



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, 2022

6:00 PM

A. CLOSED SESSION ROLL CALL

Present: 6 - Mayor Matthew Serratto, Council Member Fernando Echevarria, Council Member Delray Shelton, Council Member Bertha Perez, Council Member Jesse Ornelas, and Council Member Sarah Boyle

Absent: 1 - Mayor Pro Tempore Kevin Blake

B. CLOSED SESSION

Mayor SERRATTO called the Closed Session to order at 5:03 PM.

B.1.

SUBJECT: CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Christopher Cowings v. City of Merced; Workers' Compensation Appeals Board Case Number ADJ14807111 and ADJ13189460; AUTHORITY: Government Code Section 54956.9(d)(1)

B.2.

SUBJECT: CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Daniel Richardson v. City of Merced; Workers' Compensation Appeals Board Case Number ADJ11399305, ADJ11398896, ADJ11399184, ADJ11399289, ADJ11399279; AUTHORITY: Government Code Section 54956.9(d)(1)

B.3.

SUBJECT: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant Exposure to Litigation (1 case); AUTHORITY: Government Code Section 54956.9(d)(2)

Clerk's Note: Council Member ORNELAS left Closed Session at 5:33 PM.

Council adjourned from closed session at 5:54 PM.

C. CALL TO ORDER

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

Clerk's Note: Council Member PEREZ arrived to the Regular Meeting at 7:07 PM.

C.1. Invocation - Ceasar Johnson, Christian Life Center of Merced

There was no invocation.

C.2. Pledge of Allegiance to the Flag

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

D. ROLL CALL

Present: 6 - Mayor Matthew Serratto, Council Member Fernando Echevarria, Council Member Delray Shelton, Council Member Bertha Perez, Council Member Jesse Ornelas, and Council Member Sarah Boyle

Absent: 1 - Mayor Pro Tempore Kevin Blake

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 - Merced Pride Month

REPORT IN BRIEF

Received by a representative of the Merced LGBTQ+ Alliance.

Mayor SERRATTO presented the Pride Month proclamation to a representative from the Merced Pride Center.

F.2. SUBJECT: Proclamation - Juneteenth

REPORT IN BRIEF

Received by Allen Brooks, NAACP President.

Mayor SERRATTO presented the Juneteenth proclamation to members of the NAACP.

F.3. SUBJECT: Recognition of the Golden Valley High School Crime Scene Investigation Team

REPORT IN BRIEF

The City Council will recognize members of the Golden Valley High School crime scene investigation team for their achievements.

Council Member ORNELAS presented certificates of recognition to members of the Golden Valley High School crime scene investigation team for their third place finish in a statewide competition.

G. WRITTEN PETITIONS AND COMMUNICATIONS

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

Oral Communications - Steven DONAHUE and Xochitl GARCIA.

H. ORAL COMMUNICATIONS

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

Lynn BARRERA, Merced - spoke about the need for more shelter space for cats.

Noelle ANDERSON, Merced - commented on the length of voicemail comments.

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

Rob LEBARD, Merced - spoke about the need for solutions to help the homeless.

Rick WENDLING, Merced - spoke about gun control.

Don BRAGONIER, Merced - requested that the Sports Complex be named after Dave NANNINI.

Jessica BECKMAN - spoke about road repair in Merced County.

Robert DYLINE, Merced - commented on Housing Authority meetings.

Refugio LLAMAS, Merced - spoke about the Merced County Veteran Services department.

Pangcha VANG, Merced - spoke about the various City boards and commissions.

I. CONSENT CALENDAR

Items I.9. Adoption of a Resolution Approving Final Map #5397 for Sage Creek, Phase 2 Subdivision for 78 Single-Family Lots, Generally Located South of Cardella Road (Extended) Between El Redondo Drive (Extended) and Horizons Avenue (Extended) and the Approval of the Subdivision Agreement for the Sage Creek, Phase 2 Subdivision and I.13. Administering Agency Amendment Modification Summary (E-76) for a Congestion Mitigation and Air Quality Improvement (CMAQ) Grant CML-5085(057) for Phase End Date Extension and the Use of \$610,136.00 in CMAQ Grant Funding for Project No. 121045 - Construction of the Merced North Transit Hub; were pulled for separate consideration.

Approval of the Consent Agenda

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

Aye: 5 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Ornelas, and Council Member Boyle

No: 0

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

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 - 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.

This Consent Item was approved.

- I.3. **SUBJECT:** Information Only - Planning Commission Minutes of February 9, March 9 and 23, and April 6, 2022

RECOMMENDATION

For information only.

This Consent Item was approved.

- I.4. **SUBJECT:** Information-Only Contracts for the Month of May 2022

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.5. **SUBJECT:** Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of May 2, 2022 and May 16, 2022

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 May 2, 2022 and May16, 2022.

This Consent Item was approved.

- I.6. **SUBJECT:** Approval of a Property Access License Between CC915 Merced, Inc. and The City of Merced Subject to Review by the City Attorney

REPORT IN BRIEF

Consideration of a Property Access License between CC915, Inc., a Florida for profit-corporation, and the City of Merced for property located at 73 S. R Street, APN No. 059-256-004.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving Property Access License between CC915, Inc., a Florida for profit-corporation and City of Merced for property located at 73 S. R Street, APN No. 059-256-004 in a form subject to review by the City Attorney; and,

B. Authorizing the City Manager or Deputy City Manager to execute all related documents to implement this action.

This Consent Item was approved.

I.7.

SUBJECT: Approval of Three Professional Services Agreements with Goodwin Consulting Group for Preparation of the Rate and Method of Apportionment (RMA) for Community Facilities District (CFD) Annexations Numbers 18, 19 and 20

REPORT IN BRIEF

Considers approving contracts with Goodwin Consulting Group for preparation of the Rate and Method of Apportionment (RMA) for Community Facilities District Annexations Numbers 18, 19, and 20.

RECOMMENDATION

City Council - Adopt a motion approving Professional Services Agreements with Goodwin Consulting Group, Inc. to prepare the Rate and Method of Apportionment for Community Facilities Annexations Numbers 18, 19, and 20 in the amounts of \$7,000, \$9,000, and \$7,000 respectively, and authorizing the City Manager or Deputy City Manager to execute the necessary documents.

This Consent Item was approved.

I.8.

SUBJECT: Approval to Accept and Appropriate Grant Funds from the State of California Department of Housing and Community Development from the Permanent Local Housing Allocation Program in the Amount of \$1,324,969

REPORT IN BRIEF

Consider accepting and appropriating grant funds from the State of California Department of Housing and Community Development (HCD) from the Permanent Local Housing Allocation (PLHA) program in the Amount of \$1,324,969.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting PLHA grant funds in the amount of \$1,324,969; and,
- B. Increasing revenue account 099-1301-324.02-00 in the amount of \$1,324,969 and appropriating the same to 099-1301-512.17-00 for expenditures; and,
- C. Authorizing the use of pooled cash to cover the appropriation until grant funds are reimbursed; and,
- D. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- E. Authorizing the City Manager or Deputy City Manager to execute all documents, including any amendments.

This Consent Item was approved.

I.10.

SUBJECT: Approval of Street Closure Request and Use of City Owned Real Estate by the Juneteenth Celebration Committee for the Juneteenth Community March and Celebration on June 18th, 2022, for the Use of a Portion of Parking Lot #14 Located at 1739 Martin Luther King Jr. Way, Martin Luther King Jr Way from West 18th Street to West 11th Street, W 11th Street to K Street (McNamara Park)

REPORT IN BRIEF

Authorizes the use of a portion of Parking Lot #14 Located at 1739 Martin Luther King Jr. Way, and the closure of Martin Luther King Jr Way from West 18th Street to West 11th Street, W 11th Street to K Street (McNamara Park) on Saturday June 18th, 2022 to have a staging area, hold a march, parade and food preparation for the Juneteenth Celebration.

RECOMMENDATION

City Council - Adopt a motion approving the request by Tamara Cobb and the Juneteenth Celebration Committee to use a portion of Parking Lot #14 Located at 1739 Martin Luther King Jr. Way, and close Martin Luther King Jr Way from West 18th Street to West 11th Street, W 11th Street to K Street (McNamara Park) on Saturday June 18th, 2022 to

hold the march and prepare food as part of a community celebration.

This Consent Item was approved.

I.11.

SUBJECT: Approval to Increase Expenditure Authority in the Amount of \$800.00 with Environmental Systems Research Institute, Inc., (Esri) for the Duration of the Small Government Enterprise Agreement, (SGEA) for Fiscal Years 2022/2023 and 2023/2024, in a not to Exceed Amount of \$55,400.00 per Year

REPORT IN BRIEF

Considers approving an increase to the expenditure authority in the amount of \$800.00 with Environmental Systems Research Institute, Inc., (Esri) for the duration of the Small Government Enterprise Agreement, (SGEA) for fiscal years 2022/2023 and 2023/2024.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code for the Sole Source Purchase of software licenses and maintenance; and,

B. Approving the increase expenditure allowance in the amount of \$800.00 with Environmental Systems Research Institute, Inc., (Esri) for the duration of the Small Government Enterprise Agreement, (SGEA) for fiscal years 2022/2023 and 2023/2024, not to exceed \$55,400.00 per year; and,

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

This Consent Item was approved.

I.12.

SUBJECT: Adoption of Resolution Approving the Fiscal Year 2022/2023 Project List for the Road Repair Accountability Act (SB 1), Local Streets and Roads Funding

REPORT IN BRIEF

Requests the City Council to approve the list of projects proposed to be funded with Road Maintenance and Rehabilitation Account (RMRA) funds pursuant to SB1 for FY 2022/2023.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2022-30**, a Resolution of the City Council of the City of Merced, California, adopting a list of projects for Fiscal Year 2022-2023 funded by SB 1: The Road Repair and Accountability Act of 2017.

This Consent Item was approved.

I.14.

SUBJECT: Adoption of a Resolution Approving the Administering Agency State Program Supplement No. F029 Rev. 1 and Award of Bid to Avison Construction, Inc. for the CMAQ John Muir Sidewalk Project, Project Number 119042, in the Amount of \$898,832.00

REPORT IN BRIEF

Considers a resolution approving a California Department of Transportation Program Supplement for the use of \$639,449 in CMAQ Grant funding and awarding a construction contract to Avison Construction, Inc. in the amount of \$898,832.00 for the CMAQ John Muir Sidewalk Project.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2022-28**, a Resolution of the City Council of the City of Merced, California, approving Federal-Aid Projects Program Supplement Agreement No. F029 Rev. 1; and,

B. Awarding the CMAQ John Muir Sidewalk Project 119042 to Avison Construction, Inc., in the amount of \$898,832.00; and,

C. 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,

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

This Consent Item was approved.

I.15.

SUBJECT: Approval of a First Amendment to Supplies and Services Agreement with Interstate Truck Center, LLC, for the Purchase of Various Vehicle Parts and Vehicle Repair/Parts Installation Services in the Additional Amount not to Exceed \$50,000 for the Contract Terms Ending June 30, 2022

REPORT IN BRIEF

Considers approving an amendment to the supplies and services agreement for purchase of various vehicle parts and vehicle repair/parts installation services through June 30, 2022.

RECOMMENDATION

City Council - Adopt a motion approving a First Amendment to Supplies and Services Agreement with Interstate Truck Center, LLC, in the additional amount not to exceed \$50,000; and, authorizing the City Manager or the Deputy City Manager, to execute the necessary documents and approve amendments up to the City Manager threshold of \$34,000.

This Consent Item was approved.

I.16.

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Approve Purchases of Parts, Equipment, Supplies, and Services Necessary for Public Works Maintenance and Operations from Hach Company, Inc. in the Amount not to Exceed \$100,000; and with Trojan Technologies Group, LLC in the Additional Amount not to Exceed \$100,000, for a Total Purchase Amount of \$250,000 Through 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 the purchase of various parts, equipment, supplies, and services for Public Works maintenance and operations.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210 for annual supplies and services agreements; and,

B. Approving the purchase of various laboratory supplies and equipment, as well as annual maintenance or repair services for related equipment from Hach Company, Inc., in the amount not to exceed \$100,000 in Fiscal Year 2021/2022; and,

C. Approving the purchase of UV lamps and related equipment, parts,

and supplies from Trojan Technologies Group, LLC, in the additional amount not to exceed \$100,000, for a total contract amount of \$250,000 in Fiscal Year 2021/2022; and,

D. Authorizing the City Manager or the Deputy City Manager, to execute the necessary documents or contracts that are approved as to form by the City Attorney, and/or City Buyer to issue the purchase orders.

This Consent Item was approved.

I.17.

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Approval of Agreement for Purchase of Goods with Western Industrial Sales, Inc., dba Kellogg Supply for the Purchase of Various Parts, Equipment, Tools, Materials, and Supplies Used in Public Works Operations in the Amount not to Exceed \$100,000, and with Schoettler Tire, Inc., for the Purchase of Various Vehicle and Equipment Tires in the Amount not to Exceed \$125,000 for the Contract 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 two separate agreements for the purchase of vehicle parts, equipment, tools, materials, and supplies used in daily Public Works operations, as well as the purchase of various vehicle and equipment tires.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210 for annual supply agreements; and,

B. Approving an Agreement for Purchase of Goods with Western Industrial Sales, Inc., dba Kellogg Supply, in the amount not to exceed \$100,000; and,

C. Approving an Agreement for the Purchase of Goods with Schoettler Tire, Inc., in the amount not to exceed \$125,000; and,

D. Authorizing the City Manager or the Deputy City Manager, to execute the necessary documents and approve amendments up to the City Manager threshold of \$34,000.

This Consent Item was approved.

I.18.

SUBJECT: Approval of a Second Amendment to Professional Services Agreement with Stantec Consulting Services, Inc., for Engineering Design Services for the Wastewater Treatment Facility Phase VI Improvement Upgrades to Extend Contract End Date

REPORT IN BRIEF

Considers authorizing a second amendment to professional services agreement with Stantec Consulting Services, Inc., for engineering design of wastewater treatment facility improvement upgrades to extend the original contract term date through completion of the project.

RECOMMENDATION

City Council - Adopt a motion approving a second amendment to agreement for professional services with Stantec Consulting Services, Inc., to extend the contract term and, authorizing the City Manager or the Deputy City Manager to execute the necessary documents.

This Consent Item was approved.

I.19.

SUBJECT: Approval of a Supplemental Appropriation in the Amount of \$29,000 from the Fleet Capital Replacement Fund 674 for the Purchase of a Striping Machine, Approval to Waive the Competitive Bidding Requirements and Authorization for the Purchase of Two (2) Budgeted Fleet Vehicles, Depending on Availability, Through Cooperative Purchasing Agreements with Sourcwell, Including One Front-Loader Refuse Truck for \$330,784.01 from Ruckstell California Sales Co., Inc., and One Truck-Mounted Striping Machine for \$228,971.46 from EZ Liner

REPORT IN BRIEF

Considers appropriating an additional \$29,000 from the Fleet Capital Replacement Fund and authorizing waiving competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 to purchase currently budgeted and Council approved fleet vehicles through the government procurement program Sourcwell.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by

Merced Municipal Code section 3.04.210 to utilize cooperative purchasing agreements through Sourcewell, a government procurement program; and,

B. Approving a supplemental appropriation in the amount of \$29,000 from the unreserved, unencumbered fund balance of Fund 674-Fleet Replacement Fund to account line 674-1103-633.63-00, project 243104 for the purchase of a striping machine; and,

C. Approving the purchase of one front-loader refuse truck in the amount of \$330,784.01, from Ruckstell California Sales Co., Inc., through Sourcewell contract # 091219-NWY; and,

D. Approving the purchase of one truck-mounted striping machine in the amount of \$228,971.46 from EZ Liner through Sourcewell contract # 080521-EZL; and,

E. Authorizing the City Manager or the Deputy City Manager to execute any necessary documents for the purchases specified above, the Finance Officer to make the appropriate budget adjustments and City Buyer to issue the Purchase Orders, and approval of change orders not to exceed 10% of the total purchase price.

This Consent Item was approved.

I.20.

SUBJECT: Adoption of Resolution to Approve No Increase to Water Rates per City Council Direction

REPORT IN BRIEF

Resolution to Approve No Increase to Water Rates per City Council Direction.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2022-33**, A Resolution of the City Council of the City of Merced, California continuing the base water service rates and charges unchanged for the next fiscal year.

This Consent Item was approved.

I.21.

SUBJECT: Approval of a Supplemental Appropriation Within the General Fund in the Amount of \$33,000 and Approval of the First Amendment to Agreement for Professional Services for Fairbank, Maslin, Maullin, Metz, & Associates to Conduct Survey Ballot

Measure Feasibility for Affordable Housing and Measure C

REPORT IN BRIEF

Considers approving a supplemental appropriation within the General Fund in the amount of \$33,000 and approval of the First Amendment to Agreement for Professional Services for Fairbank, Maslin, Maullin, Metz, & Associates to Conduct Survey Ballot Measure Feasibility for Affordable Housing and Measure C.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the First Amendment to the Agreement for Professional Services for Fairbank, Maslin, Maullin, Metz & Associates; and,

B. Approving a supplemental appropriation within the unreserved, unencumbered fund balance in the General Fund in the amount of \$33,000; and,

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

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

This Consent Item was approved.

I.22.

SUBJECT: Approval of a Supplemental Appropriation from the General Fund in the Amount of \$202,000 and Fund 666-Workers Compensation in the Amount of \$8,690 Due to Increased Worker's Compensation Claims Activity in Fiscal Year 2021-2022

REPORT IN BRIEF

Considers approving a supplemental appropriation in the General Fund in the amount of \$202,000 and in Fund 666-Worker's Compensation in the amount of \$8,690 due to higher than projected worker's compensation claims activity than what was originally budgeted for in fiscal year 2021-2022.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a supplemental appropriation from the General Fund

unencumbered, unreserved fund balance in the amount \$202,000, transfer to Fund 666-Worker's Compensation and appropriate the same in Fund 666-Worker's Compensation; and,

B. Approving a supplemental appropriation of \$8,690 from the unencumbered, unreserved fund balance in Fund 666-Worker's Compensation to cover expenditures; and,

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

This Consent Item was approved.

I.9.

SUBJECT: Adoption of a Resolution Approving Final Map #5397 for Sage Creek, Phase 2 Subdivision for 78 Single-Family Lots, Generally Located South of Cardella Road (Extended) Between El Redondo Drive (Extended) and Horizons Avenue (Extended) and the Approval of the Subdivision Agreement for the Sage Creek, Phase 2 Subdivision

REPORT IN BRIEF

Considers the approval of Final Map #5397 for 78 single-family lots, located south of Cardella Road (extended) between El Redondo Drive (extended) and Horizons Avenue (extended), and the Subdivision Agreement for the Sage Creek, Phase 2 Subdivision.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2022-36**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Sage Creek, Phase 2 Subdivision (#5397); and,

B. Approving the Subdivision Agreement for the Sage Creek, Phase 2 Subdivision; and,

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

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

Fue XIONG, Merced - commented on the need for affordable housing in new subdivision projects.

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

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

Aye: 4 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, and Council Member Boyle

No: 1 - Council Member Ornelas

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

I.13.

SUBJECT: Administering Agency Amendment Modification Summary (E-76) for a Congestion Mitigation and Air Quality Improvement (CMAQ) Grant CML-5085(057) for Phase End Date Extension and the Use of \$610,136.00 in CMAQ Grant Funding for Project No. 121045 - Construction of the Merced North Transit Hub

REPORT IN BRIEF

Considers approving an extension of the Phase End Date (PED) from 3/1/2022 to 9/1/2023 and accepting \$610,136 in Federal Congestion Mitigation and Air Quality (CMAQ) Grant funding for Construction of the Merced North Transit Hub

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the PED extension from March 1, 2022, to September 1, 2023; and,

B. Accepting CMAQ grant funds and increasing revenue in fund 450-1104-321.32-00 by \$610,136 and appropriating the same to fund 450-1104-637.65-00-Project #121045 CMAQ Merced North Transit Hub; and,

C. Approving a budget adjustment for local matching funds from Fund 075-Measure V Alternate Mode, project 122009-Project to be Determined, in the amount of \$10,000 to Project 121045-CMAQ Merced North Transit Hub; and,

D. Approving a budget adjustment for local matching funds from Fund 078-Measure V Local Transportation, project 122010-Project to be Determined, in the amount of \$69,049 to project 121045-CMAQ Merced North Transit Hub; and,

E. Approving the use of pooled cash until reimbursement is received from the grant; and,

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

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

Pangcha VANG, Merced - asked about the transit hub.

City Manager Stephanie DIETZ clarified the transit hub project.

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

Aye: 5 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Ornelas, and Council Member Boyle

No: 0

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

J. PUBLIC HEARINGS

J.1.

SUBJECT: Public Hearing to Allow the Interested Public an Opportunity to Provide Input on the Content of the City Council, Public Financing and Economic Development Authority and the Parking Authority Fiscal Year 2022-23 Proposed Budget and After Hearing all Comments Continue the Public Hearing to June 21, 2022

REPORT IN BRIEF

Public Hearing to afford the interested public an opportunity to provide input on the content of the 2022-23 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 2022-23 Budget; and adopt a motion continuing the Public Hearing to the June 21, 2022 Council Meeting.

Finance Officer Venus RODRIGUEZ gave a slideshow presentation on the City Manager's proposed 2022/2023 Budget which included staffing changes, General Fund expenses and reserve balance, Measure C funding, Measure Y funding, various departmental funding, and the errata

items added after the last City Council Meeting.

Mayor SERRATTO opened the Public Hearing at 7:03 PM.

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

Noelle ANDERSON, Merced - spoke about the need for an affordable housing trust fund.

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

Pangcha VANG, Merced - requested more housing staff and an affordable housing trust fund.

Jen RAMOS-EISEN, Merced County - requested affordable housing funding from the General Fund.

Fue XIONG, Merced - requested more funding for affordable housing and a youth center.

Jeremy VERAMENDI, Merced - spoke about housing prices and the need for more affordable housing.

Minnie PRADO, Merced - asked for more affordable housing and a youth wellness center.

Astrid MORALES, Merced - requested 5 million dollars for an affordable housing trust fund.

Enrique ESTRADA, Merced - spoke about the need for more affordable housing.

Nathen AVELAR, Merced - requested funding for youth.

Josue HERRERA, Merced - spoke in favor of an affordable housing trust fund.

Mary Ann GENTRY, Merced - expressed concern for youth housing and recreation.

Sophia DIAZ, Merced - asked for a youth wellness center and an affordable housing trust fund.

Gloria SANDOVAL, Merced - spoke about matching funds for an

affordable housing trust fund.

Julissa RAMIREZ, Merced - requested funding for youth and an affordable housing trust fund.

Sebastian CERVANTES, Merced - spoke in favor of affordable housing and a youth wellness center.

Sheng XIONG, Merced - asked the Council to apply for the matching state funding for affordable housing.

Crisantema GALLARDO, Merced County - spoke about youth wellness and housing.

Clerk's Note: Council took a recess at 7:37 PM and reconvened at 7:44 PM.

Lidia CHAVEZ, Merced - spoke about the need for more affordable housing.

Blanca OJEDA, Merced - requested 5 million dollars for an affordable housing trust and a youth wellness center.

Ale JURADO, Merced - spoke about supporting youth.

Mayor SERRATTO closed the Public Hearing at 7:52 PM.

Council, Ms. RODRIGUEZ, and City Manager Stephanie DIETZ discussed various aspects of the budget, and potential items to be included or removed.

Clerk's Note: Council took a recess at 8:06 PM and reconvened at 8:11 PM.

Council continued to discuss budget items including a potential housing trust fund, potentially using ARPA funding for housing, and removing or adding items to the proposed budget.

A motion was made by Council Member Ornelas, seconded by Council Member Perez, to add an additional \$500,000 to the budget for affordable housing . The motion failed by the following vote:

Aye: 3 - Council Member Echevarria, Council Member Perez, and Council Member Ornelas

No: 3 - Mayor Serratto, Council Member Shelton, and Council Member Boyle

Absent: 1 - Mayor Pro Tempore Blake

A motion was made by Council Member Perez, seconded by Council Member Ornelas, to add an additional \$500,000 to the budget for affordable housing. The motion failed by the following vote:

Aye: 3 - Council Member Echevarria, Council Member Perez, and Council Member Ornelas

No: 3 - Mayor Serratto, Council Member Shelton, and Council Member Boyle

Absent: 1 - Mayor Pro Tempore Blake

A motion was made by Council Member Ornelas, seconded by Council Member Echevarria, to direct staff to review investing in a Youth Wellness Center currently being planned by Merced County and to explore other partnerships. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

A motion was made by Council Member Boyle, seconded by Council Member Shelton, to reconsider the cap for funding community proposals. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

Council discussed the cap to consider increasing the total amount of funding made available to community requests.

A motion was made by Council Member Perez, seconded by Council Member Shelton, to keep the community funding cap at \$30,000. The motion failed by the following vote:

Aye: 3 - Council Member Echevarria, Council Member Shelton, and Council Member Perez

No: 3 - Mayor Serratto, Council Member Ornelas, and Council Member Boyle

Absent: 1 - Mayor Pro Tempore Blake

A motion was made by Council Member Ornelas, seconded by Council Member Boyle, to allocate \$50,000 for community funding. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

A motion was made by Mayor Serratto, seconded by Council Member Shelton, that the Public Hearing be continued to the June 21, 2022 meeting. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

J.2.

SUBJECT: Public Hearing and Adoption of Resolution to Vacate the Excess Portion of a Bicycle Path at 897 Lehigh Drive, Generally Located on the North Side of Lehigh Drive, Approximately 500 Feet West of San Jose Avenue (Vacation #21-04)

REPORT IN BRIEF

Considers vacating an excess portion of a City bike path at 897 Lehigh Drive.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2022-31**, a Resolution of the City Council of the City of Merced, California, ordering the vacation of an 8,179-square-foot excess portion of a bicycle path at 897 Lehigh Drive, generally located on the north side of Lehigh Drive, approximately 500 feet west of San Jose Avenue (Vacation #21-04).

Planning Manager Kim ESPINOSA gave a slideshow presentation on a request to vacate the excess portion of a bicycle path at 897 Lehigh Drive.

Mayor SERRATTO opened and subsequently closed the Public Hearing at 9:08 PM due to lack of public comment.

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

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

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

J.3.

SUBJECT: Public Hearing and Adoption of Resolution to Vacate 15 Easements Within the Merced Mall Parking Lot at 851 W. Olive Avenue to Accommodate the Merced Mall Remodel and Expansion Project, Generally Located on the North Side of Olive Avenue, Approximately 450 feet East of R Street (Vacation #21-05)

REPORT IN BRIEF

Staff recommends tabling this item to allow time to review project details with the applicant. It will be brought back to a future Council Meeting.

RECOMMENDATION

City Council - Adopt a motion tabling this item.

Planning Manager Kim ESPINOSA requested that this item be tabled to allow staff to review the various easements.

Mayor SERRATTO opened and subsequently closed the Public Hearing at 9:10 PM due to lack of public comment.

A motion was made by Council Member Echevarria, seconded by Council Member Perez, that this agenda item be tabled. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

K. REPORTS

K.1.

SUBJECT: Report to Allow for Public Input on the Various Maintenance Districts' Engineer's Reports and Budgets for Fiscal Year 2022/2023 During the Public Meeting

REPORT IN BRIEF

Considers 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 Tuesday, June 21, 2022.

RECOMMENDATION

City Council - Adopt a motion seeking public input on the Fiscal Year 2022/2023 Maintenance Districts' budgets, without taking action until the Public Hearing is closed on June 21, 2022.

Public Works Director Ken ELWIN gave a slideshow presentation on the various Maintenance Districts' Engineer's Reports and Budgets for Fiscal Year 2022/2023.

Clerk's Note: There was no formal Council action or vote on this item.

L. BUSINESS

L.1.

SUBJECT: Direction Regarding Cost Sharing Agreement with Daniel R. Martin Family Foundation, Inc. and the City of Merced to Fund a Third Zookeeper at Applegate Zoo for Three Years

REPORT IN BRIEF

Provide staff direction regarding a Cost Sharing Agreement between the Daniel R. Martin Family Foundation, Inc. and the City of Merced for the funding of a third zookeeper at Applegate Zoo for a three-year duration.

RECOMMENDATION

City Council - Provide staff direction on pursuing the Cost Sharing Agreement between the Daniel R. Martin Family Foundation, Inc. and the City of Merced, for the funding of a third zookeeper for three years.

Director of Parks and Community Services Chris JENSEN gave a presentation regarding a cost sharing agreement with the Daniel R. Martin Family Foundation, Inc. and the City of Merced to fund a third Zookeeper at Applegate Zoo for three years.

Council, Mr. JENSEN and Finance Officer Venus RODRIGUEZ discussed the various costs and benefits of hiring a full time employee versus hiring multiple part-time temporary employees.

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

Aye: 5 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

Abstain: 1 - Council Member Ornelas

L.2. **SUBJECT: Reappointment of Robert Tyler as the Citizens' Oversight Committee - Measure V City Representative**

REPORT IN BRIEF

Nomination for reappointment to the Measure V Transportation Expenditure Plan - Citizens Oversight Committee.

RECOMMENDATION

City Council - Adopt a motion nominating Robert Tyler for reappointment to the City of Merced seat on the Citizens' Oversight - Measure V Committee.

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

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

L.3. **SUBJECT: Council Member Shelton's Request to Discuss City Council Meeting Length and a Proposed Ending Time**

REPORT IN BRIEF

Council Member Shelton's request to discuss placing a meeting end time for City Council Meetings pursuant to City Council Administrative Policies and Procedures C-1.

RECOMMENDATION

Provide direction to staff on a potential ending time for Council Meetings

Council Member SHELTON proposed potential changes to the order of the agenda to facilitate more public participation.

Council discussed the Council Code of Conduct, the current order of the agenda, the need for public engagement, potentially tasking a subcommittee with reviewing the meeting efficiency, and limiting the length of meetings.

Clerk's Note: Members of the public who submitted forms to speak on this item agreed to forgo speaking should Council squash this item.

A motion was made by Council Member Echevarria, seconded by Council Member Ornelas, that this agenda item be squashed. The motion carried by the following vote:

Aye: 5 - Mayor Serratto, Council Member Echevarria, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

Abstain: 1 - Council Member Shelton

L.4. 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 no requests.

L.5. 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 PEREZ thanked all those in attendance.

Council Member ECHEVARRIA commented on a recent press conference for school safety and the upcoming Juneteenth celebration at McNamara Park.

Council Member ORNELAS commented on community violence and a recent boxing championship won by Jesus "Chaquito" HARO.

Mayor SERRATTO commented on his recent school visits, upcoming park cleanups, and the recent Mayor's Bike Ride.

M. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 9:59 PM.

A motion was made by Council Member Shelton, seconded by Council Member Perez, that the meeting be adjourned. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake