



# 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, June 18, 2018

6:00 PM

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#### 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 LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Steve Carrigan; Unrepresented Management AUTHORITY: Government Code Section 54957.6

**B.2.** **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Steve Carrigan; Employee Organizations: Merced Police Officers' Association (MPOA); Merced Association of Police Sergeants. AUTHORITY: Government Code Section 54957.6

**B.3.** **SUBJECT:** PUBLIC EMPLOYMENT - Title: City Attorney; Authority: Government Code Section 54957

**B.4.** **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant Exposure to Litigation pursuant to Government Code section 54956.9(d)(2): (2) cases

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

#### C. CALL TO ORDER

Mayor MURPHY called the Regular Meeting to order at 6:03 PM.

C.1. Invocation - Lamar Henderson, All Dads Matter

**Clerk's Note:** There was no invocation delivered.

C.2. Pledge Allegiance to the Flag

Mayor MURPHY 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

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 \$20.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$50.00 each month as a part of the adopted budget and Resolution 1975-37. 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.

Mayor MURPHY stated that the Closed Session would be continued after the Regular Meeting.

#### **F. WRITTEN PETITIONS AND COMMUNICATIONS**

There were none.

#### **G. ORAL COMMUNICATIONS**

Walter SMITH, Merced - spoke on park maintenance.

Jorge GARIBAY, Merced - spoke on vagrants in his neighborhood park.

Edmond MATHIS, Merced - spoke on south side parks.

Antoine HUBBARD SR. - spoke on maintenance at the Gilbert Macias Park.

#### **H. CONSENT CALENDAR**

Items H.2. Information Only - Boards and Commissions Annual Attendance Reports, H.7. Bellevue Ranch West, Village 12, Phase 3 - Final Map 5360, H.8. Bellevue Ranch West, Village 12, Phase 6 - Final Map 5361, H.9. Second Amendment to Landscape Maintenance Services Agreement - "G" Street Undercrossing Landscape Development, and H.10. First

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Amendment to Landscape Maintenance Services Agreement - Various City-Owned Locations; were pulled for separate consideration.

### 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

#### H.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.**

#### H.3. **SUBJECT: Information Only-Planning Commission Minutes of May 9, 2018**

##### **RECOMMENDATION**

For information only.

**This Consent Item was approved.**

#### H.4. **SUBJECT: City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of May 21, 2018 and May 29, 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 May 21, 2018 and May 29, 2018.

**This Consent Item was approved.**

**H.5.**

**SUBJECT:** Property, Boiler and Machinery Insurance Renewal

**REPORT IN BRIEF**

Consider approving the renewal of the City's policy through Alliant Property Insurance Programs (APIP) at 28.49% premium increase, amounting to \$248,551.05 for program year 2018/2019.

**RECOMMENDATION**

**City Council** - Adopt a motion ratifying the renewal of the property and boiler and machinery insurance through the Alliant Property Insurance Programs (APIP), administered by Alliant Insurance Services for the period of July 1, 2018 through June 30, 2019; and authorizing the City Manager or Assistant City Manager to execute the necessary documents.

**This Consent Item was approved.**

**H.6.**

**SUBJECT:** Fiscal Year 2018-2019 Tow Service Agreement

**REPORT IN BRIEF**

Consider Approving the 2018-2019 Master Tow Service Agreement.

**RECOMMENDATION**

**City Council** - Adopt a motion approving **Resolution 2018-47**, a Resolution of the City Council of the City of Merced, California, establishing and approving the 2018-2019 Master Tow Service Agreement; and, authorizing the City Manager or Assistant City Manager to execute the necessary documents.

**This Consent Item was approved.**

**H.11.**

**SUBJECT:** Agreement with BSK Associates for General Laboratory Services

**REPORT IN BRIEF**

Consider entering into a three (3) year agreement with BSK Associates (BSK) for general laboratory testing services.

**RECOMMENDATION**

**City Council** - Adopt a motion awarding a three-year agreement with BSK for general laboratory testing services; and, authorizing the City Manager or Assistant City Manager to execute all the necessary documents.

H.12.

**SUBJECT:** Second Reading of Ordinance to Amend the Zoning for 3345 and 3351 East Gerard Avenue from Agricultural to Business Park

**REPORT IN BRIEF**

Second reading of previously introduced ordinance.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Ordinance 2488**, an Ordinance of the City Council of the City of Merced, California, amending the official zoning map by rezoning two parcels totaling approximately 71.135 acres located approximately 1,300 feet east of Coffee Drive along the north and south sides of Campus Parkway to approximately 264 feet west of the intersection of Gerard Avenue and Campus Parkway, between Gerard Avenue and Mission Drive from Agricultural (A-1-20) to Business Park (B-P).

**This Consent Item was approved.**

H.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.

Mayor MURPHY pulled this item to discuss the Boards and Commissions attendance.

**A motion was made by Council Member Pedrozo, seconded by Council Member Blake, that this agenda item be approved. 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

**H.7.**                                 **SUBJECT:** Bellevue Ranch West, Village 12, Phase 3 - Final Map  
5360

**REPORT IN BRIEF**

The City Council will consider approval of Final Map #5360 for 54 single-family lots, generally located at the southwest corner of M Street and Arrow Wood Drive (extended), and the Subdivision Agreement for Bellevue Ranch West, Village 12, Phase 3, along with a Deferred Improvement Agreement for a traffic signal and bike path.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving **Resolution 2018-42**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Bellevue Ranch West, Village 12, Phase 3 Subdivision (#5360); and,
- B. Approving the Subdivision Agreement for Bellevue Ranch West, Village 12, Phase 3; and,
- C. Authorizing the City Manager or Assistant City Manager to execute the subdivision agreement, the deferred improvement agreement, and the reimbursement agreement.

Council Member MARTINEZ pulled this item to ask for clarification on the phases of the Bellevue Ranch West, Village 12 maps.

Council Member MARTINEZ and staff discussed the Bellevue Ranch West Village 12, Phase 3 and 6 final maps.

**A motion was made by Council Member Martinez, seconded by Council Member Blake, that this agenda item be approved. 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

**H.8.**                                 **SUBJECT:** Bellevue Ranch West, Village 12, Phase 6 - Final Map  
5361

**REPORT IN BRIEF**

The City Council will consider approval of Final Map #5361 for 18 single-family lots, generally located at the southwest corner of M Street and Arrow Wood Drive (extended), and the Subdivision Agreement for Bellevue Ranch West, Village 12, Phase 6, along with a Deferred Improvement Agreement for a traffic signal and bike path.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving **Resolution 2018-41**, a Resolution of the City Council of the City of Merced, California, approving the final subdivision map for the Bellevue Ranch West, Village 12, Phase 6 Subdivision (#5361); and,

B. Approving the subdivision agreement for Bellevue Ranch West, Village 12, Phase 6; and,

C. Authorizing the City Manager or Assistant City Manager to execute the subdivision agreement, the deferred improvement agreement, and the reimbursement agreement.

**Clerk's Note:** This item was discussed along with item H.7.

**A motion was made by Council Member Martinez, seconded by Council Member Blake, that this agenda item be approved. 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

**H.9.**

**SUBJECT:** Second Amendment to Landscape Maintenance Services Agreement - "G" Street Undercrossing Landscape Development

**REPORT IN BRIEF**

Considers approving a one-year extension with Yard Masters, Incorporated, for the period of July 1, 2018 through June 30, 2019, for landscape maintenance services at the "G" Street railroad undercrossing landscape development.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the second amendment to agreement for landscape services with Yard Masters, Incorporated, in the amount of \$30,000, (subject to approval of the Fiscal Year 2018/2019 City Budget), to provide landscape maintenance services at the "G" Street Railroad Undercrossing landscape development; and,

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

Council Member SERRATTO pulled this item to highlight the project.

**A motion was made by Council Member Serratto, seconded by Council Member Pedrozo, that this agenda item be approved. 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

**H.10.**

**SUBJECT:** First Amendment to Landscape Maintenance Services Agreement - Various City-Owned Locations

**REPORT IN BRIEF**

Considers approving a one-year extension with Yard Masters, Inc., for the period of July 1, 2018 through June 30, 2019, for landscape maintenance services at various City-owned landscaped areas throughout the city.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the first amendment to agreement for landscape maintenance services with Yard Masters, Incorporated, in the amount of \$573,194.76, at various City-owned landscaped areas for a one-year period between July 1, 2018 and June 30, 2019, (subject to approval of the Fiscal Year 2018/2019 City of Merced Budget); and,

B. Authorizing the City Manager or Assistant City Manager to sign the necessary documents and execute future contract amendments.

Council Member BELLUOMINI pulled this item to discuss his concerns for



the amount of the agreement.

Council and Director of Public Works Ken ELWIN discussed the first amendment to landscape maintenance services agreement amount and performance follow-ups.

Susan SMITH, Merced - asked about the bid proposals for landscaping maintenance.

Mr. ELWIN explained the bid proposal process and how the City advertises for bids.

Ron COOK, Merced - asked about the type of services Yard Masters performs.

Mr. ELWIN explained Yard Masters scope of service that includes: mowing, picking up trash, pruning, and fixing irrigation.

**A motion was made by Council Member Belluomini, seconded by Council Member Blake, that this agenda item be approved. 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

## I. PUBLIC HEARINGS

### I.1. SUBJECT: Public Hearing - Maintenance Districts' Engineer's Reports and Budgets Fiscal Year 2018/2019

#### REPORT IN BRIEF

Consider adopting a Resolution approving, confirming, and adopting Engineer's Reports and Budgets; and a Resolution approving abeyances for Districts with operating reserve balances above the amount required by the Fund Balance policy for the various Maintenance Districts after the close of the Public Hearing.

#### RECOMMENDATION

**City Council** - Adopt a Motion:

A. Adopting **Resolution 2018-43**, a Resolution of the City Council of the City of Merced, California, approving, confirming, and adopting Engineer's

Reports on Maintenance Districts; and,

B. Adopting **Resolution 2018-44**, a Resolution of the City Council of the City of Merced, California, approving, confirming, and adopting Engineer's Reports on Glenhaven Park, Quail Run, Sequoia Hill, and Sky Moss Maintenance Districts, including the adoption of temporary partial abeyance of assessments for each District.

Director of Public Works Ken ELWIN gave a brief presentation on the Maintenance Districts' Engineer's Reports and Budgets Fiscal Year 2018/2019.

Council and Mr. ELWIN discussed Fahren's Park funds, neighborhood parks maintenance, and the potential uses for high fund balances.

Mayor MURPHY opened and subsequently closed the Public Hearing at 6:39 PM due to a lack of public comment.

**A motion was made by Council Member Pedrozo, seconded by Council Member Belluomini, that this agenda item be approved. 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

I.2.

**SUBJECT:** Public Hearing and Adoption of the Department of Housing and Urban Development (HUD) 2018 Annual Action Plan

#### **REPORT IN BRIEF**

Public Hearing for Adoption of the Federal Department of Housing and Urban Development (HUD) 2018 Annual Action Plan and Approval of a Resolution for submission to HUD.

#### **RECOMMENDATION**

**City Council** - Adopt a Motion:

A. Approving **Resolution 2018-45**, a Resolution of the City Council of the City of Merced, California, approving the 2018-2019 HUD Annual Action Plan, certifying compliance with the requirements of the Community Development Block Grant (CDBG) Program and Home Investment Partnership (HOME) Program, and authorizing staff to submit all approved documents to the U.S. Department of Housing and Urban Development;

and

B. Authorizing the City Manager or Assistant City Manager to execute the necessary documents to submit the application; and,

C. Authorizing the City Manager or Assistant City Manager to execute the necessary documents on acceptance of the grant; and,

D. Authorizing the City Manager or Assistant City Manager to sign the SF 424, SF 424D, and HUD Certificates documents required to be submitted with the 2018 HUD Annual Action Plan; and,

E. Requesting Council to recommend funding one eligible administrative activity as submitted. The amount awarded to applicants may not exceed \$38,000 for this activity in the 2018 HUD Annual Action Plan; and,

F. Requesting Council to recommend funding the six (6) eligible development projects and activities as submitted. The amount awarded to applicants may not exceed \$1,415,000 for these activities in the 2018 HUD Annual Action Plan; and,

G. Requesting Council to recommend funding eight (8) eligible public service applications. The amount awarded to applicants may not exceed \$186,400 for public service activities in the 2018 HUD Annual Action Plan.

Housing Supervisor Mark HAMILTON gave a slide show presentation on the HUD Annual Action Plan.

Council and staff discussed the cost of building affordable housing units, the Restore Merced Neighborhood Clean-up program, the Boys and Girls Club application, and allocation of increased funding.

Mayor MURPHY opened and subsequently closed the Public Hearing at 7:00 PM due to a lack of public comment.

**A motion was made by Council Member Belluomini, seconded by Council Member Blake, that this agenda item be approved. 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

**I.3. SUBJECT: Continued Public Hearing-Adoption of Fiscal Year 2018-19 Budget**

**REPORT IN BRIEF**

Continued Public Hearing and adoption of the Fiscal Year 2018-19 City Council, Public Financing and Economic Development Authority, and Parking Authority Budget.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Adopting **Resolution 2018-46**, Resolution of the City Council of the City of Merced, California, Adopting the Budget and Appropriating Revenue for Fiscal Year 2018-2019; and,

B. Approving capital projects based upon the Planning Commission's May 23, 2018 finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2018.

**Public Financing and Economic Development Authority** - Adopt a motion:

A. Adopting **Resolution PFA 2018-01**, Resolution of the City of Merced Public Financing and Economic Development Authority, Adopting the Budget and Appropriating Revenue for Fiscal Year 2018-2019; and,

B. Approving capital projects based upon the Planning Commission's May 23, 2018 finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2018.

**Parking Authority** - Adopt a motion:

A. Adopting **Resolution PA 2018-01**, Resolution of the City of Merced Parking Authority, Adopting the Budget and Appropriating Revenue for Fiscal Year 2018-2019; and,

B. Approving capital projects based upon the Planning Commission's May 23, 2018 finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2018.

City Manager Steve CARRIGAN gave a brief presentation on the 2018-19 Budget.

Finance Officer Venus RODRIGUEZ gave a slide show presentation on the Fiscal Year 2018-19 Budget.

Council and staff discussed welcome signs and refurbishing park rental shelter areas.

Mayor MURPHY opened and subsequently closed the Public Hearing at 7:15 PM due to lack of public comment.

Council Member PEDROZO discussed his concern about moving positions out of Measure C.

**A motion was made by Council Member Belluomini, seconded by Mayor Murphy, that this agenda item be approved. 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. REPORTS

### J.1.

**SUBJECT:** Railroad Quiet Zone Feasibility Study and Establishment within City Limits

#### REPORT IN BRIEF

Staff provides the status of the Request for Proposal for the Railroad Quiet Zone Feasibility Study and Establishment and requests City Council to provide additional direction.

#### RECOMMENDATION

Provide Staff with further direction regarding the Railroad Quiet Zone Feasibility Study.

Deputy Director of Public Works Steven SON gave a slide show presentation on the Railroad Quiet Zone Feasibility Study and Establishment within City Limits.

Council and staff discussed phasing the project, quiet zone risk index, focusing on the crossing within the City limits, cost of the project, and having this project done in-house.

City Manager Steve CARRIGAN spoke about phasing the project and eliminating the two crossings outside City limits.

Gary RUCKER, Merced - spoke on the excessive amount of train horns blowing through the City.

Diana ODEM GUNN, Merced - spoke on safety improvements at the railroad crossings.

**Clerk's Note:** Council directed staff to bring back revised proposals from both consultants, potential funding sources, and safety features.

## K. BUSINESS

### K.1. SUBJECT: Council Member Belluomini's Request to Discuss Median Island Landscaping

#### REPORT IN BRIEF

This item is in response to Council Member Belluomini's request to discuss the landscape in median islands within the City pursuant to City Council Administrative Policies and Procedures C-1.

#### RECOMMENDATION

It is requested Council give staff direction on this item.

Council Member BELLUOMINI discussed median island landscaping throughout the city.

Gloria CONLIN, Merced - spoke about drought tolerant plants to substitute the dead grass in the island medians.

**A motion was made by Council Member Belluomini, seconded by Council Member Serratto, directing staff to present alternative solutions to landscaping median islands with implementation strategies for the September 4, 2018 Council Meeting. 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.2. SUBJECT: Mayor Murphy's Request to Discuss a Volunteer Recognition Program

#### REPORT IN BRIEF

This item is in response to Mayor Murphy's request to discuss a volunteer recognition program pursuant to City Council Administrative Policies and Procedures C-1.

**RECOMMENDATION**

It is requested Council give staff direction on this item.

Mayor MURPHY discussed a volunteer recognition program.

Council Member BLAKE suggested identifying an outstanding volunteer from each district and have an annual ceremony.

**Clerk's Note:** Council directed staff to bring criteria and selection process information for consideration.

K.3. Request to Add Item to Future Agenda

No items were added.

K.4. City Council Comments

Council Member PEDROZO reported on attending the PG&E groundbreaking event and the ribbon cutting for the Chocolate Dipper.

Council Member BELLUOMINI reported on attending the League of California Cities meeting.

Council Member MARTINEZ spoke on youth activities.

Mayor MURPHY spoke on the passing of Measure Y, Cannabis Tax. He also reported on attending a Measure V workshop, the opening ceremony of the County Fair, the PG&E groundbreaking event, the American Leadership Forum class, and the ribbon cutting of the Chocolate Dipper. He spoke about the Summer at City Hall program and other recreation programs.

**Clerk's Note:** Council adjourned to Closed Session at 8:25 PM.

**L. ADJOURNMENT**

**Clerk's Note:** Council adjourned the Regular Meeting at 8:42 PM.

**A motion was made by Council Member Blake, seconded by Council Member Belluomini, to adjourn the Regular Meeting. 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