



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

Tuesday, February 16, 2016

7:00 PM

A. CALL TO ORDER

Mayor Pro Tempore PEDROZO called the Regular Meeting to order at 7:04 PM.

A.1. Invocation - Bruce Metcalf, Merced Rescue Mission

The invocation was presented by Bruce METCALF, Merced Rescue Mission.

A.2. Pledge of Allegiance to the Flag

B. ROLL CALL

Present: 5 - Mayor Pro Tempore Joshua Pedrozo, Council Member Michael Belluomini, Council Member Kevin Blake, Council Member Tony Dossetti, and Council Member Mike Murphy

Absent: 2 - Mayor Stanley P. Thurston, and Council Member Noah Lor

B.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 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 Public Financing and Economic Development Authority receive no compensation.

C. CEREMONIAL MATTERS

C.1. SUBJECT: Proclamation - Teen Dating Violence Awareness and Prevention Month

REPORT IN BRIEF

Accepted by Chee Yang, Program Director at Valley Crisis Center

Mayor Pro Tempore PEDROZO read a Proclamation for Teen Dating Violence Awareness and Prevention Month.

D. WRITTEN PETITIONS AND COMMUNICATIONS

There were no written petitions or communications.

E. ORAL COMMUNICATIONS

Arnie CARVAJAL, Merced - spoke about the blight at the old Century Bowl site.

Rick McMILLION, Merced - spoke about downtown issues.

Andrew WEISNER, UC Merced - spoke about transportation problems between the UC and downtown.

Daniel SABZEHZAR, UC Merced - spoke in favor of fostering partnerships with UC Merced.

Christopher BERNAL, UC Merced - asked about what the City was doing to collaborate with the UC.

F. CONSENT CALENDAR

Agenda items F.2.City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of October 5, 2015, November 14, 2015, and November 19, 2015, F.6. Increase Contingency Percentage for Public Works Corp Yard Fleet Shop Upgrade Project 114060, and F.10. Street Closure Request 16-02 for Velo Promo, LLC, for the 29th Annual Original Merced Criterium Bicycle Race were pulled for separate consideration.

Approval of the Consent Agenda

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

Aye: 5 - Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Murphy

No: 0

Absent: 2 - Mayor Thurston, and Council Member Lor

F.1.

SUBJECT: Citizens Oversight Committee Measure C Minutes of August 11, 2015

RECOMMENDATION

City Council - Adopt a Motion approving and filing.

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:** Introduction of an Ordinance Dealing with No Parking Zones (Canal Street)

REPORT IN BRIEF

Consider a recommendation from the Traffic Committee approving the addition of no parking zones adjacent to the driveway facing Canal Street for the entrance of 459 West 25th Street.

RECOMMENDATION

City Council - Adopt a motion introducing **Ordinance 2455**, an Ordinance of the City Council of the City of Merced, California, Amending Section 10.28.230, "No Parking Zones" of the Merced Municipal Code.

This Consent Item was approved.

F.5. **SUBJECT:** Change Order with DOD Construction for the CDBG South Merced ADA Ramps Project 115028

REPORT IN BRIEF

Consider approving a change order in the amount of \$33,662.60 for the installation of 5 additional handicap access ramps and connecting sidewalks at various locations in South Merced.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a technical amendment to the 2014 HUD Annual Action Plan in the amount of \$29,110 due to the construction costs for the additional ramps; and,

B. Authorizing a transfer from Fund 018-Housing to Fund 450-Streets and Signals CIP in the amount of \$29,110 and appropriating the same to Account 450-1104-637.65-00-Project 115028 South Merced ADA Ramps; and,

C. Approving the Second Amendment to Interdepartmental Cooperative Agreement between the City of Merced Economic Development and Development Services Departments in the amount of \$29,110; and,

D. Approving Change Order No. 1 for the CDBG South Merced ADA Ramps Project 115028, with DOD Construction, in the amount of \$33,662.60; and,

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

This Consent Item was approved.

F.7.

SUBJECT: Consider an Application to the Institutional Turf Program for the Applegate Rose Garden

REPORT IN BRIEF

Consider applying to the Department of Water Resources (DWR) and California Conservation Corps (CCC) for the Institutional Turf Program for a pilot project at the Rose Garden in Applegate Park to enhance the water efficiency of the garden.

RECOMMENDATION

City Council - Adopt a motion authorizing Staff to apply for a project for water efficiency upgrades at the Rose Garden funded by the DWR and CCC up to \$20,000 in materials and labor; and if accepted, authorize the City Manager to execute the necessary documents.

This Consent Item was approved.

F.8.

SUBJECT: Right-of-Way Dedications for the G Street Undercrossing Project and the Highway 59 and Cooper Ave Traffic Signal Project

REPORT IN BRIEF

Dedicate portions of City owned properties for public road use along G Street from 23rd Street to 25th Street and along the extension of Willowbrook Drive near Highway 59.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2016-09**, a Resolution of the City Council of the City of Merced, California, approving dedication of road right-of-way along G Street from 23rd Street to 25th Street for public road use; and,

B. Adopting **Resolution 2016-10**, a Resolution of the City Council of the City of Merced, California, approving dedication of road right-of-way along Extension Willowbrook Drive for public road use; and,

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

This Consent Item was approved.

F.9.

SUBJECT: Second Amendment to CP-42 Lease Agreement with Seth Rossow

REPORT IN BRIEF

Second amendment to lease agreement with Seth Rossow to decrease amount of leasable land.

RECOMMENDATION

City Council - Adopt a motion approving the amendment to the lease agreement with Seth Rossow; and, authorizing the City Manager to execute the necessary documents.

This Consent Item was approved.

F.2.

SUBJECT: City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of October 5, 2015, November 14, 2015, and November 19, 2015

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 October 5, 2015, November 14, 2015, and November 19, 2015.

Council Member BELLUOMINI pulled this item to suggest amendments to

the October 5, 2015 minutes. He stated that because of the 4-3 vote, it should be noted the nature of the dissent from certain Council Members. He stated the decision warranted more detailed minutes.

A motion was made by Council Member Belluomini, seconded by Council Member Murphy, that the October 5, 2015 minutes be returned to staff for amendments and the November minutes be approved. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Murphy

No: 0

Absent: 2 - Mayor Thurston, and Council Member Lor

F.6.

SUBJECT: Increase Contingency Percentage for the Public Works Corp Yard Fleet Shop Upgrade Project 114060

REPORT IN BRIEF

Authorizes the City Manager to approve change orders to the construction contract for the Public Works Corp Yard Fleet Shop Upgrade Project 114060 for up to 50% of the original contract amount, not to exceed \$96,709.80.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a Supplemental Appropriation in the amount of \$77,368.00 to Fleet Capital Improvement Account 670-1103-637.65-00 Project 114060 from the unappropriated, unreserved fund balance; and,

B. Approving a contingency percentage not to exceed 50% of the original construction contract, amount not to exceed \$96,709.80, for the Public Works Corp Yard Fleet Shop Upgrade Project 114060; and,

C. Authorizing the City manager to execute the necessary documents and to approve change orders not to exceed 50% of the total contract.

Council Member MURPHY pulled this item to question which fund would pay for this item.

Interim Public Works Director Ken ELWIN stated it was from the Fleet Fund and not the General Fund.

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

Aye: 5 - Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Murphy

No: 0

Absent: 2 - Mayor Thurston, and Council Member Lor

F.10.

SUBJECT: Street Closure Request 16-02 for Velo Promo, LLC, for the 29th Annual Original Merced Criterium Bicycle Race

REPORT IN BRIEF

Consider a request for use of City streets.

RECOMMENDATION

City Council - Adopt a motion approving the street closures as requested below by Velo Promo, LLC, on Sunday, February 21, 2016, from 6:00 a.m. to 5:00 p.m., subject to the conditions listed in the body of this report.

Requested street closures: West Main Street between M and N Streets; West 18th Street between M and N Streets; West 19th Street between M and N Streets; West 20th Street between M and N Streets; West 21st Street between M and N Streets (including Courthouse Loop); the east side of N Street from the alley between West 16th and West Main Streets to West 21st Street (full closure north of West 20th Street); and M Street from West Main to West 21st Streets.

Council Member MURPHY pulled this item to recuse himself from the vote due to the proximity of his business to the race route.

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

Aye: 4 - Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, and Council Member Dossetti

No: 0

Absent: 2 - Mayor Thurston, and Council Member Lor

Abstain: 1 - Council Member Murphy

G. BUSINESS

G.1.

SUBJECT: Discussion on City Manager Evaluation Form

REPORT IN BRIEF

This item is in response to Council Member Belluomini's request to discuss changes to the City Manager Evaluation Form.

Council discussed moving this item to a future agenda for discussion with a full Council in attendance.

Council Member DOSSETTI suggested using other cities' forms as a template.

Council Member BELLUOMINI agreed that this item should be moved to the next meeting.

A motion was made by Council Member Belluomini, seconded by Council Member Murphy, that this agenda item be continued to the March 7th meeting. The motion carried by the following vote:

Aye: 5 - Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Murphy

No: 0

Absent: 2 - Mayor Thurston, and Council Member Lor

Clerk's Note: Immediately following the discussion on the City Manager evaluation form, Mayor Pro-Tempore PEDROZO requested a brief report from staff on an item that was brought up during the Oral Communications portion of the agenda.

City Manager Steve CARRIGAN reported that the City was taking the necessary steps to have the Century Bowl location cleaned up by the owner. He also stated that the City would work on a new policy to address the code enforcement issues in the City.

Development Director David GONZALVES reported that a new developer was interested in the property and that new development was imminent.

G.2. Request to Add Item to Future Agenda

Council Member BLAKE requested a re-evaluation of the removal of a stop sign on 21st street.

Council Member MURPHY requested the date for the upcoming Medical Marijuana Ordinance Study Session. He also requested a training for the online budget tool. He also questioned the use of social media at the Town

Hall meetings.

City Manager CARRIGAN replied that the social media would be monitored by a third party at the meetings and who would then pose the questions to the Mayor at the Town Hall.

Rachelle ABRIL, Merced - asked whether social media was the only way to ask questions.

Council Member MURPHY assured her that it was not. He stated this was just an additional way to pose questions to the Council during the Town Hall.

G.3. City Council Comments

Mayor Pro-Tempore PEDROZO gave a report on the Tiger Grant and some additional funding programs available to the City.

H. ADJOURNMENT

Clerk's Note: The meeting adjourned at 8:02 PM.

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

Aye: 5 - Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Murphy

No: 0

Absent: 2 - Mayor Thurston, and Council Member Lor