



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, July 15, 2019

6:00 PM

A. CLOSED SESSION ROLL CALL

Present: 4 - Mayor Pro Tempore Anthony Martinez, Mayor Mike Murphy, Council Member Kevin Blake, and Council Member Matthew Serratto

Absent: 3 - Council Member Jill McLeod, Council Member Delray Shelton, and Council Member Fernando Echevarria

B. CLOSED SESSION

Mayor MURPHY called the Closed Session to order at 5:33 PM.

Clerk's Note: Council Member MCLEOD arrived at 5:36 PM.

B.1.

SUBJECT: CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION; California Department of Finance v. City of Merced, et al.; Sacramento County Superior Court Case No.34-2016-80002485;
AUTHORITY: Government Code Section 54956.9(d)(1)

Clerk's Note: Council adjourned from Closed Session at 5:58 PM.

C. CALL TO ORDER

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

Clerk's Note: Council Member SHELTON teleconferenced in at 6:03 PM from the Murieta Inn, First Floor Sales Office, 7337 Murieta Drive, Rancho Murieta, CA 95683.

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

The invocation was delivered by Lamar HENDERSON from All Dads Matter.

C.2. Pledge Allegiance to the Flag

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

D. ROLL CALL

- Present:** 6 - Mayor Pro Tempore Anthony Martinez, Mayor Mike Murphy, Council Member Kevin Blake, Council Member Jill McLeod, Council Member Matthew Serratto, and Council Member Delray Shelton
- Absent:** 1 - Council Member Fernando Echevarria

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.

F. WRITTEN PETITIONS AND COMMUNICATIONS

There were none.

G. ORAL COMMUNICATIONS

Angel BARRAGAN, Merced - announced his run for Merced County Supervisor for District two.

H. CONSENT CALENDAR

Items H.5. Award of Bid and Approval of Contract to LSA Associates, Inc. for Environmental Compliance Services for the Proposed Well Site No. 22, Project No. 116020, in the Amount of \$94,422.02 and H.7. Approval of City-Owned Real Property Use Request #19-11 by the Mercy Medical Center Merced Foundation to Reserve the Use of Portions of the Merced Municipal Airport from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m.; to Host Their Biennial Fundraising Gala, to be Scheduled for Saturday, September 28, 2019, from 5:30 p.m. to 12:00 a.m.; were pulled for separate consideration.

Clerk's Note: There was a typo regarding the Resolution in item H.6., it was incorrectly indexed, and should read Resolution 2019-42.

Approval of the Consent Agenda

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

- Aye:** 6 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member Blake, Council Member McLeod, Council Member Serratto, and Council Member Shelton
- No:** 0

Absent: 1 - Council Member Echevarria

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.2.**SUBJECT:** Information Only - Site Plan Review Committee Minutes of June 13, 2019

RECOMMENDATION

For information only.

This Consent Item was approved.

H.3.**SUBJECT:** Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of June 17, 2019

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 June 17, 2019.

This Consent Item was approved.

H.4.**SUBJECT:** Approval of Application to the San Joaquin Valley Air Pollution Control District (SJVAPCD) Agricultural Tractor Replacement Incentive Program for the Replacement of One (1) Tractor at the Wastewater Treatment Plant (WWTP) and Accepting and Increasing Revenue in the Amount of \$155,000 for Future Reimbursement from the SJVAPCD Incentive Program, if Approved

REPORT IN BRIEF

Considers approving an application to the San Joaquin Valley Air Pollution Control District (SJVAPCD) Agricultural Tractor Replacement Program for the replacement of one tractor at the Wastewater Treatment Plant (WWTP).

RECOMMENDATION

City Council - Adopt a motion:

A. Approving an application to the San Joaquin Valley Air Pollution Control District (SJVAPCD) Agricultural Tractor Replacement Program for the replacement of one tractor at the Wastewater Treatment Plant (WWTP); and,

B. Accepting and increasing revenue in the amount of \$155,000 in Fund 674 - Fleet Replacement for future reimbursement from the SJVAPCD Incentive Program if approved; and,

C. Authorizing the City Manager or the Assistant City Manager to sign the necessary documents and the Finance Officer to make the necessary budget adjustments.

This Consent Item was approved.

H.6.

SUBJECT: Approval of Citywide Classification Study and Adoption of Resolution to Amend the Classification and Pay Plans by Establishing New Job Classifications and Salary Ranges, Amending Job Classification Titles and Deleting Job Classifications and Amending the Budget Allocation by Adding a Community Liaison Position to the Police Department Budget and Deleting a Recreation Supervisor Position from the Police Department Budget

REPORT IN BRIEF

Considers approving the Citywide Classification Study and adopting a Resolution updating the City's Classification and Pay Plans and Amending the Budget Allocation by Adding a Community Liaison Position to the Police Department Budget and Deleting a Recreation Supervisor from the Police Department Budget.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2019-41**, a Resolution of the City Council of the City of Merced, California, updating the classification plan by amending current classification titles, establishing new classification titles, and deleting obsolete classification titles; and,

B. Approving the addition of a Community Liaison position in the General Fund 001 Police Administration; and,

C. Approving the deletion of a Recreation Supervisor position in the General Fund 001 Police Administration.

This Consent Item was approved.

H.8.

SUBJECT: Adoption of Resolution Declaring the Intent to Abandon a Storm Drainage Easement and Street Light Easement at 1368 Griffin Street, Generally Located on the East Side of Griffin Street, Approximately 525 Feet North of McSwain Road, and Setting a Public Hearing for August 19, 2019 (Vacation #19-03)

REPORT IN BRIEF

Considers the abandonment of an old storm drainage easement and street light easement at 1368 Griffin Street.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2019-39**, a Resolution of the City Council of the City of Merced, California, declaring its intention to vacate a Storm Drainage Easement and Street Light Easement at 1368 Griffin Street, generally located on the east side of Griffin Street, approximately 525 feet north of McSwain Road (Vacation #19-03), and setting the time and place for a public hearing.

This Consent Item was approved.

H.9.

SUBJECT: Approval of Second Amendment to the Amended and Restated Contract for Water, Sewer, and Other Services Between the City of Merced and the Regents of the University of California and the First Amendment to the Agreement Affecting Real Property and Covenant to Annex and Authorization to Submit an Application to the Local Agency Formation Commission (LAFCO) to Reflect the Revised Boundary Area

REPORT IN BRIEF

Considers two amendments to contracts with the University of California from 2016 regarding services and annexation to reflect a

minor boundary change in the UC Merced Campus site and will also consider authorizing City staff to prepare an application to the Merced County Local Agency Formation Commission (LAFCO) to reflect the revised boundary in the previously-approved Out of Boundary Service Request.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Second Amendment to the Amended and Restated Contract for Water, Sewer, and Other Services between the City of Merced and the Regents of the University of California; and,

B. Approving the First Amendment to the Agreement Affecting Real Property and Covenant to Annex; and,

C. Authorizing City staff to submit an application to the Merced County Local Agency Formation Commission to amend the previous Out of Boundary Service Request to reflect the revised boundary; and,

D. Authorizing the Mayor, the City Manager, or the Assistant City Manager to execute the final documents.

This Consent Item was approved.

H.10.

SUBJECT: Approval of Lease Agreement Between the City of Merced and Coralisa Gary, d.b.a. Glamazon, for 490 Square-Feet of Tenant Space in the Bell Station (415 W. 18th Street) for a Three (3) Year Term and a One Year Option with Rent Starting at \$612.50 Per Month

REPORT IN BRIEF

Considers a lease agreement (3-year term with a 1-year option) with Coralisa Gary, d.b.a. Glamazon for tenant space in the Bell Station located at 415 W. 18th Street.

RECOMMENDATION

City Council - Adopt a motion approving the lease agreement between Coralisa Gary, a sole proprietor, doing business as Glamazon and the City of Merced and authorizing the City Manager or the Assistant City Manager to execute the necessary documents.

This Consent Item was approved.

H.11.

SUBJECT: Approval of Professional Service Agreement Between the City of Merced and Chabin Concepts for On-Call Economic Development Services in the Not to Exceed Amount of \$50,000.00

REPORT IN BRIEF

Considers approving the terms and scope of services for a Professional Services Agreement with Chabin Concepts to provide on-call consulting services to the Office of Economic Development.

RECOMMENDATION

City Council - Adopt a motion approving the professional services agreement between the City of Merced and Chabin Concepts, Inc. for on-call economic development consulting services in the amount not to exceed \$50,000.00 and authorizing the City Manager or the Assistant City Manager to execute all the necessary documents.

This Consent Item was approved.

H.12.

SUBJECT: Authorization to Accept and Appropriate a Donation of Two Thousand Five Hundred Dollars (\$2,500.00) from the Merced School Employees Federal Credit Union to be Used to Purchase Supplies and Offer Stipends for the Summer at City Hall Program

REPORT IN BRIEF

Considers accepting and appropriating a donation of two thousand five hundred dollars (\$2,500.00) from the Merced School Employees Federal Credit Union to offset the costs of the Summer at City Hall Program.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting and increasing revenue to account 024-1218-360.02-00 in the amount of two thousand five hundred dollars (\$2,500.00) for the donation from the Merced School Employees Federal Credit Union for use in the Summer at City Hall Program; and,

B. Appropriating one thousand eight hundred (\$1,800) to account #024-1218-542.17-00 for students stipends and seven hundred (\$700)

to account #024-1218-542.29-00 to purchase supplies for the Summer at City Hall Program.

This Consent Item was approved.

H.5.

SUBJECT: Award of Bid and Approval of Contract to LSA Associates, Inc. for Environmental Compliance Services for the Proposed Well Site No. 22, Project No. 116020, in the Amount of \$94,422.02

REPORT IN BRIEF

Considers awarding a contract in the amount of \$94,422.02 to LSA Associates, Inc. to prepare an Environmental Impact Report for the proposed municipal Well 22 at 3987 North Hatch Road.

RECOMMENDATION

City Council - Adopt a motion awarding a contract for the proposed Well Site No. 22 environmental impact report to LSA Associates, Inc., in the amount of \$94,422; and, authorizing the City Manager or the Assistant City Manager to execute the necessary documents.

Mayor MURPHY pulled this item to ask about the reasoning to move forward with the project.

Director of Public Works Ken ELWIN explained that Well 22 will serve as a replacement for Well 7A.

Council and Mr. ELWIN discussed placing Well 22 on hold until the Fall, offering information to the public about the Well and annexation, regarding any potential impacts to residents.

Council continued discussion on whether to move forward or put the project on hold after the motion was made.

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

Aye: 5 - Mayor Pro Tempore Martinez, Council Member Blake, Council Member McLeod, Council Member Serratto, and Council Member Shelton

No: 1 - Mayor Murphy

Absent: 1 - Council Member Echevarria

H.7.

SUBJECT: Approval of City-Owned Real Property Use Request #19-11 by the Mercy Medical Center Merced Foundation to

Reserve the Use of Portions of the Merced Municipal Airport from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m.; to Host Their Biennial Fundraising Gala, to be Scheduled for Saturday, September 28, 2019, from 5:30 p.m. to 12:00 a.m.

REPORT IN BRIEF

Considers approving a request by the Mercy Medical Center Merced Foundation to allow the use of portions of the Merced Municipal Airport from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m. for the set-up, the event, and the clean-up of the Foundation's biennial fundraising gala, to include the serving of alcohol.

RECOMMENDATION

City Council - Adopt a motion approving the exclusive use of portions of the Merced Municipal Airport from Friday, September 27, 2019, at 8:00 a.m. to Sunday, September 29, 2019, at 2:00 p.m., as requested by the Mercy Medical Center Merced Foundation, for their biennial fundraising gala (includes the serving of alcohol); subject to the conditions outlined in the administrative report.

Michelle SYMES-THIARA, Merced - requested to pull this item to discuss the event.

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

Aye: 6 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member Blake, Council Member McLeod, Council Member Serratto, and Council Member Shelton

No: 0

Absent: 1 - Council Member Echevarria

I. PUBLIC HEARINGS

I.1.

SUBJECT: Approval of Environmental Review #19-17 - Statutory Exemption for Feasibility and Planning Studies Pursuant to CEQA Guideline Section 15162 and Adoption of Resolution to Approve the City of Merced Active Transportation and Safe-Routes-to-School Plan

REPORT IN BRIEF

Considers approving environmental review #19-17 and adopting a resolution to approve the Active Transportation and Safe-Routes-to-School Plan.

RECOMMENDATION

City Council - Adopt a motion approving Environmental Review #19-17 - Statutory Exemption for Feasibility and Planning Studies Pursuant to CEQA Guideline Section 15162 and adopting **Resolution 2019-40**, a Resolution of the City Council of the City of Merced, California, adopting the City of Merced Active Transportation and Safe-Routes-to-School Plan.

Principal Planner Michael HREN gave a slide show presentation on the Active Transportation (ATP) and Safe-Routes-to-School Plan. He also noted a typo regarding the CEQA section number, it should be CEQA Section 15262.

Alta Representative Brett HONDORP gave a slide show presentation on the Active Transportation and Safe-Routes-to-School Plans.

Mayor MURPHY opened the Public Hearing at 6:53 PM.

Tom HOTHEM, Merced - spoke on his support for this plan.

Rick WENDLING, Merced - spoke on bike path and sidewalk maintenance.

Mayor MURPHY closed the Public Hearing at 6:58 PM.

Council, Mr. HREN, and Mr. HONDORP discussed the route to school on Childs Avenue between Parsons Avenue and Coffee Street, crossing improvements on Parsons Avenue by Golden Valley High School, how to encourage the use of the system, and the feasibility study for a bike path to connect Merced to Atwater.

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

Aye: 6 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member Blake, Council Member McLeod, Council Member Serratto, and Council Member Shelton

No: 0

Absent: 1 - Council Member Echevarria

I.2.

SUBJECT: Public Hearing and Consideration of the Adoption of Resolution to Authorize the Inclusion in the California Municipal Finance Authority Bond Opportunities for Land Development (BOLD)

Program; Authorizes the California Municipal Finance Authority to
Accept Applications from Property Owners, Conduct Proceedings and
Levy Special Taxes Within the City of Merced Pursuant to the
Mello-Roos Community Facilities Act of 1982, As Amended; and Other
Related Actions

REPORT IN BRIEF

Following a Public Hearing, considers the adoption of a Resolution allowing properties within the territory of the City of Merced to participate in the California Municipal Finance Authority (CMFA) Bond Opportunities for Land Development (BOLD) program which provides long-term financing for certain development-related fees and infrastructure improvements.

RECOMMENDATION:

City Council - Adopt a Motion:

A. Approving **Resolution 2019-41**, a Resolution of the City Council of the City of Merced, authorizing use and inclusion in the California Municipal Financing Authorities Bond Opportunities for Land Development (BOLD) Program; Authorizing the California Municipal Finance Authority to accept applications from property owners, conduct proceedings and levy special taxes within the City of Merced pursuant to the Mello-Roos Community Facilities Act of 1982, as amended; and authorizing related actions; and,

B. Authorizing the City Manager or the Assistant City Manager to execute the necessary documents and take any and all actions necessary to carry out the intent of the resolution.

Director of Economic Development Frank QUINTERO gave a brief presentation on the Bond Opportunities for Land Development (BOLD) Program.

Mayor MURPHY opened and subsequently closed the Public Hearing at 7:20 PM due to a lack of public comment.

Mayor Pro Tempore MARTINEZ and Mr. QUINTERO discussed the bond process, potential effects of the bond to the services provided, and paying the bond back.

A motion was made by Council Member Blake, seconded by Council Member Serratto, to approve Resolution 2019-41. The motion carried by the following vote:

Aye: 6 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member Blake, Council Member McLeod, Council Member Serratto, and Council Member Shelton

No: 0

Absent: 1 - Council Member Echevarria

J. REPORTS

J.1.

SUBJECT: Adopt a Motion Selecting the North Merced Park Location, Amenities and Layout and Authorizing the Submission of a Proposition 68 Statewide Park Program Grant Round 3 Grant Application for an Amount Not to Exceed \$8.5 Million Dollars (\$8,500,000)

REPORT IN BRIEF

Considers granting authority for submittal of a grant application for funding of a new park in North Merced and adopting a motion selecting the location, amenities, and layout of the park for an amount not to exceed \$8.5 Million (\$8,500,000).

RECOMMENDATION

City Council - Adopt a motion selecting the North Merced park location, amenities and layout and authorizing the Parks and Recreation Department to submit the Proposition 68 Statewide Park Program Round 3 grant application for an amount not to exceed \$8.5 million dollars (\$8,500,000).

Recreation and Parks Supervisor Jennifer ARELLANO gave a slide show presentation on Proposition 68 and the selection of a North Merced Park location.

Council and Ms. ARELLANO discussed a walking trail at Fahren's Park and a park in South Merced.

Tracy GANNON, Merced - spoke on adding a park in South Merced near Mission Avenue and Tyler Road.

Kelly TURNER, Merced - requested to add upgrades to the McNamara park playground equipment as part of the grant application.

Yamilet VALLADOLID, Merced - spoke on behalf of Golden Valley Heath Care Center in support of the grant application.

Tamara COBB, Merced - spoke on upgrading McNamara park equipment.

Council and Ms. ARELLANO discussed park selection and amenities.

Clerk's Note: Council Member SHELTON recused himself due to the proximity of his residence.

A motion was made by Council Member Blake, seconded by Council Member McLeod, to direct staff to prepare all three grant applications. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member Blake, Council Member McLeod, and Council Member Serratto

No: 0

Absent: 1 - Council Member Echevarria

Recused: 1 - Council Member Shelton

J.2.

SUBJECT: Report - Findings and Discussion on Forming a New Sister City Relationship

REPORT IN BRIEF

Updates City Council on current Sister City relationships and steps to form a new relationship.

RECOMMENDATION

Provide staff direction on the next steps for the formation of a new Sister City relationship.

Assistant City Clerk John TRESIDDER gave a slide show presentation on Sister Cities.

Mayor MURPHY discussed Sister Cities and choosing the City of Chiang Rai in Thailand as a Sister City.

Council discussed adding an additional Sister City and a citizen driven committee.

Merced Lao Family representative Moua TAO discussed Merced Lao Family's support to add a Sister City in Thailand.

A motion was made by Mayor Murphy, seconded by Council Member Blake, to direct staff to continue on the path of forming a Sister City in the City of Chiang Rai, Thailand. The motion carried by the following vote:

Aye: 6 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member Blake, Council Member McLeod, Council Member Serratto, and Council Member Shelton

No: 0

Absent: 1 - Council Member Echevarria

K. BUSINESS

K.1. Request to Add Item to Future Agenda

There were no items added.

K.2. City Council Comments

Mayor Pro Tempore MARTINEZ reported on attending the Summer at City Hall program, the Citizens Advisory Charter Review Committee meeting, and the Courthouse Museum exhibit.

Mayor MURPHY spoke on the Summer at City Hall Program.

L. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 8:48 PM.

A motion was made by Council Member Blake, seconded by Council Member Serratto, to adjourn the Regular Meeting. The motion carried by the following vote:

Aye: 6 - Mayor Pro Tempore Martinez, Mayor Murphy, Council Member Blake, Council Member McLeod, Council Member Serratto, and Council Member Shelton

No: 0

Absent: 1 - Council Member Echevarria