



# 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

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Monday, May 2, 2016

7:00 PM

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#### A. CALL TO ORDER

Mayor THURSTON called the Regular Meeting to order at 7:00 PM.

A.1. Invocation - Pastor Robert Morris, Valley Harvest Church

The Invocation was delivered by Pastor Robert MORRIS from the Valley Harvest Church.

A.2. Pledge of Allegiance to the Flag

#### B. ROLL CALL

**Clerk's Note:** Mayor Pro Tempore PEDROZO arrived to the Regular Meeting at 7:19 PM.

**Present:** 7 - Mayor Stanley P. Thurston, Council Member Mike Murphy, Council Member Kevin Blake, Mayor Pro Tempore Joshua Pedrozo, Council Member Michael Belluomini, Council Member Tony Dossetti, and Council Member Noah Lor

**Absent:** 0

#### C. CEREMONIAL MATTERS

C.1. Proclamation - Building Safety Month

Council Member BELLUOMINI presented the Building Safety Month Proclamation to Director of Development Services Dave GONZALVES.

C.2. Proclamation - Poppy Month

Mayor THURSTON presented the Poppy Month Proclamation to Marjie MONTOYA.

C.3. Proclamation - Bike Month

Council Member MURPHY presented the Bike Month Proclamation to Robert TYLER from the Bicycle Advisory Commission.

C.4. Proclamation - Municipal Clerks Week

Council Member BLAKE presented the Municipal Clerks Week Proclamation to Assistant City Clerk John TRESIDDER.

C.5. Gift to Merced Police Department - Painting by Clint Cheatham

Council Member DOSSETTI accepted a painting by Clint CHEATHAM on behalf of the Merced Police Department.

**D. WRITTEN PETITIONS AND COMMUNICATIONS**

The Clerk's Office received a flyer from Tony Slaton that was placed at the dais for Council.

**E. ORAL COMMUNICATIONS**

Police Chief Norm ANDRADE, Merced - spoke on the homicides in the City.

Rachelle ABRIL, Merced - spoke on the flooded streets in South Merced.

Monica VILLA, Merced - spoke on various topics.

Daniel SABZEHZAR, Merced - spoke on the Blum Center at UC Merced, the budget, and the implementation of OpenGov.

**G. REPORTS**

Mayor THURSTON announced that Report Items G.1. and G.2. would be heard before the Consent Calendar.

**G.1. SUBJECT: Transportation Expenditure Plan Report - Presentation by Marjie Kim, Executive Director, Merced County Association of Governments**

**REPORT IN BRIEF**

Considers approval of the Transportation Expenditure Plan for Merced County.

**RECOMMENDATION**

**City Council** - Adopt **Resolution 2016-15**, A Resolution of the City Council of the City of Merced, California, approving the Transportation Expenditure Plan for Merced County and endorsing its approval as a ballot measure in November 2016.

Executive Director of Merced County Association of Governments, Marjie KIRN, gave a slide show presentation on the Transportation Expenditure

Plan Report.

Council Member BLAKE asked for further information on the matching funds.

Ms. KIRN stated that depending on the type of grant, it is generally a 10-20% share.

Council Members further discussed the tax bill and the importance of a self-help County.

Jose Antonio RAMIREZ, Fresno - spoke on the leveraging of funds for transportation projects.

Monica VILLA, Merced - spoke on the roads in the City.

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

**Aye:** 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

**No:** 0

**Absent:** 0

**G.2.**

**SUBJECT:** Revenue Sharing

**REPORT IN BRIEF**

The report describes the history of Revenue Sharing and latest proposals between the City and County.

**RECOMMENDATION**

City Council - Provide direction to City Manager on next steps to be taken.

Director of Finance Brad GRANT gave a slide show presentation on revenue sharing.

Director of Development Services Dave GONZALVES gave a slide show presentation on annexation and revenue sharing.

City Manager Steve CARRIGAN gave a slide show presentation on revenue sharing.

Council Member BELLUOMINI asked how the percentages between the

City and County are determined.

Mr. GRANT explained how the percentages are determined and the effect of the Educational Revenue Augmentation Fund (ERAF).

Council Member MURPHY asked about agriculture mitigation.

Mr. CARRIGAN stated that there have been discussions with the County on agriculture mitigation.

Council Members continued discussion on revenue sharing and agriculture mitigation.

Council Member BELLUOMINI asked about the criteria for a mediator.

Mr. CARRIGAN discussed finding a mediator who has previously worked on revenue sharing between cities and counties.

Ralph GONZALES, Merced - spoke on the government and jobs.

Bill SPRIGGS, Merced - spoke on his experience negotiating with the County for revenue sharing.

Rick WENDLING, Merced - spoke on jobs.

Council Members further discussed a timeline for mediation.

**A motion was made by Council Member Dossetti, seconded by Council Member Lor, to direct the City Manager to contact the County, authorizing him to develop a letter and initiate the process for mediation, and have legal staff look into having the item put on the ballot if mediation does not work. The motion carried by the following vote:**

**Aye:** 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

**No:** 0

**Absent:** 0

## F. CONSENT CALENDAR

Items F.1. Information Only Contracts, F.8. Agreement with National Meter & Automation, Inc., DBA Badger Meter, for a Cloud Based Automatic Meter Reading System and Amendment with SunGard Public Sector as Part of the Water Meter Retrofitting Program Project 108068, F.9. Merced Integrated Regional Water Management Authority (MIRWMA) Joint Powers

Agreement, and F.12. Second Reading of Ordinance Dealing with Cardrooms, were pulled for separate consideration.

### Approval of the Consent Agenda

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

**Aye:** 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

**No:** 0

**Absent:** 0

**F.2.** **SUBJECT:** Information Only- Recreation & Parks Commission Minutes of September 28, 2015

#### REPORT IN BRIEF

For Information Only.

This Consent Item was approved.

**F.3.** **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.

**F.4.** **SUBJECT:** Boards and Commissions Annual Vacancies

#### REPORT IN BRIEF

Authorizes staff to seek applicants for vacancies due to terms expiring July 1, 2016.

#### RECOMMENDATION

**City Council** - Adopt a motion directing staff to notice:

- A. One upcoming vacancy on the Planning Commission and to seek applicants for the position; and,
- B. One upcoming vacancy on the Personnel Board and to seek applicants for the position; and,
- C. All other existing open seats on the City's Boards and Commissions and seek applicants for the positions.

**This Consent Item was approved.**

**F.5.**

**SUBJECT:** Distribution of Wahneta Hall Trust Funds

**REPORT IN BRIEF**

Consider approving the allocation of the 2016 Wahneta Hall Trust Funds.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the recommendation by the Recreation and Parks Commission to allocate the 2016 Wahneta Hall Trust funds to the Kiwanis Club of Greater Merced; and authorizing the City Manager to execute the necessary documents.

**This Consent Item was approved.**

**F.6.**

**SUBJECT:** Request to Lower Swim Lesson Fees

**REPORT IN BRIEF**

Consider temporarily lowering swim lesson fees.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the temporary reduction in the fees charged for swimming lessons, from \$35 to \$10 for lessons during the summer of 2016; and, authorizing the City Manager to execute the necessary documents.

**This Consent Item was approved.**

**F.7.**

**SUBJECT:** Contract with Badawi & Associates, Certified Public Accountants

**REPORT IN BRIEF**

Agreement for annual audit and related professional services with

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Badawi & Associates, Certified Public Accountants.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the contract with Badawi & Associates, Certified Public Accountants; and authorizing the City Manager to execute all necessary documents.

**This Consent Item was approved.**

**F.10.**

**SUBJECT:** Street Closure Request #16-07 for N Street During Construction of the UC Merced Downtown Center for Turner Construction on Behalf of UC Merced

**REPORT IN BRIEF**

Turner Construction, on behalf of UC Merced, is requesting the closure of N Street and adjacent sidewalks during the construction of the UC Merced Downtown Center from June 1, 2016, through November 30, 2017.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the street and sidewalk closures as requested below by Turner Construction on behalf of UC Merced, from June 1, 2016, through November 30, 2017, subject to the conditions listed in the body of this report.

Requested street and sidewalk closures: Northbound lane (east side) of N Street between West 18th Street and West 19th Street; Sidewalk on north side of West 18th Street between N Street and Alley access into Merced Center Arcade; and Sidewalk on east side of N Street between West 18th Street and West 19th Street.

**This Consent Item was approved.**

**F.11.**

**SUBJECT:** Second Reading of Ordinance Dealing with Angle Parking, No Parking Zones, Freight and Passenger Loading Zones, and Accessible Passenger Loading Zone on N Street between W. 18th and W. 19th Streets

**REPORT IN BRIEF**

Second reading of previously introduced Ordinance.

**RECOMMENDATION**

**City Council** - Adopt **Ordinance 2458**, an Ordinance of the City Council of the City of Merced, California, amending Merced Municipal

Code Sections 10.28.090, "Angle Parking Permitted Where," 10.28.230, "No Parking Zone," and 10.32.050, "Freight and Passenger Loading Zones - Locations," and adding Section 10.28.059, "Accessible Passenger Loading Zones," to the Merced Municipal Code.

**This Consent Item was approved.**

**F.1.**

**SUBJECT:** "Information-Only" Contracts

**REPORT IN BRIEF**

Notification of awarded Non-Public Works contracts under \$28,000 and of Public Works contracts under \$63,054.

**AUTHORITY**

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

Council Member BELLUOMINI pulled this item and asked for clarification.

Director of Development Services Dave GONZALVES discussed the deferral agreement.

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

**Aye:** 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

**No:** 0

**Absent:** 0

**F.8.**

**SUBJECT:** Agreement with National Meter & Automation, Inc., DBA Badger Meter, for a Cloud Based Automatic Meter Reading System and Amendment with SunGard Public Sector as Part of the Water Meter Retrofitting Program Project 108068

**REPORT IN BRIEF**

Consider entering into a 10-year agreement with National Meter &



Automation, Inc., DBA Badger Meter, for a Cloud Based Automatic Meter Reading System, and amending the contract with SunGard Public Sector to develop an interface and module as part of the Water Meter Retrofitting Project.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the Master Agreement with National Meter & Automation, Inc., DBA Badger Meter, for the Cloud Based Automatic Meter Reading System as part of Project 108068; and,

B. Approving the contract amendment with SunGard Public Sector for interface and module development as part of Project 108068; and,

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

Mayor Pro Tempore PEDROZO pulled this item and asked if rates will be raised immediately.

Director of Public Works Ken ELWIN stated that rates will not be raised right away.

Council Member BELLUOMINI asked for an explanation on timing of the meters and customer confidentiality.

Mr. ELWIN discussed the urgency in purchasing the meters and the year-long effort installing the meters. He also discussed customer confidentiality and not allowing that information to be released.

Director of Information Technology Jeff BENNYHOFF discussed the technological side of the meters.

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

**Aye:** 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

**No:** 0

**Absent:** 0

**F.9.**

**SUBJECT: Merced Integrated Regional Water Management Authority (MIRWMA) Joint Powers Agreement**

#### REPORT IN BRIEF

Considers approving a Joint Powers Agreement with local public agencies forming the Merced Integrated Regional Water Management Authority (MIRWMA) to coordinate on the goals and objectives outlined in the adopted 2013 Merced Integrated Regional Water Management Plan.

#### RECOMMENDATION

**City Council** - Adopt **Resolution 2016-14**, a Resolution of the City Council of the City of Merced, California, authorizing the execution of a Joint Powers Agreement with the County of Merced, City of Atwater, City of Livingston, Merced Irrigation District and Stevinson Water District Establishing the Merced Integrated Regional Water Management Authority (MIRWMA).

Council Member BELLUOMINI pulled this item to comment on the level of cooperation needed to form this Authority and to ask questions about the powers the Authority may have, including entering contracts, litigation, borrowing money, and leveying fees.

Director of Public Works Ken ELWIN explained the authorities that the City and the Joint Powers Authority will have. He stated the City will still maintain its power within its jurisdiction.

Council Member BELLUOMINI asked if this was a time-sensitive item.

Council Members continued discussion on the Joint Powers Authority and the authority it has over the County.

Council Member MURPHY suggested bringing this back to a future meeting.

**A motion was made by Council Member Belluomini, seconded by Council Member Murphy, that this agenda item be continued to the next meeting. The motion carried by the following vote:**

**Aye:** 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

**No:** 0

**Absent:** 0

**F.12.**

**SUBJECT:** Second Reading of Ordinance Dealing with Cardrooms

**REPORT IN BRIEF**

Second reading of previously introduced Ordinance.

**RECOMMENDATION**

**City Council** - Adopt **Ordinance 2457**, an Ordinance of the City Council of the City of Merced, California, Amending Section 9.08.020, "Cards," of the Merced Municipal Code Relating to Cardrooms.

Council Member BELLUOMINI pulled this item to state his opposition.

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

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

**No:** 1 - Council Member Belluomini

**Absent:** 0

**Clerk's Note:** Council took a break at 10:17 PM and returned at 10:24 PM.

**H. BUSINESS**

**H.1.**

**SUBJECT:** Citizens' Oversight Committee - Measure C Appointment

**REPORT IN BRIEF**

Accept recommendation to fill Citizens' Oversight Committee - Measure "C" vacancy.

**RECOMMENDATION**

**City Council** - Adopt a motion accepting recommendation from the Citizens' Oversight - Measure "C" Committee and re-appointing one individual to the Southern District to serve as a member of the Committee.

**A motion was made by Mayor Thurston, seconded by Mayor Pro Tempore Pedrozo, to reappoint Isabel Sanchez to the Measure C Committee. The motion carried by the following vote:**

**Aye:** 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

**No:** 0

**Absent:** 0

**H.2. SUBJECT: Council Policy C-6**

**REPORT IN BRIEF**

Council Policy C-6 is in response to City Council direction to staff to provide a yearly reviews of Charter Officers.

**RECOMMENDATION**

**City Council** - adopt a motion adding Council Policy C-6 to the City Council Administrative Policies and Procedures.

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

**Aye:** 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

**No:** 0

**Absent:** 0

**H.3. Council Member Lor Funding Request for Hmongstory 40 Exhibit**

Council Member LOR made a motion to co-sponsor and provide funding for the event.

Council Members discussed the funding for this event, making it part of the budget process, and possible reimbursement.

Council Member LOR's motion failed for a lack of a second.

**A motion was made by Council Member Murphy, seconded by Mayor Pro Tempore Pedrozo, to follow the budget policy and place it into the budget. The motion carried by the following vote:**

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

**No:** 1 - Council Member Lor

**Absent:** 0

**H.4. Presentation of Draft Budget for Fiscal Year 2016/2017**

City Manager Steve CARRIGAN briefly summarized the draft budget for the fiscal year 2016/2017.

**H.5. Request to Add Item to Future Agenda**

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No items were added to a future agenda.

H.6. City Council Comments

Council Member MURPHY reported on attending the Youth Council's Undivided Youth Fest Event, Boys and Girls Club Youth Center Event, OpenGov Training, the San Carlos City Council Meeting, the Main Street Association Meeting, taking first place in the chili cook-off at the Concerned Man Cook Event, and discussed the two UC Merced Student winners of the Stockton Entrepreneurship Challenge.

Mayor Pro Tempore PEDROZO reported on taking first place in appetizers and second in the main dish competition for the Concerned Men Cook Event, and attending the Undivided Youth Fest, and Boys and Girls Club Dinner.

Council Member BELLUOMINI reported on taking second place in desserts for the Concerned Men Cook Event and attending the League of California Cities Legislative Action Days in Sacramento.

Council Member DOSSETTI reported on attending the Boys and Girls Club Dinner, the Undivided Youth Fest, and the California High Speed Rail Authority meeting in San Jose. He also thanked Police Chief ANDRADE for the update on homicides.

**I. ADJOURNMENT**

**Clerk's Note:** The meeting adjourned at 10:45 PM.

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

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

**No:** 1 - Council Member Lor

**Absent:** 0