



CITY OF MERCED

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

Minutes

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

Monday, June 6, 2016

7:00 PM

A. STUDY SESSION ROLL CALL

Mayor THURSTON called the Study Session to order at 5:30 PM.

Clerk's Note: Council Member MURPHY arrived to the meeting at 5:31 PM.

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

B.1. Special Budget Review Session

1. Reorganization
2. New Positions
3. Future Budget Issues
4. Council Follow Up Questions

Council Members discussed the Youth Council budget, training, and attendance.

A motion by Mayor Thurston and a second from Council Member Lor, to approve a \$50,000 budget for the Youth Council. The motion failed by the following vote:

Aye: 2 - Mayor Thurston and Council Member Lor

No: 5 - Mayor Pro Tempore Pedrozo, Council Member Blake, Council Member Belluomini, Council Member Dossetti, and Council Member Murphy

Council Members further discussed the Youth Council budget.

A motion was made by Mayor Pro Tempore Pedrozo, seconded by Council Member Blake, to approve a \$13,000 budget plus staff time to the Youth Council. The motion carried by the following vote:

Aye: 4 - Mayor Pro Tempore Pedrozo, Council Member Blake, Council Member Belluomini, and Council Member Dossetti.

No: 3 - Mayor Thurston, Council Member Lor, and Council Member Murphy.

Council Member MURPHY stated his no vote was because the public had not spoken yet.

Chad ENGLERT, Merced - stated his support for getting the City and core services back as a whole.

Reverend RAMSEY, Merced - stated his support for investing in the youth.

Clifford DALE, Merced - stated his support for investing in the youth.

Marilyn MOCHELE, Merced - stated her support for investing in the youth.

Tatiana VIZCAINO-STEWART, Merced - stated her support for investing in the youth.

William AVERY, Merced - stated his support for investing in the youth, but being fiscally responsible.

Council Member BELLUOMINI gave a presentation on budgets and funding departments. He compared Merced's Police, Fire and Recreation departments with other Valley cities of similar makeup. He noted an imbalance of funding in the Recreation and Parks department and made suggestions on how to achieve a better balance.

Mayor Pro Tempore PEDROZO discussed the Recreation and Parks budget.

Director of Finance Brad GRANT discussed the budget and the Fire Department funding.

Council Members further discussed the Fire Department funding for a Fire Inspector.

A motion was made by Council Member Belluomini, seconded by Council Member Lor, for City Council to authorize an unfunded position of Director of Parks and Community Services on the 2016/2017 budget and approve the funding of both positions of Director of Parks and Community Services and Recreation Coordinator contingent on Council approval of sufficient Fire Department fees and service charges or other ongoing annually increased City revenues. The

motion failed by the following vote:

Aye: 2 - Council Member Belluomini, and Council Member Lor

No: 5 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Blake, Council Member Dossetti, and Council Member Murphy

Absent: 0

Clerk's Note: The Study Session adjourned at 6:50 PM.

C. CALL TO ORDER

Mayor THURSTON called the Regular Meeting to order at 7:01 PM.

C.1. Invocation - Roseanna Davis-Jolly, Congregation Etz Chaim

The Invocation was delivered by Roseanna DAVIS-JOLLY of the 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

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 Public Financing and Economic Development Authority. City Council Members receive a monthly stipend of \$20.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$50.00 each month as a part of the adopted budget and Resolution 1975-37. The members of the Parking Authority, and Public Financing and Economic Development Authority receive no compensation.

E. SPECIAL PRESENTATIONS

E.1. Merced Connect App - Presentation by Jeff Bennyhoff, Information Technology Director

Information Technology Director Jeff BENNYHOFF gave a slide show presentation on the Merced Connect app.

E.2. Revenue Sharing - Update by Steve Carrigan, City Manager

City Manager Steve CARRIGAN gave a brief update on the Revenue Sharing agreement with the County.

F. WRITTEN PETITIONS AND COMMUNICATIONS

The Clerk's Office received a proposal from Kevin HAMMOND that was placed on the dais.

G.. ORAL COMMUNICATIONS

Rick MCMILLION, Merced - spoke about the safety of downtown Merced.

John MURRAY, Merced - spoke on the Municipal Code pertaining to bicyclists.

Monica VILLA, Merced - spoke about the Merced Police Department.

Karen ANN, Merced - spoke on various topics.

H. CONSENT CALENDAR

Items H.1. Information Only - Contracts, H.2. Information Only - Boards and Commissions Annual Attendance Reports, H.7. City of Merced Legal Advertising Services, H.11. New Disadvantaged Business Enterprise Liaison Officer, H.12. Street Closure #16-08 for the Merced Community Development Corporation to Host a Weekly Street Faire in Downtown, and H.19. Relinquishment of FAA Part 139 Certificate for the Merced Regional Airport were pulled for separate consideration.

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

A motion was made by Mayor Pro Tempore Pedrozo, seconded by Council Member Dossetti, that this be approved 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

H.3. SUBJECT: Information Only - Site Plan Review Committee Minutes of March 3, 2016

RECOMMENDATION

For information only.

This Consent Item was approved.

- H.4. **SUBJECT:** Information Only - Traffic Committee Minutes of March 8, 2016

RECOMMENDATION

For information only.

This Consent Item was approved.

- H.5. **SUBJECT:** Information Only - Merced Regional Airport Authority Meeting Minutes of October 14, 2015

RECOMMENDATION

For information only.

This Consent Item was approved.

- H.6. **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.8. **SUBJECT:** Contract Amendment for Application Hosting and Technology Support Services

REPORT IN BRIEF

Amend the contract with Xerox Government Systems, LLC (Xerox) to include "Platinum" premium support in the amount of \$4,800.

RECOMMENDATION

City Council - Adopt a motion approving the contract amendment for Xerox's "Platinum" premium support in the amount of \$4,800; and, authorizing the City Manager to execute the necessary documents.

This Consent Item was approved.

H.9.

SUBJECT: Revenue Adjustment and Supplemental Appropriation of Funds to the Office of Emergency Services (OES) Contingency Accounts and Fringe Benefits Accounts

REPORT IN BRIEF

Consider a revenue adjustment and supplemental appropriation of funds to the OES Overtime Contingency and Fringe Benefits accounts.

RECOMMENDATION

City Council - Adopt a motion authorizing the Finance Officer to make budget adjustments as recommended by staff.

A. Approving the following increases to revenue accounts:

1. \$39,239 to 001-0901-332.02-01 - Special Fire Department Service; and,
2. \$57,975 to 061-0926-332.02-01 - Special Fire Department Service; and,

B. Approving the following increases to supplemental appropriations:

1. \$31,619 to 001-0901-521.04-03 - OES Contingency; and,
2. \$ 5,127 to 001-0901-521.10-06 - Social Security-OASDI; and,
3. \$ 2,493 to 001-0901-521.10-07 - Social Security-Medicare; and,
4. \$38,609 to 061-0926-521.04-03 - OES Contingency; and,
5. \$ 5,339 to 061-0926-521.04-06 - Social Security-OASDI; and,
6. \$ 1,249 to 061-0926-521.10-07 - Social Security-Medicare; and,
7. \$12,778 to 061-0926-522.32-00 - Vehicle Replacement Fee

This Consent Item was approved.

H.10.

SUBJECT: Consider the First Amendment to Scope of Services With Chad Wolford Consulting to Include Review of the Internal Service Funds for the Cost Allocation Plan

REPORT IN BRIEF

Consider the first amendment to scope of services in an amount not to exceed \$19,700 for the Cost Allocation Plan.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the first amendment to the scope of services with Chad Wolford Consulting in the amount of \$19,700 to include the review of the City's Internal Service Funds as part of a comprehensive Cost Allocation Plan. The additional increase of \$19,700 will be reimbursed with monies from Fund 070 - Housing Administration Fund; and,

B. Authorizing the City Manager and City Finance Officer to make budget adjustments as necessary.

This Consent Item was approved.

H.13.

SUBJECT: Agreement with Eurofins Eaton Analytical for General Laboratory Services

REPORT IN BRIEF

Consider entering into a three (3) year agreement with Eurofins Eaton Analytical Laboratory (Eurofins) for general laboratory testing services.

RECOMMENDATION

City Council - Adopt a motion awarding a three year agreement with Eurofins Eaton Analytical Laboratory for general laboratory testing services; and, authorizing the City Manager to execute all the necessary documents.

This Consent Item was approved.

H.14.

SUBJECT: Agreement with Pacific EcoRisk Environmental Consulting for Bioassay Testing and Laboratory Services

REPORT IN BRIEF

Consider entering into a three (3) year agreement with Pacific EcoRisk Environmental Consulting & Testing (Pacific EcoRisk).

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Agreement with Pacific EcoRisk to provide bioassay testing and services for the Waste Water Treatment Plant; and,

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

This Consent Item was approved.

H.15.

SUBJECT: Municipal Separate Storm Water Sewer System (MS4)
Enforcement Response Plan

REPORT IN BRIEF

Request to adopt the MS4 Enforcement Response Plan.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2016-19**, a Resolution of the City Council for the City of Merced, California, adopting a municipal separate storm sewer system enforcement response plan.

This Consent Item was approved.

H.16.

SUBJECT: Garbage Truck Rental Agreement Extension and
Supplemental Appropriation

REPORT IN BRIEF

Approve the original rental agreement, extend a current garbage truck rental agreement for this fiscal year and request a supplemental appropriation from the unappropriated refuse reserve fund 558 in the amount of \$36,000 to extend a rental agreement for an additional five months into the next fiscal budget year.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving original rental agreement and extending the current Big Truck Rental agreement for one more month for this fiscal year; and,

B. To extend the same Big Truck Rental agreement for an additional five months for the next fiscal year, which will extend through November 30, 2016.

C. Approving a supplemental appropriation from the unappropriated refuse reserve fund 558 in the amount of \$36,000 to extend a rental agreement for the additional five months into the next fiscal budget year, ending November 30, 2016; and,

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

This Consent Item was approved.

H.17.

SUBJECT: Purchase of an Articulating Telescopic Aerial Device Through a Government Procurement Program and Waiving the Competitive Bidding Requirement.

REPORT IN BRIEF

Consider authorizing the purchase of one Articulating Telescopic Aerial Device using the National Joint Powers Alliance Government Procurement Program for \$138,295.00, and waiving the competitive bidding process.

RECOMMENDATION

City Council - Adopt a motion waiving the competitive bidding requirements of Merced Municipal Code Section 3.04.210 to allow the purchase of the Articulating Telescopic Aerial Device from National Joint Powers Alliance; and, authorizing the City Manager to enter into a contract with Altec Industries, Inc. for the purchase of an Articulating Telescopic Aerial Device for \$138,295.00.

This Consent Item was approved.

H.18.

SUBJECT: Authorizing Application for CalRecycle Grant

REPORT IN BRIEF

Adopt a Resolution authorizing submittal of applications for CalRecycle grants.

RECOMMENDATION

City Council - Adopt **Resolution 2016-22**, a Resolution of the City Council of the City of Merced, California, authorizing submittal of application to the Department of Resources Recycling and Recovery (CalRecycle) for payment programs and related authorizations.

This Consent Item was approved.

H.20.

SUBJECT: Lease Agreement with James G. Moulton and Lynda S. Moulton

REPORT IN BRIEF

Consider approving a three-year lease agreement with James G. Moulton and Lynda S. Moulton for property to be utilized by the Merced

Police Department.

RECOMMENDATION

City Council - Adopt a motion approving a lease agreement with James G. Moulton and Lynda S. Moulton for property use; and, authorizing the Finance Officer to make necessary budget adjustments.

This Consent Item was approved.

H.21.

SUBJECT: Fiscal Year 2016-2017 Tow Service Agreement

REPORT IN BRIEF

Approval of the 2016-2017 Master Tow Service Agreement.

RECOMMENDATION

City Council - Adopt a motion approving **Resolution 2016-20**, a Resolution of the City Council of the City of Merced, California, establishing and approving the 2016-2017 Master Tow Service Agreement; and, authorizing the City Manager to execute the necessary documents.

This Consent Item was approved.

H.22.

SUBJECT: Accept and Appropriate Grant Funds From the United Way

REPORT IN BRIEF

Accept and appropriate grant funds (\$25,410) from the United Way to further the Merced Police Department's efforts to prevent underage drinking of alcoholic beverages within the city limits of Merced, in partnership and collaboration with other agencies working as a group identified as ComVip (Community Violence, Intervention and Prevention) Program. The funds will be used to compensate officers who will work various strategies beyond their regular shift (overtime).

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting the grant funds totaling \$25,410 from United Way to further support the collaborative efforts of agencies (Merced Police Department, Merced County Probation Department, and Merced County Mental Health Department) that work collaboratively together to prevent underage drinking of alcoholic beverages throughout the City of Merced.

B. Increasing Police revenue account #001-1002-324-02-00 by \$25,410 from grant funds through the United Way.

This Consent Item was approved.

H.23.

SUBJECT: Introduction of an Ordinance Dealing with No Parking Zones and Freight and Passenger Loading Zones

REPORT IN BRIEF

Consider recommendations from the Traffic Committee approving the addition of a no parking zone along West 14th Street, and the alteration of an existing no parking zone on the north side of East 20th Street to a loading zone.

RECOMMENDATION

City Council - Adopt a motion introducing **Ordinance 2459**, an Ordinance of the City Council of the City of Merced, California, Amending Section 10.28.230, "No Parking Zones," and Section 10.32.050, "Freight and Passenger Loading Zones - Locations," of the Merced Municipal Code.

This Consent Item was approved.

H.24.

SUBJECT: Increase Contingency Percentage for Stephen Leonard Park Renovation, Project 115045

REPORT IN BRIEF

Authorizes approval to increase the contingency to 13% of the original construction contract amount, for a total of \$83,196.90 of additional work.

RECOMMENDATION

City Council - Adopt a motion increasing the contingency to 13% for the Stephen Leonard Park Renovation Project 115045; and, authorizing the City Manager to sign the necessary documents.

This Consent Item was approved.

H.1.

SUBJECT: "Information-Only" Contracts

REPORT IN BRIEF

Notification of awarded Non-Public Works contracts under \$28,000 and

of Public Works contracts under \$63,054.

AUTHORITY

Pursuant to the authority delegated to the City Manager on behalf of the City by Article XI, Section 1109, of the Merced City Charter to execute Public Works contracts under the adjusted 2015 threshold of \$63,054.00, and Chapter 3.04.080 - 3.04.110 of the Merced Municipal Code to execute Non-Public Works contracts under the adjusted 2015 threshold of \$28,000.00, the contracts listed on the attached table were entered into by the City.

Council Member BELLUOMINI pulled this item to ask for clarification on the dollar amount of the Interwest Consulting Group contract.

Planning Manager Kim ESPINOSA explained the funding was discussed in the budget session regarding the contract the City has with Interwest Consulting Group for their services.

A motion was made by Council Member Belluomini, 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

H.2.

SUBJECT: Information Only - Boards and Commissions Annual Attendance Reports

REPORT IN BRIEF

Annual attendance review conducted with results filed with the City Clerk's Office.

RECOMMENDATION

For information only.

Council Member BELLUOMINI pulled this item to request the two commissioners explain their absences.

Interim City Attorney Kelly FINCHER explained the proper protocol is for staff to report back to Council.

A motion was made by Council Member Belluomini, seconded by Council Member Murphy, 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

H.7. SUBJECT: City of Merced Legal Advertising Services

REPORT IN BRIEF

Awards bid for publishing legal notices to the Merced County Times (Mid Valley Publications).

RECOMMENDATION

City Council - Adopt a motion awarding bid for City of Merced legal advertising services to the Merced County Times newspaper.

Mayor Pro Tempore PEDROZO pulled this item to ask about overall advertising with other departments.

Assistant City Clerk John TRESIDDER explained this item was only for legal advertising and other departments are free to advertise with any vendor they choose.

Merced "Sun-Star" Representative Rob PERES, Merced - requested Council to review the request for proposal.

A motion was made by Mayor Pro Tempore Pedrozo, seconded by Council Member Blake, 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

H.11. SUBJECT: New Disadvantaged Business Enterprise Liaison Officer

REPORT IN BRIEF

Replacement of the City's Disadvantaged Business Enterprise Liaison Officer.

RECOMMENDATION

City Council - Adopt a motion designating Joel Svendsen, P.E. as the City of Merced's Acting Disadvantaged Business Enterprise Liaison Officer, replacing John C. Sagin, Jr., AIA.

Mayor Pro Tempore PEDROZO pulled this item to ask for an explanation.

Principle Architect John SAGIN explained the job description of a Disadvantaged Business Enterprise Liaison Officer.

A motion was made by Mayor Pro Tempore Pedrozo, seconded by Council Member Dossetti, 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

H.12.

SUBJECT: Street Closure #16-08 for the Merced Community Development Corporation to Host a Weekly Street Faire in Downtown.

REPORT IN BRIEF

Consider a request for the closure of City streets and the use of Bob Hart Square.

RECOMMENDATION

City Council - Adopt a motion approving the street closures of West Main Street (between K Street and N Street, but open at West M Street), Canal Street (between West Main Street and Arbor Lane), N Street (between West Main Street and the alley north of West 16 Street), and the use of Bob Hart Square, as requested by the Merced Community Development Corporation to host the Merced Downtown Street Faire, every Thursday night from 5:00 p.m. to 10:00 p.m., between June 16, 2016, and September 1, 2016; subject to the conditions outlined in the administrative staff report.

Council Member DOSSETTI pulled this item to state his opposition to a beer garden at the Merced Street Faire.

Bangon EMANIVONG, Merced - spoke on the Downtown Street Faire and the positive atmosphere for families and asked for support from Council on this event.

Rick MCMILLION, Merced - spoke on the Downtown Main Street

Association and the Downtown Street Faire.

Monica VILLA, Merced - spoke on the Downtown Street Faire.

Mayor THURSTON discussed the use of Bob Hart Square for non-profits and the City policy of alcohol sales for street closure events.

Interim City Attorney Kelly FINCHER discussed the policies of street closures and the use of City property relating to the event selling alcohol.

Council Members further discussed the Downtown Street Faire event and the selling of alcohol.

Council Member Dossetti made a motion to deny the approval of the event due to the administrative policy and that they are not a non-profit. The motion failed for a lack of second.

A motion was made by Council Member Murphy, seconded by Council Member Blake, to approve the application with the applicant withdrawing the request for a beer garden and make an exception to the administrative policy. The motion carried by the following vote:

Aye: 6 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Lor, and Council Member Murphy

No: 1 - Council Member Dossetti

Absent: 0

H.19.

SUBJECT: Relinquishment of FAA Part 139 Certificate for the Merced Regional Airport

REPORT IN BRIEF

Consider the relinquishment of FAA Part 139 Certificate for the Merced Regional Airport (MCE) due to Aircraft Rescue and Fire Fighting (ARFF) cost.

RECOMMENDATION

City Council - Adopt a motion approving the relinquishment of the City of Merced Regional Airport FAA Part 139 Certificate; and, authorizing the City Manager to execute the necessary documents.

Mayor THURSTON recused himself from this item.

Council Member BELLUOMINI pulled this item to ask about the discussion the Airport Authority had in regards to decertifying the airport.

Director of Public Works Ken ELWIN explained the discussion held by the Airport Authority.

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

Aye: 6 - Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

Abstain: 1 - Mayor Thurston

I. PUBLIC HEARINGS

I.1. SUBJECT: Maintenance Districts' Engineer's Report and Budgets for Fiscal Year 2016/2017 - Public Meeting

REPORT IN BRIEF

Consider public input on the various Maintenance Districts' budgets during the public meeting, without taking action on the determination of assessment levy until the close of the public hearing scheduled for Monday, June 20, 2016.

RECOMMENDATION

City Council - Adopt a motion seeking public input on the Fiscal Year 2016/2017 Maintenance Districts' budgets, without taking action until the public hearing is closed on June 20, 2016.

Director of Public Works Ken ELWIN gave a presentation on the Maintenance Districts' Engineer's Report and Budgets for the Fiscal Year 2016/2017.

Mayor THURSTON asked about the voting date for the Mansionette Maintenance District.

Mr. ELWIN stated in the next fiscal year an analysis of the district will be conducted to determine the cost of maintenance.

Mayor THURSTON opened the Public Hearing at 8:30 PM.

Monica VILLA, Merced - spoke on the maintenance districts.

Council Members further discussed the problems with the maintenance at

the Mansionette District as well as other districts.

Clerk's Note: The Public hearing was continued.

This Public Hearing Item was continued.

I.2.

SUBJECT: General Plan Amendment #16-02 to Amend the City's
General Plan to Address State Mandates Concerning Flooding

REPORT IN BRIEF

This item amends the Safety and Conservation Elements of the *Merced Vision 2030 General Plan* to include information, maps, and policies consistent with state mandates related to protection of property and loss of life from future local flood events.

RECOMMENDATION

City Council - Adopt **Resolution 2016-18**, a Resolution of the City Council of the City of Merced, California, approving a Categorical Exemption for General Plan Amendment #16-02 and Approving General Plan Amendment #16-02 to amend the Safety and Conservation Elements of the Merced Vision 2030 General Plan to include information, maps, and policies consistent with state mandates related to protection of property and loss of life from future local flood events.

Planning Manager Kim ESPINOSA gave a slide show presentation on the General Plan Amendment to comply with State mandates.

Mayor THURSTON ask for clarification on the different levels of flooding.

Director of Public Works, Ken Elwin, stated that it depended on the area.

Mayor THURSTON opened the Public Hearing at 8:50 PM and closed the Public Hearing at 8:51 PM.

A motion was made by Mayor Pro Tempore Pedrozo, seconded by Council Member Murphy, 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

I.3.

SUBJECT: Public Hearing - 205 East 16th Street - General Plan

Amendment #16-01 and Zone Change #423

REPORT IN BRIEF

Request to amend the General Plan designation from Thoroughfare Commercial (CT) to High Density Residential (HD) and change the Zoning designation from Thoroughfare Commercial (C-T) to R-4 for an approximately 1.1 acre parcel located at 205 East 16th Street.

RECOMMENDATION

City Council - Adopt one of the following recommendations:

To Approve the Request:

- A. Adopt a motion adopting **Resolution 2016-16**, a Resolution of the City Council of the City of Merced, California, approving a Negative Declaration for General Plan Amendment #16-01 and Zone Change #423 for the approximately 1.1 acre parcel located on the north side of East 16th Street approximately 245 feet east of G Street (205 East 16th Street), and approving a General Plan Amendment for the same parcel of land to change the General Plan designation from Thoroughfare Commercial (CT) to High Density Residential (HD); and,
- B. Introducing **Ordinance 2460**, an Ordinance of the City Council of the City of Merced, California, amending the Official Zoning Map by Rezoning an approximately 1.1 acre parcel located on the north side of East 16th Street, approximately 245 feet east of G Street (205 East 16th Street), from Thoroughfare Commercial (C-T) to Conditional R-4; and,
- C. Authorizing the City Manager to Execute the Developer Agreement.

To Deny the Request (Planning Commission Recommendation):

- A. Adopt a motion adopting **Resolution 2016-17**, a Resolution of the City Council of the City of Merced, California denying a Negative Declaration for General Plan Amendment #16-01 and Zone Change #423, and denying General Plan Amendment #16-01 requesting to change the General Plan designation from Thoroughfare Commercial (CT) to High Density Residential (HD) for an approximately 1.1 acre parcel located on the north side of East 16th Street, approximately 245 feet east of G Street (205 East 16th Street).

Planning Manager Kim ESPINOSA gave a slide show presentation on the General Plan Amendment and Zone Change for 205 East 16th Street.

Council Members asked about traffic coming from the Highway 99 off-ramp, the location of the project, and vehicular access to the building.

Ms. ESPINOSA explained there was not a discussion with CalTrans about the traffic and discussed the two options that would affect vehicular access to the building.

Council Member DOSSETTI asked about the financing of the project.

Ms. ESPINOSA stated that there are no details about the financing.

Mayor THURSTON opened the Public Hearing at 9:05 PM.

Daniel KAZAKOS gave a slide show presentation on his proposed housing homeless project, title "Esparanza."

Javier FUENTES, Merced - stated his support for the project.

Marilyn MOCHELE, Merced - stated her support for the project.

Brian STRONG, Merced - stated his support for the project.

Bryan BLUE, Merced - stated his support for the project.

Rene DAVENPORT, Merced - stated her support for the project.

Gloria SANDOVAL, Merced - stated her support for the project.

James FRUNGILLO, Merced - stated his support for the project.

Dr. Salvador SANDOVAL, Merced - stated his support for the project.

James PEDROLLA, Merced - stated his support for the project.

Fernando AGUILARA, Merced - stated his support for the project.

Monica VILLA, Merced - stated her support for the project.

Daniel SABZEHZAR, Merced - stated his support for the project.

Barbara RICHEY, Merced - stated her support for the project.

John CARLISLE, Merced - stated his support for the project.

Cindy MORSE, Merced - stated her opposition to the project.

Rick MCMILLION, Merced - stated his opposition to the project.

Housing Supervisor Mark HAMILTON discussed the projects that the Housing Department is currently working on.

Mayor THURSTON closed the Public Hearing at 10:21 PM.

Council Member LOR stated his support for the project.

Council Member BELLUOMINI asked about notifications and further discussed the opportunity and the challenges of the project.

Mayor Pro Tempore PEDROZO explained that there are too many unanswered questions about the project.

A motion was made by Council Member Belluomini, seconded by Council Member Lor, to approve the project and contradict the Planning Commission. The motion failed by the following vote:

Aye: 2 - Council Member Belluomini and Council Member Lor

No: 5 - Mayor Thurston, Council Member Blake, Council Member Dossetti, Council Member Murphy and Mayor Pro Tempore Pedrozo

A motion was made by Mayor Pro Tempore Pedrozo, seconded by Council Member Dossetti, to accept the Planning Commissions recommendation. The motion carried by the following vote:

Aye: 5 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Blake, Council Member Dossetti, and Council Member Murphy

No: 2 - Council Member Belluomini, and Council Member Lor

Absent: 0

Clerk's Note: Council took a break at 10:50 PM. and returned at 10:58 PM.

J.1.

SUBJECT: Request to Join the Mayor's Challenge to Ending Homelessness Among Unsheltered Veterans

REPORT IN BRIEF

Requesting the mayor to sign a letter to include the City of Merced in the

Mayor's Challenge to Ending Homelessness among Unsheltered Veterans.

RECOMMENDATION

City Council - Adopt a motion allowing the Mayor to sign a letter that would include the City of Merced in the national Mayor's Challenge.

Mayor THURSTON asked to hear this item prior to Item I.4.

Council Member BELLUOMINI asked if the project outlined in Item I.3. General Plan Amendment would have been able to house homeless Veterans.

Ann THURSTON discussed the homeless Veterans.

Council Member MURPHY stated his support for this item.

A motion was made by Council Member Blake, 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

I.4. SUBJECT: Public Hearing for Fiscal Year 2016-2017 Proposed Budget

REPORT IN BRIEF

Public Hearing to afford the interested public an opportunity to provide input on the content of the 2016-2017 City Council, Public Financing and Economic Development Authority, and Parking Authority Proposed Budget.

RECOMMENDATION

City Council/Public Financing and Economic Development Authority/Parking Authority - It is recommended that the City Council/Authorities conduct the Public Hearing and provide direction to the City Manager on the content of the Fiscal Year 2016-2017 Budget; and adopt a motion continuing the Public Hearing to the June 20, 2016 Meeting.

City Manager Steve CARRIGAN gave a slide show presentation on the Fiscal Year 2016-2017 Proposed Budget. He briefly discussed the realignment of some City Departments and discussed new positions to be

added to the budget for several departments.

Mayor THURSTON opened the Public Hearing at 11:14 PM.

Merced Art Hop Founder Kevin HAMMOND, Merced - gave a slide show presentation on the Merced Art Hop.

Council Member PEDROZO asked about Merced Art Hop's advertising.

Mr. HAMMOND discussed the methods in which the Merced Art Hop advertises.

Council consensus was to support funding this item.

Clerk's Note: The Public Hearing was continued to the June 20, 2016 meeting.

This Public Hearing Item was continued.

J. BUSINESS

J.2. Request to Add Item to Future Agenda

Council Member MURPHY requested to add the status of the maintenance of the Mansionette District.

Council Member BELLUOMINI requested to add an item to clarify the meeting attendance of two members of the Boards and Commissions.

J.3. City Council Comments

Council Member MURPHY stated that the County Elections were the next day and encouraged everyone to vote.

Council Member BELLUOMINI discussed the cooling centers for the hot weather.

Assistant to the City Manager Mike CONWAY discussed the locations of the cooling centers as well as swimming pool locations.

Police Chief ANDRADE discussed the cooling centers.

K. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 11:28 PM.

A motion was made by Council Member Belluomini, seconded by Council

Member Lor, that the meeting be adjourned. 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