



# 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, January 3, 2022

6:00 PM

---

#### A. CLOSED SESSION ROLL CALL

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

**Absent:** 1 - Council Member Fernando Echevarria

#### B. CLOSED SESSION

Mayor SERRATTO called the Closed Session to order at 5:05 PM.

**Clerk's Note:** Pursuant to Assembly Bill 361, Council Member ORNELAS and Council Member SHELTON participated in the Closed Session virtually.

##### B.1.

**SUBJECT:** CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION Pursuant to Paragraph (1) of Subdivision (d) of Government Code section 54956.9, Name of Case: People of the State of California v. John Kudulis dba, Bob's Foreign Auto Parts Merced Superior Court Case No. 21CV-00159

##### B.2.

**SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant Exposure Litigation Pursuant to Paragraph (2) of Subdivision (d) of Government Code section 54956.9: (1) Potential Case Regarding the Northern Portion of the Arbor Walkway

**Clerk's Note:** Council Member ORNELAS recused himself from this item due to the proximity of his work to this location.

**Clerk's Note:** Council adjourned from Closed Session at 5:59 PM.

#### C. CALL TO ORDER

Mayor SERRATTO called the Regular Meeting to order at 6:05 PM.

C.1. Invocation - Pastor Ella Luna-Garza, United Methodist Church

The invocation was delivered by Pastor Ella LUNA-GARZA from United

Methodist Church.

C.2. Pledge of Allegiance to the Flag

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

**D. ROLL CALL**

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

**Clerk's Note:** Pursuant to Assembly Bill 361, Council Member ORNELAS and Council Member SHELTON participated in the Regular Meeting Virtually.

D.1. In accordance with Government Code 54952.3, it is hereby announced that the City Council sits either simultaneously or serially as the Parking Authority and the Public Financing and Economic Development Authority. City Council members receive a monthly stipend of \$400.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$100.00 each month as a part of the adopted budget and Resolution 2020-86. The members of the Parking Authority and the Public Financing and Economic Development Authority receive no compensation.

**E. REPORT OUT OF CLOSED SESSION**

There was no report.

**F. CEREMONIAL MATTERS**

**F.1. SUBJECT: Proclamation - National Slavery and Human Trafficking Prevention Month**

**REPORT IN BRIEF**

Received by a representative of the Valley Crisis Center.

Mayor SERRATTO presented the National Slavery and Human Trafficking Prevention Month Proclamation to Kimberly SCOTT with Valley Crisis Center.

**F.2. SUBJECT: Proclamation - Dr. Martin Luther King, Jr. - Day of Service**

**REPORT IN BRIEF**

Mayor Serratto will present the proclamation.

Mayor SERRATTO presented the Dr. Martin Luther King Day of Service

Proclamation to members of the Martin Luther King Celebration committee.

## 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 - Tyler PETERSON and the Merced Lao Family, Inc.

## H. ORAL COMMUNICATIONS

Cynthia PULVER, Merced - asked for clarification on fines she owes the City.

Josh PEDROZO, Merced - updated the Council on County business.

Jermaine PASTER, Merced - updated Council on local clean ups and community events.

## I. CONSENT CALENDAR

Items 1.8. Approval of an Agreement for Professional Services with West Coast Arborists, Inc., for Tree Pruning and Removal Services at Several Identified Priority 1 Locations, in a Total Amount not to Exceed \$315,000 Funded by Measure Y, I.9. Approval of an Agreement for Professional Services with West Coast Arborists, Inc., for Tree Pruning and Removal Services in Bellevue East, Bellevue West, University Park, University Park II, and Moraga Community Facilities Districts and in Village Landing, Fahrens Park, Cypress Terrace, Sky Moss, Lowes, Vista Del Sol, and Yosemite Gateway Maintenance Districts in a Total Amount not to Exceed \$208,602, I.14. Approval of a Form of Sponsorship Agreement with the San Jose Sharks, LLC and El Capitan, A JDV By Hyatt, Hotel to Establish a Teal Top Court at Applegate Park, a Junior Hockey Recreational Program and Provide for Marketing Opportunities for Merced with a Maximum Contribution of \$83,250, I.15. Approval of the Professional Services Agreement with the Lew Edwards Group in the Amount not to Exceed \$84,000 to Develop a Public Education Strategy Related to the Possible Extension of Measure C and Approval of a Supplemental Appropriation in the Amount of \$50,000 from Fund 061-Measure C to Support the Overall Project, I.17 Approval to Waive the Competitive Bidding Requirement and Approval of the Purchase of Caliber Flex Bomb Robot in an Amount not to Exceed \$196,448.21, I.18. Approval to Accept Future Reimbursement from McLaren's Insurance for a Destroyed Police Motorcycle, Approval of an Appropriation in the Amount of \$29,368.83 to Fund 674 - Vehicle Replacement, and Award of Bid to Herwaldt

Motorsports for the Purchase of Three Police Motorcycles for the Police Department Traffic Division in the Amount of \$29,368.83 Each, and I.19. Approval to Waive the Competitive Bidding Requirements and Authorizing the Purchase of One (1) Mobile Incident Communication Vehicle with Farber Specialty Vehicles Through OMMNIA Partners not to Exceed Amount of \$500,000 from the California Highway Patrol Cannabis Act Grant; were pulled for separate consideration.

### Approval of the Consent Agenda

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

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

**No:** 0

**Absent:** 1 - Council Member Echevarria

**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: Information-Only Contracts for the Month of December 2021**

**REPORT IN BRIEF**

Notification of awarded Non-Public Works contracts under \$34,000 and of Public Works contracts under \$76,875.

**This Consent Item was approved.**

**I.3. SUBJECT: Information Only - Traffic Committee Minutes of September 14, 2021**

**RECOMMENDATION**

For information only.

**This Consent Item was approved.**

**I.4.**

**SUBJECT:** Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of December 6, 2021

**REPORT IN BRIEF**

Official adoption of previously held meeting minutes.

**RECOMMENDATION**

**City Council/Public Financing and Economic Development/Parking Authority** - Adopt a motion approving the meeting minutes of December 6, 2021.

**This Consent Item was approved.**

**I.5.**

**SUBJECT:** Adoption of a Resolution to Amend the Pay Ranges for the Temporary Classifications of Lifeguard I, Lifeguard II, Pool Manager, Recreation Coordinator, Recreation Leader, and Recreation Specialist, Effective January 1, 2022, to Comply with State of California Minimum Wage Requirements

**REPORT IN BRIEF**

Considers adopting a Resolution to authorize amendments to the Pay Ranges for the Temporary Classifications of Lifeguard I, Lifeguard II, Pool Manager, Recreation Coordinator, Recreation Leader, and Recreation Specialist effective January 1, 2022, to comply with State of California minimum wage requirements.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Resolution 2022-01**, a Resolution of the City Council of the City of Merced, California, amending the salary ranges for the temporary classifications of Lifeguard I, Lifeguard II, Pool Manager, Recreation Coordinator, Recreation Leader, and Recreation Specialist; and authorizing the City Manager or the Deputy City Manager to execute the necessary documents.

**This Consent Item was approved.**

**I.6.**

**SUBJECT:** Approval of Request by the Merced County NAACP for the Co-Sponsored Rental Rate for the Merced Senior Community

---

Center on February 12, 2022 for its Annual Freedom Fund Banquet

**REPORT IN BRIEF**

Considers approving a request for the co-sponsored rate for the rental of the Merced Senior Community Center by the Merced County NAACP to hold its annual Freedom Fund Banquet on February 12, 2022. The co-sponsored rate for the Merced Senior Community Center is estimated at \$365.00.

**RECOMMENDATION**

**City Council** - Adopt a motion approving request to rent the Merced Senior Community Center to the Merced County NAACP on February 12, 2022, at the co-sponsored rental rate.

**This Consent Item was approved.**

I.7.

**SUBJECT:** Award Bid to Valley Peterbilt for the Purchase of Two New Roll-Off Refuse Trucks for the Public Works Refuse Department in the Total Amount of \$353,353.26

**REPORT IN BRIEF**

Considers awarding a contract to Valley Peterbilt for the purchase of two new roll-off refuse trucks as replacements for the Public Works Refuse Department.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Awarding the bid to Valley Peterbilt for the supply of two new refuse roll-off trucks in the total amount of \$353,353.26; and,

B. Authorizing the City Manager or Deputy City Manager to execute the necessary documents, the City Buyer to issue the Purchase Order, and to approve change orders not to exceed 10% of the total purchase price.

**This Consent Item was approved.**

I.10.

**SUBJECT:** Approval to Waive the Competitive Bidding Requirements, and Approval of Agreements for Supplies and Services for the Purchase of Various Vehicle Parts and Vehicle Repair/Parts Installation Services with Interstate Truck Center, LLC, in the Amount not to Exceed \$50,000, Supply and Delivery of

---

Herbicides and Related Application Equipment with Rentokil North America, Inc., dba Target Specialty Products, in the Amount not to Exceed \$55,000, and Supply and Delivery of Agricultural Chemicals with Wilbur-Ellis Company, LLC, in the Amount not to Exceed \$60,000, with the Contracts' Terms Ending June 30, 2022

**REPORT IN BRIEF**

Considers waiving the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 and approving three (3) separate Supply and Service Agreements for the purchase of vehicle parts and repair services, herbicides and related application equipment, as well as agricultural chemicals.

**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,
- B. Approving an Agreement for Supplies and Services with Interstate Truck Center, LLC, in the amount not to exceed \$50,000; and,
- C. Approving the Agreement for Supplies and Services with Rentokil North America, Inc., dba Target Specialty Products, in the amount not to exceed \$55,000; and,
- D. Approving the Agreement for Supplies and Services Wilbur-Ellis Company, LLC, in the amount not to exceed \$60,000; and,
- E. Authorizing the City Manager or the Deputy City Manager, to execute the necessary documents.

**This Consent Item was approved.**

**I.11.**

**SUBJECT:** Approval of Density Bonus #21-01 Initiated by UP Holdings, LLC, to Allow an Increase in Density and Concessions to Development Standards to Allow the Construction of a 66-unit Apartment Complex Including 65 Affordable Permanent Supportive Housing Units, a Manager's Unit, and a Community/Office Area Within a Three-Story Building on a 1.54-Acre Parcel, Generally Located on the West Side of Park Avenue, Between Olive Avenue and Alexander Avenue and the Approval of a Regulatory Agreement with Mercy Village L.P. (Future Property Owner) to Memorialize the

Affordability and Density Bonus

**REPORT IN BRIEF**

Considers the approval of a Regulatory Agreement with Mercy Village L.P. granting a Density Bonus and certain concessions to development standards to allow the construction of 66-unit apartment complex consisting of 65 affordable permanent supportive housing units, a manager's unit, and a community/office area within a three-story building at 3015 Park Avenue.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Finding that the adoption of the Regulatory Agreement is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3); and

B. Approving the Affordable Housing Regulatory Agreement with Mercy Village L.P., for the property located at 3015 Park Avenue to construct a 66-unit apartment complex consisting of 65 permanent supportive housing units and 1 manager's unit; and,

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

**This Consent Item was approved.**

I.12.

**SUBJECT:** Award Bid to Mid Cal Pipeline & Utilities, Inc. for the (CMAQ) Construct Sidewalks Grant for Infill Sidewalks to be Located at 7th Street, 8th Street, and Linda Lane in the Amount of \$651,016.50; Project No. 119070

**REPORT IN BRIEF**

Consider awarding a construction contract to Mid Cal Pipeline & Utilities, Inc. in the amount of \$651,016.50 for the (CMAQ) Construct Sidewalks 7th Street, 8th Street and Linda Lane Project.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Awarding the (CMAQ) Construct Sidewalks 7th Street, 8th Street, and Linda Lane Project 119070 to Mid Cal Pipeline & Utilities, Inc.,

in the amount of \$651,016.50; and,

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

C. Authorize the Finance Officer authorization to make necessary budget adjustments.

**This Consent Item was approved.**

**I.13.**

**SUBJECT:** Approval of a Proposed Purchase and Sale Agreement with MAIPG1, LLC, for a ±1.60-Acre Site in the Airport Industrial Park for \$104,544.00 Located at 2080 Grogan Avenue Also Known as APN 059-030-026 for the Construction of an Industrial Building

**REPORT IN BRIEF**

Council will consider the terms contained in the Purchase and Sale Agreement for the disposal of a 1.60-acre site formerly known as the Merced County dog pound in the Airport Industrial Park for \$104,544.00 for the construction of an industrial building.

**RECOMMENDATION**

**City Council - Adopt a Motion:**

A. Approving the terms of the Purchase and Sale Agreement with MAIPG1, LLC.; and,

B. Appropriating \$6,273.00 from the proceeds of the sale to pay for Real Estate Commission; and,

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

**This Consent Item was approved.**

**I.16.**

**SUBJECT:** Approval of Street Closure Request and Use of City Owned Real Estate by the Martin Luther King Jr. Celebration Committee for the Annual Martin Luther King Jr. Community March and Celebration on January 17, 2022, Along Martin Luther King Jr Way from West 8th Street to West Main Street and the Use of a Portion of Parking Lot #14 Located at 1739 Martin Luther King Jr.

Way

**REPORT IN BRIEF**

Authorizes the use and closure of Martin Luther King Jr. Way from West 8th Street to West Main Street and a portion of the City Parking Lot #14 located at 1739 Martin Luther King Jr. Way on Monday, January 17, 2022, to hold a march, parade and food preparation for the annual Martin Luther King, Jr. celebration.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the request by Tamara Cobb and the Martin Luther King Jr. Celebration Committee to close Martin Luther King Jr. Way from West 8th Street to West Main Street and to cone off a portion of the City Parking Lot #14 located at 1739 Martin Luther King Jr. Way on Monday, January 17, 2022, to hold the march and prepare food as part of a community celebration.

**This Consent Item was approved.**

I.8.

**SUBJECT:** Approval of an Agreement for Professional Services with West Coast Arborists, Inc., for Tree Pruning and Removal Services at Several Identified Priority 1 Locations, in a Total Amount not to Exceed \$315,000 Funded by Measure Y

**REPORT IN BRIEF**

Considers approving an agreement for professional services with West Coast Arborists, Inc., for tree pruning and removal services at several identified priority 1 locations in Council District 3 and the Black Rascal Creek Eucalyptus Grove for a total amount not to exceed \$315,000.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving an agreement for professional services with West Coast Arborists, Inc., in the amount not to exceed \$315,000 for Tree Pruning and Removal Services; and,

B. Authorizing contract amendments not to exceed 10% of the total contract amount; and,

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

Mayor SERRATTO pulled this item due to a request from the public.

Ron COOK, Merced - asked clarifying questions about the tree maintenance contracts and removal of trees.

Deputy Public Works Director Joe ANGULO clarified the contracts.

**Clerk's Note:** Agenda items I.8. and I.9. were voted on in a single vote.

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

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

**No:** 0

**Absent:** 1 - Council Member Echevarria

**I.9.**

**SUBJECT:** Approval of an Agreement for Professional Services with West Coast Arborists, Inc., for Tree Pruning and Removal Services in Bellevue East, Bellevue West, University Park, University Park II, and Moraga Community Facilities Districts and in Village Landing, Fahrens Park, Cypress Terrace, Sky Moss, Lowes, Vista Del Sol, and Yosemite Gateway Maintenance Districts in a Total Amount not to Exceed \$208,602

**REPORT IN BRIEF**

Considers approving an agreement for professional services with West Coast Arborists, Inc., for tree pruning and removal services at various Community Facilities Districts and Maintenance Districts for a total amount not to exceed \$208,602.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving an agreement for professional services with West Coast Arborists, Inc., in the amount not to exceed \$208,602 for Tree Pruning and Removal Services; and,

B. Authorizing contract amendments not to exceed 10% of the total contract amount; and,

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

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

---

**Member Boyle, that this agenda item be approved. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Echevarria

**I.14.**

**SUBJECT:** Approval of a Form of Sponsorship Agreement with the San Jose Sharks, LLC and El Capitan, A JDV By Hyatt, Hotel to Establish a Teal Top Court at Applegate Park, a Junior Hockey Recreational Program and Provide for Marketing Opportunities for Merced with a Maximum Contribution of \$83,250

**REPORT IN BRIEF**

Considers the approval of a form of Sponsorship Agreement with the San Jose Sharks, LLC and El Capitan, A JDV By Hyatt, Hotel to Establish a Teal Top Court at Applegate Park, a Junior Hockey Recreational Program and provide for marketing opportunities for Merced, with a maximum contribution of \$83,250.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the Form of Sponsorship Agreement with the San Jose Sharks, LLC. and El Capitan, A JDV By Hyatt, Hotel to establish a Teal Top Court at Applegate Park, a Junior Hockey Recreational Program, and provide for marketing opportunities for Merced with a maximum contribution of \$83,250; and,

B. Directing staff to return to the City Council with a Memorandum of Understanding outlining the terms for sharing sponsorship advertising costs and benefits with El Capitan, A JDV By Hyatt; and,

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

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

Council Member ORNELAS pulled this item for separate consideration.

Fue XIONG, Merced - asked about the sponsorship and funding of the

project.

City Manager Stephanie DIETZ provided clarification on the sponsorship and funding.

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

**Aye:** 5 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, and Council Member Boyle

**No:** 1 - Council Member Ornelas

**Absent:** 1 - Council Member Echevarria

**I.15.**

**SUBJECT:** Approval of the Professional Services Agreement with the Lew Edwards Group in the Amount not to Exceed \$84,000 to Develop a Public Education Strategy Related to the Possible Extension of Measure C and Approval of a Supplemental Appropriation in the Amount of \$50,000 from Fund 061-Measure C to Support the Overall Project

**REPORT IN BRIEF**

Considers the approval of the Professional Services Agreement with the Lew Edwards Group for an amount not to exceed \$84,000 to develop a public education strategy related to the possible extension of Measure C and the approval of a Supplemental Appropriation of \$50,000 from Fund 061-Measure C to support the overall project

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the Professional Services Agreement with the Lew Edwards Group for an amount not to exceed \$84,000 related to the extension of Measure C; and,

B. Approving a Supplemental Appropriation in the amount of \$50,000 of the unappropriated, unencumbered fund balance in Fund 061-Measure C to fund the overall project; and

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

Council Member ORNELAS pulled this item to request clarification.

---

City Manager Stephanie DIETZ provided clarification on the consultant contract.

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

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

**No:** 0

**Absent:** 1 - Council Member Echevarria

I.17.

**SUBJECT:** Approval to Waive the Competitive Bidding Requirement and Approval of the Purchase of Caliber Flex Bomb Robot in an Amount not to Exceed \$196,448.21

**REPORT IN BRIEF**

Considers waiving the competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code for the purchase and authorizing the purchase of one (1) new Caliber Flex Bomb Robot in an amount not to exceed \$196,448.21

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Waiving the competitive bidding requirements, as stated in Section 3.04.210 of the Merced Municipal Code due to sole source; and,

B. Authorizing the City to purchase the requested bomb equipment through ICOR Technology for equipment and training costs not to exceed \$196,448.21; and,

C. Authorizing the City Manager or Deputy City Manager to execute any necessary contracts or documents needed related to this report.

Council Member ONRELAS pulled this item for separate consideration.

Fue XIONG, Merced - asked for clarification on the age of the current bomb robot and the need for a new one.

Police Captain Joe WEISS provided clarification on the life span of a bomb robot and the need to replace the aging equipment.

Council briefly discussed the need for new equipment for safety reasons.

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

---

**Member Boyle, that this agenda item be approved. The motion carried by the following vote:**

**Aye:** 5 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, and Council Member Boyle

**No:** 1 - Council Member Ornelas

**Absent:** 1 - Council Member Echevarria

**I.18.**

**SUBJECT:** Approval to Accept Future Reimbursement from McLaren's Insurance for a Destroyed Police Motorcycle, Approval of an Appropriation in the Amount of \$29,368.83 to Fund 674 - Vehicle Replacement, and Award of Bid to Herwaldt Motorsports for the Purchase of Three Police Motorcycles for the Police Department Traffic Division in the Amount of \$29,368.83 Each

**REPORT IN BRIEF**

Considers awarding the bid to Herwaldt Motorsports for the purchase of two motorcycles as replacements, as well as, purchasing one as a replacement for a destroyed motorcycle, for the Police Department Traffic Division and future acceptance of insurance reimbursement from McLaren's Insurance for the destroyed motorcycle.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Accepting insurance reimbursement and increasing revenue in the amount up to \$29,369 (estimate) from McLaren's Insurance in Fund 674 - Fleet Capital Replacement; and,

B. Approving a supplemental appropriation in the amount of \$29,369 to Fund 674 - Fleet Capital Replacement to purchase the replacement of the destroyed motorcycle; and,

C. Awarding the bid to Herwaldt Motorsports for the supply of three new motorcycles in the amount of 29,368.83 each; and,

D. Authorizing the City Manager or Deputy City Manager to execute the necessary documents, the City Buyer to issue the Purchase Order, and to approve change orders not to exceed 10% of the total purchase price.

Council Member ORNELAS pulled this item for separate consideration.

Fue XIONG, Merced - asked that Council consider alternative ideas for

traffic enforcement and should consider a different approach to DUI checkpoints.

Jermaine PASTER, Merced - spoke in favor of the new equipment for law enforcement.

**Clerk's Note:** Agenda items I.18 and I.19 were voted on in a single vote.

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

**Aye:** 5 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, and Council Member Boyle

**No:** 1 - Council Member Ornelas

**Absent:** 1 - Council Member Echevarria

**I.19.**

**SUBJECT:** Approval to Waive the Competitive Bidding Requirements and Authorizing the Purchase of One (1) Mobile Incident Communication Vehicle with Farber Specialty Vehicles Through OMMNIA Partners not to Exceed Amount of \$500,000 from the California Highway Patrol Cannabis Act Grant

**REPORT IN BRIEF**

Considers authorizing to waive competitive bidding requirement pursuant to Merced Municipal Code Section 3.04.210 and approving procurement with Farber Specialty Vehicles through OMMNIA Partners' multiyear competitively bid contract for a mobile incident communication vehicle not to exceed amount of \$500,000 from the California Highway Patrol Cannabis Act Grant.

**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 purchases to be made with cooperative purchase agreements through OMMNIA Partners, a government procurement program; and,

B. Approving the purchase of one mobile incident communication vehicle from Farber Specialty Vehicles through OMMNIA Partners; and,

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

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

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

**Aye:** 5 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, and Council Member Boyle

**No:** 1 - Council Member Ornelas

**Absent:** 1 - Council Member Echevarria

## J. BUSINESS

J.1.

**SUBJECT:** City Council Appointments of Designated City Council Representative(s) to Various Organizations and Ad Hoc Committees

### REPORT IN BRIEF

Confirming City Council Member appointments of designated City Council Representative(s) to various organizations and ad hoc committees.

### RECOMMENDATION

**City Council** - Adopt a motion confirming the Mayor's appointments of designated City Council representatives to various organizations and ad hoc committees.

Council discussed the current committee appointments and agreed to keep them as is for now.

**A motion was made by Council Member Ornelas, seconded by Mayor Pro Tempore Blake, to keep the appointments as they currently are. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Echevarria

J.2.

**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.

There were none.

**J.3.**                    **SUBJECT: City Council Comments**

**REPORT IN BRIEF**

Provides an opportunity for the Mayor and/or Council Member(s) to make a brief announcement on any activity(ies) she/he has attended on behalf of the City and to make a brief announcement on future community events and/or activities. The Brown Act does not allow discussion or action by the legislative body under this section.

Council Member SHELTON commented on attending the Hmong New Year event.

Council Member ORNELAS commented on a local homeless encampment and requested further clean up of the site.

Council Member PEREZ commented on the positive change the DART team has created in downtown and commented on helping out at the local shelter.

Mayor SERRATTO commented on upcoming park clean ups.

**K. ADJOURNMENT**

**Clerk's Note:** The Regular Meeting was adjourned at 7:09 PM.

**A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Perez, that the meeting be adjourned. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Echevarria