



CITY OF MERCED

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

Minutes

City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency

Monday, April 15, 2024

6:00 PM

A. CLOSED SESSION ROLL CALL

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

Absent: 1 - Council Member Jesse Ornelas

B. CLOSED SESSION

Mayor SERRATTO called the Closed Session to order at 5:00 PM.

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

Merced Resident - requested a report out of Closed Session for Agenda Item B.5.

Clerk's Note: Council Member XIONG arrived to Closed Session at 5:05 PM.

B.1.

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; Employee Organizations: Merced Police Officers' Association (MPOA) and Merced Association of Police Sergeants (MAPS). AUTHORITY: Government Code Section 54957.6

B.2.

SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): 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; Employee Organizations: American Federation of State, County, and Municipal Employees (AFSCME) Council 57 and Merced Association of City

Employees (MACE). AUTHORITY: Government Code Section 54957.6

B.3. 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

B.4. 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; Employee Organizations: International Association of Fire Fighters, Local 1479. AUTHORITY: Government Code Section 54957.6

B.5. SUBJECT: PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: City Manager; Authority: Government Code Section 54957

B.6. SUBJECT: CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION LAWRIE v. CITY OF MERCED, et al. MSC Case No. 20CV-02335 Pursuant to California Government Code Section 54956.9(d)(1)

C. CALL TO ORDER

Mayor SERRATTO called the Regular Meeting to order at 6:02 PM.

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

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

C.2. Pledge of Allegiance to the Flag

Police Chief Steven STANFIELD led the Pledge of Allegiance to the Flag along with a moment of silence in remembrance of Officer Stephan GRAY.

D. ROLL CALL

Present: 7 - Mayor Matthew Serratto, Mayor Pro Tempore Bertha Perez, Council Member Jesse Ornelas, Council Member Sarah Boyle, Council Member Ronnie DeAnda, Council Member Shane Smith, and Council Member Fue Xiong

Absent: 0

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: Proclamation - Arbor Day

REPORT IN BRIEF

Received by Angel Nunez, Public Works Supervisor - Parks and Trees of the City of Merced Public Works Department.

Mayor SERRATTO presented the Arbor Day Proclamation to Public Works Supervisor - Trees Angel NUNEZ.

F.2. SUBJECT: Proclamation - Society for the Prevention of Cruelty to Animals (SPCA) Month

REPORT IN BRIEF

Received by representatives from the Merced Society for the Prevention of Cruelty to Animals (SPCA).

Mayor SERRATTO and Council Member SMITH presented the Society for the Prevention of Cruelty to Animals (SPCA) Month Proclamation to members of the Merced SPCA.

F.3. SUBJECT: Recognition of the Athletes From Merced County Special Olympics for Representing Merced in the Special Olympics Northern California and Winning Gold

REPORT IN BRIEF

Accepted by the athletes, coaches, and volunteers of the Merced County

Special Olympics.

Mayor SERRATTO and Council Member BOYLE recognized athletes, team members, and Coaches of the Merced County Special Olympics.

F.4.

SUBJECT: City Council Volunteer of the Year Awards

REPORT IN BRIEF

Council Members nominated a volunteer within their district and the Mayor nominated one at-large volunteer to highlight those who have given back to their community.

Mayor SERRATTO briefly described the Volunteer of the Year Awards.

Clerk's Note: Council Member ORNELAS arrived to the Regular Meeting at 6:38 PM via teleconference.

Clerk's Note: Each Council Member presented awards to individual volunteers within their district. Council Member ORNELAS will present the District 1 Volunteer of the Year award at the next Council meeting due to attending via teleconference.

District 2 - Jose HERRERA
District 3 - Glen CAMARDA
District 4 - Jennifer SUMMERS
District 5 - Committee for a Safer Merced, Yes on C
District 6 - Love, Faith, and Hope
At-Large - Jay TAO

Council thanked all of the volunteers for all of their efforts to improve the community.

G. WRITTEN PETITIONS AND COMMUNICATIONS

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

Oral Communications: Steven DONAHUE, Jeff HENEFENT, Peggy HSU, Lisa KAYSER-GRANT, Benjamin MCCAOW, Idalia PEREZCHICA, Jerry PEREZCHICA, Lori RAINS, Pam ROUSSOS, and Maria-Elena YOUNG.

H. ORAL COMMUNICATIONS

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

Merced Resident - spoke on the public comment procedures of the City Council and details of the Brown Act.

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

Frank QUINTERO, Deputy City Manager, Merced - shared details of the High Speed Rail meeting.

Rick WENDLING, Merced - spoke on Council's Oath of Office and thanked all volunteers who were awarded.

Joyce DALE, Merced - shared details of Senator Anna CABALLERO's Program for the Youth.

Tim DUNAWAY, Merced - spoke on reducing the rent of elderly.

Annissa FRAGOSO, Hispanic Chamber of Commerce, Merced - shared details of the Spring Fling event and other upcoming events.

Christan SANTOS, Merced - thanked the Special Olympic athletes for winning gold, the volunteers awarded, the Merced Lao Family, and shared details of the Clear Communications for Veterans Claims Act.

Josh FLUETSCH, Merced - shared details of the Pizza N' Pints event.

Cindy KELLY, SPCA, Merced - shared details of the Yard Sale event and spoke on the recent increase of cat killings in Merced.

I. CONSENT CALENDAR

Agenda Items I.3. Approval of a Professional Services Agreement with Renne Public Law Group, LLP dba Renee Public Policy Group in the Amount of \$56,000 for Grant Writing Services, I.4. Approval of Street Closure Request #24-05 by the Merced County Hispanic Chamber of Commerce to Host a Vendor Fair Event (El Mercado), Located on W. Main Street Between M Street and Martin Luther King Jr. Way, Canal Street Between Main Street and W. 18th Street, Including Bob Hart Square on Thursday, May 2, 2024, From 3:00 p.m. to 10:00 p.m. and Approval of a Request for a City of Merced Co-Sponsorship, I.5. Award Bid to Tosted Asphalt, Inc. for the R St Sidewalk Replacement Childs Avenue to 13th Street, Project No. CP220024, for the Base Bid Amount of \$116,479.12, and Bid Alternate Amount of \$63,063.91, for a Total Award of \$179,543.03, I.6. Adoption of a Resolution Setting a Public Meeting for

Monday, June 3, 2024, and a Public Hearing for Monday, June 17, 2024, Regarding Maintenance Districts Engineer's Reports and Budgets - Fiscal Year 2024/2025, and I.11. Merced Vital City Services Protection Measure Tax Administration Agreements with the California Department of Tax and Fee Administration (CDTFA); were pulled for separate consideration.

Approval of the Consent Agenda

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

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:** Approval of City Council/Public Financing and Economic Development/Parking Authority/Successor Agency to the Redevelopment Agency Meeting Minutes of January 16, 2024

REPORT IN BRIEF

Official adoption of previously held meeting minutes.

RECOMMENDATION

City Council/Public Financing and Economic Development/Parking Authority/Successor Agency to the Redevelopment Agency - Adopt a motion approving the meeting

minutes of January 16, 2024.

This Consent Item was approved.

I.7.

SUBJECT: Authorization to Waive the Competitive Bidding Requirements to Allow Cooperative Purchasing Through the Competitively Bid Bay Area Chemical Consortium and Authorization to Purchase Chemicals for Wastewater, Water, and Facilities for a Three (3) Year Term Ending June 30, 2027, for a Total not to Exceed Amount of \$2,910,353

REPORT IN BRIEF

Considers authorizing to waive competitive bidding requirement to purchase chemicals from the competitively bid Bay Area Chemical Consortium for a three-year term for a total not to exceed amount of \$2,910,353.

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 of chemicals for wastewater, water, and facilities from vendors competitively bid through the Bay Area Chemical Consortium for a three-year term for a total amount of \$2,910,353; and,

B. Authorizing the City Manager execute the necessary documents and to approve additional expenditures not to exceed 10% of the three-year total for bid pricing changes in year two and three; and,

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

This Consent Item was approved.

I.8.

SUBJECT: Approval to Waive the Competitive Bidding Requirement to Allow for the Purchase of Standardized Equipment and Approval of Software Licensing Agreement with Forensic Technology Inc. for the Lease and Installation of NIBIN Cartridge Cases Acquisition, Analysis & Triage Subscription Service and a Three (3) Year Leasing Agreement not to Exceed the Total Amount of \$144,685

REPORT IN BRIEF

Considers approving to waive the competitive bidding requirement pursuant to Merced Municipal Code section 3.04.210 for purchase and the approval of the three (3) year leasing agreement with Forensic Technology Inc. for the lease and installation of NIBIN Cartridge Cases Acquisition, Analysis & Triage Subscription Service and in the amount not to exceed of \$144,685. Annual cost of lease and subscription will be \$55,822 for year one (1), \$43,775 for year two (2) and \$45,088 for year three (3). Funds allocated from the asset forfeiture fund will be utilized for the total cost of the 3-year lease and subscription.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving to waive the competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code for standardization of equipment; and,

B. Approving a 3-year agreement with Forensic Technology Inc. for the lease and installation of NIBIN Cartridge Cases Acquisition, Analysis & Triage Subscription Service in the amount not to exceed \$144,685; 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.9.

SUBJECT: Approval of the Use of City Owned Property Known as Parking Lot 6 from May 3rd, 2024 at 3:00 PM to May 5th, 2024 at 1:00 A.M. Street Closures of West Main Street, from "I" Street to "K" Street, on May 4th, 2024 from 6:00 A.M. to May 5th, 2024 at 1:00 A.M., West Main Street from "K" Street to Canal Street, and Canal Street from West Main Street to West 18th Street, on May 4th, 2024 from 11:30 A.M. to 3:00 P.M. for the Parade; the Remainder of the Parade will be a Rolling Street Closure Submitted by Alisak Sanavongsay with the Vatthanatham Lao Foundation for the 2024 Lao New Year Celebration, May 3rd, 2024, at 3:00 P.M. thru May 5th, 2024, 1:00 A.M.

REPORT IN BRIEF

Considers approving the use of City streets and City owned property on May 3rd and May 4th, 2024, for the Lao New Year Celebration. The Street Closure Request includes West Main St, from "I" St to "K" St, No Parking on W Main St from "K" St to Canal St, and Canal Street for W Main St, and the use of City owned property known as Parking Lot 6.

RECOMMENDATION

City Council - Adopt a motion approving the use of City owned property known as Parking Lot 6 from May 3rd, 2024 at 3:00 PM to May 5th, 2024 at 1:00 A.M. Street closures of West Main St, from "I" St to "K" St, on May 4th, 2024 from 6:00 A.M. to May 5th, 2024 at 1:00 A.M., W Main St from "K" St to Canal St, and Canal Street from W Main St to W 18th St, on May 4th, 2024 from 11:30 A.M. to 3:00 P.M. for the parade. The remainder of the parade will be a rolling street closure. Submitted by Alisak Sanavongsay with the Vatthanatham Lao Foundation for the 2024 Lao New Year Celebration, May 3rd, 2024, at 3:00 P.M. thru May 5th, 2024, 1:00 A.M.

This Consent Item was approved.

I.10.

SUBJECT: Approval of Hanson Bridgett, LLP Third Amendment, Approval of Wilke Fleury, LLP Second Amendment, Best, Best & Krieger, LLP Second Amendment, Richards, Watson & Gershon First Amendment, and Prentice Long, PC First Amendment in a Total Amount not to Exceed \$296,000

REPORT IN BRIEF

Considers approving of a Hanson Bridgett, LLP Third Amendment, Approval of Wilke Fleury, LLP Second Amendment, Best, Best & Krieger, LLP Second Amendment, Richards, Watson & Gershon First Amendment, and Prentice Long, PC First Amendment in a total amount not to exceed \$296,000.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a Third Amendment to an Agreement for Professional Services with Hanson Bridgett LLP in an amount not to exceed \$150,000; and,

- B. Approving a Second Amendment to an Agreement with Wilke Fleury, LLP in an amount not to exceed \$26,000; and,
- C. Approving a Second Amendment to Agreement for Legal Services with Best, Best & Krieger, LLP in an amount not to exceed \$10,000; and,
- D. Approving a First Amendment to Legal Services Agreement with Richards, Watson & Gershon in an amount not to exceed \$70,000; and,
- E. Approving a First Amendment to Legal Services Agreement with Prentice Long, PC in an amount not to exceed \$40,000; and,
- F. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- G. Authorizing the City Manager to execute the necessary documents.

This Consent Item was approved.

I.3.

SUBJECT: Approval of a Professional Services Agreement with Renne Public Law Group, LLP dba Renee Public Policy Group in the Amount of \$56,000 for Grant Writing Services

REPORT IN BRIEF

Considers approving a sixteen-month contract with Renne Public Law Group, LLP dba Renee Public Policy Group (RPPG) in the amount of \$56,000 for grant writing services.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a Professional Services Agreement with Renee Public Law Group, LLP dba Renee Public Policy Group (RPPG) in the amount of \$56,000 for grant writing services; and,
- B. Authorizing the City Manager to execute the necessary documents; and,
- C. Authorizing the Finance Officer to make the necessary budget adjustments.

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

Rick WENDLING, Merced - spoke on hiring staff instead of firms and consultants.

Council and City Manager Scott MCBRIDE discussed the reason for the proposed agreement, obtain more knowledge on grant writing, and the amount of funds needed for staff in City Manager's office.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

I.4.

SUBJECT: Approval of Street Closure Request #24-05 by the Merced County Hispanic Chamber of Commerce to Host a Vendor Fair Event (El Mercado), Located on W. Main Street Between M Street and Martin Luther King Jr. Way, Canal Street Between Main Street and W. 18th Street, Including Bob Hart Square on Thursday, May 2, 2024, From 3:00 p.m. to 10:00 p.m. and Approval of a Request for a City of Merced Co-Sponsorship

REPORT IN BRIEF

Considers approving a request by the Merced County Hispanic Chamber of Commerce for the closure and use of City streets and Bob Hart Square on Thursday, May 2, 2024, for a Vendor Fair Event (El Mercado). The request seeks approval to close W. Main Street, between M Street and Martin Luther King Jr. Way, Canal Street between Main Street and W. 18th Street, including Bob Hart Square from 3:00 p.m. to 10:00 p.m. The application also includes a request for City of Merced Co-Sponsorship.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the street closure of W. Main Street between M Street

and Martin Luther King Jr. Way, Canal Street between Main Street and W. 18th Street, and the use of Bob Hart Square on Thursday, May 2, 2024, from 3:00 p.m. to 10:00 p.m.; and,

B. Approving City of Merced Co-Sponsorship, subject to the Conditions of Approval outlined in the Administrative Staff Report.

Mayor SERRATTO pulled this item at the request of resident Annissa FRAGOSO.

Annissa FRAGOSO, Merced - spoke on potentially adding the Petting Zoo to the street closure request and shared details of their placement in the Mercado event.

Deputy City Manager Scott MCBRIDE and Ms. FRAGOSO discussed the liability issue with placing the Petting Zoo in the Mercado event.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

I.5.

SUBJECT: Award Bid to Tosted Asphalt, Inc. for the R St Sidewalk Replacement Childs Avenue to 13th Street, Project No. CP220024, for the Base Bid Amount of \$116,479.12, and Bid Alternate Amount of \$63,063.91, for a Total Award of \$179,543.03

REPORT IN BRIEF

Considers awarding a Construction Contract to the Lowest Responsive Bidder, Tosted Asphalt, Inc., for the base bid amount of \$116,479.12, and bid alternate amount of \$63,063.91, for the Project CP220024 - R St. Sidewalk Replacement Childs Avenue To 13th Street Project.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the R St. Sidewalk Replacement Childs Avenue To 13th Street, Project No. CP220024 to Tosted Asphalt, Inc, in the award

amount of \$179,543.03; and,

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

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

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

Clerk's Note: Council Member SMITH recused himself due to the applicant being a client at his law firm.

Clerk's Note: There was no Council discussion.

A motion was made by Mayor Pro Tempore Perez, 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 Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, and Council Member Xiong

No: 0

Absent: 0

Recused: 1 - Council Member Smith

I.6.

SUBJECT: Adoption of a Resolution Setting a Public Meeting for Monday, June 3, 2024, and a Public Hearing for Monday, June 17, 2024, Regarding Maintenance Districts Engineer's Reports and Budgets - Fiscal Year 2024/2025

REPORT IN BRIEF

Considers setting a public meeting for Monday, June 3, 2024, to address the proposed Engineer's Reports and Budgets and a formal public hearing for Monday, June 17, 2024, before a determination is made on the level of assessment to approve.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2024-43**, a Resolution of the City Council of the City of Merced, California, approving Engineer's Reports on Maintenance Districts and setting a

public meeting and a public hearing thereon.

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

Ashley SUAREZ, Merced - spoke on the accessibility of the district maps to the public and asked for details regarding the districts, funding allocation to different parks, and accessible information to the public.

Council discussed the Public Hearing placed on a future agenda, and details of the map of districts.

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: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

I.11.

SUBJECT: Merced Vital City Services Protection Measure Tax Administration Agreements with the California Department of Tax and Fee Administration (CDTFA)

REPORT IN BRIEF

Considers adopting Resolutions authorizing the Tax Administration of the Merced Vital City Services Protection Measure.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-46**, A Resolution of the City Council of the City of Merced, California, Authorizing City Manager to Execute Agreements with the California Department of Tax and Fee Administration for Implementation of a Local Transactions and Use Tax; and,

B. Adopting **Resolution 2024-47**, A Resolution of the City Council of the City of Merced, California, Authorizing Examination of Sales or Transactions and Use Taxes Records; and,

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

D. Approving a Supplemental Appropriation in the amount of \$175,000
in Fund 2001-Measure C to cover the CDTFA preparatory agreement
costs; and,

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

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

Council Member XIONG questioned the agenda item placement.

**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, Mayor Pro Tempore Perez, Council Member Ornelas, Council
Member Boyle, Council Member DeAnda, and Council Member Smith

No: 1 - Council Member Xiong

Absent: 0

K. REPORTS

K.1.

SUBJECT: Certification of March 5, 2024 Presidential Primary Election
Returns and Presentation of the New Measure C Ordinance
Requirements

REPORT IN BRIEF

Certifies the March 5, 2024, election returns for Measure C.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2024-44**, a
Resolution of the City Council of the City of Merced, California, reciting the
fact of the Presidential Primary Election held on March 5, 2024, declaring
the result, and declaring such other matters as provided by law for Measure
C (Merced Vital City Services Protection Measure).

Finance Officer Venus RODRIGUEZ gave a slideshow presentation on the
new Measure C ballot measure.

Council, Mrs. RODRIGUEZ, City Attorney Craig CORNWELL, and City

Manager Scott MCBRIDE discussed the percentage or dollar amount allocated to police and fire, staying in compliance with the ordinance, the allocation of funds from the City budget, details of restricted funding, spending level, the language of the ordinance, informing Council of the levels of spending, and the spending of the last years.

Mike MURPHY, Merced - spoke on the presentation having a fixed dollar amount, details of the ordinance amendment, and percentage of funds.

Pangcha VANG, Merced - asked of legality of a measure controlling funds, Council's approval, and to dictate the City's budget based on past elected Council.

Council and Mr. CORNWELL discussed details of the measure obligations, the votes for the measure to pass, the definition of the spending level, the outcome if the City's budget drops, and details of the City's budget.

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

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

No: 1 - Council Member Xiong

Absent: 0

K.2.

SUBJECT: Approval of the Updated 2024-25 Regional, State, and Federal Legislative Platform

REPORT IN BRIEF

Considers approving the updated 2024-25 Regional, State, and Federal Legislative Platform.

RECOMMENDATION

City Council - Adopt a motion adopting the updated 2024-25 Regional, State, and Federal Legislative Platform.

Clerk's Note: Council Member XIONG stepped out of the Council Chambers.

Senior Management Analyst Jennifer FLACHMAN and Renne Law Group Director of Government Affairs Sharon GONAZALEZ gave a slideshow

presentation on the updated 2024-2025 regional, state, and federal Legislative Platform.

Council and Ms. GONZALEZ discussed details of policies regarding local dollars, local revenue policies, maintaining local control, and adding statements to the Legislative Platform.

Council agreed to amend the Legislative Platform to add statements that maintain local control of funds.

Rick WENDLING, Merced - spoke on balance budget and asked how Renne Law Group intends on keeping the City safe from legislative malfeasance.

Ms. GONZALEZ discussed details of the balance budget that requires approval and details of the city's funding.

Tim DUNAWAY, Merced- stated he will donate \$1,000,000 to the City of Merced's budget.

Mayor SERRATTO thanked Mr. DUNAWAY for his generosity.

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

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

No: 0

Absent: 1 - Council Member Xiong

L. BUSINESS

Clerk's Note: Council took a recess at 8:25 PM and returned at 8:32 PM.

L.1.

SUBJECT: Council Member Boyle's Request to Consider Hiring a Firm to Reach Out to Retail and Develop a Plan

REPORT IN BRIEF

Council Member Boyle's request to consider hiring a firm to reach out to retail and develop a plan.

RECOMMENDATION

Provide direction to staff on the next steps.

Council Member BOYLE gave a slideshow presentation on the request to consider hiring and firm to reach out to retail and develop a plan.

Council, Deputy City Manager Frank QUINTERO, and City Manager Scott MCBRIDE discussed previous economic development studies, successes with businesses in Downtown Merced, potential future development plans with annexations, potential cost, how this would fit with the General Plan, the idea of a Merced County Economic Development Commission, economic development strategy, a potential Economic Development Study, the cost of the study, the South Merced Study, and forming a Subcommittee.

Council agreed to have staff come back with various ideas and present them during the budget process.

Rick WENDLING, Merced - asked to send this proposal to the Planning Commission and the difficulty of starting a small business.

Rene GUTIERREZ, Merced - spoke in support of hiring a consultant to bring economic development and suggested to update the website with more information.

Alejandra CARRILLO, Merced - spoke on research that can be applied in economic development and directing staff to reach out to community and businesses.

Steven GRAHAM, Merced - spoke on updating the Merced Mall and management that own the mall.

Council also agreed to form an Economic Development Subcommittee to include Council Member BOYLE, Council Member XIONG, and Mayor Pro Tempore PEREZ.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

L.2.

SUBJECT: Approval of the City Council FY 2024/25 Goals and Priorities to Include Downtown & Economic Development, Housing & the Unhoused, Merced Unity Project, Natural Disaster/Flood Response, Parks & Recreation, Public Safety, Public Works & City Beautification, South Merced Study, and Quality of Life

REPORT IN BRIEF

Considers adopting the FY 2024/25 Goals and Priorities to include Downtown & Economic Development, Housing & Homelessness, Merced Unity Project, Natural Disaster/Flood Response, Parks & Recreation, Public Safety, Public Works & City Beautification, South Merced Study, and Quality of Life.

RECOMMENDATION

City Council - Adopt a motion approving FY 2024/25 Goals and Priorities.

Clerk's Note: Council Member ORNELAS left the Regular Meeting at 9:03 PM.

City Manager Scott MCBRIDE gave a presentation on the Merced City Council goals and priorities of fiscal year 2024-2025.

Rick WENDLING, Merced - spoke on fiscal responsibility, economic development, and affordable housing.

Ashley Marie SUAREZ, Merced - spoke on adding applying for grants, the importance of grant opportunities, community engagement, and opportunities for the community.

Jason CROCKETT, Merced - spoke on the importance of a union trade and the benefits you receive.

Edward OLIVAREZ, Merced - spoke on the personal benefits the union trade has given him and his family.

Justin BARNARD, Merced - spoke on the apprenticeship programs being part of the standard to assist the community.

Will KELLY, Merced - spoke on apprenticeship programs including good

employment options.

Mr. MCBRIDE discussed implementing union trade, details of the goals for the upcoming fiscal year, affordable housing, creek restoration, economic development, public work projects, public safety, code enforcement efforts, and community investment opportunities.

Council discussed details of the different Council goals for Economic Development.

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

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

No: 0

Absent: 1 - Council Member Ornelas

L.3.

SUBJECT: Request to Add Item to Future Agenda

REPORT IN BRIEF

Provides members of the City Council to request that an item be placed on a future City Council agenda for initial consideration by the City Council.

Council Member DEANDA requested to name the Police South Station at McNamara Park after previous City Council Member Joseph CORTEZ.

Council and Director of Parks and Recreation Christopher JENSEN discussed the process of naming City facilities.

City Manager Scott MCBRIDE and City Attorney Craig CORNWELL agreed to work with Council Member DEANDA on the process.

Mayor SERRATTO and Council Member SMITH requested to discuss Rahilly Park improvements at the first Council meeting of July.

L.4.

SUBJECT: City Council Comments

REPORT IN BRIEF

Provides an opportunity for the Mayor and/or Council Member(s) to make a brief announcement on any activity(ies) she/he has attended on behalf of the City and to make a brief announcement on future community events

and/or activities. The Brown Act does not allow discussion or action by the legislative body under this section.

Council Member BOYLE announced her first flight with Advanced Air and shared her experience.

Council Member SMITH reported on attending the Safety Subcommittee meeting.

Mayor SERRATTO congratulated Interim Fire Chief Casey WILSON, shared details of homeless outreach meetings held at City Hall with the Merced Police Department, reported on attending multiple events, and thanked the Parks and Community Services Department for their assistance with transporting Merced City School District students to a soccer game in San Jose.

M. ADJOURNMENT

Clerk's Note: Council adjourned to Closed Session at 9:46 PM.

A motion was made by Council Member Boyle, seconded by Mayor Pro Tempore Perez, to adjourn the Regular Meeting in honor of Stephan Gray. The motion carried by the following vote:

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

No: 0

Absent: 1 - Council Member Ornelas

Clerk's Note: Council Member DEANDA left Closed Session at 9:53 PM.

Report Out of Closed Session: "Agenda Item B.5. No reportable action taken. Agenda Item B.6.: Pursuant to California Government Code Section 54957.9(d)(1), approval by a unanimous vote (absent: Councilman Ronnie DEANDA and Councilman Jesse ORNELAS) was given by the City Council to accept a settlement offer signed by the opposing party in the case Lawrie v. City of Merced, et al. MSC Case No. 20CV-02335. The terms of the agreement include that Plaintiff Lawrie will dismiss this case in exchange for payment of \$345,000. The City's Finance Officer was given authority to make appropriate budget adjustments to effectuate this settlement."

Clerk's Note: Council adjourned from Closed Session at 10:29 PM.

