BRIEF

Considers adopting a Resolution acknowledging receipt of the Merced Fire Department's Annual Compliance Report regarding performance of annual inspections pursuant to California Health and Safety Code (HSC) §13146.4.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2023-84**, a Resolution of the City Council of the City of Merced, California, Acknowledging Receipt of a Report Made by the Fire Chief of the Merced Fire Department Regarding the Inspection of Certain Occupancies Required to Perform Annual Inspections in such Occupancies Pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code.

This Consent Item was approved.

I.4.

SUBJECT: Approval to Waive the Competitive Bid Process for Rugged Mobile Computers Solutions to Allow for the Cooperative Purchase with Competitively Bid Contract; (Omnia City of Tucson Contract #226017-02 Panasonic North America Connect) Through Vendors Academic Technologies, Adwar Video, ARC, CDS Office Technologies, Code3 Technology, Diversified, GovDirect, Law and Order Technology, LLC, LEHR, MCT, Route1, Rugged Depot,

Turn-Key Mobile, Prologic ITS in a not to Exceed Amount of \$95,000 per Fiscal Year for the Length of the Omnia Contract, Expiring on April 13, 2025

REPORT IN BRIEF

Considers approving to waive the competitive bid process for rugged mobile computers solutions to allow for the cooperative purchase with competitively bid contract; (Omnia City of Tucson Contract #226017-02 Panasonic North America Connect) Through Vendors Academic Technologies, Adwar Video, ARC, CDS Office Technologies, Code3 Technology, Diversified, GovDirect, Law and Order Technology, LLC, LEHR, MCT, Route1, Rugged Depot, Turn-Key Mobile, Prologic ITS in a not to exceed amount of \$95,000 per fiscal year for the length of the Omnia Contract, expiring on April 13, 2025.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving to waive the competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code due to piggybacking; and,
- B. Approving piggybacking onto the City of Tucson contract 226017-02 expiring April 13th, 2025 for a not to exceed amount of \$95,000 per fiscal year; and,
- C. Authorizing the City Manager or 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.

I.5.

SUBJECT: Approval of a Supplemental Appropriation in Fund 7009-Computer Replacement in the Amount of \$138,474 for the Replacement of Computers That Have Reached Their End of Useful Life

REPORT IN BRIEF

Considers approving a Supplemental Appropriation in Fund 7009-Computer Replacement in the amount of \$138,474 for the Replacement of Computers that have reached their End of Useful Life.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a supplemental appropriation from the unreserved, unencumbered fund balance in Fund 7009-Computer Replacement in the amount of \$138,474 and appropriate the same for replacing end-of-life technology assets; and,
- B. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- C. Authorizing the City Manager or designee to execute the necessary documents.

This Consent Item was approved.

I.6.

SUBJECT: Approval of First Amendments to Renew the Professional Service Agreements with NV5 (Geotechnical Engineering, Construction Observation, Materials Testing, and Traffic Engineering), Quad Knopf, Inc., (Surveying), JLB Traffic Engineering (Traffic Engineering), and Approval of Second Amendments to Renew the Professional Services Agreements to Advanced Mobility Group (Traffic Engineering), North Star Engineering (Civil Design, Engineering and Surveying), and O'Dell Engineering (Civil Design, Engineering and Surveying), and Approval of First Amendments to Renew and Increase Compensation to Professional Service Agreements with BSK Associates (Geotechnical Engineering, Construction Observation, and Materials Testing), Crawford & Associates (Geotechnical Engineering, Construction Observation, and Materials Testing), and Dokken Engineering (Civil Design and Engineering)

REPORT IN BRIEF

Considers approving multiple Professional Services Agreement Amendments for Geotechnical Engineering, Traffic Engineering, Civil Engineering, Design, and Surveying services for the City's Capital Improvement Projects. The services provided under these agreements will be funded from Capital Improvement Project budgets as needed

through the contract period ending September 6, 2024, at the hourly rates set forth in Exhibit B of each original respective agreement.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving First Amendments to Professional Service Agreements with NV5, Quad Knopf, Inc., and JLB Traffic Engineering to extend the term for services to September 6, 2024; and,

B. Approving Second Amendments to Professional Service Agreements with Advance Mobility Group, North Star Engineering, and O'Dell Engineering to extend the term for services to September 6, 2024; and,

C. Approving First Amendments to Professional Service Agreements with BSK Associates, Crawford & Associates, and Dokken Engineering to extend the term for services to September 6, 2024, and increase the Not to Exceed amount for additional project support; and,

D. Authorizing the City Manager or Deputy City Manager to sign the necessary documents; and,

E. Authorizing the Finance Officer to make necessary budget adjustments.

This Consent Item was approved.

I.7.

SUBJECT Approval of a Professional Services Agreement with Mead & Hunt, Inc., a Wisconsin Corporation to Provide Construction Administration Services for the Merced Yosemite Regional Airport's Improvement Project CP230073, in a not Exceed Amount of \$936,446, Based on the Consultant Hourly Rates Listed Within the Agreement for the Contract Period Ending December 31, 2026

REPORT IN BRIEF

Considers approving the Professional Service Agreement for Construction Administration Services for the Merced Yosemite Regional Airport's Improvement Project in the amount of \$936,446. The service provided under the agreement will be funded by the projects budget as required through the contract period ending December 31,

2026, at the hourly rates set forth in each respective agreement.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Professional Service Agreement with Mead & Hunt, Inc., a Wisconsin Corporation to provide Construction Administration Services for the Merced Yosemite Regional Airport's Improvement Project in the amount not to exceed \$936,446, for a contract period ending December 31, 2026; and,

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

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

This Consent Item was approved.

I.8.

SUBJECT: Award Bid to the Low Bidder, Day's Generator Service, Inc., for the Replacement of the Generators at Well Site 3 and Well Site 10R2, Project Number CP180018, Awarding a Construction Contract in the Amount of \$956,661

REPORT IN BRIEF

Considers awarding a Construction Contract to the low bidder, Day's Generator Service, Inc., for the replacement of the generators at Well Site 3, located at the corner of Canal Street and 12th Street and Well Site 10R2, located on Gerard Avenue east of Campus Parkway, as required by the Environmental Protection Agency Emergency (EPA) in the amount of \$956,661.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the contract to replace the emergency generators at Well Site 3 and Well 10R2, for Project No. CP180018 to the low bidder, Day's Generator Service, Inc., in the amount of \$956,661; and,

B. Authorizing the City Manager or Deputy City Manager to execute the necessary documents and to approve change orders not to exceed

10% of the total contract; and,

C. Authorizing the Finance Officer authorization to make necessary budget adjustments.

Mayor SERRATTO pulled this item at the request of resident Rick WENDLING.

Rick WENDLING, Merced - asked for an update on the charcoal purification repair and if Public Works is pumping water into the storm drain.

Interim City Engineer Mike WEGLEY discussed the charcoal activated repair timeline on Well Site #13.

Clerk's Note: There was no Council discussion.

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member Ornelas

I.9.

SUBJECT: Adoption of a Resolution Amending the Regional Housing Needs Allocation Unit Production Plan Including a Schedule for In-Lieu Fees

REPORT IN BRIEF

Considers adopting Resolution 2023-83 to amend the Regional Housing Needs Allocation (RHNA) Unit Production Plan including a schedule for In-Lieu Fees

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2023-83**, A Resolution of the City Council of the City of Merced, California, Approving an Amendment to the Regional Housing Needs Allocation Unit Production Plan and related In-Lieu Fee Schedule.

Mayor SERRATTO pulled this item at the request of the residents.

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

Abel, Merced - urged Council to vote no on this item.

Rebecca MARTINEZ, Merced - urged Council to vote no and spoke on affordable housing.

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

Robert DYLINA, Merced - thanked Council for their direction.

Council Member XIONG discussed the amendments made to the Regional Housing Needs Allocation Unit Production plan and the In-Lieu fee schedule.

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:** 5 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Boyle, Council Member DeAnda, and Council Member Smith
- No:** 1 - Council Member Xiong
- Absent:** 1 - Council Member Ornelas

I.10.

SUBJECT: Adoption of a Resolution Approving Final Map #5406 for the Renaissance II, Subdivision for 5 Large Lots, Generally Located North of Merced Avenue, East of Coffee Street

REPORT IN BRIEF

Considers approving of Final Map #5406 for 5 large lots, generally located north of east of Coffee Street.

RECOMMENDATION

City Council - Adopt a motion approving **Resolution 2023-86**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Renaissance II Large Lot Subdivision (Final Map#5406).

Mayor SERRATTO pulled this item at the request of resident Ashley SUAREZ.

Clerk's Note: Council Member SMITH recused himself from Agenda

Items I.10., I.11., and I.12. due to a conflict of interest with his workplace.

Clerk's Note: Mayor SERRATTO stated the Council will hear Agenda Items I.10., I.11., and I.12. together.

Ashley Marie SUAREZ, Merced - asked why these items are three separate items, water connections to homes in South Merced, and affordable housing.

Council and City Manager Scott MCBRIDE discussed details of the three separate administrative reports and the number of homes for each item.

Clerk's Note: Council made a motion for Agenda Items I.10., I.11., and I.12. together.

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

Aye: 5 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Boyle, Council Member DeAnda, and Council Member Xiong

No: 0

Absent: 1 - Council Member Ornelas

Abstain: 1 - Council Member Smith

I.11.

SUBJECT: Adoption of a Resolution Approving Final Map #5407 for Renaissance 154, Phase 1 Subdivision for 30 Single-Family Lots, Generally Located North of Merced Avenue, West of Coffee Street Avenue and the Approval of the Subdivision Agreement for the Renaissance 154, Phase 1 Subdivision

REPORT IN BRIEF

Considers approving the Final Map #5407 for 30 single-family lots, located north of Merced Avenue, east of Coffee Street, and the subdivision agreement for the Renaissance 154, Phase 1 Subdivision.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2023-87**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for

the Renaissance 154, Phase 1 Subdivision (#5407); and,

B. Approving the Subdivision Agreement for the Renaissance 154, Phase 1 Subdivision; and,

C. Authorizing the City Manager or the Deputy City Manager to execute all necessary documents.

Clerk's Note: Mayor SERRATTO stated the Council will hear Agenda Items I.10., I.11., and I.12. together.

Clerk's Note: Council made a motion for Agenda Items I.10., I.11., and I.12. together.

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member Ornelas

I.12.

SUBJECT: Adoption of a Resolution Approving Final Map #5411 for Renaissance 154, Phase 2 Subdivision for 31 Single-Family Lots, Generally Located North of Merced Avenue, West of Coffee Street Avenue and the Approval of the Subdivision Agreement for the Renaissance 154, Phase 2 Subdivision

REPORT IN BRIEF

Considers approving the Final Map #5411 for 31 single-family lots, located north of Merced Avenue, east of Coffee Street, and the subdivision agreement for the Renaissance 154, Phase 2 Subdivision.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2023-88**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Renaissance 154, Phase 2 Subdivision (#5411); and,

B. Approving the Subdivision Agreement for the Renaissance 154,

Phase 2 Subdivision; and,

C. Authorizing the City Manager or the Deputy City Manager to execute all necessary documents.

Clerk's Note: Mayor SERRATTO stated the Council will hear Agenda Items I.10., I.11., and I.12. together.

Clerk's Note: Council made a motion for Agenda Items I.10., I.11., and I.12. together.

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member Ornelas

J. PUBLIC HEARINGS

J.1.

SUBJECT: Public Hearing - Merced Fire Department Emergency Medical Services Fee Schedule

REPORT IN BRIEF

Public Hearing to hear comments and adopt a resolution for the Merced Fire Department's Emergency Medical Services Fee Schedule.

RECOMMENDATION

City Council - Adopt **Resolution 2023-85**, A Resolution of the City Council of the City of Merced, California, Adopting the Fire Department's Master Fee Schedule - Emergency Medical Services and to Adjust Existing Fees for Inflation.

Fire Chief Derek PARKER gave a slideshow presentation on the Merced Fire Department Emergency Medical Services (EMS) fee schedule.

Mayor SERRATTO opened the Public Hearing at 7:24 PM.

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

Dayle JOHN, Merced - spoke in support of the Merced Fire Department's

desire to add ambulance services to the community.

Aiden RICHARD, Merced - spoke in support of creating EMS fees including the First Responder fee.

Colleen GELLING, Merced - spoke on the Merced Fire Department being public safety and in support of Item J.1.

Terry RUSCOE, Merced - spoke on his concerns of the First Responder Fee.

Robert HUES, Merced - asked for details of the funds received by taxes for the Fire Department.

Ryan, Merced - spoke in support of the establishment of EMS fees.

Mike, Merced - spoke in support of item J.1.

Mary CAMPER, Merced - spoke on the lack of timeliness by the ambulance services in Merced and urged Council to adopt the fee structures.

Salvador VALENCIA, Merced - spoke on adopting the EMS fees and compassion waiver and asked Council to adopt the proposed fees.

Deanna DIAZ, Merced - spoke on her concerns of the ambulance response time and urged Council to adopt the proposed EMS schedule.

Abel, Merced - urged Council to vote no on Agenda Item J.1.

Florence CROCEN, Merced - asked Council to adopt the proposed fee schedule.

Concerned Citizen, Merced - spoke on her concerns of the \$610 fee as a senior citizen.

Concerned Citizen, Merced - spoke on her concerns of the fee as a fall risk senior citizen.

Rodrigo FLORES, Merced - asked Council to adopt the fee schedule.

Shannon GARLAND, Merced - spoke in support of the EMS fee and the

issues with the ambulance response times.

Lauren ARNEST, Merced - asked Council to adopt the proposed fees and spoke in support of the compassion waiver.

Rebecca MARTINEZ, Merced - spoke on her concerns of the First Responder Fee due to the cost and urged Council to reconsider this fee.

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

Cindy KELLY, Merced - asked Council to pass the proposed Resolution and spoke on details of her insurance coverage for the proposed fees.

Annissa FRAGOSO, President of Hispanic Chamber Commerce, Merced - spoke in support of the proposed fee schedule and better ambulance response times.

George STALIS - spoke on details of the ambulance service and in support of the Merced Fire Department and establishing the fees.

Ken BROWN, Golden Valley Neighborhood Association, Merced - spoke on Riggs' service and in support of the proposed program.

Mike HARRIS, Merced - spoke on his experience in the ambulance and first responder service and his support for transporting in the City.

Arturo MARTINEZ, Merced - shared a story of when the Merced Fire Department responding before Riggs, spoke in support of the fee schedule, and the compassion waiver.

Will KELLY, Merced - spoke in support of the fee schedule due to more union jobs and better response times.

Alane QUIEN, Merced - spoke in support of the fee schedule and urged to vote yes.

David SHULTZ, Merced - urged Council to support the bill.

Mayor SERRATTO closed the Public Hearing at 8:01 PM.

Council, Interim City Attorney Brian DOYLE, and Mr. PARKER discussed

bringing back the Compassion Waiver, the motion, the Town Halls the Merced Fire Department held, and grants the Council has applied for in the past.

Clerk's Note: Council Member XIONG made a second to Mayor Pro Tempore PEREZ's motion, asked for clarification of the motion, and rescinded his second. Council Member SMITH seconded Mayor Pro Tempore PEREZ's motion.

Clerk's Note: Council took a recess at 8:08 PM and returned at 8:20 PM

A motion was made by Mayor Pro Tempore Perez, seconded by Council Member Smith, to set the Transport Fees and the Non-Transport fees as set forth, getting direction in return with the Compassion Fee Waiver policy, and establishing the Resolution. The motion carried by the following vote:

Aye: 5 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Boyle, Council Member DeAnda, and Council Member Smith

No: 1 - Council Member Xiong

Absent: 1 - Council Member Ornelas

K. REPORTS

K.1. **SUBJECT:** City of Merced Financial Forecast and CalPERS Update

REPORT IN BRIEF

Presentation of the Financial Forecast and CalPERS Update.

RECOMMENDATION

Information only.

Finance Officer Venus RODRIGUEZ and City Manager Scott MCBRIDE gave a slideshow presentation on the financial forecast.

Council, Mrs. RODRIGUEZ, and Mr. MCBRIDE discussed details of the fund allocation for the Parks and Recreation department fund, an update on the Airport revenue, and the Airport Terminal groundbreaking.

Mrs. RODRIGUEZ gave an additional slideshow presentation on the CalPERS update.

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

L. BUSINESS

Clerk's Note: A motion was made to move Agenda Item L.1. to be heard after Agenda Item E.

L.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.

Clerk's Note: Council agreed to hear this item at the next Council meeting due to Council Member ORNELAS' absence.

L.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 SMITH requested for information on scheduling the meetings for the Subcommittee.

City Manager Scott MCBRIDE stated that meeting will be scheduled.

Mayor Pro Tempore PEREZ requested to extend the Graffiti abatement for 90 days.

Mr. MCBRIDE discussed the current contract terms.

L.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 DEANDA reported on attending the fundraiser for UC Merced.

Council Member SMITH reported on attending the Check Presentation for the new Fire Station, Turkey Trot event, and the MCAG meeting.

Council Member BOYLE reported on attending the Faces of Female Leadership luncheon, Check Presentation for the new Fire Station, the One Voice Delegation meeting, the Veteran's Day Parade, the Legislation Update Lunch, the High Speed Rail meeting, and spoke to high school students about leadership. She also reported on attending the Play Adventures ribbon cutting event, the Measure C Kick-Off event, helped deliver Santa with Merced Fire Department to Merced Mall, the Run for the Rail 5k event, and shared her love for her community.

Mayor SERRATTO reported on attending the Phoenix Project, Girl Scout Troop 3019 Fundraiser, the Run for the Rail 5k event, and thanked everyone who participated in the Clean-Up day.

M. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 9:15 PM.

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

Aye: 5 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Boyle, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member Ornelas

Abstain: 1 - Council Member DeAnda