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, March 6, 2017 **7:00 PM**

A. CLOSED SESSION ROLL CALL

Clerk's Note: Council Member MCLEOD arrived at 6:02 PM.

Present: 7 - Council Member Michael Belluomini, Council Member Anthony Martinez, Council Member Jill McLeod, Council Member Joshua Pedrozo, Council Member Matthew Serratto, Mayor Mike Murphy, and Mayor Pro Tempore Kevin Blake

Absent: 0

B. CLOSED SESSION

Clerk's Note: Council adjourned to Closed Session at 5:32 PM.

B.1. **SUBJECT:** CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Property: 3033 G Street, Merced, CA APN 007-350-009 and City of Merced Property 301 E Yosemite Ave, Merced, CA APN 231-040-021; Agency Negotiator: Frank Quintero, Director, Economic Development; Negotiating Parties: Kevin Crawford representing McClatchey Newspapers Inc. and City of Merced and; Under Negotiation: Price and Terms of Payment.

B.2. **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION: Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Section 54956.9: 1 Case

B.3. **SUBJECT:** PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: City Manager; Authority: Government Code Section 54957

Clerk's Note: Council adjourned from Closed Session at 6:57 PM.

C. CALL TO ORDER

Mayor MURPHY called the Regular Meeting to order at 7:01 PM.

C.1. Invocation - Monika Grasley, Lifeline Community Development Corporation

The invocation was delivered by Monika GRASLEY from Lifeline

Community Development Corporation.

C.2. Pledge of Allegiance to the Flag

D. ROLL CALL

Present: 7 - Council Member Michael Belluomini, Council Member Anthony Martinez, Council Member Jill McLeod, Council Member Joshua Pedrozo, Council Member Matthew Serratto, Mayor Mike Murphy, and Mayor Pro Tempore Kevin Blake

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 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. SPECIAL PRESENTATIONS

F.1. Update on Water Meters

Director of Public Works Ken ELWIN, gave a slide show presentation updating the status of water meters.

G. CEREMONIAL MATTERS

G.1. **SUBJECT:** Proclamation - Multiple Sclerosis Awareness Week

REPORT IN BRIEF

Received by Yvette R. Brisco, 2017 Walk MS Ambassador.

Mayor MURPHY presented Yvette R. BRISCO the proclamation for Multiple Sclerosis Awareness Week.

G.2. **SUBJECT:** Proclamation in Honor of Bishop Dwight Amey

REPORT IN BRIEF

Received by Bishop Dwight Amey's Family.

Mayor MURPHY presented the AMEY Family with a proclamation honoring Bishop Dwight AMEY.

H. WRITTEN PETITIONS AND COMMUNICATIONS

The Clerk's Office did not receive any written petitions and communications.

I. ORAL COMMUNICATIONS

Will SKAARUP, CannaGroup, Eureka, CA, - encouraged the Council to allow a cannabis distributor in the City.

Bruce METCALF, Rescue Mission, Merced, - spoke on the new location of the Rescue Mission and thanked the City Council, City Manager, and the Fire Department for their support.

Monica VILLA, Merced - spoke on the new start time for Council Meetings and other various topics.

J. CONSENT CALENDAR

Items J.8. Consider Increasing the Construction Contingency Percentage for the Waste Water Treatment Plant Headworks Corrosion Control Project 116018 and J.9. Second Reading - Ordinance 2469 "Regulated Communications in City Procurement Process" Adding Chapter 3.06 to the Merced Municipal Code were pulled for separate consideration.

Approval of the Consent Agenda

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

Aye: 7 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

No: 0

Absent: 0

J.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.

J.2.

SUBJECT: Information-Only Contracts

REPORT IN BRIEF

Notification of awarded Non-Public Works contracts under $29,000 and of Public Works contracts under $65,204.

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 FY 2016-2017 threshold of $65,204.00, and Chapter 3.04.080 - 3.04.110 of the Merced Municipal Code to execute Non-Public Works contracts under the adjusted FY 2016-2017 threshold of $29,000.00, the contracts listed on the attached table were entered into by the City.

This Consent Item was approved.

J.3.

SUBJECT: Information Only- Recreation and Parks Commission Minutes from January 23, 2017

REPORT IN BRIEF

For information only

This Consent Item was approved.

J.4.

SUBJECT: City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of February 6, 2017 and February 8, 2017.

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 February 6, 2017 and February 8, 2017.

This Consent Item was approved.

J.5.

SUBJECT: Acceptance of Fiscal Year 2016 State Homeland Security Grant Program (SHSGP) Funds for the Purchase of Confined Space Rescue Equipment

REPORT IN BRIEF

Consider accepting additional Fiscal Year 2016 SHSGP funds for the purchase of Confined Space Rescue Equipment, and appropriate supplemental funds to complete the purchase.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2017-11**, a Resolution of the City Council of the City of Merced, California, authorizing the City Manager or Assistant City Manager to Execute the California Governor's Office of Emergency Services Fiscal Year 2016 Grant Assurances Agreement; and,

B. Accepting Fiscal Year 2016 SHSGP grant funds in the amount of $6,540.00 as revenue in the Intergovernmental - State Government Grants - Other State Grants account 001-0901-324.02-00; and,

C. Appropriating $6,540.00 to the Machinery/Equipment account 001-0901-522.26-00 to purchase Confined Space Rescue equipment; and,

D. Authorizing the use of pooled cash to cover the appropriation until grant funds are reimbursed.

This Consent Item was approved.

J.6.

SUBJECT: Consideration of Ordinance Amending Chapter 01.08 of the Merced Municipal Code Regarding Custody and Use of the City's Seal

REPORT IN BRIEF

Consider adoption of City Ordinance that confirms that the City Clerk is the Custodian of the City Seal and prohibits the use by any person of the seal of the City of Merced, or any imitations or derivations thereof.

RECOMMENDATION

City Council - Adopt a motion introducing **Ordinance 2473**, an Ordinance of the City Council of the City of Merced, California, Amending Chapter 1.08, "City Seal," of the Merced Municipal Code Regarding the Use of the City Seal.

This Consent Item was approved.

J.7. **SUBJECT:** Support Transportation Funding Legislation

REPORT IN BRIEF

Seeking Council support of transportation funding legislation that is in the State Assembly and Senate.

RECOMMENDATION

City Council- Adopt a motion supporting new Transportation Funding legislation in the state and directing staff to produce letters of support and other materials to reflect the City's position.

This Consent Item was approved.

J.8. **SUBJECT:** Consider Increasing the Construction Contingency Percentage for the Waste Water Treatment Plant Headworks Corrosion Control Project 116018

REPORT IN BRIEF

Authorizes approval to increase the construction contingency from 10% to 15% of the original construction contract award amount, for a total of up to $13,557.85 of additional work.

RECOMMENDATION

City Council - Adopt a motion increasing the contingency up to 15% for the Waste Water Treatment Plant (WWTP) Headworks Corrosion Control Project 116018; and, authorizing the City Manager or Assistant City Manager to sign the necessary documents.

Council Member BELLUOMINI pulled this item to ask about the increase in contingency.

Associate Engineer Joel SVENDSEN explained a design change requiring more concrete for equipment.

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: 7 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

No: 0

Absent: 0

J.9. **SUBJECT:** Second Reading - Ordinance No. 2469 "Regulated

Communications in City Procurement Process" Adding Chapter 3.06 to the Merced Municipal Code

REPORT IN BRIEF

Second reading of previously introduced Ordinance.

RECOMMENDATION

City Council - Adopt a motion adopting **Ordinance 2469**, an Ordinance of the City Council for the City of Merced, California adding Chapter 3.06, regulated communications in City procurement process to the Merced Municipal Code.

Council Members SERRATTO and PEDROZO pulled this item to state their opposition.

Council Member SERRATTO stated he would do the research and draft a new ordinance.

Robert DYLINA, Merced Chamber of Commerce, Merced - stated his opposition to the ordinance.

Council discussed different options for a policy or ordinance and types of things that could be included.

Council Member BELLUOMINI spoke about fairness in the process.

A motion was made by Council Member Pedrozo, seconded by Mayor Pro Tempore Blake, to not adopt Ordinance 2469. The motion carried by the following vote:

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

No: 2 - Council Member Belluomini, and Council Member Martinez

Absent: 0

K. BUSINESS

K.1. **SUBJECT:** Selection of Date for Planning Commission Interviews

REPORT IN BRIEF

Available dates for a Special Meeting to conduct Planning Commission interviews are March 13, 14, 15, 16, 23, 28, 29, and 30.

RECOMMENDATION

City Council - Adopt a motion selecting a date for holding Planning Commission Interviews and confirming a 6 PM start time.

A motion was made by Council Member Pedrozo, seconded by Mayor Pro Tempore Blake, to hold the Planning Commission interviews on March 14th at 6:30 PM. The motion carried by the following vote:

Aye: 7 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

No: 0

Absent: 0

K.2. Request to Add Item to Future Agenda

There were no items added to a future agenda.

K.3. City Council Comments

Council Member BELLUOMINI requested an update on the High Speed Rail contract.

Council Member PEDROZO thanked Recreation and Parks for their work on the Youth Basketball City League Program.

Council Member MARTINEZ reported on attending the Weaver Performing Arts production of the Wizard of OZ.

Mayor MURPHY reported on attending the Valley Voice Delegation in Sacramento.

L. ADJOURNMENT

Clerk's Note: The Regular Meeting adjourned at 8:17 PM.

A motion was made by Council Member Pedrozo, seconded by Mayor Pro Tempore Blake, that this the Regular Meeting be adjourned. The motion carried by the following vote:

Aye: 7 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

No: 0

Absent: 0