



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, March 18, 2024

6:00 PM

A. CLOSED SESSION ROLL CALL

Present: 5 - Mayor Matthew Serratto, Council Member Sarah Boyle, Council Member Ronnie DeAnda, Council Member Shane Smith, and Council Member Fue Xiong

Absent: 2 - Mayor Pro Tempore Bertha Perez, and Council Member Jesse Ornelas

B. CLOSED SESSION

Mayor SERRATTO called the Closed Session to order at 5:01 PM.

Clerk's Note: Council Member SMITH arrived to Closed Session at 5:02 PM.

B.1. **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Rodney Court v. City of Merced; Workers Compensation Case Nos. STK-ADJ 12586765, STK-ADJ 12561426 and STK-ADJ 12561425; AUTHORITY: Government Code Section 54956.9(d)(1)

B.2. **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Jeffery Tomerlin v. City of Merced; Workers Compensation Claim Number 20801172; AUTHORITY: Government Code Section 54956.9(d)(1)

B.3. **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representatives: City Manager Scott McBride, Deputy City Manager Frank Quintero, and Finance Officer Venus Rodriguez; Employee Organizations: Merced Police Officers' Association (MPOA) and Merced Association of Police Sergeants (MAPS). AUTHORITY: Government Code Section 54957.6

B.4. **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): City Manager Scott McBride, Deputy City Manager Frank Quintero, and Finance Officer Venus Rodriguez; 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.5. **SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency
Designated Representatives: City Manager Scott McBride, Deputy City
Manager Frank Quintero, and Finance Officer Venus Rodriguez;
Unrepresented Management AUTHORITY: Government Code Section
54957.6**

B.6. **SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency
Designated Representatives: City Manager Scott McBride, Deputy City
Manager Frank Quintero, and Finance Officer Venus Rodriguez; Employee
Organizations: International Association of Fire Fighters, Local 1479.
AUTHORITY: Government Code Section 54957.6**

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 6:05 PM.

C.1. Invocation - Bruce Metcalf, Merced Rescue Mission

The Invocation was delivered by Pastor Bruce METCALF of the Merced
Rescue Mission.

C.2. Pledge of Allegiance to the Flag

Pastor Bruce METCALF led the Pledge of Allegiance to the Flag.

D. ROLL CALL

Clerk's Note: Mayor Pro Tempore PEREZ arrived to the Regular Meeting
at 6:07 PM.

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

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 - American Red Cross Month

REPORT IN BRIEF

Received by a representative of the American Red Cross.

Mayor SERRATTO presented the American Red Cross Month Proclamation to representatives from American Red Cross.

G. SPECIAL PRESENTATIONS

G.1. SUBJECT: Tahitian Dance Performance

REPORT IN BRIEF

A Tahitian dance performed by the South Pacific Dance Company.

The South Pacific Dance Company performed for the City Council.

H. 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 and Jerry PEREZCHICA.

I. ORAL COMMUNICATIONS

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

Florence LAMBERT, Merced - spoke on Mayor Pro Tempore PEREZ voting against Measure C in 2022 and her campaign.

Fernando ECHEVARRIA, Merced - spoke on his concerns of one minute voicemails.

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

Nomtsia XIONG, Merced - welcomed the Chief of Police to Merced, spoke on commemorating the Hmong Community, and shared details of the

Hmong Day event.

Christina VALENTI-FELIX, Robert Rojas Foundation Organization, Merced - spoke on the fentanyl crisis and asked for funding for the foundation.

Doug FLUETSCH, Merced - shared details of the Hincapie Gran Fondo event, the importance of the event to the community, and spoke on the City's hard work.

Gloria SANDOVAL, Merced - spoke on the affordable housing crisis, affordability of rentals, and asked Council to consider an Income Guarantee Program.

Necola ADAMS, Merced - shared details of the Nut Festival, the Jazz Festival, and asked for Council's support.

Rick WENDLING, Merced - spoke on affordable housing, the policies voted on causing inflation, and encouraged everyone to visit the Wall that Heals event.

Christan SANTOS, Merced - spoke on the Wall that Heals event, details of the Consolidated Appropriations Act, and details of the sickness called Valley Fever.

Sair LARA, Downtown Neighborhood Association, Merced - asked Council to give an update of Laura Fountain to the public and spoke on the contractors not actively working.

Mayor SERRATTO directed Mr. LARA to the Engineering Department.

J. CONSENT CALENDAR

Agenda Items J.6. Adoption of a Resolution to Apply for and Authorization to Accept if Awarded Grant Funds of \$150,000 from the Central Valley Community Foundation (CVCF) for the Development of a City-Wide Parks, Recreation & Open Space Master Plan, J.7. Adoption of a Resolution Approving the 2023/2024 Local Transportation Fund (LTF) Claim Form in the Amount of \$660,768 to be Filed with the Merced County Association of Governments (MCAG), and J.8. Acceptance of the 2023 General Plan Annual Report Summarizing the Status of the Merced Vision 2030 General Plan and the Steps Taken to Implement the General Plan Policies and Implementation Actions and Acceptance of the 2023 Housing Element Annual Progress Report Summarizing the City's Progress in Meeting the

City's Share of Regional Housing Needs and the Goals and Policies of the Housing Element Including Number of Entitlements, Permits, and Certificates of Occupancy for All Housing Types; were pulled for separate consideration.

Approval of the Consent Agenda

A motion was made by Council Member Boyle, seconded by Mayor Pro Tempore Perez, to approve the Consent Agenda. 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

J.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.

J.2.

SUBJECT: Information Only - Recreation & Parks Commission Minutes of January 22, 2024

RECOMMENDATION

For information only.

This Consent Item was approved.

J.3.

SUBJECT: Approval of City Council/Public Financing and Economic Development/Parking Authority/Successor Agency to the Redevelopment Agency Meeting Minutes of June 20, 2023, and January 2, 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 June 20, 2023, and January 2, 2024.

This Consent Item was approved.

J.4.

SUBJECT: Approval of a Supplemental Appropriation in the Amount of \$260,000 in Fund 7002-Workers Compensation from Multiple Funds Due to Increased Worker's Compensation Medical and Professional Services Costs and the Advancement of Industrial Disability Retirement Payments in Fiscal Year 2023-2024; Approval of Supplemental Appropriation in Fund 7001-General Liability from Multiple Funds in the Amount of \$500,000 Due to Premium Increases Higher than Projected in Fiscal Year 2023-2024; Approval of Supplemental Appropriation in the General Fund in the Amount of \$90,401; and Approval of a Supplemental Appropriation in Measure C in the Amount of \$52,162 to Contribute

REPORT IN BRIEF

Considers approving a supplemental appropriation in the amount of \$260,000 in Fund 7002-Workers Compensation from multiple funds due to Increased Worker's Compensation Medical and Professional Services Costs and the Advancement of Industrial Disability Retirement Payments in Fiscal Year 2023-2024; approval of supplemental appropriation in Fund 7001-General Liability from multiple funds in the amount of \$500,000 due to premium increases higher than projected in Fiscal Year 2023-2024; approval of supplemental appropriation in the General Fund in the amount of \$90,401; and approval of a supplemental appropriation in Measure C in the amount of \$52,162 to contribute.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a supplemental appropriation from the General Fund in

the amount of \$90,401; and,

B. Approving a supplemental appropriation from Fund 2001-Measure C in the amount of \$52,162; and,

C. Approving additional revenue in the amount of \$260,000 per attachment and appropriating the same to Fund 7002-Worker's Compensation; and,

D. Approving additional revenue in the amount of \$500,000 per attachment and appropriating to Fund 7001-General Liability; and,

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

This Consent Item was approved.

J.5.

SUBJECT: Approval to Amend the Purchase Order for Graffiti Abatement from Brisco Enterprises Increasing the Total Compensation to \$168,618.60

REPORT IN BRIEF

Considers approving an amendment of the purchase order with Brisco Enterprises for graffiti abatement services from \$107,523.60 of abatement services that have already been provided from December 2023 to March 2024. This purchase order is for an additional service to the end of the fiscal year while a new Request for Proposals (RFP) is processed per Council's request.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the amendment of a Purchase Order for Graffiti Abatement with Brisco Enterprises to increase the total compensation to \$168,618.60; and,

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

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

D. Authorizing the City Buyer to issue the Amended Purchase Order(s).

This Consent Item was approved.

J.6.

SUBJECT: Adoption of a Resolution to Apply for and Authorization to Accept if Awarded Grant Funds of \$150,000 from the Central Valley Community Foundation (CVCF) for the Development of a City-Wide Parks, Recreation & Open Space Master Plan

REPORT IN BRIEF

Considers adopting a Resolution to apply for \$150,000 in grant funding from the Central Valley Community Fund (CVCF) for the development of a Parks, Recreation & Open Space Master Plan. The grantor requires the adoption of a resolution in support of the development and implementation of a new Parks, Recreation & Open Space Master Plan. Authorization is required by council to accept funding if awarded.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-35**, a Resolution of the City Council of the City of Merced, California, Approving a Grant Application with the Central Valley Community Foundation (CVCF) for the Development of a Parks, Recreation & Open Space Master Plan; and,

If awarded,

B. Authorizing the acceptance of the 2024 CVCF Grant Funds in the amount of \$150,000; and appropriating the funding to revenue and expense in Fund 1018-Parks and Community Services in the amount of \$150,000; and,

C. Authorizing the use of pooled cash to cover the expenditures until Grant Funds are reimbursed; and,

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

E. Authorizing the City Manager to execute all documents, including any amendments.

Mayor SERRATTO pulled this item at the request of Council Member SMITH and resident Ashley SUAREZ.

Ashley SUAREZ, Leadership Counsel, Merced - urged the development company to conduct community engagement and spoke on more green spaces in South Merced.

Council and Director of Parks and Community Services Christopher JENSEN discussed the amount of green spaces in South Merced, details of the plan and goals, the timeline, city-wide engagement, the role the Recreation and Parks Commission has on the Parks Master Plan, and performing an analysis on surrounding cities.

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 Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member Ornelas

J.7.

SUBJECT: Adoption of a Resolution Approving the 2023/2024 Local Transportation Fund (LTF) Claim Form in the Amount of \$660,768 to be Filed with the Merced County Association of Governments (MCAG)

REPORT IN BRIEF

Considers approving and accepting \$660,768 in Local Transportation Funds (LTF) from Merced County Association of Governments (MCAG) to supplement funding for the bridge railing repairs on G Street bridge, the crash cushion on G Street on the G Street undercrossing and for roadway improvements on Childs Avenue and Canal Street.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-36**, a Resolution of the City Council of the City of Merced, California, approving the Local Transportation Fund (LTF) Claim to be Filed with the Merced County Association of Governments (MCAG) for Fiscal Year 2023/2024; and,

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

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

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

Ashley SUAREZ, Merced - spoke on the improvements and wishing next steps can be made to improve South Merced.

Clerk's Note: There was no Council discussion.

A motion was made by Council Member Boyle, seconded by Mayor Pro Tempore Perez, 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

J.8.

SUBJECT: Acceptance of the 2023 General Plan Annual Report Summarizing the Status of the Merced Vision 2030 General Plan and the Steps Taken to Implement the General Plan Policies and Implementation Actions and Acceptance of the 2023 Housing Element Annual Progress Report Summarizing the City's Progress in Meeting the City's Share of Regional Housing Needs and the Goals and Policies of the Housing Element Including Number of Entitlements, Permits, and Certificates of Occupancy for All Housing Types

REPORT IN BRIEF

Considers accepting the 2023 General Plan Annual Progress Report and the 2023 Housing Element Annual Progress Report and allows the public an opportunity to provide oral testimony and written comments regarding the 2023 Housing Element Annual Progress Report for information only.

RECOMMENDATION

City Council - Adopt a motion accepting the 2023 General Plan Annual Report and the 2023 Housing Element Annual Progress Report for information only.

Mayor SERRATTO pulled this item at the request of Council Member XIONG, resident Ashley SUAREZ, and resident Gloria SANDOVAL.

Ashley SUAREZ, Merced - spoke on funding for disadvantaged communities, the City's compliance with Senate Bill 244, and details of affordable housing within the Regional Housing Needs Allocation.

Gloria SANDOVAL, Merced - shared concerns on the lack of affordable housing.

Robert DYLINE, Merced - spoke on the General Plan update, updating the sphere of influence towards South Merced and Campus Parkway, and shared details of building low-income housing.

Council and City Manager Scott MCBRIDE discussed the type of housing being built in Merced, an update on farm worker housing, a new housing element, different state policies on housing, and the timeline of building more housing.

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 Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member Ornelas

K. REPORTS

K.1.**SUBJECT: Housing Successor Agency Annual Report for Fiscal Year 2022-23**

REPORT IN BRIEF

Annual Report summarizing Housing Successor activity for the City of Merced ("City") in Fiscal Year ("FY") 2022-23 per Senate Bill ("SB") 341 (DeSaulnier 2013-14), which requires the City to prepare an annual report on the City's compliance with housing successor requirements imposed by Health and Safety Code ("HSC") Section 34176.1(f).

RECOMMENDATION

City Council - Receive and file the Housing Successor Agency Annual

Report for Fiscal Year 2022-23.

Planning Manager Julie NELSON gave a slideshow presentation on the Housing Successor Agency Annual Report for fiscal year 2022 through 2023.

Council, Mrs. NELSON, and City Manager Scott MCBRIDE discussed the posting of the report on the City's website and additional funding for affordable housing.

Clerk's Note: Mayor Pro Tempore PEREZ stepped out of the Council Chambers during the vote.

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: 5 - Mayor Serratto, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

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

L. BUSINESS

L.1.

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 SMITH requested to discuss an update on the destroyed Saint Vincent De Paul property during Closed Session.

Council and City Attorney Craig CORNWELL discussed a Council Member adding a Closed Session item and that they will bring this to Council at the May 6, 2024 Council meeting.

Council Member XIONG requested to discuss the feasibility of an in-house Graffiti Abatement to be heard at the May 20, 2024 Council meeting.

L.2.

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 reported on attending Assemblywoman Esmeralda SORIA's Women's History Brunch, the Hincapie Gran Fondo event, and the Le Grand High School Boosters event.

Mayor SERRATTO thanked everyone for their votes on Measure C, attending the Hincapie Gran Fondo event, the McNamara Skate Park updates, and Read Across America Week events.

M. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 7:24 PM.

A motion was made by Mayor Pro Tempore Perez, seconded by Council Member Boyle, that this Regular Meeting be adjourned. 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