



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

Monday, August 19, 2024

6:00 PM

A. CLOSED SESSION ROLL CALL

Present: 6 - Mayor Matthew Serratto, Council Member Jesse Ornelas, Council Member Sarah Boyle, Council Member Ronnie DeAnda, Council Member Shane Smith, and Council Member Fue Xiong

Absent: 1 - Mayor Pro Tempore Bertha Perez

B. CLOSED SESSION

Mayor SERRATTO called the Closed Session to order at 5:05 PM.

Clerk's Note: Council Member XIONG arrived to Closed Session at 5:07 PM and Council Member ORNELAS arrived to Closed Session at 5:20 PM.

B.1. **SUBJECT:** CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Property: 755 W. 15th Street, Merced, CA APN 031-360-029; Agency Negotiator: D. Scott McBride, City Manager; Frank Quintero, Deputy City Manager; Venus Rodriguez, Finance Officer; Craig J. Cornwell, City Attorney; Negotiating Parties: California High Speed Rail Authority; Under Negotiation: Appraisal of Property

B.2. **SUBJECT:** CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Property: 615 W. 15th Street, Merced, CA APN 031-360-060; Agency Negotiator: D. Scott McBride, City Manager; Frank Quintero, Deputy City Manager; Venus Rodriguez, Finance Officer; Craig J. Cornwell, City Attorney; Negotiating Parties: California High Speed Rail Authority, Under Negotiation: Appraisal of Property

B.3. **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION City of Merced v. California Department of Fish and Wildlife, et al. MSC Case No. 23CV 03845 Pursuant to California Government Code Section 54956.9(d)(1)

B.4. **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL-EXISTING

LITIGATION Jeffery Christensen v. City of Merced; Workers' Compensation Appeals Board Case Numbers FRE-ADJ 7289931 and FRE-ADJ 7289927; Pursuant to Government Code Section 54956.9(d)(1)

B.5. SUBJECT: CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Sean Greene v. City of Merced; Workers' Compensation Appeals Board Case Numbers FRE-ADJ 211029244; Pursuant to Government Code Section 54956.9(d)(1)

B.6. SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representatives: City Manager Scott McBride, Deputy City Manager Frank Quintero, Finance Officer Venus Rodriguez, Human Resources Manager Suzanne Fierro, LCW Legal Representative Che Johnson, and LCW Legal Representative Michael Jarvis; Unrepresented Management AUTHORITY: Government Code Section 54957.6

Clerk's Note: Council adjourned from Closed Session at 6:01 PM.

C. CALL TO ORDER

Mayor SERRATTO called the Regular Meeting to order at 6:05 PM.

C.1. Invocation - Lamar Henderson, Human Services Agency (All Dads Matter)

The Invocation was delivered by Pastor Lamar HENDERSON of the Human Services Agency (All Dads Matter).

C.2. Pledge of Allegiance to the Flag

Pastor Lamar HENDERSON led the Pledge of Allegiance to the Flag.

D. ROLL CALL

Present: 6 - Mayor Matthew Serratto, Council Member Jesse Ornelas, Council Member Sarah Boyle, Council Member Ronnie DeAnda, Council Member Shane Smith, and Council Member Fue Xiong

Absent: 1 - Mayor Pro Tempore Bertha Perez

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

There was no report.

F. CEREMONIAL MATTERS

F.1. **SUBJECT:** Recognition of the Merced SKIP Water Polo Team

REPORT IN BRIEF

The City Council will recognize members of the Merced SKIP Water Polo team for their achievements.

Mayor SERRATTO recognized the Merced SKIP Water Polo Team.

G. WRITTEN PETITIONS AND COMMUNICATIONS

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

Closed Session: Terri RADNEY.

Public Comment: Jeffrey CARTER and Ray WALTON.

Agenda Item J.1.: Greg BEST.

Agenda Item J.3.: Michael WANG.

H. PUBLIC COMMENT

Dr. Andy PROPES, Merced - spoke on the homeless crisis, the amount of affordable housing, the individuals who terrorize the community, and urged Council to solve the crisis.

Heike HAMBLEY, Merced - spoke on her home being burglarized, requested additional police vehicles, details of the Shakespeare Fest equipment stolen, and asked the community for assistance.

Max MADAYAG, Merced - spoke on details of Bellevue Road, the annexation, and shared concerns of speeding and accidents.

Mayor SERRATTO spoke on the UC Merced annexation into the City of Merced.

I. CONSENT CALENDAR

Agenda Items I.5. Request from Valley Children's Hospital to Approve a

Second Amended and Restated Grant Deed and I.6. Adoption of a Resolution Declaring the Intent to Vacate the Arbor Walkway South Easement (Approximately 2,346 Square Feet) Which Would Revert Development Rights Back to the Property Owner of 534 West Main Street, Generally Located on the South Side of Main Street, Approximately 170 Feet East of M Street, and Setting a Public Hearing for September 16, 2024, (Vacation #24-01); were 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: 6 - Mayor Serratto, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Mayor Pro Tempore Perez

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: Information Only - Planning Commission Minutes of May 8, 2024, and June 5, 2024**

RECOMMENDATION

For information only.

This Consent Item was approved.

I.3. **SUBJECT: Information Only - Site Plan Review Minutes of April 25, 2024 and May 16, 2024**

RECOMMENDATION

For information only.

This Consent Item was approved.

I.4.

SUBJECT: Information Only - Building and Housing Board of
Appeal Minutes of September 7, 2023

RECOMMENDATION

For information only.

This Consent Item was approved.

I.7.

SUBJECT: Approval of Allocation of U.S. Department of Housing
and Urban Development (HUD) Community Development Block
Grant Resources, and Approval of Associated Subrecipient
Agreement with the County of Merced, on Behalf of its Human
Services Agency, for the Respective Project Approved in Support
of the Continuum of Care with the Adopted 2023 Annual Action
Plan

REPORT IN BRIEF

Considers approving the execution of a Community Development Block Grant (CDBG) Subrecipient Agreement with the County of Merced, on behalf of its Human Services Agency, in the amount of \$38,000 for 2023 Continuum of Care Collaborative Applicant administrative support.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the agreement for the program identified in the 2023 Annual Action Plan using Fiscal Year 2023-24 CDBG funds with the County of Merced on behalf of its Human Services Agency, in the amount of \$38,000 for the "City and County Continuum of Care 2023-24 Collaborative Applicant" administrative project; and,

B. Authorizing the City Manager to execute, and if necessary, make non-material modifications to the agreement as described above and as attached, and all associated documents and exhibits; and,

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

This Consent Item was approved.

I.8.

SUBJECT: Approval to Authorize the City Manager to Issue a Purchase Order to Vac-Con, Inc., for the Purchase of One (1) Vac-Con Truck in the Amount of \$716,975.11 as a Vehicle Replacement for the Water Department

REPORT IN BRIEF

Staff has identified an opportunity to replace a vehicle, which will assist in the standardization of equipment through the cost savings of a government procurement program (Sourcewell).

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code section 3.04.210 and authorizing the purchase to be made with a cooperative purchase agreement through Sourcewell, a government procurement program; and,

B. Approving the purchase of one Vac-Con Truck in the amount of \$716,975.11 from Vac-con, Inc., through Sourcewell contract # 101221-VAC replacing vehicle W-1407; and,

C. Authorizing the City Manager to execute any necessary documents for the purchase specified above; and,

D. Authorizing the Finance Officer to make the appropriate budget adjustments; and,

E. Authorizing the City Buyer to issue the Purchase Order, and approval of change orders not to exceed 10% of the total purchase price.

This Consent Item was approved.

I.9.

SUBJECT: Award of Bid and Approval of Services Agreement with Univar Solutions USA, Inc., for the Supply and Delivery of Sodium Fluoride in an Amount not to Exceed \$99,840 Each Year for the Contract Term Ending June 30, 2026, with the Option to Renew for Two Additional One-Year Periods Ending June 30, 2028, at the Amounts not to Exceed \$99,840 in Year 3, and \$99,840 in Year 4

REPORT IN BRIEF

Considers awarding the bid and approving an agreement with Univar Solutions USA, Inc., for the supply and delivery of sodium fluoride.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the bid and approving the agreement with Univar Solutions USA, Inc., for the purchase of sodium fluoride in the amount not to exceed \$99,840 per year for the contract term ending June 30, 2026, with the option to renew for two additional one-year periods ending June 30, 2028, at the amounts not to exceed \$99,840 in year 3, and \$99,840 in year 4; and,

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

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

This Consent Item was approved.

I.10.

SUBJECT: Approval to Authorize the City Manager to Execute an Agreement with Esri for a Three (3) Year Term for Geographic Information Systems and Mapping Software, in the Total Amount of \$192,000 with an Additional \$19,200 Contingency for Additional Services, Software, and Maintenance

REPORT IN BRIEF

Considers approving a three (3) year contract with Esri for Geographic Information Systems (GIS) mapping software, licensing, services, and maintenance in the amount of \$192,000 with an additional \$19,200 contingency for additional services, software, and maintenance.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code for the Sole Source Purchase of software licenses and maintenance; and,

B. Approving the three (3) year term with Esri for GIS software, licensing, services, and maintenance in the amount of \$192,000 with an additional \$19,200 contingency for additional services, software, and maintenance; and,

C. Authorizing the 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.11.

SUBJECT: Adopting a Resolution Repealing Resolution 2017-57, to
Re-Adopt the Authorization of Use of Unmanned Aircraft Systems

REPORT IN BRIEF

Considers adopting a Resolution to repeal Resolution 2017-57 and to
Re-adopt the authorization of use of unmanned aircraft systems.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2024-84**, A
Resolution of the City Council of the City of Merced, California,
Rescinding Resolution No. 2017-57 and Authorizing the Use of
Unmanned Aircraft Systems.

This Consent Item was approved.

I.12.

SUBJECT: Approval of Street Closure Request with the Use of City
Owned Property Located at Bob Hart Square, Submitted by Merced
City Parks and Recreation Department for the 2024 Halloween
Parade on Saturday October 12th, 2024, From 2:30 P.M. Until 9:00
P.M.

REPORT IN BRIEF

Considers allowing the use of City streets on Saturday October 12th,
2024, for the Halloween Parade.

RECOMMENDATION

City Council - Adopt a motion approving the street closures of East
Main Street, from Calimyrna Avenue to "G" Street, West Main Street,
from "G" to "O" Streets, "O" Street from West Main Street to 20th Street
including side streets, the City owned property known as Bob Hart Sq,
as requested by Merced City Parks and Recreation Department for the
2024 Halloween Parade on Saturday, October 12th, 2024.

This Consent Item was approved.

I.13.

SUBJECT: Approval and Establish the 2024-2025 Master Tow Service Agreement

REPORT IN BRIEF

Considers approving the 2024-2025 Merced Police Department Tow Service Agreement that will go into effect August 1, 2024, and expire July 31, 2025.

RECOMMENDATION

City Council - Adopt a motion:

- A. Establishing and approving the 2024-2025 Master Tow Service Agreement; and,
- B. Authorizing the City Manager to execute the necessary documents.

This Consent Item was approved.

I.14.

SUBJECT: Award Bid to Tennyson Electric LLC for the Safe Streets Streetlight Retrofit, Project Number CP230002, in the Amount of \$1,093,750

REPORT IN BRIEF

Considers awarding a Construction Contract to Tennyson Electric LLC in the amount of \$1,093,750 for the Safe Streets Streetlight Retrofit.

RECOMMENDATION

City Council - Adopt a motion:

- A. Awarding the Safe Streets Streetlight Retrofit, Project CP230002 to Tennyson Electric LLC, in the amount of \$1,093,750; and,
- B. Authorizing the City Manager to execute the necessary documents and to approve change orders not to exceed 20% of the total contract; and,
- C. Authorizing the Finance Officer authorization to make necessary budget adjustments.

This Consent Item was approved.

I.15.

SUBJECT: Administering Agency Amendment Modification

Summary (E-76) for a Congestion Mitigation and Air Quality Improvement (CMAQ) Grant CML-5085(061) for Use of \$201,000 in Post-Programming CMAQ Carryover Apportionment to Supplement the Construction Phase Funding for Project No. CP220063 - E. Childs Ave Multi-Use Path

REPORT IN BRIEF

Considers accepting \$201,000 in Post-Programming CMAQ Carryover Apportionment for construction of an eight-foot-wide concrete pedestrian/bicycle multi-use pathway along E. Childs Avenue from Golden Valley High School to Weaver Middle School on Coffee Street.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting Post-Programming CMAQ Carryover Apportionment funds; increasing revenue in Fund 5005-Street and Signal CIP in the amount of \$201,000 and appropriating the same to Project No. CP220063 for costs associated with the construction of the E. Childs Multi-Use Path; and,
- B. Approving the use of pooled cash until reimbursement is received from the grant; and,
- C. Authorizing the City Manager to execute the necessary documents; and,
- D. Authorizing the Finance Officer to make any necessary budget adjustments.

This Consent Item was approved.

I.16.

SUBJECT: Approval of Second 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 Third 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 Second 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, 2025, at the hourly rates set forth in Exhibit B of each original respective agreement.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving Second Amendments to Professional Service Agreements with NV5, Quad Knopf, Inc., and JLB Traffic Engineering to extend the term for services to September 6, 2025; and,
- B. Approving Third 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, 2025; and,
- C. Approving Second Amendments to Professional Service Agreements with BSK Associates, Crawford & Associates, and Dokken Engineering to extend the term for services to September 6, 2025, and increase the Not to Exceed amount for additional project support; and,
- D. Authorizing the City Manager to sign the necessary documents; and,
- E. Authorizing the Finance Officer to make necessary budget adjustments.

This Consent Item was approved.

I.17.

SUBJECT: Introduction of an Ordinance Amending Section 10.28.235 "Motorcycle Parking", Section 10.28.330 "Thirty-Minute Parking Zones- Nine A.M. to Five P.M.", Section 10.32.056 "Passenger Loading Zones - Permanent", and Section 10.32.100 "Bus Zones-Location" of the Merced Municipal Code

REPORT IN BRIEF

Considers introducing an Ordinance and approving recommendations from the Traffic Committee to approve amending the following to the Merced Municipal Code: "Motorcycle Parking- West side of N Street", "Thirty-minute parking zones- Nine A.M. to Five P.M. on the West side of N Street", "Passenger loading zones- Permanent on the West side of N Street" and "Bus zones- Location on T Street".

RECOMMENDATION

City Council - Adopt a motion:

A. Introducing **Ordinance 2567**, an Ordinance of the City Council of the City of Merced, California, Amending Section 10.28.235 "Motorcycle Parking", Section 10.28.330 "Thirty-Minute Parking Zones- Nine A.M. to Five P.M.", Section 10.32.056 "Passenger Loading Zones- Permanent", and Section 10.32.100 "Bus-Zones-Location" of the Merced Municipal Code; and,

B. Approving the recommendation from the Traffic Committee listed above.

This Consent Item was approved.

I.5.

SUBJECT: Request from Valley Children's Hospital to Approve a Second Amended and Restated Grant Deed

REPORT IN BRIEF

Valley Children's Hospital (VCH) is requesting approval of Second Amended and Restated Grant Deed with changes to the terms related to Covenant to Construct and Repurchase Price.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Second Amended and Restated Grant Deed between the City of Merced and Valley Children's Healthcare for 301 E. Yosemite Avenue (Assessor's Parcel Number 231-040-021); and,

B. Authorizing the City Manager to execute all the necessary documents.

Mayor SERRATTO pulled this item at the request of Council Member ORNELAS.

Council and Deputy City Manager Frank QUINTERO discussed the timeline of the project.

Tim CURLEY, Valley Children's Hospital - spoke on the commitment to Merced and details of the Olivewood Clinic and Merced Hospital.

Council and City Attorney Craig CORNWELL discussed the history of the Valley Children's Hospital project, the property location, options for consideration, and returning to Closed Session for further discussion.

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

Aye: 2 - Council Member DeAnda, and Council Member Smith

No: 4 - Mayor Serratto, Council Member Ornelas, Council Member Boyle, and Council Member Xiong

Absent: 1 - Mayor Pro Tempore Perez

A motion was made by Council Member Boyle, seconded by Council Member Ornelas, to continue this item in Closed Session at a future date. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Mayor Pro Tempore Perez

I.6.

SUBJECT: Adoption of a Resolution Declaring the Intent to Vacate the Arbor Walkway South Easement (Approximately 2,346 Square Feet) Which Would Revert Development Rights Back to the Property Owner of 534 West Main Street, Generally Located on the South Side of Main Street, Approximately 170 Feet East of M Street, and Setting a Public Hearing for September 16, 2024, (Vacation #24-01)

REPORT IN BRIEF

Considers adopting a Resolution to set a public hearing for September 16, 2024, to vacate an approximately 2,346-square-foot easement at 534 W Main Street, generally located on the south side of Main Street, approximately 170 feet east of M Street.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2024-85**, a Resolution of the City Council of the City of Merced, California, declaring its intention to vacate the Arbor Walkway South Easement (approximately 2,346 square feet) which would revert development rights to the property owner of 534 W Main Street (Vacation #24-01) and setting time and place for Public Hearing.

Mayor SERRATTO pulled this item at the request of Council Member SMITH.

Council and Senior Planner Francisco MENDOZA discussed the location of the Vacation request, setting the Public Hearing, the process of declaring the intent to vacate the Arbor Walkway South Easement, and the safety concerns of the property owner.

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

Aye: 6 - Mayor Serratto, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Mayor Pro Tempore Perez

J. ACTION ITEMS

J.1. **SUBJECT** Considers Recommendation by the Recreation and Parks Commission to Name the Merced Police South Station After Joe Cortez

REPORT IN BRIEF

The Recreation and Parks Commission has recommended the naming of the Merced Police South Station as the Merced Police Joe Cortez South Station in support of the application submitted by Rogina Cortez.

RECOMMENDATION

City Council- Adopt a motion approving recommendation by the Recreation and Parks Commission to name the Police Station at McNamara Park, Merced Police Joe Cortez South Station.

Director of Parks and Community Services Christopher JENSEN briefly discussed the recommendation by the Recreation and Parks Commission to name the Merced Police South Station after Joe CORTEZ.

Diane FUENTES, Merced - spoke in support of the recommendation and shared Joe's accomplishments.

John CORTEZ, Merced - spoke in support of the recommendation and read a letter of a former Sheriff Officer.

Birdi OLIVAREZ-KIDWELL, Merced - spoke on the accomplishments of Joe CORTEZ and in favor of naming the Merced Police South Station after Joe CORTEZ.

Regina CORTEZ, Merced - thanked Council, city staff, and her sister for their consideration.

Council and Police Chief Steven STANFIELD discussed the legacy of Commander Joe CORTEZ and future master plans.

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: 6 - Mayor Serratto, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Mayor Pro Tempore Perez

J.2.

SUBJECT: Approval of a Supplemental Appropriation from the Unencumbered, Unreserved Fund Balance of Fund 3002-Bell Station in the Amount of \$53,000

REPORT IN BRIEF

Considers approving a Supplemental Appropriation from the unencumbered, unreserved fund balance of Fund 3002-Bell Station in the amount of \$53,000 for property utilities and building repairs at the Bell Station located at 415 W. 18th Street.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a supplemental appropriation from the unencumbered, unreserved fund balance of Fund 3002-Bell Station in the amount of \$40,000 for property utilities and \$13,000 in Professional Services at the Bell Station located at 415 W. 18th Street; and,

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

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

Deputy City Manager Frank QUINTERO briefly discussed the request of a supplemental appropriation for the Bell Station maintenance.

Council and Mr. QUINTERO discussed the potential plans and timeline for the Bell Station.

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

Aye: 6 - Mayor Serratto, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Mayor Pro Tempore Perez

A motion was made by Council Member Smith, seconded by Council Member Boyle, to approve Recommendations B and C. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Mayor Pro Tempore Perez

J.3.

SUBJECT: Adoption of a Resolution Authorizing the Purchase of a Stock Unit (Type 1 Fire Engine) in an Amount not to Exceed \$1,800,000; and Approve a Supplemental Appropriation From Fund 2001-(Former) Measure "C" in the Same Amount

REPORT IN BRIEF

Consider adopting a Resolution to purchase a Stock Unit (Type 1 Fire Engine) in an amount not to exceed \$1,800,000; and approve a supplemental appropriation from Fund 2001- (Former) Measure "C" in the same amount.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-86**, a Resolution of the City Council of the

City of Merced, California, Declaring the Infeasibility of Using Public Bidding to Purchase a Type 1 Fire Engine and Fire Apparatus and Authorizing Limited Direct Purchases; and,

B. Waiving the City's competitive bidding requirement permitted by Merced Municipal Code Section 3.04.210 due to infeasibility of using public bidding; and,

C. Approving a supplemental appropriation of up to \$1,800,000 from Fund 2001-(Former) Measure "C"; and,

D. Authorizing the Purchase of a Stock Unit (Type 1 Fire Engine) in an amount not to exceed \$1,800,000; and,

E. Authorizing the City Purchasing Supervisor to issue Purchase Orders for the purchase and any transfer fees or California sales taxes; and,

F. Authorizing the City Manager to execute any necessary contracts or documents; and,

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

Interim Fire Chief Casey WILSON briefly discussed the Resolution to purchase a stock unit (type 1 fire engine) and the request for a supplemental appropriation for the purchase.

Council and Mr. WILSON discussed details of a stock unit, the cost of the apparatus, stock price, the cost of equipment, the current manufacturer, and different manufacturers stock units.

A motion was made by Council Member Smith, seconded by Council Member Boyle, to approve Recommendation C. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Mayor Pro Tempore Perez

A motion was made by Council Member Smith, seconded by Council Member Ornelas, to approve the balance of the Recommendations (A, B, D, E, F, and G). The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Mayor Pro Tempore Perez

K. REPORTS

K.1. **SUBJECT:** Council Member Boyle's Request for Staff to Present and Discuss the Court Ruling Regarding Homeless Encampments

REPORT IN BRIEF

Council Member Boyle's request for staff to present the court ruling regarding homeless encampments.

RECOMMENDATION

For information-only

City Attorney Craig CORNWELL gave a slideshow presentation on the court ruling regarding homeless encampments.

Council, Mr. CORNWELL, Police Chief Steven STANFIELD, and City Manager Scott MCBRIDE discussed details of Grants Pass, details of a camping ordinance, police enforcement, the executive order from the California Governor, the negative effects on homeless encampments for small business owners, the increase of state clean-ups, the increase of encampments, community outreach meetings, and details of homeless court. They also discussed housing, services for homeless individuals, details of different encampment locations in Merced, potential city sponsored encampments, partnering with local resources for clean-up, a potential refuse study, providing city resources, and the homelessness rate.

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

L. BUSINESS

L.1. **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 discuss a rental and code enforcement registry on the October 7th Council meeting.

L.2. **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 ORNELAS reminded the community that school is in session and be mindful of driving.

Council Member BOYLE stated to look both ways before crossing the street.

M. ADJOURNMENT

Interim Fire Chief Casey WILSON requested to adjourn the Council meeting in honor of Fire Chief MITTEN's passing.

Clerk's Note: The Regular Meeting was adjourned at 7:56 PM.

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

Aye: 6 - Mayor Serratto, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Mayor Pro Tempore Perez