



# 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, April 4, 2016

7:00 PM

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#### A. STUDY SESSION ROLL CALL

**Present:** 6 - Mayor Stanley P. Thurston, Council Member Mike Murphy, Council Member Kevin Blake, Mayor Pro Tempore Joshua Pedrozo, Council Member Michael Belluomini, and Council Member Tony Dossetti

**Absent:** 1 - Council Member Noah Lor

#### B. STUDY SESSION

Mayor THURSTON called the Study Session to order at 6:00 PM.

##### B.1. Update on the New Police Headquarters

Principal Architect John SAGIN gave a presentation on possible options and locations for the new Police Headquarters.

Council Member MURPHY asked questions regarding the size of the project and the ability to expand square footage in the future. He also questioned the financing of the project.

Mr. SAGIN discussed the possible savings by using existing Police Station plans and customizing them for the City's needs.

Economic Development Director Frank QUINTERO explained some possible funding options for the project.

Council Member BLAKE asked which option Chief ANDRADE preferred.

Police Chief ANDRADE stated he preferred option 2 (New building at "Sun-Star" location).

City Manager Steve CARRIGAN stated the costs estimates were sound based on his previous experience.

Council Member BELLUOMINI questioned the size of the building and planning for the future.

Mr. SAGIN stated that the original plan included a much larger police force and the forecast population growth for the city was not as first expected.

Council Member BELLUOMINI suggested building the new facility with future growth in mind. He questioned the future ability to expand.

Mr. SAGIN reported that the site had room to expand the building when needed.

Council Member BELLUOMINI questioned administrative fees.

Mr. SAGIN stated that there are extra fees for the architect to oversee the project.

Council briefly discussed the square footage needed based on sworn officers and population numbers.

Mayor THURSTON asked if a bond measure would be needed to finance the project.

Mayor Pro Tempore PEDROZO questioned the lot size available for expansion.

Mr. SAGIN confirmed the lot size being over 5 acres.

Council Member BLAKE conveyed that an office for each sworn officer was not necessary.

Mayor THURSTON expressed concern that the "Sun-Star" property could be sold before financing was obtained.

Mr. QUINTERO confirmed that the property could be purchased before funds for the entire project were obtained.

**Clerk's Note:** The Study Session adjourned at 6:53 PM.

## **C. CALL TO ORDER**

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

C.1. Invocation - Pastor Steve Moldenhauer, Valley Baptist Church

The invocation was delivered by Pastor Steve Moldenhauer of Valley Baptist Church.

C.2. Pledge of Allegiance to the Flag

**D. ROLL CALL**

**Present:** 6 - Mayor Stanley P. Thurston, Council Member Mike Murphy, Council Member Kevin Blake, Mayor Pro Tempore Joshua Pedrozo, Council Member Michael Belluomini, and Council Member Tony Dossetti

**Absent:** 1 - Council Member Noah Lor

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 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.

**E. CEREMONIAL MATTERS**

**E.1.                    SUBJECT: Proclamation - Sexual Assault Awareness Month**

**REPORT IN BRIEF**

Received by Chee Yang, Valley Crisis Center

Council Member BLAKE presented the Proclamation on Sexual Assault Awareness to Valley Crisis Director, Chee Yang.

**F. WRITTEN PETITIONS AND COMMUNICATIONS**

There were no written petitions or communications.

**G. ORAL COMMUNICATIONS**

Richard MILLER, Merced - spoke on honoring veterans by renaming "M" Street to Veterans Boulevard.

Rachelle ABRIL, Merced - spoke on blighted homes, City trees, and blighted alleys.

Daniel SABZEHZAR, Merced - spoke on the City budget process.

Jobra S. - spoke on a citation he recieved.

Greg HOSTETLER, Merced - spoke on his Police Foundation and funds raised. He praised city staff at all levels.

Monica VILLA, Merced - spoke on various issues.

## H. CONSENT CALENDAR

Item H.6. Street Closure for Youth Sports Parade was pulled for further consideration.

### Approval of the Consent Agenda

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

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

**No:** 0

**Absent:** 1 - Council Member Lor

#### H.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.

**This Consent Item was approved.**

#### H.2. **SUBJECT: Information Only - Traffic Committee Minutes of November 10, 2015 and January 12, 2016**

**This Consent Item was approved.**

#### H.3. **SUBJECT: Information Only - Economic Development Advisory Committee Minutes of November 24, 2015 and Lack of Quorum notice for Economic Development Advisory Committee Meeting of January 26, 2016**

##### **REPORT IN BRIEF**

For information only.

This Consent Item was approved.

H.4.

**SUBJECT:** City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of October 5, 2015, October 7, 2015 and October 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, October 7, 2015 and October 19, 2015.

This Consent Item was approved.

H.5.

**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.7.

**SUBJECT:** Street Closure #16-05 - Street Closure Request for the Merced County Fair (Merced County Sheriff's Department)

**REPORT IN BRIEF**

Consider a request for use of City streets.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the street closure of "G" Street, between W. Childs Avenue and W. 11th Street, from 5:00 p.m. to 12:00 a.m. on Wednesday, June 8, 2016, through Sunday, June 12, 2016, for the Merced County Fair; subject to the details and conditions outlined in the administrative staff report.

This Consent Item was approved.

H.8.

**SUBJECT:** Award Bid to Nor-Cal Pump and Well Drilling for the  
Waste Water Treatment Plant New Well Construction, Project No.  
114001

**REPORT IN BRIEF**

Consider awarding a contract in the amount of \$427,300 to Nor-Cal Pump and Well Drilling to construct a new water supply well for the Waste Water Treatment Plant.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Awarding the bid for the Waste Water Treatment Plant New Well Construction Project 114001, to Nor-Cal Pump and Well Drilling, in the amount of \$427,300; and,

B. Authorizing the City Manager to execute the necessary documents and to approve change orders not to exceed 10% of the total contract.

This Consent Item was approved.

H.9.

**SUBJECT:** 2020 East Childs Avenue - Land Use Determination  
16-01. Finding of Public Convenience or Necessity to Allow Beer  
and Wine to Be Sold for Off-site Consumption at an Arco AM/PM  
Gas Station and Convenience store.

**REPORT IN BRIEF**

This report provides options for the City Council to consider in making a Finding of Public Convenience or Necessity (PCN), as required by the Department of Alcoholic Beverage Control (ABC) to allow the sale of beer and wine for off-site consumption at a proposed Arco/AM/PM Gas Station and Convenience Store to be located at the southwest corner of Childs and Parsons Avenue (2020 East Childs Avenue).

**RECOMMENDATION**

**City Council** - Adopt a motion approving the Finding of Public Convenience or Necessity to allow the issuance of a Type 20 Alcohol License (allows the sale of beer and wine for off-site consumption) for the proposed Arco/AM/PM Gas Station Mini-Mart to be located at the southwest corner of Childs and Parsons Avenue.

This Consent Item was approved.

H.10.

**SUBJECT:** Request to Set a Public Hearing for the 2016 Housing and Urban Development (HUD) Annual Action Plan

**REPORT IN BRIEF**

Request to set a public hearing for Monday, April 18, 2016, to consider the 2016 Housing and Urban Development (HUD) Annual Action Plan.

**RECOMMENDATION**

**City Council** - Adopt a motion setting a public hearing for Monday, April 18, 2016, to consider the Housing and Urban Development Annual Action Plan.

This Consent Item was approved.

H.6.

**SUBJECT:** Street Closure for Youth Sports Parade

**REPORT IN BRIEF**

Street closure request for the Youth Sports Parade on Saturday, April 16, 2016.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the street closures of East Main Street, from "G" Street to Cedar Avenue and West Main Street, from "G" to "O" Streets, including side streets from Cedar Avenue to "O" Street, as requested by Merced Golden Lions for the Youth Sports Parade Saturday, April 16, 2016. Street closures will be from 8:00 a.m. to 1:00 p.m.; subject to the conditions outlined in the administrative report.

Council Member DOSSETTI pulled this item to mention the scholarship programs available for youth to participate in sports programs.

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

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

**No:** 0

**Absent:** 1 - Council Member Lor

**I. PUBLIC HEARINGS**

I.1. **SUBJECT:** Introduction of Ordinance No. 2456, Entitled "Burglar Alarm Systems and False Alarms," Adding Chapter 8.28 to the Merced Municipal Code

**REPORT IN BRIEF**

Consider the adoption of an ordinance establishing standards and regulations for the installation and use of alarm systems, requiring a no cost permit to be obtained and imposing a service fee schedule for police responses to false alarms.

**RECOMMENDATION**

**City Council** - Adopt a motion introducing **Ordinance No. 2456**, an Ordinance of the City Council of the City of Merced, California, adding Chapter 8.28 to the Merced Municipal Code, and approve one of the two following options of the Ordinance:

A. Attachment A, which contains a single service fee schedule for police responses to false alarm service calls;

**OR,**

B. Attachment B, which contains two service fee schedules for police responses to false alarms. This version of the Ordinance contains a service fee schedule that is applicable to public schools.

Chief Deputy City Attorney Kelly FINCHER and Police Dispatch Supervisor Marvin DILLSAVER gave a slide presentation on false alarms. Types of alarms and top offenders were noted. Impacts on police resources were noted including the estimated costs of false alarms.

Ms. FINCHER highlighted different sections in the ordinance and spoke on the public schools' concerns.

Mayor THURSTON expressed concern with the two-tier payment system.

City Manager Steve CARRIGAN stated that the two-tier system had come from a meeting with the School Districts.

Council Member DOSSETTI asked about armed robberies or burglaries.

Ms. FINCHER mentioned special code words that alarm companies have in order to protect businesses and owners.



**Clerk's Note:** Mayor THURSTON opened the Public Hearing at 7:55 PM.

Greg SPICER, Merced City School District - stated the Districts would like to see the two-tier system.

Mayor THURSTON stated that a \$25.00 penalty may not be enough.

Rosemary PARGA-DURAN, Merced City Schools Superintendent - voiced support for the two-tier system.

Council Member MURPHY expressed concern that the schools were not progressing fast enough.

Mark GOTTSHEL, Merced High School District - Spoke on education needed and actual alarms versus false alarms.

Spencer DAVIES, Merced - spoke about privatizing the response to alarms.

Necola ADAMS, Merced - stated that substitute teachers could be causing false alarms and that suspects could be gone by the time Police arrive.

**Clerk's Note:** Mayor THURSTON closed the Public Hearing at 8:24 PM.

Council Member BLAKE expressed support for option B.

Council Member BELLUOMINI proposed changes to the ordinance.

Mayor Pro Tempore PEDROZO stated support for option B.

Council Member MURPHY stated support for a two-tier payment system with sunset language included in the ordinance.

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

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

**No:** 0

**Absent:** 1 - Council Member Lor

## J. REPORTS

### J.1.

**SUBJECT:** Future Police Headquarters Building Site

#### REPORT IN BRIEF

Staff seeks Council direction in selecting the location of the future Police Headquarters Building and approval to proceed with a Request for Proposal for Architectural Services.

#### RECOMMENDATION

##### Option 1:

**City Council** - Adopt a motion directing staff to proceed with Option 1 (Merced Sun-Star Remodel) and proceed with issuing a Request for Proposal for Architectural Services.

OR

##### Option 2:

**City Council** - Adopt a motion directing staff to proceed with Option 2 (Merced Sun-Star Demolition) and proceed with issuing a Request for Proposal for Architectural Services.

OR

##### Option 3:

**City Council** - Adopt a motion directing staff to proceed with Option 3 (Mansionette Site) and proceed with issuing a Request for Proposal for Architectural Services.

Principal Architect John SAGIN gave a recap of his earlier Study Session presentation. He discussed the environmental assessment and building evaluation completed on the "Sun-Star" site. He gave an estimated cost for the project and presented three options for Council.

Council Member MURPHY questioned if developer fees could be used to pay for the project.

Economic Development Director Frank QUINTERO estimated it would take at least ten years to collect enough in developer fees to pay for the project.

Mayor THURSTON suggested that the only direction that should be given is to direct staff to begin negotiations to purchase the "Sun-Star" site.

Council Member BELLUOMINI cautioned Council regarding public approval of a new tax.

Mayor Pro Tempore PEDROZO supported the idea of negotiations with the "Sun-Star". He asked about the possibility of having to tear down the building after work started.

Mr. SAGIN confirmed that it was possible that a complete tear down would be needed after initial work began.

Council Member DOSSETTI stated that he could only support getting the cost of both locations before making a purchase.

**A motion was made by Mayor Pro Tempore Pedrozo, seconded by Council Member Belluomini, that staff begin negotiations for the Sun-Star property and get an appraisal of the Mansionette site. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Lor

## K. BUSINESS

### K.1. **SUBJECT:** Letter to High Speed Rail Authority

#### **REPORT IN BRIEF**

Staff was directed at the March 21st City Council Meeting to draft a letter to the High Speed Rail Authority in support of the high speed rail station in Merced as part of phase 1 planning.

#### **RECOMMENDATION**

**City Council** - Adopt a motion approving the letter to the High Speed Rail Authority.

Mayor Pro Tempore PEDROZO described a letter to the High Speed Rail authority regarding the change in their business plan.

Council briefly discussed the type of letter needed and accepting input from the City Manager as well.

**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, Council Member Murphy, Council Member Blake, Mayor Pro Tempore Pedrozo, Council Member Belluomini, and Council Member Dossetti

**No:** 0

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**Absent:** 1 - Council Member Lor

K.2. Request to Add Item to Future Agenda

Mayor THURSTON requested a report from staff on the steps necessary to rename "M" Street to Veterans Boulevard.

K.3. City Council Comments

Mayor Pro Tempore PEDROZO announced that he and his wife were expecting a new child in October.

Council Member BELLUOMINI reported on attending the San Joaquin Valley Air Pollution Control District Special Selection Committee. He also mentioned the Concerned Men Cook for Education event at City Hall.

Council Member DOSSETTI reported attending block parties held by Rachelle ABRIL and Reverend RAMSEY.

Council Member MURPHY mentioned the One Voice trip to Washington, D.C. and spoke about the platform.

Mayor THURSTON thanked Rachelle ABRIL, Reverend RAMSEY, and Kelly TURNER for their volunteer work.

**L. ADJOURNMENT**

**Clerk's Note:** The meeting adjourned at 9:16 PM.

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

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

**No:** 0

**Absent:** 1 - Council Member Lor