



# 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, October 2, 2017

6:00 PM

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#### A. CALL TO ORDER

Mayor MURPHY called the Regular Meeting to order at 6:02 PM.

**Clerk's Note:** Council Member MCLEOD arrived at 6:05 PM.

A.1. Invocation - Shahid Sohail, Ahmadiyya Muslim Community

The invocation was delivered by Abdul Raqib WALI from the Ahmadiyya Muslim Community.

A.2. Pledge of Allegiance to the Flag

Mayor MURPHY led the Pledge of Allegiance.

#### B. ROLL CALL

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

**Absent:** 0

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 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.

#### C. CEREMONIAL MATTERS

C.1. **SUBJECT:** Proclamation - Domestic Violence Awareness Month

##### REPORT IN BRIEF

Received by a representative of the Valley Crisis Center.

Mayor MURPHY presented Chee YANG from the Valley Crisis Center with the Domestic Violence Awareness Month Proclamation.

**C.2.                   SUBJECT: Proclamation - Fire Prevention Month**

**REPORT IN BRIEF**

Accepted by Merced Fire Captain Jim Evans.

Mayor MURPHY presented Captain Morgan MADRUGA from the City of Merced Fire Department the Fire Prevention Month Proclamation.

**C.3.                   SUBJECT: Proclamation - Breast Cancer Awareness Month**

**REPORT IN BRIEF**

Accepted by Merced Fire Fighter Chad Englert.

Mayor MURPHY presented Captain Morgan MADRUGA from the City of Merced Fire Department with the Breast Cancer Awareness Month Proclamation.

**D. WRITTEN PETITIONS AND COMMUNICATIONS**

The Clerk's Office received a letter from Mr. Lee KOLLIGIAN and placed it on the dais for Council.

**E. ORAL COMMUNICATIONS**

Jose TORRES, Merced - spoke about having to relocate his business.

John DUNN, Modesto - spoke about the letter that Council received.

Mike SIEGEL, Merced - spoke about street closures in the downtown area and the effects it has on local businesses.

**F. CONSENT CALENDAR**

Items F.4. City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of September 5, 2017 and September 12, 2017, F.5. Street Closure Request #17-12 (Merced County Office of Education, for Use of W. Main Street Between M and K Streets, and Canal Street Between W. Main Street and the Alley Between W. Main and W. 18th Streets), F.7. Approval of an Amended and Restated Memorandum of Understanding with the Merced Community College District for Police Services, F.8. Selection of Projects for the Road Repair and Accountability Act (SB1) FY 17/18 Apportionment, F.9. Ordinance Revision: Water Conservation, and F.11. Consider Locating All Wheels/Skate Park in McNamara Community Park, 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, Mayor Pro Tempore McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Council Member Blake

**No:** 0

**Absent:** 0

### F.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.**

### F.2. **SUBJECT:** Information-Only Contracts

#### REPORT IN BRIEF

Notification of awarded Non-Public Works contracts under \$30,000 and of Public Works contracts under \$67,779.

#### 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 2017-2018 threshold of \$67,779.00, and Chapter 3.04.080 - 3.04.110 of the Merced Municipal Code to execute Non-Public Works contracts under the adjusted FY 2017-2018 threshold of \$30,000.00, the contracts listed on the attached table were entered into by the City.

**This Consent Item was approved.**

### F.3. **SUBJECT:** Information Only - Measure C Oversight Committee Minutes of February 14, 2017

**RECOMMENDATION**

For information only.

**This Consent Item was approved.**

**F.6.**

**SUBJECT:** Request by the National Association for the Advancement of Colored People for the Co-Sponsored Rate for use of the Senior Community Center

**REPORT IN BRIEF**

Consider the Recreation and Parks Commission's recommendation to approve a request for the co-sponsored rate for use of the Senior Community Center by the NAACP on October 14, 2017.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the Recreation and Park Commission's recommendation to grant use of the Senior Community Center to the NAACP at the co-sponsored rate.

**This Consent Item was approved.**

**F.10.**

**SUBJECT:** Storm National Dislocated Worker Grant Project Agreement with Merced County Department of Workforce Investment

**REPORT IN BRIEF**

Consider approving an agreement with the Merced County Department of Workforce Investment to provide temporary workers for weed abatement, creek clean up, debris removal, park clean up, road repair, and other authorized job activities.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the Storm National Dislocated Worker Grant Project Agreement with the Merced County Department of Workforce Investment, and authorizing the City Manager or Assistant City Manager to execute the necessary documents.

**This Consent Item was approved.**

**F.12.**

**SUBJECT:** Request to Install a Born Learning Trail in Stephen Leonard Park

**REPORT IN BRIEF**

Consider request by United Way of Merced County to install a Born Learning Trail in Stephen Leonard Park.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the installation of a Born Learning Trail in Stephen Leonard Park.

**This Consent Item was approved.**

**F.4.**

**SUBJECT:** City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of September 5, 2017 and September 12, 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 September 5, 2017 and September 12, 2017.

Council Member BELLUOMINI pulled this item to suggest a language change in the minutes of September 12th.

**A motion was made by Council Member Belluomini, seconded by Mayor Pro Tempore Blake, to approve this item with the amendment to the September 12th Minutes. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 0

**F.5.**

**SUBJECT:** Street Closure Request #17-12 (Merced County Office of Education, for Use of W. Main Street between M and K Streets, and Canal Street Between W. Main and the Alley Between W. Main and W. 18th Streets)

**REPORT IN BRIEF**

The Merced County Office of Education requests the use of City streets for the 16th Annual "Lights on After School" event, on Thursday, October 26, 2017, between 1:30 p.m. and 10:00 p.m.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the street closures of W. Main Street between M and K Streets, and Canal Street between W. Main and the alley between W. Main and W. 18th Streets, on Thursday, October 26, 2017, from 1:30 p.m. to 10:00 p.m., subject to the details and conditions outlined in the administrative staff report.

Council Member MARTINEZ pulled this item to ask about the event.

A representative from the Merced County of Education explained that the event is to highlight afterschool programs and resources that parents can utilize.

Rick MCMILLION, Merced - spoke about the Lights on After School Event.

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

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

**No:** 0

**Absent:** 0

**F.7.**

**SUBJECT:** Approval of an Amended and Restated Memorandum of Understanding with the Merced Community College District for Police Services

**REPORT IN BRIEF**

Consider approving an Amended and Restated Memorandum of Understanding between the City of Merced Police Department and the Merced Community College District for police administrative services at the District's campuses.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving an Amended and Restated Memorandum of Understanding between the City of Merced and the Merced Community College District to provide police services at the District's campuses; and,

B. Authorizing the City Manager or Assistant City Manager to execute the agreement; and,

C. Authorizing the Interim Finance Officer to make the appropriate budget adjustments.

Council Member MARTINEZ pulled this item to request a staff report.

Police Chief Norm ANDRADE gave a brief explanation of the amended and restated Memorandum of Understanding with the Merced Community College District for Police Services.

Council Member MARTINEZ asked about the relationship between the college and the Police Department and the length of the contract.

Chief ANDRADE explained the great working relationship the Police Department has with the college.

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

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

**No:** 0

**Absent:** 0

**F.8.**

**SUBJECT: Selection of Projects for the Road Repair and Accountability Act (SB1) FY17/18 Apportionment**

**REPORT IN BRIEF**

Approves the list of projects proposed to be funded with Road Maintenance and Rehabilitation Account (RMRA) funds pursuant to SB1.

**RECOMMENDATION**

**City Council** - Adopt a motion approving **Resolution 2017-50**, A Resolution of the City Council of the City of Merced, California, Approving the "FY 2017-2018 Project List" for the Road Repair and Accountability Act (SB1), Local Streets and Roads Funding for Fiscal Year 2017-2018; and, authorizing the Interim Finance Officer to make the necessary budget adjustments.

Council Member BELLUOMINI pulled this item to ask if the road maintenance and repair account funding could be used towards advancing the railroad quiet zones improvements, and about the cost of the development for a pavement management system in partnering with

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Merced County Association of Governments (MCAG).

Director of Public Works Ken ELWIN explained that a study on railroad quiet zones would need to be completed and if the project moves forward, it will be determined if the project could be funded. He explained that MCAG is currently fully funding the study of the pavement management system.

Assistant City Manager Stephanie DIETZ explained that the City is evaluating the request for proposals to determine the City's portion of the cost of the pavement management system.

Council Member BELLUOMINI asked about the road study timeline. He also asked for clarification on funding for roads.

Mr. ELWIN stated that the study will take six to nine months to be completed.

Interim Finance Officer Venus RODRIGUEZ explained the funding from Measure V and the funding from Measure C.

Council Member PEDROZO asked for clarification on slurry seal.

Mr. ELWIN explained the process of fixing the roads that have active cracks.

Mayor MURPHY discussed the commitment that Council and the City made to repair West 26th Street due to the G Street Bridge Underpass detour.

**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, Mayor Pro Tempore McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Council Member Blake

**No:** 0

**Absent:** 0

**F.9.**

**SUBJECT:** Ordinance Revision: Water Conservation

**REPORT IN BRIEF**

Consider revising Water Shortage Regulations, Merced Municipal Code Chapter 15.42, into a long-term Water Conservation Plan.



**RECOMMENDATION**

**City Council** - Adopt a motion introducing **Ordinance No. 2479**, an Ordinance of the City Council of the City of Merced, California, Amending Chapter 15.42, "Water Shortage Regulations," of the Merced Municipal Code.

Council Member BELLUOMINI pulled this item to ask for clarification on multiple sections of the revised ordinance.

Water Conservation Specialist Leah BROWN, Director of Public Works Ken ELWIN, and Assistant City Manager Stephanie DIETZ addressed the issues that Council Member BELLUOMINI had.

Council Member BELLUOMINI stated his concern over the use of the term "plan" and suggested to change the term back to "regulations."

Council Member SERRATTO suggested adding language to include an automatic shutoff to the ordinance regarding washing homes, mobile homes, and trailers.

Council Member MARTINEZ asked for clarification on washing a home.

Ms. DIETZ stated that you can wash your home once a year or as prep for house painting.

Mayor MURPHY suggested revising the language regarding water exemption. He also discussed the new app to track water usage.

**A motion was made by Council Member Belluomini, seconded by Mayor Pro Tempore Blake, to introduce the ordinance with amendments to the title to read "regulations," add language for hoses with an automatic shutoff, and exemption for parks, commercial nurseries, cemeteries, and schools from restricted watering days.**

**Clerk's Note: Council further discussed Council Member BELLUOMINI's motion before the vote.**

**The motion failed by the following vote:**

**Aye:** 2 - Council Member Belluomini, and Council Member Martinez

**No:** 5 - Mayor Pro Tempore McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Council Member Blake

**Absent:** 0

Council discussed an effective date for the ordinance.

**A motion was made by Mayor Murphy, seconded by Council Member Pedrozo, to introduce the ordinance with amendments to the title to read "regulations," add language for hoses with an automatic shutoff, exemption for parks, commercial nurseries, cemeteries, and schools from restricted watering days, and adding the effective date of May 1, 2018. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 0

**F.11.**

**SUBJECT:** Consider Locating All Wheels/Skate Park in McNamara Community Park

**REPORT IN BRIEF**

Consider locating an All Wheels/Skate Park in McNamara Community Park.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the selection of McNamara Community Park for an All Wheels/Skate Park.

Council Member MARTINEZ requested an overview of the project.

Project Developers Brian MIMURA and Zach WORMHOUDT gave a brief overview of the project.

Council Member MCLEOD asked about the attendance at the workshops, the amount of input given by the public, and safety.

Mr. MIMURA stated that there was an average of 30-40 people in attendance.

Mr. WORMHOUDT discussed the input that was given from those who attended the workshops and the number of users the new skate park can accommodate. He also spoke about the types of injuries that occur at skate parks and safety features.

Council Member SERRATTO asked about the City's liability.

Interim City Attorney Jolie HOUSTON discussed the State statutes that require the use of safety equipment and for the City to post signs to

indicate the use of safety equipment.

Council Member MARTINEZ spoke on attending one of the workshops and the positive output from the public.

Mayor MURPHY asked about lighting for the skate park.

Mr. WORMHOUDT spoke on the importance of utilizing sports lights to ensure safety.

Assistant to the City Manager Mike CONWAY spoke on the process of building an all-wheels skate park in McNamara Park.

City Manager Steve CARRIGAN asked about the need for more community outreach.

Mr. MIMURA spoke about the community meetings the developers had and the responses they received from the public.

Rick MCMILLION, Merced - spoke on the lack of shade at McNamara Park and suggested a Citywide community meeting.

Jared, Merced - spoke on the nature of the two existing skate parks and on the diversity and growth of skating.

Council Member PEDROZO suggested having a City-sanctioned community meeting.

**Clerk's Note:** After the vote was taken, Council Member BELLUOMINI asked if the language in the contract stating that the Council cannot discuss the project openly could be revised.

Mr. CONWAY stated that the contract can be revised.

**A motion was made by Council Member Pedrozo, seconded by Council Member McLeod, that this agenda item be continued to a November meeting to allow for a City-sanctioned community meeting. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 0

**Clerk's Note:** Council took a break at 8:26 PM and reconvened at 8:33 PM.

## G. REPORTS

### G.1. **SUBJECT:** Presentation on Veterans Street Naming Project

#### **REPORT IN BRIEF**

Staff will present an update on the Veterans Street Naming Project and receive direction on continuing efforts.

Assistant City Manager Stephanie DIETZ gave a slide show presentation on the Veterans Street Naming Project.

Council Member MCLEOD spoke on the importance of honoring veterans, but stated concern about using unnamed streets and suggested utilizing M Street to honor veterans.

Council Member PEDROZO asked if the City currently has UC Merced interns, property value of street names, and cost of signs.

Ms. DIETZ stated that the City currently does not have UC Merced interns. She explained that property value could be affected when a house is located on a unique street name. She also clarified the cost of the signs and the variations of signs that can be used.

Council Member BELLUOMINI stated that naming streets after veterans would be the highest honor. He further discussed the best way to honor veterans and the cost of street signs. He recommended Council to continue the direction for staff to approve the naming of vacant streets for veterans who have died.

Council Member MARTINEZ stated his support for placing honorary memorial signs on street corners.

Mayor Pro Tempore BLAKE stated his support for banners or street signs to honor veterans on M Street.

Council Member PEDROZO suggested honoring veterans with banners in a more centralized area.

Council Member SERRATTO stated his support for signs on M Street to honor veterans.

Mayor MURPHY stated his support for banners on M Street to honor

veterans. He also discussed holding a ceremony for the opening of Veterans Bridge.

**A motion was made by Council Member Pedrozo, seconded by Mayor Pro Tempore Blake, to bring options to Council with regards to the banners, permanent signs, and cost of sidewalk signage at a future council meeting. The motion carried by the following vote:**

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

**No:** 1 - Council Member Belluomini

**Absent:** 0

## H. BUSINESS

### H.1. **SUBJECT: Request to Name Two Council Members to a Park Facilities Selection Committee**

#### **REPORT IN BRIEF**

Consider naming two City Council members to a Selection Committee for the purpose of considering a request to name a park bench after Bob McKissick.

#### **RECOMMENDATION**

**City Council** - Adopt a motion naming two City Council members to a Selection Committee to consider a request to name a park bench after Bob McKissick.

Assistant to the City Manager Mike CONWAY gave a brief report on naming two Council Members to a Park Facilities Selection Committee.

**A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Serratto, to appoint Council Member Pedrozo and Council Member Belluomini to a Park Facilities Selection Committee. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 0

### H.2. Request to Add Item to Future Agenda

There were no items added.

### H.3. City Council Comments

Council Member BELLUOMINI reported on attending the 2017 American Planning Association Conference in Sacramento.

Council Member PEDROZO reported on attending the Merced Feast Event and filling in for Mayor MURPHY at the Merced County Association of Governments meeting. He also spoke on the Merced Fire Department Breast Cancer fundraiser. He reported on attending the Veterans Center ribbon cutting ceremony. He also announced the opening of the new Merced High Gym.

Council Member MARTINEZ reported on attending the Merced Feast Event and the Golden Valley High School versus El Capitan High School football game.

Mayor Pro Tempore BLAKE reported on attending a church event to hear Council Member BELLUOMINI sing.

Council Member SERRATTO reported on attending a church event to hear Council Member BELLUOMINI sing and a park cleanup at Fahren's Park.

Mayor MURPHY reported on attending a small town hall meeting at Merced High School, touring the new Merced High School gym, Integrated Regional Water Authority Meeting, the Merced Feast Event, and City County Dinner in Atwater. He also congratulated Council Members PEDROZO, SERRATTO, and Assistant City Manager Stephanie DIETZ on their 20 under 40 achievement. He also reported on attending the Annual Homeless Connect Event, Fire Department promotion and swearing-in ceremony, and a Kiwanis Club Meeting.

## I. ADJOURNMENT

**Clerk's Note:** The Regular Meeting was adjourned at 9:33 PM.

**A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Pedrozo, to adjourn the Regular Meeting in honor of the victims of the Las Vegas shooting. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 0