



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, March 5, 2018

6:00 PM

A. CLOSED SESSION ROLL CALL

Present: 6 - Council Member Michael Belluomini, Council Member Anthony Martinez, Council Member Joshua Pedrozo, Council Member Matthew Serratto, Mayor Mike Murphy, and Council Member Kevin Blake

Absent: 1 - Mayor Pro Tempore Jill McLeod

B. CLOSED SESSION

Mayor MURPHY called the Closed Session to order at 5:04 PM.

B.1. **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant Exposure to Litigation pursuant to Government Code section 54956.9(d)(2): (2) cases

B.2. **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Steve Carrigan; Employee Organization: American Federation of State, County, and Municipal Employees (AFSCME) Council 57; Local 2703; International Association of Fire Fighters, Local 1479; Merced Association of City Employees (MACE). AUTHORITY: Government Code Section 54957.6

B.3. **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Steve Carrigan; Unrepresented Management AUTHORITY: Government Code Section 54957.6

Clerk's Note: Council adjourned from Closed Session at 5:49 PM.

C. CALL TO ORDER

Mayor MURPHY called the Regular Meeting to order at 6:01 PM.

C.1. Invocation - Lamar Henderson, Human Services Agency (All Dads Matter)

The invocation was delivered by Lamar HENDERSON from Human Services Agency (All Dads Matter).

C.2. Pledge of Allegiance to the Flag

Council Member SERRATTO led the Pledge of Allegiance to the Flag.

D. ROLL CALL

- Present:** 6 - Council Member Michael Belluomini, Council Member Anthony Martinez, Council Member Joshua Pedrozo, Council Member Matthew Serratto, Mayor Mike Murphy, and Council Member Kevin Blake
- Absent:** 1 - Mayor Pro Tempore Jill McLeod

E. REPORT OUT OF CLOSED SESSION

There was no report.

F. CEREMONIAL MATTERS

F.1. **SUBJECT: Recognition of El Capitan High School Cheer Squad**

REPORT IN BRIEF

A certificate will be received by the 2018 USA National Champions, El Capitan High School Cheer Squad.

Mayor MURPHY presented the El Capitan High School Cheer Squad with a Certificate of Recognition.

G. SPECIAL PRESENTATIONS

G.1. Fire Department - Update on Ladder Truck Purchase

Fire Chief Michael WILKINSON gave an update on the new ladder truck purchase.

H. WRITTEN PETITIONS AND COMMUNICATIONS

There were none.

I. ORAL COMMUNICATIONS

Nancy REDING, Merced - spoke on vandalism and violence on Sycamore Street.

Cindy NORVIEL, Merced - spoke on the vandalism, need for fire hydrants, sidewalks, speed bumps, and overall safety on Sycamore Street.

Nirvail SINGH, Salida - spoke on the Sikh American Awareness Event.

Pam and Gary LARIMER, Merced - spoke on the need for streetlights, fire hydrants, sidewalks, and speed bumps on Sycamore Street.

Sol RIVAS, Merced - spoke on the Cannabis Tax allocation.

J. CONSENT CALENDAR

There were no Consent Items pulled.

Approval of the Consent Agenda

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

Aye: 6 - Council Member Belluomini, Council Member Martinez, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Council Member Blake

No: 0

Absent: 1 - Mayor Pro Tempore McLeod

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 Contracts

REPORT IN BRIEF

Notification of awarded Non-Public Works contracts under \$30,000 and of Public Works contracts under \$67,779.

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 FY 2017-2018 threshold of \$67,779.00, and Chapter 3.04.080 - 3.04.110 of the Merced Municipal Code to execute Non-Public Works contracts under the adjusted FY 2017-2018 threshold of \$30,000.00, the contracts listed on the attached table were entered into by the City.

This Consent Item was approved.

J.3. **SUBJECT: Information Only - Site Plan Review Committee Minutes of January 18, 2018**

RECOMMENDATION

For information only.

This Consent Item was approved.

J.4. **SUBJECT: Information Only - Planning Commission Minutes of January 17, 2018**

RECOMMENDATION

For information only.

This Consent Item was approved.

J.5. **SUBJECT: City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of February 5, 2018**

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 February 5, 2018.

This Consent Item was approved.

J.6. **SUBJECT: Accept and Appropriate Donated Funds for the Merced Sports Complex Concrete Bleachers**

REPORT IN BRIEF

Accepting and appropriating \$35,000 from Merced Breakfast Lions Club for construction of concrete bleachers at Merced Sports Complex.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting and appropriating \$35,000 in donations funds from

Merced Breakfast Lions Club to fund 424, Project #118031; and,

B. Authorizing the Finance Officer to make the necessary budget adjustment; and,

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

This Consent Item was approved.

J.7.

SUBJECT: Agreement for Consultant Services with Chandler Asset Management to Provide Investment Portfolio Management Services

REPORT IN BRIEF

Considers awarding a three (3) year agreement with two (2) one (1) year options for renewal to Chandler Asset Management to provide investment portfolio management services

RECOMMENDATION

City Council - Adopt a motion approving the contract with Chandler Asset Management for Investment Advisory Services; and authorizing the City Manager or Assistant City Manager to execute all necessary documents.

This Consent Item was approved.

J.8.

SUBJECT: Consideration of an Amendment to Agreement with Liebert Cassidy Whitmore for Legal Services Related to Employee Relations and Labor Negotiations

REPORT IN BRIEF

Considers approving an amendment to the existing \$60,000 Legal Services Agreement with Liebert Cassidy Whitmore by \$40,000 to the not to exceed amount of \$100,000.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving an amendment to an agreement for professional services with Liebert Cassidy Whitmore to increase the amount by \$40,000 for a total of not to exceed \$100,000; and,

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

This Consent Item was approved.

J.9. **SUBJECT: Acceptance of Donated Safety Vests for Police K9 Unit**

REPORT IN BRIEF

Considers accepting a donation of two safety vests for the police canines from Vested Interest in K9s, Inc.

RECOMMENDATION

City Council - Adopt a motion accepting the donation of two ballistic safety vests from Vested Interest in K9s, Inc. for the Police K9 Program.

This Consent Item was approved.

J.10. **SUBJECT: Resolution of Support for Appointment of Individuals with Ties to the Valley to the University of California Board of Regents**

REPORT IN BRIEF

Resolution expressing support for candidates with ties to the San Joaquin Valley and urging Governor Brown to consider these individuals for vacancies on the board.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2018-12**, a resolution of the City Council of the City of Merced, California, expressing support of candidates for appointment to the University of California Board of Regents who have strong ties to the San Joaquin Valley.

This Consent Item was approved.

Clerk's Note: Item L.2. was discussed before the Public Hearing section to accommodate a teleconference with a consultant.

L.2. **SUBJECT: Direction on Future Police Headquarters Building**

REPORT IN BRIEF

Staff seeks Council direction on remodeling the existing Sun Star site or the removal of the existing Sun Star structure for the Police Headquarters Building and approval to proceed with a Request for Proposal for Architectural Services.

RECOMMENDATION

Option 1:

City Council - Adopt a motion directing staff to proceed with Option 1 (Merced Sun-Star Remodel) and proceed with issuing a Request for Proposal for Architectural Services.

OR

Option 2:

City Council - Adopt a motion directing staff to proceed with Option 2 (Merced Sun-Star Demolition) and proceed with issuing a Request for Proposal for Architectural Services.

Assistant City Manager Stephanie DIETZ and Director of Public Works Ken ELWIN gave a slide show presentation on the future Police Headquarters Building.

Council and Staff discussed keeping the shell of the building, the needs for a new police station, safety and building standards, cost estimates, remodeling the building versus demolishing the building, and the ability to add a future second story.

The Consultant recommended demolition of the existing structure.

Olivia LYNCH, Merced - asked what the Police Chief thinks the needs are for a new police station to carry out their duties.

Interim Police Chief Chris GOODWIN stated he would prefer demolition of the existing structure as opposed to using the shell of the building.

Council and Staff discussed building a new station to fit the needs and cost of the police station.

A motion was made by Council Member Pedrozo, seconded by Council Member Blake, to direct staff to proceed with Option 2. The motion carried by the following vote:

Aye: 6 - Council Member Belluomini, Council Member Martinez, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Council Member Blake

No: 0

Absent: 1 - Mayor Pro Tempore McLeod

K. PUBLIC HEARINGS

K.1. **SUBJECT: Public Hearing Regarding Proposed Amendments to the
City's Commercial Shopping Center (C-SC) Zone**

REPORT IN BRIEF

Council will consider amendments to Merced Municipal Code Table 20.10-1-Permitted Land Uses in the Commercial Zoning Districts regarding the Commercial Shopping Center (C-SC) Zone.

RECOMMENDATION

City Council - Adopt a motion adopting a Categorical Exemption and Introducing **Ordinance No. 2486**, an Ordinance of the City Council of the City of Merced, California, Amending Table 20.10-1 ("Commercial Zoning Districts") of the Merced Municipal Code.

Director of Development Services Scott MCBRIDE gave a slide show presentation.

Council and Staff discussed the ordinance language and allowing other business types in the commercial zoning districts.

Mayor MURPHY opened the Public Hearing at 7:17 PM

Ron DEANDA, Merced - spoke on the need for a South Merced grocery store.

Chris JENSEN, Merced - asked about a limit on drive-thru sites on the proposed location and other options.

Director of Economic Development Frank QUINTERO stated that the proposed property could potentially have up to two drive-thru sites.

Rochelle ABRIL, Merced - spoke on the need of a South Merced grocery store and healthy food options.

Mayor MURPHY closed the Public Hearing at 7:25 PM.

Council and Staff discussed the continuous effort to get a South Merced grocery store, more options for developers to stimulate interest in the site, and site uses.

A motion was made by Council Member Belluomini, seconded by Council Member Pedrozo, to approve the ordinance with the amendment to footnote #9. The motion carried by the following vote:

Aye: 6 - Council Member Belluomini, Council Member Martinez, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Council Member Blake

No: 0

Absent: 1 - Mayor Pro Tempore McLeod

L. REPORTS

Clerk's Note: Due to the absence of Mayor Pro Tempore MCLEOD , Item L.1. was moved to the March 19th meeting.

L.1. **SUBJECT:** Update and Discussion on Park Benches and Trash Receptacles in the Downtown Area

REPORT IN BRIEF

Staff will provide a brief history on the removal of downtown benches and seek direction on next steps for the benches and trash receptacles.

RECOMMENDATION

Provide staff with direction regarding the next steps to take in regards to downtown park benches and trash receptacles.

L.3. **SUBJECT:** Priority Setting Session

REPORT IN BRIEF

Staff will present a list of possible priorities based on public input from the recent Town Hall meetings and the needs of the City and solicit Council priorities to assist the development of the 2018-2019 budget.

RECOMMENDATION

Provide staff direction on City Council priorities after taking public comment.

City Manager Steve CARRIGAN gave a slide show presentation on Council goals and priorities.

Council discussed their individual goals and priorities.

Angelica COSTILLA, Merced - spoke on allocating more cannabis tax revenue to the Recreation and Parks Department and to youth investment.

Chris MEDINA, Merced - spoke on investing in South Merced.

Council directed staff to add the following items to their goals and priorities: passenger rail, downtown High Speed Rail station, Measure C transition, Parsons Avenue completion, youth services/programs, increasing dispatchers and code enforcement officers, expanding the Citizen's Academy and Neighborhood Watch programs, safe routes to schools, public updates on projects, flood prevention in heavily flooded areas, developing connections with UC Merced, address City/County issues, Campus Parkway build-out, heavy maintenance facilities, railroad quiet zones, Recreation and Parks Director, entry signs, parks maintenance, homeless, traffic flow, blight, housing, downtown subcommittee, infill growth, lighting, water conservation, jobs, cleanup entry areas in town, beautifying the City, annexations towards UC Merced, and honor talent in the City.

Mr. CARRIGAN stated that staff will bring this item back for the March 19th meeting to rank the priorities.

Council discussed separating the priority list into different categories.

M. BUSINESS

M.1.

SUBJECT: Appointment - Regional Airport Authority

REPORT IN BRIEF

Consider appointing Travis Colby to the Regional Airport Authority.

RECOMMENDATION

City Council - Adopt a motion appointing Travis Colby to serve as a member of the Regional Airport Authority, to a seat with a term expiration of July 1, 2021, and directing the Clerk's Office to continue recruitment for vacancies on the Regional Airport Authority.

A motion was made by Council Member Blake, seconded by Council Member Serratto, to appoint Travis Colby to the Regional Airport Authority. The motion carried by the following vote:

Aye: 6 - Council Member Belluomini, Council Member Martinez, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Council Member Blake

No: 0

Absent: 1 - Mayor Pro Tempore McLeod

M.2. **SUBJECT: Mayor Murphy's Request to Discuss Council Meeting
Decorum and Conduct**

REPORT IN BRIEF

This item is in response to Mayor Murphy's request to discuss Council Meeting decorum and conduct pursuant to City Council Administrative Policies and Procedures C-1.

RECOMMENDATION

It is requested Council give staff direction on an ordinance to establish rules of conduct for public meetings.

Council and Staff discussed the Council Meeting decorum and conduct policy.

Michael CLAIBORNE, Merced - spoke on his concerns with the language in the policy.

Isai PALMA, Merced - spoke on his concerns with the decorum and conduct policy.

Sol RIVAS, Merced - spoke on her concerns with the decorum and conduct policy.

Victoria CASTILLO, Merced - spoke on her concerns with the decorum and conduct policy.

Marilyn MOCHELL, Merced - spoke on her concerns with the decorum and conduct policy.

Council continued discussing the Council Meeting decorum and conduct policy.

A motion was made by Council Member Belluomini, seconded by Council Member Blake, to direct the Interim City Attorney to remove section C in the draft ordinance and to bring this item back as an introduction. The motion carried by the following vote:

Aye: 4 - Council Member Belluomini, Council Member Pedrozo, Mayor Murphy, and Council Member Blake

No: 2 - Council Member Martinez, and Council Member Serratto

Absent: 1 - Mayor Pro Tempore McLeod

M.3. Request to Add Item to Future Agenda

No items were added.

M.4. City Council Comments

Council Member MARTINEZ reported on attending a fitness fair event at McNamara Park and the Weaver Middle School Performance.

Council Member PEDROZO reported on attending a fitness fair event at McNamara Park and a Youth Leadership event. He also spoke about the Japanese Internment Camp display in the lobby of City Hall. He also thanked staff for their hard work setting up the Town Hall Meetings and the public for attending the meetings.

Council Member BELLUOMINI thanked the staff for the preparations of the Town Hall Meetings and the public for attending. He spoke on the open positions advertisement for a Police Chief and City Attorney.

Mayor MURPHY spoke on holding a Special Meeting for Thursday, March 8th, at 5:30 PM.

Council Member MARTINEZ requested starting the Special Meeting at 6:00 PM.

Interim City Attorney Jolie HOUSTON stated that, if council gave her direction, she could prepare options for the Cannabis Tax.

A motion was made by Council Member Belluomini, seconded by Council Member Martinez, to direct Interim City Attorney Jolie Houston to prepare options for the Special Meeting that will be held on March 8th at 6:00 PM. The motion carried by the following vote:

Aye: 6 - Council Member Belluomini, Council Member Martinez, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Council Member Blake

No: 0

Absent: 1 - Mayor Pro Tempore McLeod

Mayor MURPHY reported on attending the UC Merced Board Meeting, the Rotary Club Crab Feed, and UC Merced and City joint Neighborhood Coffee Event. He thanked the staff for the preparations of the Town Hall Meetings and the public for attending. He also reported on attending the Youth Leadership Institute open house, the Breakfast Lyons Club meeting, and the Little Mermaid production.

N. ADJOURNMENT

Clerk's Note: The Regular Meeting adjourned at 9:01 PM.

A motion was made by Council Member Pedrozo, seconded by Council Member Belluomini, to adjourn the Regular Meeting in honor of John Sagin. The motion carried by the following vote:

Aye: 6 - Council Member Belluomini, Council Member Martinez, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Council Member Blake

No: 0

Absent: 1 - Mayor Pro Tempore McLeod