



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, January 18, 2022

6:00 PM

A. CLOSED SESSION ROLL CALL

Present: 6 - Mayor Matthew Serratto, Mayor Pro Tempore Kevin Blake, Council Member Delray Shelton, Council Member Bertha Perez, Council Member Jesse Ornelas, and Council Member Sarah Boyle

Absent: 1 - Council Member Fernando Echevarria

B. CLOSED SESSION

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

Clerk's Note: Council Member PEREZ arrived to the Closed Session at 5:59 PM.

B.1. **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): Travis Lindsey, Lozano Smith, Attorney at Law; Employee Organizations: American Federation of State, County, and Municipal Employees (AFSCME) Council 57. AUTHORITY: Government Code Section 54957.6

B.2. **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): Janell Van Bindsbergen, Lozano Smith, Attorney at Law; Employee Organization: International Association of Fire Fighters, Local 1479. AUTHORITY: Government Code Section 54957.6

B.3. **SUBJECT:** PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: City Manager; Authority: Government Code Section 54957

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 6:03 PM

C.1. Invocation - Ahmadiyya Muslim Community - Merced Chapter

The invocation was delivered by Shahid SOHAIL from the Ahmadiyya Muslim Community, Merced Chapter.

C.2. Pledge of Allegiance to the Flag

Mayor Pro Tempore BLAKE led the Pledge of Allegiance to the Flag.

D. ROLL CALL

- Present:** 6 - Mayor Matthew Serratto, Mayor Pro Tempore Kevin Blake, Council Member Delray Shelton, Council Member Bertha Perez, Council Member Jesse Ornelas, and Council Member Sarah Boyle
- Absent:** 1 - Council Member Fernando Echevarria

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. WRITTEN PETITIONS AND COMMUNICATIONS

Clerk's Note: An email was received for the following agenda item and forwarded to Council prior to the meeting.

Item J.1. - Christian ARANA.

G. ORAL COMMUNICATIONS

Rick WENDLING, Merced - spoke about wage increases for City employees and Dr. Martin Luther KING.

Fue XIONG, Merced - spoke about Dr. Martin Luther KING and racial equity.

City Manager Stephanie DIETZ introduced newly appointed Recreation and Parks Director Christopher JENSEN.

H. CONSENT CALENDAR

Items H.4. Administering Agency Amendment Modification Summary (E-76) - State Agreement for Federal Aid Projects No. 10-5085 and Approval to Accept Congestion Mitigation and Air Quality Improvement (CMAQ) Grant Funds, CML-5085(048) 119042 CMAQ in the Amount of \$639,449 for Construction of the Sidewalks on I Street From South of W. 25th Street to W. 28th Street, on Martin Luther King Jr. Way From W. 26th

Street to W. 28th Street and on K Street From W. 26th Street to W. 28th Street, H.6. Allocation of Fiscal Year 2021-22 U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program Resources to Fund Subrecipient Agreements with Sierra Saving Grace Homeless Project and the Merced Rescue Mission for the Respective Programs Approved With the Adopted 2021 Annual Action Plan, and H.7. Adoption of Resolution Approving Final Map 5392 (Cypress Terrace 7, Phase E) for 32 Single-Family Lots, Generally Located South of Gerard Avenue, West of M Street, and the Approval of the Subdivision Agreement for Cypress Terrace 7, Phase E; were pulled for separate consideration.

Approval of the Consent Agenda

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Council Member Echevarria

H.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.

H.2. **SUBJECT: Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of December 20, 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 December 20, 2021.

This Consent Item was approved.

H.3.

SUBJECT: Approval of a Measure V Regional Project Funding Agreement with Merced County Association of Governments to Receive Measure V Regional Funds for the Mission Avenue Widening Project Study Report Equivalent Document

REPORT IN BRIEF

Consider authorizing a Measure V Regional Funding Agreement with Merced County Association of Governments (MCAG) to receive Measure V Regional funds for the Mission Avenue Widening Project Study Report Equivalent (PSR-E) Document Project.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving the Measure V Regional Funding Agreement for the Mission Avenue Widening PSR-E Document; and,
- B. Authorizing the use of pooled cash for expenditures until City receives reimbursement funds; and,
- C. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- D. Authorizing the City Manager or the Deputy City Manager to execute the necessary documents.

This Consent Item was approved.

H.5.

SUBJECT: Adoption of a Resolution Authorizing the Submittal of a Joint Application and Participation in the State of California Housing and Community Development (HCD) Homekey Program

REPORT IN BRIEF

Authorizes the submittal of a joint application and participation in the State of California Department of Housing and Community Development Department (HCD) Homekey Program.

RECOMMENDATION

City Council - Adopt a motion:

- A. Adopting Resolution **2022-03**, a Resolution of the City Council of the City of Merced, California, authorizing a joint application and participation in the Homekey Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the Homekey Program; and,
- B. Authorizing the City Manager or Deputy City Manager to execute the Standard Agreement if selected for such funding and any amendments thereto, and any related documents necessary to participate in the Homekey Program; and,
- C. Authorizing the Finance Officer to make any budget amendments necessary for the implementation of the use of the Homekey Program; and,
- D. Authorizing the use of pooled cash until reimbursement if grant is awarded from the Homekey Program.

This Consent Item was approved.

H.8.

SUBJECT: Approval of Street Closure Request #21-13 by Velo Promo, LLC to Host the 35th Annual Merced Criterium Bicycle Race, to Include M Street, From W. 21st to W. 18th Streets; W. 18th Street, From M to N Streets; and N Street, From W. 18th Street and Including the Merced County Courthouse Loop on Sunday, February 27, 2022, from 7:00 a.m. to 3:30 p.m.

REPORT IN BRIEF

Considers approving a request by Velo Promo, LLC for the closure and use of City streets on Sunday, February 27, 2022, for the 35th Annual Merced Criterium Bicycle Race. The request seeks approval to close M Street, between W. 21st and W. 18th Streets; W. 18th Street, between M and N Streets; and N Street, from W. 18th Street to include the Merced County Courthouse loop from 7:00 a.m. to 3:30 p.m.

RECOMMENDATION

City Council - Adopt a motion approving the street closure of M Street, between W. 21st and W. 18th Streets; W. 18th Street, between M and N Streets; and N Street, from W. 18th Street to include the Merced County Courthouse loop on Sunday, February 27, 2022, from 7:00 a.m. to 3:30 p.m., subject to the details and conditions outlined in the

Administrative Staff Report.

This Consent Item was approved.

H.9.

SUBJECT: Approval of a Two-Year Agreement for Medical Service Programs with Merced Faculty Associates Medical Group, Inc. - Olivewood Meadows Occupational Health Center to Provide Occupational and Pre-Employment Medical Services

REPORT IN BRIEF

Consider approving the bid proposal submitted by Merced Faculty Associates Medical Group, Inc. - Olivewood Meadows Occupational Health Center to provide occupational and pre-employment medical services.

RECOMMENDATION

City Council - Adopt a motion approving an agreement for medical service programs to Merced Faculty Associates Medical Group, Inc. - Olivewood Meadows Occupational Health Center for a 2-year term and authorizing the City Manager or the Deputy City Manager to execute the necessary documents.

This Consent Item was approved.

H.10.

SUBJECT: Approval of a Two-Year Agreement for Medical Services for Current Workers' Compensation Claims with The Noble Group - Patients First

REPORT IN BRIEF

Consider approving the bid proposal submitted by The Noble Group - Patients First to provide occupational medical services for employees that are currently being treated through workers' compensation at Patients First.

RECOMMENDATION

City Council - Adopt a motion awarding the medical service program to The Noble Group - Patients First for a 2-year term on a month-to-month basis to provide primary medical care services in support of the self-insured workers' compensation program and authorizing the City Manager or Deputy City Manager to execute the necessary documents.

This Consent Item was approved.

H.11.

SUBJECT: Approval of the Updated the Master license Agreement (“MLA”) Template to Utilize City-Owned Vertical Infrastructure Within the City’s Public Right-of-Way for Small Cell Telecommunication Facilities

REPORT IN BRIEF

Update to the Master license Agreement (“MLA”) Template to utilize City-owned vertical infrastructure within the City’s public right-of-way for small cell telecommunication facilities

RECOMMENDATION

City Council- Adopt a motion:

A. Authorizing the City Manager or Deputy City Manager to execute the updated Template for a Master license Agreement (“MLA”); and,

B. Authorizing the City Manager or Deputy City Manager to update the Master License Agreement (“MLA”) to reflect any future changes to State or Federal Legislation.

This Consent Item was approved.

H.12.

SUBJECT: Award of Bid and Approval of an Agreement in the Amount of \$96,068 with Data Connect Enterprise for the Purchase of 335 Yealink VoIP Telephone Handsets and Accessories

REPORT IN BRIEF

Considers awarding bid to Data Connect Enterprise in the amount of \$96,068 to provide for the purchase of 335 Yealink VoIP telephone handsets and accessories, which will replace the City’s current telephones that have exceeded their end of useful life.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the bid (\$96,068) to the lowest bidder, Data Connect Enterprise; and,

B. Approving the attached contract for the purchase of 335 Yealink VoIP telephone handsets and accessories for \$96,067.76; and,

C. Authorizing the City Manager or Deputy City Manager to execute the

necessary documents.

This Consent Item was approved.

H.4.

SUBJECT: Administering Agency Amendment Modification Summary (E-76) - State Agreement for Federal Aid Projects No. 10-5085 and Approval to Accept Congestion Mitigation and Air Quality Improvement (CMAQ) Grant Funds, CML-5085(048) 119042 CMAQ in the Amount of \$639,449 for Construction of the Sidewalks on I Street From South of W. 25th Street to W. 28th Street, on Martin Luther King Jr. Way From W. 26th Street to W. 28th Street and on K Street From W. 26th Street to W. 28th Street

REPORT IN BRIEF

Considers accepting \$639,449 in Federal Congestion Mitigation and Air Quality (CMAQ) Grant funding for Construction of the sidewalks on I Street from south of W. 25th Street to W. 28th Street, on Martin Luther King Jr. Way from W. 26th Street to W. 28th Street and on K Street from W. 26th Street to W. 28th Street.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting CMAQ grant funds and increasing revenue in account 450-1104-321.32-00 by \$639,449 and appropriating the same to account 450-1104-637-65-00 (Project No. 119042) for construction costs associated with construction of sidewalks on I Street from south of W. 25th Street to W. 28th Street, on Martin Luther King Jr. Way from W. 26th Street to W. 28th Street and on K Street from W. 26th Street to W. 28th Street, and,

B. Approving the use of pooled cash until reimbursement is received from the grant; and,

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

Mayor SERRATTO pulled this item due to a voicemail comment received from the public.

Mary NEWMAN, Merced - spoke in support of the sidewalk project.

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

following vote:

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Council Member Echevarria

H.6.

SUBJECT: Allocation of Fiscal Year 2021-22 U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program Resources to Fund Subrecipient Agreements with Sierra Saving Grace Homeless Project and the Merced Rescue Mission for the Respective Programs Approved With the Adopted 2021 Annual Action Plan

REPORT IN BRIEF

Considers authorizing the execution of Community Development Block Grant (CDBG) Subrecipient Agreements with Sierra Saving Grace Homeless Project (\$500,000) and Merced Rescue Mission (\$400,000) for both organizations' Acquisition with Rehabilitation Programs.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving an agreement for a program identified in the 2021 HUD Annual Action Plan using CDBG funds from the 2021/22 Fiscal Year, per previous City Council recommendation, with Sierra Saving Grace Homeless Project in the amount of \$500,000 for the "Supportive Housing Project" Program (Account 018-1301-552-29.00/Supplies and Services); and,

B. Approving an agreement for a program identified in the 2021 HUD Annual Action Plan using CDBG funds from the 2021/22 Fiscal Year, per previous City Council recommendation, with Merced Rescue Mission in the amount of \$400,000 for the "Hope for Families" Program (Account 018-1301-552-29.00/Supplies and Services); and,

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

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

Council Member ORNELAS pulled this item to express support and

request these projects be done in a timely manner.

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Council Member Echevarria

H.7.

SUBJECT: Adoption of Resolution Approving Final Map 5392 (Cypress Terrace 7, Phase E) for 32 Single-Family Lots, Generally Located South of Gerard Avenue, West of M Street, and the Approval of the Subdivision Agreement for Cypress Terrace 7, Phase E

REPORT IN BRIEF

Considers the approval of Final Map #5392 for 32 single-family lots, generally located south of Gerard Avenue, west of M Street, and the Subdivision Agreement for Cypress Terrace 7, Phase E.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2021-02**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Cypress Terrace 7, Phase E Subdivision (#5392); and,

B. Approving the Subdivision Agreement for Cypress Terrace 7, Phase E; and,

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

Staff requested this item be pulled to move to a future agenda.

Clerk's Note: No vote or formal Council action was taken on this item.

I. PUBLIC HEARINGS

I.1.

SUBJECT: Public Hearing to Consider Potential Introduction of an Ordinance to Approve Zone Change #428, Initiated by MCP, LLC, Property Owner, Involving a Zone Change From Low-Density

Residential (R-1-6) to Medium-Density Residential with an Urban
Residential Zoning Overlay (R-3-2/UR) for Four 0.22-Acre Parcels
Located at 565, 575, 601, and 609 Q Street

REPORT IN BRIEF

Request for City Council approval for a Zone Change from Low Density Residential (R-1-6) to Medium Density Residential with an Urban Residential Overlay (R-3-2/UR) for four 0.22-acre parcels located at 565, 575, 601, and 609 Q Street.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving Environmental Review #21-39 (CEQA Section 15162 Findings); and,

B. Introducing **Ordinance 2536**, An Ordinance of the City Council of the City of Merced, California, amending the official Zoning Map by rezoning approximately 0.88 acres of land generally located on the west side of Q Street, directly south of West 6th Street, from Low-Density Residential (R-1-6) to Medium-Density Residential (R-3-1.5) with Urban Residential (UR) Overlay; and,

C. Approving the First Amended and Restated Legislative Action Agreement and authorizing the City Manager or Deputy City Manager to execute the necessary documents.

Clerk's Note: Interim City Attorney Kim FLORES recused herself from this item due to a business conflict. Deputy City Attorney Kim MADAYAG sat in as legal counsel.

Associate Planner Francisco MENDOZA-GONZALES gave a presentation on a zone change from Low-Density Residential (R-1-6) to Medium-Density Residential with an Urban Residential Zoning Overlay (R-3-2/UR) for four 0.22-acre parcels located at 565, 575, 601, and 609 Q Street.

Council and Mr. MENDOZA-GONZALES briefly discussed the change in the project.

Mayor SERRATTO opened the Public Hearing at 6:34 PM.

Sheng XIONG, Leadership Council for Justice and Accountability - spoke in support of the project and the need for more affordable housing.

Mayor SERRATTO closed the Public Hearing at 6:36 PM.

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Council Member Echevarria

J. REPORTS

J.1.

SUBJECT: Report on the Implementation of the City Council Adopted American Rescue Plan Act (ARPA) Strategic Investment Plan, Including Seeking Direction on Program Elements for the Stimulus Program, Utility Bill Relief Program and Other Additional Operational Needs

REPORT IN BRIEF

Report on the implementation of the City Council adopted American Rescue Plan Act (ARPA) Strategic Investment Plan, including seeking direction from the City Council on program elements as they relate to the Stimulus Program, Utility Bill Relief Program, and other operational needs related to the continued impact of COVID-19 to essential services.

RECOMMENDATION

Provide staff direction on program elements and operational needs related to the implementation of the ARPA Strategic Investment Plan and continued impact of COVID-19 to essential services.

City Manager Stephanie DIETZ gave a summary of the Council approved ARPA funded items and requested feedback on the implementation of the different programs in the plan.

Council and Ms. DIETZ discussed the classifications of workers to consider for the proposed stimulus plan including job types and income levels.

Finance Officer Venus RODRIGUEZ discussed a potential utility bill relief program from the state.

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

Graham LARUE, Merced - asked Council to use ARPA funding to help local farm workers and make the process streamlined.

Jullissa - asked that ARPA funds be used for undocumented workers.

Noelle ANDERSON, Merced - spoke in favor of stimulus payments for undocumented farm workers.

Blanca OJEDA, Merced - asked Council to prioritize farm workers for stimulus payments.

Clerk's Note: Council took a recess at 6:58 PM and reconvened at 7:01 PM.

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

Alane QUIEN, Merced - expressed support for stimulus funds for home care providers and farm workers.

Josefina OCHOA, Merced - expressed support for stimulus payments for home care providers.

Keila LUNA, Merced - asked Council to prioritize undocumented workers for ARPA stimulus payments.

Sheng XIONG, Leadership Council - spoke in favor of undocumented workers receiving stimulus payments.

Pangcha VANG, Merced - urged Council to support undocumented workers with stimulus payments.

Gloria SANDOVAL, Merced - asked for a simplified process to supply the funding.

Madeline HARRIS, Merced - asked that undocumented frontline workers be prioritized for stimulus funding and to keep the process to apply simple.

Chrisantema GALLARDO, Merced - asked that Council prioritize undocumented workers with the stimulus payments.

Fue XIONG, Merced - suggested a sliding scale to distribute funds to those most impacted by the pandemic.

Rick WENDLING, Merced - spoke against stimulus for undocumented

workers.

Council and Ms. DIETZ discussed eligibility, income requirements, administration costs, the ease of applying for stimulus funding, and the possibility of doing the program in-house.

Council agreed on the recommended funding as proposed by staff, agreed with the classification as recommended by staff with the addition of personal care workers, agreed on the income threshold up to 300% of the Federal Poverty level, and agreed to include nuclear families that are City residents.

Council agreed to hold off on water shutoffs at this time with a report back at a future meeting.

Council had consensus on in-house administration of the stimulus program.

Clerk's Note: No formal action or vote was taken on this item.

J.2.

SUBJECT: Report and Request for Council Direction to Proceed with the Distribution of Petition Packets as Part of the Process in Forming a Property Based Improvement District in Downtown Merced

REPORT IN BRIEF

Considers providing staff direction to distribute petition packets to Downtown property owners within the proposed Property Based Improvement District boundary as the next step in the process of establishing a Downtown Property Based Improvement District.

RECOMMENDATION

City Council - Adopt a motion:

A. Providing staff direction to distribute petition packets amongst Downtown property owners within the identified Property Based Improvement District; and,

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

Deputy City Manager Frank QUINTERO gave a brief presentation on the process of establishing a Downtown Property Based Improvement District (PBID), the included area in the district, and the various benefits to the downtown area.

Council, Mr. QUINTERO, and City Manager Stephanie DIETZ discussed the workings of a PBID, the types of oversight, the formation of a board, and different types of programs and benefits that could be implemented.

A motion was made by Council Member Perez, seconded by Council Member Boyle, to move forward with the petition to form a Property Based Improvement District. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Council Member Echevarria

J.3.

SUBJECT: Report and Public Meeting on Update of the City's Public Facilities Financing Plan and Impact Fee Program

REPORT IN BRIEF

The City Council will receive a report on the Update of the City's Public Facilities Financing Plan and Impact Fee Program and hold a public meeting in advance of the public hearing on the same item scheduled for February 7, 2022.

RECOMMENDATION

The City Council should provide direction regarding any additions or changes to the Public Facilities Financing Plan and Impact Fee Program so staff can prepare the draft Ordinance for a public hearing and possible introduction on February 7, 2022.

Planning Manager Kim ESPINOSA gave a presentation regarding the update of the City's Public Facilities Financing Plan and Impact Fee Program including what the fees pay for, the current fee schedule, and the need to update the fees to keep up with the cost of new infrastructure.

Council and Ms. ESPINOSA discussed fees in the past, a previous Council direction to reduce the fees, possibly phasing in the updated fees, reducing fees for infill projects, and different policy options.

Council agreed that an ordinance imposing the maximum fees with no phasing and a policy to allow for infill fee reductions should be brought to the Public Hearing scheduled for this item.

Clerk's Note: No formal vote or Council action was taken on this item.

K. BUSINESS

- K.1.** **SUBJECT: Authorizing the Director of Emergency Services to Proclaim a Local Emergency Due to the Recent Surge in the Omicron Variant and Shall Remain in Effect for Thirty (30) Days or Until Rescinded by the City Council**

REPORT IN BRIEF

Considers authorizing the Director of Emergency Services to proclaim a local emergency due to the recent surge in the Omicron variant and shall remain in effect for thirty (30) days or until rescinded by the City Council.

RECOMMENDATION

City Council - Adopt a motion authorizing the Director of Emergency Services to proclaim a local emergency due to the recent surge of the Omicron variant.

City Manager Stephanie DIETZ gave a brief presentation on the need to declare a local emergency due to the surge in the number of COVID-19 cases and staffing issues related to the pandemic.

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Council Member Echevarria

- K.2.** **SUBJECT: Adoption of a Resolution Making Findings to Hold City Council, Commission, and Committee Meetings Using a Combination of In-Person/Virtual (Hybrid) Meetings Under Assembly Bill (AB) 361**

REPORT IN BRIEF

That the City Council finds that during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing, the City Council and all commission and committee meetings will be held as hybrid meetings, allowing for direction on format elements. Also included, is the opportunity to discuss the format of future meetings during the recent Omicron surge.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2022-04**, a Resolution of the City Council of the City of Merced, California, making findings consistent with the requirements of AB 361 to allow for in-person/virtual (hybrid) public meetings; and,

B. Providing staff direction on the format of future City Council, Commission and Committee meetings during the recent Omicron surge.

City Manager Stephanie DIETZ briefed Council on the Assembly Bill 361 regarding hybrid Council and commission meetings.

Council discussed the format of meetings and agreed to keep the hybrid setting of meetings for Council and commission meetings, and to change the Town Hall meeting format and hold two meetings in a hybrid setting at City Hall instead of holding them at the local schools.

A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Ornelas, to adopt resolution 2022-04. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Council Member Echevarria

K.3.

SUBJECT: Council Member Ornelas' Request to Discuss a Study Regarding a Violent Crime Cost Assessment

REPORT IN BRIEF

Council Member Ornelas' request to discuss a Study regarding a violent crime cost assessment pursuant to City Council Administrative Policies and Procedures C-1.

RECOMMENDATION

Provide direction to staff on next steps.

Council Member ORNELAS requested this item be added to the upcoming Council Strategic Planning Session.

K.4.

SUBJECT: Council Member Ornelas' Request to Discuss Reviewing Mailing Addresses for Future Mailers

REPORT IN BRIEF

Council Member Ornelas' request to discuss reviewing mailing addresses for future mailers pursuant to City Council Administrative Policies and Procedures C-1.

RECOMMENDATION

Provide direction to staff on next steps.

Council Member ORNELAS requested a report at a March meeting regarding past and future mailers sent to the public by the City.

K.5.

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.

Mayor SERRATTO requested an expedited future item be placed on the February 7, 2022 agenda to discuss the restoration of Laura Fountain in Applegate Park.

A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Perez, to place this item on the February 7, 2022 meeting. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Council Member Echevarria

K.6.

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 SHELTON reported on volunteering at the shelter.

Mayor SERRATTO reported on upcoming park cleanups.

L. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 9:46 PM.

A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Ornelas, that the meeting be adjourned in memory of John Pazin. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Council Member Echevarria