



# CITY OF MERCED

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

## Minutes

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

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Monday, July 20, 2015

7:00 PM

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

#### A. STUDY SESSION ROLL CALL

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

**Absent:** 0

#### B. STUDY SESSION

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

##### B.1.

**SUBJECT:** Re-evaluation of the Future Police Building Site

##### REPORT IN BRIEF

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

##### RECOMMENDATION

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

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

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

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

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

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

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

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

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

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

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

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

City Manager BRAMBLE stated that these locations will be evaluated along with the highest scoring 6 or 7 of the original sites.

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

**A motion was made by Mayor Pro Tempore Pedrozo, seconded by Council Member Belluomini, to start the process to re-examine potential police headquarter sites. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 0

## C. CALL TO ORDER

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

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

C.2. Pledge of Allegiance to the Flag

## D. ROLL CALL

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

**Absent:** 0

## F. CEREMONIAL MATTERS

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

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

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

## G. WRITTEN PETITIONS AND COMMUNICATIONS

## H. ORAL COMMUNICATIONS

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

## I. CONSENT CALENDAR

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

### Approval of the Consent Agenda

Agenda items I.3. - Award Bid to BMY Construction Group, Inc., for the Wastewater Treatment Plant UV Building Remodel Project 115029, I.7. - Citizen Engagement Application Service Contract, I.10. - Parking Enforcement on County Parking Lots, and I.11. - Fahren's Park Assessment District Bond Call were pulled from the Consent Calendar for separate consideration.

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

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

**No:** 0

**Absent:** 0

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

This Consent Item was approved.

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

**REPORT IN BRIEF**

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

**RECOMMENDATION**

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

This Consent Item was approved.

**I.4.** **SUBJECT:** Award Bid to DOD Construction for the CDBG South Merced ADA Ramps Project 115028

**REPORT IN BRIEF**

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

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving a technical amendment to the 2014 HUD Annual Action Plan in the amount of \$50,000 due to construction costs; and,
- B. Authorizing a transfer from Fund 018-Housing to Fund 450-Streets and Signals CIP in the amount of \$50,000 and appropriating the same to Account 450-1104-637.65-00-Project 115028 South Merced ADA Ramps; and,

- C. Approving the First Amendment to Interdepartmental Cooperative Agreement between the City of Merced Economic Development and Development Services Departments in the amount of \$50,000; and,
- D. Awarding the bid for the CDBG South Merced ADA Ramps Project 115028, to DOD Construction, in the amount of \$105,990; and,
- E. Authorizing the City Manager to execute the necessary documents and to approve change orders not to exceed 10% of the total contract.

**This Consent Item was approved.**

**I.5.**

**SUBJECT:** Street Sweeping Agreement with Merced Camelot Owners Association

**REPORT IN BRIEF**

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

**RECOMMENDATION**

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

**This Consent Item was approved.**

**I.6.**

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

**REPORT IN BRIEF**

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

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Authorizing the purchase of one (1) Quantum PUC Pumper Fire Engine from Pierce, with a total purchase price of \$575,203.42,

which includes the discount through the HGAC Cooperative Program, factory inspection trips, delivery/dealer preparation, performance bond, contingency fund, 100% pre-payment discount, and 8% sales tax; and,

- B. Waiving the competitive bid requirements, in conformance with Section 3.04.210 of the Merced Municipal Code.

**This Consent Item was approved.**

**I.8.**

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

**REPORT IN BRIEF**

Consider approving an addendum to the City's existing Enterprise Agreement (EA) contract with Microsoft for e-mail archive product.

**RECOMMENDATION**

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

**This Consent Item was approved.**

**I.9.**

**SUBJECT:** Predictive Policing Software Contract

**REPORT IN BRIEF**

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

**RECOMMENDATION**

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

**This Consent Item was approved.**

**I.12.**

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

**REPORT IN BRIEF**

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

**RECOMMENDATION**

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

**This Consent Item was approved.**

**I.3.**

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

**REPORT IN BRIEF**

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

**RECOMMENDATION**

**City Council** - Adopt a motion:

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

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

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

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

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

**No:** 0

**Absent:** 0

**I.7.**

**SUBJECT:** Citizen Engagement Application Service Contract

**REPORT IN BRIEF**

Enter into a contract with PublicStuff, and amend a contract with SunGard

for a Citizen Engagement Application for \$17,784.29 per year.

**RECOMMENDATION**

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

Council Member MURPHY pulled this item to ask questions.

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

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

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

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

**No:** 0

**Absent:** 0

**I.10.**

**SUBJECT:** Parking Enforcement on County Parking Lots

**REPORT IN BRIEF**

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

**RECOMMENDATION**

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

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

**This Consent Item was tabled.**

**I.11.**

**SUBJECT:** Fahren's Park Assessment District Bond Call



#### REPORT IN BRIEF

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

#### RECOMMENDATION

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

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

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

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

**No:** 0

**Absent:** 0

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

## J. PUBLIC HEARINGS

### J.1.

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

#### REPORT IN BRIEF

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

#### RECOMMENDATION

**City Council** - Adopt a motion:

- A. Approving **Resolution 2015-29**, A Resolution of the City Council of the City of Merced, California, approving a Mitigated Negative Declaration for General Plan Amendment #14-04, Revision #2 to the Fahrens Creek Specific Plan, and Site Utilization Plan Revision

#4 to Planned Development (P-D) #46 and approving General Plan Amendment #14-04 and Revision #2 to the Fahrens Creek Specific Plan changing the land use designation from Low Density Residential (LD) to Village Residential (VR) for an approximately 6 acre portion of an approximately 10.42 acre parcel located at the southeast corner of Pacific Drive and Horizons Avenue;

- B. Introducing **Ordinance 2445**, an Ordinance of the City Council of the City of Merced, California, approving Site Utilization Plan Revision #4 to Planned Development (P-D) #46 changing the land use designation from Low Density Residential (LD) to Village Residential (VR) for an approximately 6 acre portion of an approximately 10.42 acre parcel generally located at the southeast corner of Pacific Drive and Horizons Avenue; and,

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

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

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

Mayor THURSTON opened the Public Hearing at 7:56 p.m.

John HINCHEY, Steiner Development spoke about the density of the project and requested Council's support.

Katie FENTERS, Golden Valley Engineering, offered to answer any questions.

The Public Hearing was closed at 8:02 p.m.

Director of Development Services GONZALVES addressed Council concerns of such a dense concentration of multi family units.

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

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

No: 0

Absent: 0

## K. BUSINESS

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

#### REPORT IN BRIEF

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

#### RECOMMENDATION

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

**A motion was made by Mayor Pro Tempore Pedrozo, seconded by Council Member Blake, to appoint Isabel Sanchez as a replacement member to the Independent Districting Advisory Committee. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 0

### K.2. Request to Add Item to Future Agenda

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

### K.3. City Council Comments

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

Mayor Pro Tempore PEDROZO commented on the McNamara mural project.

## L. ADJOURNMENT

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

Council Member DOSSETTI requested the meeting be adjourned in memory of Ted HILLIS, a former police officer in Merced.

The meeting adjourned at 8:22 p.m.

**A motion was made by Council Member Dossetti, seconded by Mayor Thurston, to adjourn the meeting to 5:30 p.m. on July 22. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 0