



# 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 16, 2016

7:00 PM

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#### A. CLOSED SESSION ROLL CALL

Mayor THURSTON called the Closed Session to order at 5:32 PM.

**Clerk's Note:** Council Member MURPHY arrived at 5:38 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

#### B. CLOSED SESSION

**B.1.** **SUBJECT:** PUBLIC EMPLOYEE PERFORMANCE EVALUATION -  
Title: City Attorney; Authority: Government Code Section 54957

**B.2.** **SUBJECT:** PUBLIC EMPLOYEE DISCIPLINE - Public Employee  
Discipline/Dismissal/Release; Authority: Government Code Section  
54957

#### C. CALL TO ORDER

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

C.1. Invocation - Chaplain James Sanders, Merced County Jail Ministry

The Invocation was delivered by Chaplain James SANDERS of the Merced County Jail Ministry.

C.2. Pledge of Allegiance to the Flag

#### D. ROLL CALL

**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

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. REPORT OUT OF CLOSED SESSION**

Mayor THURSTON reported that a unanimous vote was made to terminate the City Attorney's contract with the City of Merced without cause, effective immediately.

## **F. CEREMONIAL MATTERS**

F.1. Collections System Award for Sewer and Storm Drain - Presented by CWEA Members Phil Scott, Scott Jacobs, and Ken Merkle

CWEA Members Phil SCOTT and Ken MERKLE presented the Collections System Award for Sewer and Storm Drain to the City of Merced Public Works Department.

F.2. Proclamation - Public Works Week

Council Member BELLUOMINI presented Director of Public Works Ken ELWIN with the Proclamation for Public Works Week.

F.3. Habitat for Humanity Award to Housing Department

Anita HALLAM from Habitat for Humanity Stanislaus County presented the City of Merced Housing Department with the City Partnership Award.

## **G. SPECIAL PRESENTATIONS**

G.1. Launch of City's New Website - Jeff Bennyhoff, Information Technology Director

Information Technology Director Jeff BENNYHOFF gave a slide show presentation on the launch of the City's new website.

## **H. WRITTEN PETITIONS AND COMMUNICATIONS**

There were no written petitions or communications.

## **I. ORAL COMMUNICATIONS**

Rich MILLER, Merced - spoke on the honorary name change to M Street.

Monica VILLA, Merced - spoke on homelessness.

## J. CONSENT CALENDAR

Items J.8. Award Bid to D.A. Wood Construction, Inc., for the Sewer & Water Main Replacement in Alley Between 21st-22nd Street and W-U Street Project 116039 and J.12. Appropriation for the Merced Regional Airport Runway Remarking, Taxiway Center Line Remarking, and Holding Position Remarking, were pulled for separate consideration.

### Approval of the Consent Agenda

A motion was made by Mayor Pro Tempore Pedrozo, seconded by Mayor Thurston, to approve the 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

**J.1.** **SUBJECT:** Information Only- Recreation & Parks Commission Minutes of November 23, 2015 and March 28, 2016

#### REPORT IN BRIEF

For Information Only.

This Consent Item was approved.

**J.2.** **SUBJECT:** Information Only-Bicycle Advisory Minutes of April 28, June 23, August 25, October 27, and December 8, 2015 and February 23, 2016

#### RECOMMENDATION

For information only.

This Consent Item was approved.

**J.3.** **SUBJECT:** Information Only-Site Plan Review Minutes of November 12, 2015 and January 7, 2016

#### RECOMMENDATION

For information only

This Consent Item was approved.

- J.4.** **SUBJECT:** Information Only-Planning Commission Minutes of December 9, 2015, and January 6, February 3 and 17, March 23, and April 6, 2016

**RECOMMENDATION**

For information only

**This Consent Item was approved.**

- J.5.** **SUBJECT:** City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of December 7, 2015, December 21, 2015 and January 4, 2016.

**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 December 7, 2015, December 21, 2015 and January 4, 2016.

**This Consent Item was approved.**

- J.6.** **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.**

- J.7.** **SUBJECT:** City School District Crossing Guard Agreement

**REPORT IN BRIEF**

Authorize a one-year agreement with the City School District to reimburse a portion of the cost associated with the School Crossing Guard Program.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the agreement with the Merced City School District for reimbursement of a portion of the cost associated with the School Crossing Guard Program and authorizing the City Manager to execute the necessary documents.

**This Consent Item was approved.**

**J.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).

**This Consent Item was approved.**

**J.10.**

**SUBJECT:** Memorandum of Understanding Among Agencies Within the Merced Groundwater Sub-Basin Following the Sustainable Groundwater Management Act (SGMA)

**REPORT IN BRIEF**

An introduction to the Sustainable Groundwater Management Act (SGMA) and adoption of a Memorandum of Understanding with various water agencies within the Merced Groundwater Sub-Basin following the Sustainable Groundwater Management Act (SGMA).

**RECOMMENDATION**

**City Council** - Adopt a motion to enter into a Memorandum of Understanding with various water agencies within the Merced Groundwater Sub-Basin following the Sustainable Groundwater Management Act (SGMA) and authorize the City Manager to execute

the necessary documents.

This Consent Item was approved.

J.11.

**SUBJECT:** Agreement for Professional Services with THOR, Inc.  
for AS/400 Programming Services

**REPORT IN BRIEF**

Authorizing a Professional Services Agreement with THOR, Inc. for \$165,000 for AS/400 programming services to support SunGard financial application suite.

**RECOMMENDATION**

**City Council** - Adopt a motion approving Professional Services Agreement with THOR, Inc.; and, authorizing the City Manager to execute the necessary documents.

This Consent Item was approved.

J.8.

**SUBJECT:** Award Bid to D.A. Wood Construction, Inc., for the Sewer &  
Water Main Replacement In Alley Between 21st-22nd Street & W-U  
Street Project 116039

**REPORT IN BRIEF**

Consider awarding a construction contract in the amount of \$455,481 for the replacement of the sewer and water mains within the alley between 21st-22nd Streets and W-U Streets.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Awarding the bid for the Sewer & Water Main Replacement In Alley Between 21st-22nd Street & W-U Street Project 116039, to D. A. Wood Construction, Inc., in the amount of \$455,481; and,

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

Council Member DOSSETTI pulled this item to ask about the proposed dollar amount.

Merced City Architect John SAGIN explained that the dollar amount is based solely on construction.

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**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:** 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

**J.12.**

**SUBJECT: Appropriation for the Merced Regional Airport Runway  
Remarking, Taxiway Center Line Remarking, and Holding Position  
Remarking**

**REPORT IN BRIEF**

Merced Regional Airport is requesting Council's consideration in authorizing a transfer in the amount of \$50,000 from Fund 448 Airport Industrial Park CIP to Fund 461 Airport CIP and appropriating to cover costs for runway remarking, taxiway center line remarking, and holding position remarking.

**RECOMMENDATION**

**City Council** - Adopt a motion authorizing a transfer from Fund 448 Airport Industrial Park CIP Fund in the amount of \$50,000 to Fund 461 Airport CIP Fund and appropriating to Project #116047 Remark Runway/Taxiway.

Mayor Pro Tempore PEDROZO pulled this item to ask for clarification on the funds.

Director of Public Works Ken ELWIN explained that money will be put back into the Airport Fund.

**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

**K. BUSINESS**

- K.1. **SUBJECT: PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: City Attorney; Government Code 54957 (If Elected by Employee)**

**Clerk's Note:** This item was not discussed in an open session.

- K.2. **SUBJECT: PUBLIC EMPLOYEE DISCIPLINE - Public Employee Discipline/Dismissal/Release; Authority: Government Code 54957 (If Elected by Employee)**

**Clerk's Note:** This item was not discussed in an open session.

- K.3. **SUBJECT: Approval of Letter to Adam Gray**

**REPORT IN BRIEF**

Letter of support for funding the violence interruption/prevention emergency response (VIPER) program in Merced County.

**RECOMMENDATION**

**City Council** - Adopt a motion approving letter of support for funding the VIPER program in Merced County.

City Manager Steve CARRIGAN read a letter from Adam Gray requesting the City's support of the VIPER Program.

**A motion was made by Mayor Pro Tempore Pedrozo, seconded by Council Member Murphy, 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

- K.4. Request to Add Item to Future Agenda

Council Member MURPHY requested to add an item on Veteran Homelessness (Mayors Challenge).

- K.5 City Council Comments

Mayor Pro Tempore PEDROZO reported attending the One Voice trip to Washington DC. He also encouraged people to attend the Wounded Warriors Softball game at Merced High School.

Council Member MURPHY reported attending the One Voice trip to



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Washington DC.

Mayor THURSTON reported attending the Welcome Home Heros Event.

Council Member DOSSETTI encouraged people to attend the Peace Officer Memorial at the Merced Theater.

## L. ADJOURNMENT

**Clerk's Note:** The meeting adjourned at 7:59 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:** 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