



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

Tuesday, September 7, 2021

6:00 PM

A. CLOSED SESSION ROLL CALL

Present: 6 - Mayor Matthew Serratto, Council Member Fernando Echevarria, Council Member Delray Shelton, Council Member Bertha Perez, Council Member Jesse Ornelas, and Council Member Sarah Boyle

Absent: 1 - Mayor Pro Tempore Kevin Blake

B. CLOSED SESSION

Mayor SERRATTO called the Closed Session to order at 5:03 PM.

B.1.

SUBJECT: CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Casey Steed, an individual, and Merced Smart Growth Advocates, a California Unincorporated Associates, Petitioners and Plaintiffs v. City of Merced, a California Municipal Corporations and Merced City Council, a body politic, Case No. 20CV-03123, Respondents and Defendants; Merced Holdings, LP a Nevada Limited Partnership, Real Party In Interest

B.2.

SUBJECT: CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Donald King v. City of Merced; Workers Compensation Claim Number 19796468; AUTHORITY: Government Code Section 54956.9(d)(1)

B.3.

SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): Travis Lindsey and Janell Van Bindsbergen, Lozano Smith, Attorneys at Law; Employee Organizations: American Federation of State, County, and Municipal Employees (AFSCME) Council 57; Local 2703, International Association of Fire Fighters, Local 1479; Merced Police Officers' Association (MPOA); Merced Association of Police Sergeants and Merced Association of City Employees (MACE). AUTHORITY: Government Code Section 54957.6

Clerk's Note: Council adjourned from Closed Session at 5:55 PM.

C. CALL TO ORDER

Mayor SERRATTO called the Regular Meeting to order at 6:04 PM.

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

The invocation was delivered by Pastor Al SCHAAP from Gateway Church Merced.

C.2. Pledge of Allegiance to the Flag

Council Member ECHEVARRIA led the Pledge of Allegiance to the Flag.

D. ROLL CALL

Present: 6 - Mayor Matthew Serratto, Council Member Fernando Echevarria, Council Member Delray Shelton, Council Member Bertha Perez, Council Member Jesse Ornelas, and Council Member Sarah Boyle

Absent: 1 - Mayor Pro Tempore Kevin Blake

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 the Public Financing and Economic Development Authority. 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 and the Public Financing and Economic Development Authority receive no compensation.

E. REPORT OUT OF CLOSED SESSION

There was no report.

F. CEREMONIAL MATTERS

F.1. **SUBJECT:** Proclamation - Recovery Month

REPORT IN BRIEF

Council Member Ornelas will present the Recovery Month proclamation and Certificate of Recognition.

Council Member ORNELAS presented a proclamation for Recovery Month to Genevieve VALENTINE with Merced County Behavioral Health and Recovery Services and a certificate of recognition to Another Way LLC for their efforts to help recovering addicts.

F.2. **SUBJECT:** Proclamation - Mexican Independence Day

REPORT IN BRIEF

Received by a representative of the Mexican Consulate.

Mayor SERRATTO read the proclamation for Mexican Independence Day.

F.3. **SUBJECT: Proclamation - Constitution Week**

REPORT IN BRIEF

Received by a representative of the Daughters of the American Revolution the Merced River Chapter.

Mayor SERRATTO presented the proclamation for Constitution Week to Linda ROLAND, Regent for the Merced River Chapter of the Daughters of the American Revolution.

G. WRITTEN PETITIONS AND COMMUNICATIONS

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

Item K.1. - Kathleen CROOKHAM, Dennis PEREZ, Kimberly THURMAN, and Chris VITELLI.

Item K.2. - Lee GREENAWALT and Gloria SANDOVAL.

Item K.6. - Jonathan BARNES.

H. ORAL COMMUNICATIONS

Ana QUINTANA-CEJA and Diego LUNA, Merced Youth Council Members - invited the Council and public to attend their next meeting and upcoming park cleanup.

Pangcha VANG, Merced - asked to include UC Merced in the redistricting process.

Joe CARROLL, Chairman with Sierra Saving Grace - spoke on the work the organization does to help support homeless individuals and families.

Fue XIONG, Merced - questioned the use of ARPA funding for the management memorandum of understanding.

Rick WENDLING, Merced - spoke about the Covid-19 virus and vaccinations.

Steven GRAHAM, Director of Catholic Charities - spoke about an upcoming fundraising event.

Greg HOSTETLER, Los Banos - complimented staff and the City Council.

I. CONSENT CALENDAR

Agenda items I.11. Adoption of a Resolution Authorizing Adoption of Caltrans' Local Assistance Procedures Manual Chapter 10 and Approval of Professional Services Agreements with Dokken Engineering (Civil Design and Engineering), North Star Engineering (Civil Design, Engineering and Surveying), O'Dell Engineering (Civil Design, Engineering and Surveying), QK, Inc., (Surveying), NV5 (Geotechnical Engineering, Construction Observation, Materials Testing, and Traffic Engineering), Crawford & Associates (Geotechnical Engineering, Construction Observation, and Materials Testing), BSK Associates (Geotechnical Engineering, Construction Observation, and Materials Testing), Advanced Mobility Group (Traffic Engineering), and JLB Traffic Engineering (Traffic Engineering) to Provide Support Services for the City's Capital Improvement Projects in a not Exceed Amount of \$500,000 for Each Contract Based on the Consultant Hourly Rates Listed Within Exhibit B of Each Respective Agreement for the Contract Period Ending September 6, 2023, I.12. Authorization for the Use of Statement of Services for the G Street Water Transmission Line and Roadway Rehabilitation, From Bear Creek Drive to Park Avenue, Emergency Project - 121053, and I.14. Approval of the 2022 Cafeteria Plan Renewal Regarding Employees' and Retirees' Health and Welfare Benefits Including Medical, Dental, Vision, Disability, Life and Flexible Spending; were pulled for separate consideration.

Approval of the Consent Agenda

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

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

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 Contracts for the Month of August 2021

REPORT IN BRIEF

Notification of awarded Non-Public Works contracts under \$34,000 and of Public Works contracts under \$76,875.

This Consent Item was approved.

I.3.

SUBJECT: Information Only - Planning Commission Meeting Minutes of June 9, and July 7, 2021

RECOMMENDATION

For information only.

This Consent Item was approved.

I.4.

SUBJECT: Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of August 16, 2021

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 August 16, 2021.

This Consent Item was approved.

I.5.

SUBJECT: Adoption of a Resolution Approving Final Map #5387 for the Mission Ranch, Phase 2 Subdivision for 70 Single-Family Lots, Generally Located at the Southwest Corner of G Street and Rancho Camino Drive, and the Approval of the Subdivision Agreement for the Mission Ranch, Phase 2 Subdivision

REPORT IN BRIEF

Considers the approval of Final Map #5387 for the Mission Ranch, Phase 2 Subdivision for 70 single-family lots, generally located at the southwest corner of G Street and Rancho Camino Drive, and the approval of the subdivision agreement for the Mission Ranch, Phase 2 Subdivision.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2021-80**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Mission Ranch, Phase 2 Subdivision (#5387); and,

B. Approving the Subdivision Agreement for the Mission Ranch, Phase 2 Subdivision; and,

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

This Consent Item was approved.

I.6.

SUBJECT: Approval of a First Amendment to an Agreement with Shaefer Systems International, Inc., to Purchase Refuse Containers Through Houston-Galveston Area (H-GAC) Cooperative Purchasing Contract

REPORT IN BRIEF

Considers approving a first amendment to agreement with Shaefer Systems International, Inc., reflecting the change from National Joint Powers Alliance (NJPA)/Sourcewell Procurement Program to the Houston-Galveston Area (H-GAC) Cooperative Purchasing Program.

RECOMMENDATION

City Council - Adopt a motion approving a first amendment with Schaefer Systems International, Inc., for refuse containers purchase through the Houston-Galveston Area (H-GAC) Cooperative Purchasing Program; and, authorizing the City Manager or Deputy City Manager to execute the necessary documents.

This Consent Item was approved.

I.7.

SUBJECT: Approval to Waive the Competitive Bidding Requirements for Professional Services, Approval of a Professional Services Agreement with V&A Consulting Engineers for Sanitary

Sewer Flow Monitoring in the Amount of \$68,875.

REPORT IN BRIEF

Considers waiving the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 and approving a Professional Services Agreement with V&A Consulting Engineers for Sanitary Sewer Flow Monitoring in the amount of \$68,875.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210 for professional services; and,

B. Approving a Professional Services Agreement with V&A Consulting Engineers for Sanitary Sewer Flow Monitoring in the amount not to exceed \$68,875; and,

C. Authorizing the Finance Officer to make the necessary budget adjustments; and,

D. Authorizing the City Manager or Deputy City Manager to execute the necessary documents.

This Consent Item was approved.

I.8.

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Approve Purchases of Parts, Equipment, Supplies, and Services Necessary for Public Works Maintenance and Operations from Badger Meter, Inc. in the Amount not to Exceed \$200,000; Bridgestone Americas Tire Operations, LLC dba GCR Tires and Service in the Amount not to Exceed \$250,000; and Trojan Technologies Group, LLC in the Amount not to Exceed \$150,000 through June 30, 2022

REPORT IN BRIEF

Considers waiving the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 and approving the purchase of various parts, equipment, supplies, and services for Public Works maintenance and operations.

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,
- B. Approving the purchase of water meters and related parts, equipment, and supplies from Badger Meter, Inc., in the amount not to exceed \$200,000 in Fiscal Year 2021/2022; and,
- C. Approving the purchase of various vehicle and equipment tires from Bridgestone Americas Tire Operations, LLC, dba GCR Tires and Service, in the amount not to exceed \$250,000 in Fiscal Year 2021/2022; and,
- D. Approving the purchase of UV lamps and related equipment, parts, and supplies from Trojan Technologies Group, LLC, in the amount not to exceed \$150,000 in Fiscal Year 2021/2022; and,
- E. Authorizing the City Manager or the Deputy City Manager, to execute the necessary documents or contracts that are approved as to form by the City Attorney, and/or purchase orders.

This Consent Item was approved.

I.9.

SUBJECT: Approval to Waive the Competitive Bid Process to Allow for the Cooperative Purchase with Competitively Bid Contract; County of Merced 2021 AMS FOCUS Agreement 2021092 051821 with AMS.net in a not to Exceed Amount of \$115,000 in Fiscal Year 2021/2022

REPORT IN BRIEF

Approval to waive the competitive bid process to allow for the cooperative purchase with competitively bid contract; 2021 AMS FOCUS Agreement 2021092 051821 with AMS.net in a not to exceed amount of \$115,000 in Fiscal Year 2021/2022.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving to waive the competitive bidding requirements; and,
- B. Approving piggybacking onto the 2021 AMS FOCUS Agreement 2021092 051821; and,

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

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

E. Authorizing the purchase of goods through AMS.net in the amount not to exceed \$115,000 for Fiscal Year 2021-22.

This Consent Item was approved.

I.10.

SUBJECT: Authorization to Utilize the Public Entity Agreement and a Five-Year Master License Agreement From the State of California Department of Technology for Microsoft Subscription Services With the Total Cost of the Agreement to be \$895,455 and Authorization to Spend \$223,864 Over the Duration of the Five-Year Agreement for Licenses, Additional Software, and Subscriptions

REPORT IN BRIEF

Approval to utilize the Public Entity Agreement and a Five-Year Master License Agreement from the State of California Department of Technology for Microsoft subscription services. The total cost of the agreement is \$895,455 including associated administrative fees. Staff is requesting additional authorization to spend \$223,864 over the agreement amount of \$895,455 over the duration of the five-year agreement for additional licenses, software, and subscriptions.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bid requirements as stated in Section 3.04.210 of the Merced Municipal Code; and,

B. Authorizing the use of a five-year master license agreement with California Department of Technology, for Microsoft software subscription licensing; and,

C. Authorizing the use of a Public Entity agreement with California Department of Technology; and,

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

E. Authorizing the Finance Officer to make necessary budget

adjustments; and,

F. Authorizing the City Manager or the Deputy City Manager to execute future contract amendments that do not exceed 125% of the total agreement value for the five-year duration of the agreement; and,

G. Authorizing the Finance Officer to make necessity budget adjustments for future contract amendments; and

H. Authorizing the Finance Officer to transfer any required funds to the PC Replacement Fund and appropriate to be used explicitly for encumbrances and expenditures of new software licenses or subscriptions during the agreement.

This Consent Item was approved.

I.13.

SUBJECT: Allocation of Fiscal Year 2020-21 Community Development Block Grant (CDBG) Program Resources to Fund a Subgrantee Agreement with Symple Equazion for the Respective Program Approved Within the Adopted 2020 Annual Action Plan

REPORT IN BRIEF

Considers authorizing the execution of a Community Development Block Grant (CDBG) Subgrantee agreement with Symple Equazion in the amount of \$38,960 for the Aim High POWER Academy Program.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving an agreement for a program identified in the 2020 Department of Housing and Urban Development (HUD) Annual Action Plan using Community Development Block Grant (CDBG) funds from the 2020/21 Fiscal Year, per previous City Council recommendation for an agreement with Symple Equazion ("Aim High POWER Academy") for Transitional Shelter Operating Costs and Employment/Life Skills Training for Shelter Residents in the amount of \$38,960: and,

B. Authorizing the City Manager or the Deputy City Manager to execute, and if necessary, make minor modifications to the agreement described above and as attached, and all associated documents; and,

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

This Consent Item was approved.

I.15.

SUBJECT: Second Reading and Final Adoption of an Ordinance Approving Site Utilization Plan Revision #23 to Planned Development (P-D) #16 Changing the Land use Designation from “Single-Family Residential” to “Multi-Family Residential” for Approximately 6.3 acres of Land Generally Located on the South Side of Devonwood Drive Between Loughborough Drive and Austin Avenue

REPORT IN BRIEF

Second reading and final adoption of an ordinance introduced at the Council Meeting of August 16, 2021.

RECOMMENDATION

City Council - Adopt a motion adopting **Ordinance 2531**, an Ordinance of the City Council of the City of Merced, California, approving Site Utilization Plan Revision #23 to Planned Development (P-D) #16 changing the land use designation from “Single-Family Residential” to “Multi-Family Residential” for approximately 6.3 acres of land generally located on the south side of Devonwood Drive between Loughborough Drive and Austin Avenue.

This Consent Item was approved.

I.11.

SUBJECT: Adoption of a Resolution Authorizing Adoption of Caltrans’ Local Assistance Procedures Manual Chapter 10 and Approval of Professional Services Agreements with Dokken Engineering (Civil Design and Engineering), North Star Engineering (Civil Design, Engineering and Surveying), O’Dell Engineering (Civil Design, Engineering and Surveying), QK, Inc., (Surveying), NV5 (Geotechnical Engineering, Construction Observation, Materials Testing, and Traffic Engineering), Crawford & Associates (Geotechnical Engineering, Construction Observation, and Materials Testing), BSK Associates (Geotechnical Engineering, Construction Observation, and Materials Testing), Advanced Mobility Group (Traffic Engineering), and JLB Traffic Engineering (Traffic Engineering) to Provide Support Services for the City’s Capital Improvement Projects in a not Exceed Amount of \$500,000 for Each Contract Based on the Consultant Hourly Rates Listed Within Exhibit B of Each Respective Agreement for the Contract Period Ending September 6, 2023

REPORT IN BRIEF

Considers approving multiple Professional Services Agreements for engineering and design services for the City's Capital Improvement Projects. The services provided under these agreements will be funded from individual Capital Improvement Project budgets as the projects occur through the contract period ending September 6, 2023, at the hourly rates set forth in Exhibit B of each respective agreement.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2021-79**, a Resolution of the City Council of the City of Merced, California, authorizing the adoption of Caltrans' Local Assistance Procedures Manual Chapter 10; and,

B. Approving the Professional Services Agreements, for a contract period ending September 6, 2023, with Dokken Engineering (Civil Design and Engineering), North Star Engineering (Civil Design, Engineering and Surveying), and O'Dell Engineering (Civil Design, Engineering and Surveying), QK, Inc., (Surveying), NV5 (Geotechnical Engineering, Construction Observation, Materials Testing, and Traffic Engineering), Crawford & Associates (Geotechnical Engineering, Construction Observation, and Materials Testing), BSK Associates (Geotechnical Engineering, Construction Observation, and Materials Testing), Advanced Mobility Group (Traffic Engineering), and JLB Traffic Engineering (Traffic Engineering) to Provide Support Services for the City's Capital Improvement Projects; and,

C. Authorizing the City Manager or Deputy City Manager to sign the necessary documents.

Mayor SERRATTO pulled this item due to a request from a member of the public.

City Engineer Michael BELTRAN briefly described the need to have additional engineering consultants to assist staff on projects as needed.

Gloria SANDOVAL, Merced - asked if the contracts had anything to do with encampments.

Fue XIONG, Merced - asked about the bidding process.

Mr. BELTRAN addressed the concerns.

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

following vote:

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

I.12.

SUBJECT: Authorization for the Use of Statement of Services for the G Street Water Transmission Line and Roadway Rehabilitation, From Bear Creek Drive to Park Avenue, Emergency Project - 121053

REPORT IN BRIEF

Consider authorization for the use of statement of services for the G Street Water Transmission Line and Roadway Rehabilitation, from Bear Creek Drive to Park Avenue, Emergency Project - 121053, which was declared an emergency due to a broken 12-inch water main.

RECOMMENDATION

City Council - Adopt a motion:

A. Deeming the G Street Water Transmission Line and Roadway Rehabilitation, from Bear Creek Drive to Park Avenue Project to be of urgent necessity for the preservation of life, health, or property based on the finding of facts; and,

B. Approving the emergency Statement of Services for Project 121053 with TBS Contractors, including subsequent change orders, in the total amount of \$775,000.00; and,

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

Clerk's Note: This item was moved to a future meeting with no formal action by Council at this time.

I.14.

SUBJECT: Approval of the 2022 Cafeteria Plan Renewal Regarding Employees' and Retirees' Health and Welfare Benefits Including Medical, Dental, Vision, Disability, Life and Flexible Spending

REPORT IN BRIEF

Considers approving the renewal of the 2022 Cafeteria Plan regarding employees' and retirees' health and welfare benefits.

RECOMMENDATION

City Council - Adopt a motion approving the employees' health and welfare benefits cafeteria plan renewal for calendar year 2022 and authorizing the City Manager or Deputy City Manager to execute the necessary documents.

Mayor SERRATTO pulled this item due to a request from a member of the public.

Rick WENDLING, Merced - asked the Council to be mindful of the funds used to pay for this item.

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

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

Mayor SERRATTO requested moving the following items up in the agenda due to the anticipated length of Item J.1.

K.1.

SUBJECT: Review, Discussion and Direction Regarding a Public-Private Partnership with El Capitan, Mainzer, and the San Jose Sharks Foundation to Build an Outdoor Skate Park Rink at Applegate Park and Establish a Municipal Youth Hockey Program within the City of Merced

REPORT IN BRIEF

Review, discuss and provide staff direction regarding a public-private partnership to build an outdoor skate park at Applegate Park and establish a municipal Youth Hockey Program within the City of Merced.

RECOMMENDATION

Provide staff direction on the pursuing the proposed Public-Private partnership and the use of the existing basketball courts at Applegate Park for an outdoor hockey facility

City Manager Stephanie DIETZ gave a brief introduction to the item.

Sarah HILL, representing the El Capitan Hotel and the Mainzer Theater gave an overview of the partnership with the San Jose Sharks and their

Teal Top program to facilitate a youth hockey program in the City of Merced at Applegate Park.

Council, Ms. DIETZ and Ms. HILL discussed various aspects of the program, the use of the current basketball courts and different possible locations to host the Teal Top.

Isaac YARRELL, Merced - spoke in support of the project.

Gina PETERS, Merced - expressed concerns about using Applegate Park as the location for the Teal Top.

Molly BEHN, Merced - expressed concern with lack of parking at Applegate Park.

Corinthia HURLEY, Merced - asked about any survey information regarding this project and other potential locations.

Eric HAMM, Merced - expressed support for the project.

Sair LARA, Downtown Neighborhood Association - thanked the El Capitan for bringing this forward but stated DNA would not be taking a position on this item.

Clerk's Note: The following comment was received via voicemail.

Tammy DAVIDSON, Merced - expressed support for the project.

Council discussed the location of the project, concerns expressed by the community, ongoing maintenance, the use of the basketball courts, and the short timeline to accept the project.

Ronnie DEANDA, Merced - expressed support for the project.

Molly BEHN, Merced - restated her point about parking.

Council continued discussion of the project and the issues presented.

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

Aye: 4 - Mayor Serratto, Council Member Shelton, Council Member Perez, and Council Member Boyle

No: 2 - Council Member Echevarria, and Council Member Ornelas

Absent: 1 - Mayor Pro Tempore Blake

K.2.

SUBJECT: Review, Discussion and Direction Regarding Issuing Letters of Support for the Farm Workforce Modernization Act of 2021 (Immigration Reform Bill) to Federal Representatives

REPORT IN BRIEF

Review, discuss and provide staff direction regarding issuing letters of support to Federal Representatives for the Farm Workforce Modernization Act of 2021 (Immigration Reform Bill) as the proposed bill falls outside of the Adopted City of Merced Legislative Platform.

RECOMMENDATION

Provide direction to issuing Letters of Support for the Farm Workforce Modernization Act of 2021 (Immigration Reform Bill) to local Federal Representatives.

Council briefly discussed the letters of support.

Gloria SANDOVAL, Merced - spoke on the farm workers bill.

Clerk's Note: The following public comments came subsequent to the Council vote.

Blanca OJEDA, Merced - spoke in support of the bill.

Manuel CUNHA, Nisei Farmers League - spoke in support of the letters.

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

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

K.4.

SUBJECT: Citizens' Oversight Committee - Measure V Appointment

REPORT IN BRIEF

Nomination for appointment to the Measure V Transportation Expenditure Plan - Citizens Oversight Committee.

RECOMMENDATION

City Council - Adopt a motion nominating a member to the City of Merced seat on the Citizens' Oversight - Measure V Committee.

Council discussed the applicants for the Measure V Oversight Committee.

Robert TYLER, Merced - spoke on his behalf regarding his application.

A motion was made by Council Member Ornelas, seconded by Council Member Perez, to nominate Sabrina Abong to the Measure V Oversight Committee. The motion failed by the following vote:

Aye: 3 - Council Member Echevarria, Council Member Perez, and Council Member Ornelas

No: 3 - Mayor Serratto, Council Member Shelton, and Council Member Boyle

Absent: 1 - Mayor Pro Tempore Blake

A motion was made by Council Member Shelton, seconded by Council Member Boyle, to nominate Robert Tyler as the City representative on the Measure V Oversight Committee. The motion carried by the following vote:

Aye: 4 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, and Council Member Boyle

No: 2 - Council Member Perez, and Council Member Ornelas

Absent: 1 - Mayor Pro Tempore Blake

K.3.

SUBJECT: Request to Display the Mexican Flag in Bob Hart Square in Honor of the 211th Anniversary of Mexican Independence on September 15th and 16th

REPORT IN BRIEF

Request from the Mexican Consulate to Display the Mexican Flag in Bob Hart Square on September 15th and 16th.

RECOMMENDATION

Provide direction to staff on the display of the Mexican Flag in Bob Hart Square in accordance with Council Policy C-7 regarding the display of commemorative flags.

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

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

Clerk's Note: Council took a recess at 8:20 PM and reconvened at 8:32 PM.

J. REPORTS

J.1.

SUBJECT: Report on Pro-Housing Policies, Housing Production, Affordable Housing and Request for City Council Direction on Policies, Programs, and Other Actions

REPORT IN BRIEF

Report on Pro-Housing Policies, Housing Production Affordable Housing and Receive City Council Direction on Policies, Programs, and other Actions.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting the report on pro-housing policies, housing production, affordable housing; and,

B. Provide direction to staff on potential policies, programs, and actions in support of housing production and affordable housing.

City Manager Stephanie DIETZ and Development Services Director Scott MCBRIDE gave a report on pro-housing policies, housing production, affordable housing, and programs which included housing data for the City of Merced, City partners in affordable housing, elements of inclusionary zoning that could be implemented by the City, legislative action agreements, entitlements, ways to streamline housing production, financing for affordable housing projects, and potential policies to promote more affordable housing units.

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

Kim BLEDSOE, Merced - expressed concern on accountability and transparency in the production of affordable housing.

Jennifer XIONG, Hlub Hmong Center - commented on enforcement and accountability for developers to build affordable housing.

Rocio RICHARDS, Merced - spoke in support of affordable housing.

Tonya BOZER, Merced - asked the Council to implement inclusionary zoning policies.

Manual ALVARADO, United Way of Merced County - expressed approval of the housing policies.

Pang XIONG, Merced - expressed support for more affordable housing in Merced.

Gloria SANDOVAL, Merced - spoke on affordable housing policies.

Anh DIEP, Merced - spoke in support of the staff recommendation and expressed the need for more affordable housing.

Noel ANDERSON, Merced - recommended the City collaborate with UC Merced to create more student housing.

Lue XIONG, Merced - spoke about inclusionary zoning and a housing trust fund.

Tim ROBERTSON, North Valley Labor Federation - spoke in support of pro housing policies.

Mellissa, Faith in the Valley - spoke in support of affordable housing funding.

Linda, Merced - spoke about inclusionary zoning and an affordable housing trust fund.

Ramon RODRIGUEZ - spoke in support of inclusionary zoning and an affordable housing trust fund.

Caitlyn BISHOP, Merced - expressed support for the staff recommendations.

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

Juana HERNANDEZ, Merced - spoke in support of more affordable housing for families like hers.

Will KELLY, Merced - spoke in support of the staff recommendation.

Sheng XIONG, Leadership Council - asked Council to reject the staff recommendation and suggested creation of a detailed inclusionary zoning policy.

Blanca OJEDA, Merced - spoke about having clear and enforceable policies.

Corinthia HURLEY, Merced - questioned some of the policies presented.

Alane QUIEN, Merced - commented on the need for housing and helping to create home ownership.

Stephen PECK, Merced - commented on the different aspects of the report and offered advice to Council.

Jeremy VERAMENDI, Merced - commented on the need for student housing.

Pangcha VANG, Merced - commented on proposed affordable housing locations and inclusionary zoning.

Fue XIONG, Merced - suggested Council support inclusionary zoning and an affordable housing trust fund.

Gloria SANDOVAL, Merced - commented on the changing need for affordable housing.

Terry RUSCOE, Merced - agreed that Merced needs more housing and commented on inclusionary zoning.

Crisantema GALLARDO, Merced - commented on access to affordable housing for low income families.

Madeline HARRIS, Merced - commented on affordable housing and requested Council reject the report.

Ed FLORES, Merced - spoke about UC Merced and inclusionary zoning.

Ale JURADO, Merced - spoke about young people becoming homeowners.

Daniel, Merced - commented on affordable housing.

Eric HAMM, Merced - spoke about the economics of building affordable

housing.

Robert DYLINE, Merced - spoke about housing supply and demand.

Mr. MCBRIDE commented and clarified several points brought up by the public.

Corinthia HURLEY, Merced - commented on the enforcement of the policies.

Council, Mr. MCBRIDE, and Ms. DIETZ discussed holding developers accountable to build affordable housing, the lack of inclusionary zoning options, the LEAP grant, policies suitable for the City of Merced, and options to streamline units being built.

A motion was made by Council Member Ornelas, seconded by Council Member Perez, to pass staff recommendation including enforcement language that will fine developers who do not build affordable housing. The motion failed by the following vote:

Aye: 3 - Council Member Echevarria, Council Member Perez, and Council Member Ornelas

No: 3 - Mayor Serratto, Council Member Shelton, and Council Member Boyle

Absent: 1 - Mayor Pro Tempore Blake

A motion was made by Mayor Serratto, seconded by Council Member Perez, to follow the staff recommendation including the regional approach to the housing trust fund and have staff return with enforcement options. The motion carried by the following vote:

Aye: 4 - Mayor Serratto, Council Member Shelton, Council Member Perez, and Council Member Boyle

No: 2 - Council Member Echevarria, and Council Member Ornelas

Absent: 1 - Mayor Pro Tempore Blake

K. BUSINESS

K.5. SUBJECT: Council Member Ornelas' Request to Discuss the Addition of Land Acknowledgement Language to the Agenda

REPORT IN BRIEF

Council Member Ornelas' request to discuss the addition of land acknowledgement language to the agenda pursuant to City Council Administrative Policies and Procedures C-1.

RECOMMENDATION

Provide direction to staff on next steps.

Council Member ORNELAS requested staff reach out to the Yokut Tribe Council to confer on land acknowledgement.

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

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

K.6.

SUBJECT: Mayor Serratto's Request to Discuss Potential Direction to Staff and/or the Arts and Culture Advisory Commission to Advertise and Issue an Open Call for Public Arts Projects

REPORT IN BRIEF

Mayor Serratto's request to discuss potential direction to staff or the Arts and Culture Advisory Commission to advertise and issues an open call for public art projects pursuant to City Council Administrative Policies and Procedures C-1.

RECOMMENDATION

Provide direction to staff on next steps.

Mayor SERRATTO requested a broad call for art projects and to raise money by either soliciting donations, private fundraising, or through the City budget process.

Clerk's Note: Council Member PEREZ briefly left the room during the vote.

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

Aye: 5 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 2 - Mayor Pro Tempore Blake, and Council Member Perez

K.7.

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 ECHEVARRIA requested an item for the October 18th Council Meeting to discuss a shopping cart ordinance update.

K.8.

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 thanked City Staff and commented on local boxers winning national championships.

Council Member ECHEVARRIA commented on the 2021 Children's Summit and attending the Mercado on Main.

Mayor SERRATTO commented on the farmers market at Golden Valley Health Centers and talked about the upcoming park cleanup on October 9th.

L. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 12:15 AM on September 8, 2021.

A motion was made by Council Member Ornelas, seconded by Council Member Perez, that the meeting be adjourned. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake