



# 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 16, 2017

6:00 PM

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#### A. CALL TO ORDER

Mayor MURPHY called the Regular Meeting to order at 6:01PM.

A.1. Invocation - Bruce Logue, Life Spring Church

The invocation was delivered by Bruce LOGUE from Life Spring Church.

A.2. Pledge of Allegiance to the Flag

City Manager Steve CARRIGAN 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. Certificate of Achievement - Jackie Hicks, Code Enforcement Officer of the Year

Mayor MURPHY presented Code Enforcement Officer Jackie HICKS with the Certificate of Achievement for Code Enforcement Officer of the Year.

#### D. SPECIAL PRESENTATIONS

D.1. **SUBJECT:** Regional Transportation Plan

**REPORT IN BRIEF**

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Presentation by MCAG Executive Director, Patrick Pittenger and MCAG Senior Planner, Matt Fell

**RECOMMENDATION**

For Information Only

Merced County Association of Governors (MCAG) Senior Planner Matt FELL gave a slide show presentation on the updated Regional Transportation Plan.

Council Member MARTINEZ asked about the amount needed to spend on roads.

Mr. FELL explained how MCAG receives information in order to project maintenance dollars.

**E. WRITTEN PETITIONS AND COMMUNICATIONS**

There were none.

**F. ORAL COMMUNICATIONS**

John FLORES, Merced - spoke on the Graffiti Abatement contract.

Barbara ROLAND, Merced - spoke on stray dogs in the south side neighborhoods, repairing streets between 8th Street and N Street, City tree trimming, and activities for the youth.

Rachelle ABRIL, Merced - spoke on a traffic ticket she had received.

Monica VILLA, Merced - spoke on an article in the "Merced County Times."

Kelly TURNER, Merced - spoke on the Family Fall Festival Event. She also gave an update on the Symple Equazion program.

**G. CONSENT CALENDAR**

Items G.2. Information Only-Planning Commission Minutes of June 21, 2017, G.5. City of Merced Debt Policy and Continuing Disclosure Policy, G.8. First Amendment to Landscape Maintenance Services Agreement - "G" Street Undercrossing Landscape Development, G.11. Agreement for Graffiti Abatement Services, and G.17. Approve Budget transfer to Support Professional Services Agreements to Facilitate a Public Opinion Survey, were pulled for further 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

**G.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.**

**G.3. SUBJECT: City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of September 18, 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 18, 2017.

**This Consent Item was approved.**

**G.4. SUBJECT: Second Reading of Ordinance Regarding Water Shortage Regulations and Conservation**

**REPORT IN BRIEF**

Second reading of previously introduced ordinance.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **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 with an effective date of May 1, 2018.

**This Consent Item was approved.**

**G.6.**

**SUBJECT:** Fourth Amendment to Subdivision Agreement for the Summer Creek, Phase 2 Subdivision

**REPORT IN BRIEF**

Extends the subdivision agreement completion time to November 1, 2022.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the fourth amendment to the Subdivision Agreement for the Summer Creek, Phase 2 Subdivision extending the time of completion to November 1, 2022, and authorizing the City Manager or Assistant City Manager to execute the necessary documents.

**This Consent Item was approved.**

**G.7.**

**SUBJECT:** Consulting Agreement with ControlPoint Engineering, Inc., for Electrical Engineering Services

**REPORT IN BRIEF**

Considers approving a three-year consulting agreement for specialized electrical engineering services for design, development, maintenance and related tasks related to the City's SCADA system.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the Consulting and Professional Services Contract with ControlPoint Engineering, Inc., for a three-year term, and authorizing the City Manager or Assistant City Manager to execute the necessary documents.

**This Consent Item was approved.**

**G.9.**

**SUBJECT:** Purchase of Approved Fleet Vehicles Through the National Joint Powers Alliance and Houston Galveston Area Council Government Buy Procurement Programs and Waiver of the Competitive Bidding Requirement

**REPORT IN BRIEF**

Considers waiving the competitive bidding requirement for the purchase of eighteen previously budgeted and Council approved fleet vehicles through two government procurement programs.

**RECOMMENDATION**

**City Council** - Adopt a motion waiving the City's competitive bidding requirement to purchase eighteen vehicles through the National Joint Powers Alliance (NJPA) and Houston Galveston Area Council Buy (HGACBuy) government procurement programs, and authorizing the City Buyer to issue the purchase orders.

**This Consent Item was approved.**

**G.10.**

**SUBJECT:** 2017 Bulletproof Vest Partnership Grant

**REPORT IN BRIEF**

Accept grant award for reimbursement of bulletproof vest expenses.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving a supplemental appropriation in the amount of \$4,690 in grant funds to account 061-1026-522.29-00 for 50% of the costs associated with the purchase of bulletproof vests; and,

B. Accepting and increasing the revenue budget in the amount of \$4,690 in account 061-1026-324.37-00 for the grant award amount; and,

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

**This Consent Item was approved.**

**G.12.**

**SUBJECT:** Animal Control Contract with the County of Merced

**REPORT IN BRIEF**

Contract approval to provide services for the housing and handling of animals impounded at the Merced County Animal Control Shelter.

**RECOMMENDATION**

**City Council** - Adopt a motion approving a contract with the County of

Merced to provide services for the housing and handling of animals impounded at the Merced County Animal Control Shelter, and authorizing the City Manager or Assistant City Manager to execute the necessary documents.

**This Consent Item was approved.**

**G.13.**

**SUBJECT:** Accept Donated Food Products for the Fire Department's Open House and Firefighter's Pancake Breakfast

**REPORT IN BRIEF**

Accept donated food products from McLane Company, Inc. for the Fire Department's Open House and Firefighter's Pancake Breakfast and approve the Donation Agreement.

**RECOMMENDATION**

**City Council** - Adopt a motion accepting the food product donation from the McLane Company, Inc. for the City Fire Department's Open House and Firefighter's Pancake Breakfast and authorizing the City Manager or Assistant City Manager to execute the Donation Agreement.

**This Consent Item was approved.**

**G.14.**

**SUBJECT:** Fiscal Year 2017-18 Hazardous Materials Emergency Preparedness (HMEP) Planning Subaward

**REPORT IN BRIEF**

Considers accepting California Governor's Office of Emergency Services (Cal OES) FY 2017-18 Hazardous Materials Emergency Preparedness (HMEP) Planning Subaward, appropriating the funds, and the using of pooled cash to cover the appropriation until grant funds are reimbursed.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Accepting and Appropriating Fiscal Year 2017-18 Hazardous Materials Emergency Preparedness (HMEP) Planning Subaward funds in the amount of \$55,000, as revenue in account 001-0901-321-17-00; and,

B. Appropriating \$55,000 to account 001-0901-522.17-00 for

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professional services; and,

C. Authorizing the use of pooled cash to cover the appropriation until grant funds are reimbursed; and,

D. Approving **Resolution 2017-55**, a Resolution of the City Council of the City of Merced, California, authorizing the City Manager to execute the California Governor's Office of Emergency Services Fiscal Year 2017-18 Grant Assurances Agreement, and;

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

**This Consent Item was approved.**

**G.15.**

**SUBJECT:** Contract for Advocacy Services With Townsend Public Affairs, Inc. for Legislative Affairs Advocacy and Consulting Services

**REPORT IN BRIEF**

Considers approving a contract with Townsend Public Affairs, Inc. for Legislative Affairs Advocacy and Consulting Services.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the contract for legislative affairs advocacy and consulting services with Townsend Public Affairs, Inc., appropriating \$20,000 from unappropriated, unreserved fund balance of the General Fund and authorizing the City Manager or Assistant City Manager to execute the necessary documents.

**This Consent Item was approved.**

**G.16.**

**SUBJECT:** Supplemental Budget Appropriation in the Amount of \$100,000 to fund the Sub-Standard Property Pilot Program

**REPORT IN BRIEF**

Consider approving additional funding in the amount of \$100,000 to fund the Sub-Standard Property Pilot Program in the City of Merced.

**RECOMMENDATION**

**City Council** - Adopt a motion approving a supplemental appropriation from the unappropriated reserves of the General Fund for \$100,000, transfer to fund 077 and appropriate the same in fund 077 to provide additional funding to support the Sub-Standard Property Pilot

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Program within the City of Merced

This Consent Item was approved.

**G.2.**

**SUBJECT:** Information Only-Planning Commission Minutes of June 21, 2017

**RECOMMENDATION**

For information only.

Council Member BELLUOMINI pulled this item to suggest omitting the environmental impact documents attached to the Planning Commission minutes.

**A motion was made by Council Member Belluomini, 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

**G.5.**

**SUBJECT:** City of Merced Debt Policy and Continuing Disclosure Policy

**REPORT IN BRIEF**

Consider adopting Debt Policy and Continuing Disclosure Policy in compliance with Senate Bill 1029.

**RECOMMENDATION**

**City Council - Adopt Resolution 2017-53**, a resolution of the City Council of Merced, California, adopting Debt Policy and Continuing Disclosure Policy.

Council Member BELLUOMINI pulled this item to ask if the debts of issuance can finance equipment long-term. He also stated that he had sent an email to Staff regarding this item which had been distributed to Council Members.

Interim Finance Officer Venus RODRIGUEZ stated that she had received several questions many of which she needed direction from disclosure counsel and municipal financial advisor prior to answering. She stated that the Debt Policy is to be used as a general guideline. She explained that SB 1029 requires a city debit policy before therefunding of the Bellevue



Ranch West debt can occur requiring the policy to be approved tonight.

Mayor MURPHY suggested bringing the questions back for discussion at a future meeting.

Council discussed the email Council Member BELLUOMINI sent.

Assistant City Manager Stephanie DIETZ discussed the issues that need to be addressed regarding the Debt Policy and Continuing Disclosure Policy.

Interim City ATTORNEY Jolie HOUSTON stated that the questions in the email from Council Member BELLUOMINI were more suited to when projects come before Council, not the policy itself.

**A motion was made by Council Member Pedrozo, seconded by Council Member Serratto, to approve this item and to bring this item back to the December 4th meeting with the points to the questions that were made. 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

**G.8.**

**SUBJECT: First Amendment to Landscape Maintenance Services Agreement - "G" Street Undercrossing Landscape Development**

**REPORT IN BRIEF**

Consider approving a one-year extension with Yard Masters, Incorporated, for the period of August 1, 2017 through June 30, 2018, for landscape maintenance services at the "G" Street railroad undercrossing landscape development.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the First Amendment to Agreement for Landscape Services with Yard Masters, Incorporated, in the amount of \$27,500, to provide landscape maintenance services at the "G" Street undercrossing landscape development; and,

B. Authorizing the City Manager or Assistant City Manager to sign the

necessary documents.

Council Member BELLUOMINI pulled this item by mistake.

**A motion was made by Council Member Pedrozo, seconded by Council Member McLeod, 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

**G.11.**

**SUBJECT:** Agreement for Graffiti Abatement Services

**REPORT IN BRIEF**

Considers approving an agreement for graffiti abatement between the City of Merced and Paul Creighton of Environmental Compliance Resources (ECR) for 1 year.

**RECOMMENDATION**

**City Council** - Adopt a motion approving a one year agreement with ECR for graffiti abatement services and authorizing the City Manager or Assistant City Manager to execute all the necessary documents.

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

Police Captain Matt WILLIAMS gave a brief report on the graffiti abatement services contract.

Council Member MARTINEZ asked about the type of data collected by the company or City for abatement. He stated support for the graffiti abatement contractor and also suggested art projects to prevent graffiti.

Captain WILLIAMS explained that the contractor takes pictures of the graffiti and puts geo locations on them and provides the data to the Police Department's Data Analyst.

Council Member MCLEOD stated support for the graffiti abatement and also suggested having a broader discussion on alternative solutions.

Council Member PEDROZO asked about the data collected and if it is separated into different categories.

Captain WILLIAMS explained the different types of graffiti and stated that

he was unsure if the data is separated into different categories.

Council Member SERRATTO spoke on the negative perception of graffiti throughout the City.

Brenda ROJAS, Merced - spoke on the negative outlook of Merced.

Ribaldo HERRERA, Merced - spoke on investing in creating murals and beautifying the City.

Jazz DIAZ, Merced - spoke on investing money in local artists.

Patricia PRATT, Merced - spoke on the dollars that were invested on art and on graffiti abatement.

Mauro CARRERA, Fresno - spoke on the positive effect of art in the City.

John FLORES, Merced - spoke on the importance of art in the community.

Mayor MURPHY spoke on collaborations the City has with the arts community and his support for murals in the City.

Police Chief Norm ANDRADE spoke on the vandalism that occurs and the cleanup that needs to happen.

Council Member PEDROZO stated his support for the contract and encouraged a future conversation on the arts.

Council Member SERRATTO stated his support for the contract.

**A motion was made by Council Member Belluomini, seconded by Mayor Pro Tempore Blake, 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

**G.17.**

**SUBJECT: Approve Budget Transfer to Support Professional Services Agreements to Facilitate a Public Opinion Survey**

**REPORT IN BRIEF**

Consider approving budget transfers from the Public Facilities

Financing Fees - Police for \$42,000 to support professional services agreements to facilitate a Public Opinion Survey as directed by the City Council.

#### **RECOMMENDATION**

**City Council** - Adopt a motion approving transfers from Public Facilities Financing Fees - Police in the amount of \$21,000 from Fund 047, and \$21,000 from Fund 057 to Fund 449 Public Safety CIP, and appropriating the same amount to Project #116040 New Police Headquarters.

Mayor MURPHY pulled this item to ask about Council involvement with developing questions for the survey.

Assistant City Manager Stephanie DIETZ explained the process of developing the public opinion survey.

Council Member BELLUOMINI requested to be involved with the development of the survey questions.

Council Member MARTINEZ stated his interest in being involved in the development of the survey questions.

Ms. DIETZ explained that the results of the survey would be brought back for Council consideration.

City Manager Steve CARRIGAN stated that if two Council Members wanted to be involved in the development of the survey, they would have to form a subcommittee and meet right away.

Council Member MCLEOD asked for clarification on the development of the survey.

Ms. DIETZ explained the research that the consultants have done for the development of the survey.

Council Member PEDROZO asked about the timeline of the survey.

Ms. DIETZ explained the timeline of the survey in order to have a quick turnaround time for the November ballot.

**A motion was made by Council Member Pedrozo, seconded by Council Member Belluomini, to approve this item and appoint Mayor Murphy and Council Member Belluomini to the subcommittee. 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. REPORTS

### H.1. **SUBJECT:** Investment Advisory Services and Trust 115 for Pension Liability

#### **REPORT IN BRIEF**

Request City Council direction to move forward with Investment Advisory Services and Trust 115 for Pension Liability. Consider naming two City Council members to a Selection Committee.

#### **RECOMMENDATION**

**City Council** - Adopt a motion:

A. Directing staff to Issue a Request for Proposal for Investment Advisory Services; and

B. Directing staff to evaluate the benefits of establishing a Trust 115 for Pension Liability and, if determined beneficial, Issue a Request for Quote or Proposal; and

C. Naming two City Council members to a Selection Committee.

Interim Finance Officer Venus RODRIGUEZ gave a slide show presentation on the Investment Advisory Services and Trust 115 for Pension Liability.

City Manager Steve CARRIGAN asked if the discount rate could be reduced to 6.25% and how it could affect the City.

Ms. RODRIGUEZ explained that the discount rate is likely to be reduced again and that the timeline for that is unknown. She also stated that if the discount rate were lowered, the unfunded liability would increase.

Mayor MURPHY asked about the additional investment dollars regarding the Trust 115 Fund and how to find dollars to invest in the Trust 115 Fund.

Ms. RODRIGUEZ explained that investing in trust funds could potentially

earn more interest than CalPers. She also stated that they would be exploring options to find funds to invest in.

Council Member Martinez asked about a timeframe to use the money.

Ms. RODRIGUEZ explained that it is still an unknown.

Council Member MARTINEZ asked if the City could use money in the trust in an emergency.

Ms. DIETZ explained the reimbursement option the City has in case of an emergency.

Council Member MARTINEZ asked for clarification on Council direction.

Mayor MURPHY explained that the request for proposal was to hire outside expertise to help with the trust fund.

Ms. DIETZ suggested that the firms could present their proposals to Council to educate them on Trust 115 Funds.

Council Member BELLUOMINI asked for clarification on the use of the Trust 115 Fund.

Ms. RODRIGUEZ explained that the City has discretion on the use of the Trust 115 Fund.

**A motion was made by Council Member Belluomini, seconded by Council Member McLeod, to direct staff to issue a request for proposal for investment services, to direct staff to research and potentially issuing a request for proposal, and to appoint Council Member McLeod, Council Member Martinez, and Council Member Pedrozo to the 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.

**SUBJECT:** Quarterly Update on City Council Goals and Priorities

### REPORT IN BRIEF

Staff will provide a quarterly update on City Council Goals and Priorities.

Assistant City Manager Stephanie DIETZ gave a slide show presentation

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updating the Council Priorities.

Council Member PEDROZO suggested adding High Speed Rail to the priority list.

Ms. DIETZ stated that the High Speed Rail is part of multiple departments.

Council Member BELLUOMINI asked about the consultant for the industrial park.

Ms. DIETZ stated that the Consultant would expedite the process of the industrial park project.

Council Member BELLUOMINI asked for clarification on developing City-owned property at the Airport Industrial Park.

Economic Development Director Frank QUINTERO explained the opportunities the City has with potential clients interested in the Airport Industrial area.

Council Member BELLUOMINI asked about railroad quiet zones and street trees.

Ms. DIETZ discussed a feasibility study that the City is working on to get a broader understanding of what is needed to potentially implement railroad quiet zones.

Director of Public Works Ken ELWIN stated that they will be planting trees throughout the City per the grant that was awarded.

Council Member MARTINEZ asked about the recruitment of a Recreation and Parks Director.

Ms. DIETZ stated that the recruitment is currently open and will close at the end of October.

Council Member BELLUOMINI asked about a mid-year budget review.

City Manager Steve CARRIGAN stated that the mid-year budget review will be the first meeting in February.

Mayor MURPHY asked about the new refuse workers and the opening of the City Refuse Center.

Mr. ELWIN discussed the training that the new refuse workers are doing. He also stated that the City needs approval from the County to open the Refuse Center.

Mayor MURPHY asked about the widening of Yosemite Avenue.

Mr. ELWIN stated that the widening of Yosemite Avenue is in the design phase and the plans will go out to bid at the end of the calendar year.

Mayor MURPHY asked about the staffing for dispatch.

Police Chief Norm ANDRADE discussed the need for staffing for dispatch positions.

## **I. BUSINESS**

### **I.1. Request to Add Item to Future Agenda**

Council Member BELLUOMINI requested to add the debt policy to the first meeting in December.

### **I.2. City Council Comment**

Council Member BELLUOMINI reported on attending the Fire Department's Pancake Breakfast. He spoke on Assembly Bill 313 by Adam Gray.

Council Member PEDROZO reported on attending the Fire Department's Pancake Breakfast and the Catholic Charities Harvest of Hope Dinner. He also spoke at a Cub Scout's meeting. He reported on attending the Merced County Association of Governments' One Voice Planning Meeting.

Council Member MARTINEZ reported on attending an event at Merced College.

Council Member MCLEOD reported on attending a local gathering of women in leadership roles in the community.

Council Member BLAKE reported on attending the Fire Department's Pancake Breakfast.

Mayor MURPHY reported on attending the ribbon cutting of the new Merced High School gym, representing the City at the American Legion Hall, the Fire Department's Pancake Breakfast, the memorial for the Riley Brothers, and the NAACP annual dinner. He also spoke about the Field of



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Honor at Merced College for Veteran's Day.

## J. ADJOURNMENT

**Clerk's Note:** The Regular Meeting was adjourned at 8:47 PM.

**A motion was made by Mayor Pro Tempore Blake, seconded by Mayor Murphy, to adjourn the Regular Meeting in memory of former Police Officer Ken Coe. 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