



# 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, August 20, 2018

7:00 PM

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#### A. CALL TO ORDER

Mayor MURPHY called the Regular Meeting to order at 7:02 PM.

A.1. Invocation - Pastor Keith French, This Ain't Your Mama's Church

The invocation was delivered by Pastor Keith FRENCH from This Ain't Your Mama's Church.

A.2. Pledge of Allegiance to the Flag

Council Member SERRATTO led the Pledge of Allegiance to the Flag.

#### B. ROLL CALL

**Present:** 6 - Council Member Michael Belluomini, Council Member Anthony Martinez, Mayor Pro Tempore Jill McLeod, Council Member Joshua Pedrozo, Council Member Matthew Serratto, and Mayor Mike Murphy

**Absent:** 1 - Council Member Kevin Blake

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. WRITTEN PETITIONS AND COMMUNICATIONS

There were none.

#### D. ORAL COMMUNICATIONS

Monica VILLA, Merced - spoke on city parks and various topics.

#### E. CONSENT CALENDAR

Items E.8. Resolution Opposing the State Water Resources Control Board Substitute Environmental Document, E.9. Award Bid to Rolfe Construction Company for the Yosemite Avenue Improvement Project 113055, and

E.10. Award Bid to Telfer Pavement Technologies, LLC for the Scrub Seal Project at Various Locations, Project No. 118039; were pulled for separate consideration.

### Approval of the Consent Agenda

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

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

**No:** 0

**Absent:** 1 - Council Member Blake

**E.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.**

**E.2.****SUBJECT: Information Only - Recreation & Parks Commission Minutes of February 27, 2017, August 28, 2017, September 25, 2017, November 27, 2017, January 22, 2018, February 26, 2018, March 26, 2018, April 23, 2018, May 29, 2018, June 25, 2018**

**RECOMMENDATION**

For information only.

**This Consent Item was approved.**

**E.3.****SUBJECT: Information Only-Planning Commission Minutes of June 6, 2018**

**RECOMMENDATION**

For information only.

This Consent Item was approved.

- E.4. **SUBJECT:** Information Only - Measure C Committee Minutes of February 14, 2017 and May 23, 2017

**RECOMMENDATION**

For information only.

This Consent Item was approved.

- E.5. **SUBJECT:** City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of July 16, 2018, July 30, 2018, and August 7, 2018

**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 July 16, 2018, July 30, 2018, and August 7, 2018.

This Consent Item was approved.

- E.6. **SUBJECT:** Notice of Vacancies - Arts and Culture Commission

**REPORT IN BRIEF**

Requests direction for filling vacancies on the newly created Arts and Culture Commission.

**RECOMMENDATION**

**City Council** - Adopt a motion directing staff to notice vacancies on the Arts and Culture Commission and to seek applicants for the position.

This Consent Item was approved.

- E.7. **SUBJECT:** Land Use Determination #18-01 - Finding of Public Convenience or Necessity for Cardenas Market Located at 1136 W. Main Street

**REPORT IN BRIEF**

This report provides options for the City Council to consider making a Finding of Public Convenience or Necessity (PCN), as required by the Department of Alcoholic Beverage Control (ABC) to issue a Type 21 alcohol license (off-sale general allowing the sale of beer, wine, and distilled spirits) for Cardenas Market located at 1136 W. Main Street.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the Finding of Public Convenience or Necessity to allow Cardenas Market, located at 1136 W. Main Street, to obtain a Type 21 license for off-sale general allowing the sale of beer, wine, and distilled spirits (Option #1 as shown in the "Council Action" section of this Administrative Report).

**This Consent Item was approved.**

**E.11.**

**SUBJECT:** Second Reading of an Ordinance Amending Chapter 10.44, "Bicycles," of the Merced Municipal Code

**REPORT IN BRIEF**

Second reading of previously introduced ordinance.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Ordinance 2491**, an Ordinance of the City Council of the City of Merced, California, amending Chapter 10.44, "Bicycles," of the Merced Municipal Code.

**This Consent Item was approved.**

**E.8.**

**SUBJECT:** Resolution Opposing the State Water Resources Control Board Substitute Environmental Document

**REPORT IN BRIEF**

Request council approve resolution opposing the State Water Resources Control Board Substitute Environmental Document.

**RECOMMENDATION**

**City Council** - Adopt a motion approving **Resolution 2018-57**, a Resolution of the City Council of the City of Merced, California, opposing the State Water Resources Control Board Substitute Environmental Document regarding potential changes to the water quality control plan for the San Francisco Bay - Sacramento/San Joaquin Delta Estuary.

Mayor MURPHY pulled this item to discuss the water issue in the Central

Valley.

Council Member BELLUOMINI spoke on the Water Rally that was held in Sacramento.

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

**No:** 0

**Absent:** 1 - Council Member Blake

**E.9.**

**SUBJECT: Award Bid to Rolfe Construction Company for the Yosemite Avenue Improvement Project 113055**

**REPORT IN BRIEF**

Consider awarding a construction contract to Rolfe Construction Company in the amount of \$972,233.25 for the Yosemite Avenue Improvement Project.

**RECOMMENDATION**

**City Council** - Adopt a motion awarding the Yosemite Avenue Improvement Project 113055 to Rolfe Construction Company in the amount of \$972,233.25; and, authorizing the City Manager or Assistant City Manager to execute the necessary documents and to approve change orders not to exceed 10% of the total contract.

Council Member MARTINEZ pulled this item to ask about the cost of the project.

Deputy Public Works Director Steven SON discussed the rising cost of materials.

Council and Mr. SON discussed the projects scope of work, the projected timeline of the project, and funding.

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

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

No: 0

Absent: 1 - Council Member Blake

**E.10.**

**SUBJECT:** Award Bid to Telfer Pavement Technologies, LLC for the Scrub Seal Project at Various Locations, Project No. 118039

**REPORT IN BRIEF**

Consider awarding a construction contract in the amount of \$363,925.00 for the Scrub Seal Project at various locations.

**RECOMMENDATION**

**City Council** - Adopt a motion awarding the Scrub Seal project at various locations, Project No. 118039 to Telfer Pavement Technologies, LLC, in the amount of \$363,925.00; and authorizing the City Manager or Assistant City Manager, to execute the necessary documents and to approve change orders not to exceed 10% of the total contract.

Council Member PEDROZO pulled this item to highlight the project.

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

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

No: 0

Absent: 1 - Council Member Blake

**F. PUBLIC HEARINGS**

**F.1.**

**SUBJECT:** Public Hearing - Potential Introduction of Ordinance 2492, Amending Section 10.16.010, "Speed Limits," of the Merced Municipal Code

**REPORT IN BRIEF**

Consider the introduction of Ordinance 2492 amending Section 10.16.010, "Speed Limits," of the Merced Municipal Code. Amendment to the Speed Limits section consists of modification to speed limits throughout the City.

**RECOMMENDATION**

**City Council** - Adopt a motion introducing **Ordinance 2492**, an

Ordinance of the City Council of the City of Merced, California, amending Section 10.16.010, "Speed Limits" of the Merced Municipal Code.

Deputy Public Works Director Steven SON gave a slide show presentation on the Speed Zone Study.

Council and Mr. SON discussed speed limits on various streets and speed enforcement.

Mayor MURPHY opened the Public Hearing at 7:31 PM.

Frank KLINK, Merced - spoke on his concerns with vehicles speeding on Yosemite Avenue east of McKee Road.

Peter BONSALE, Merced - stated that the Council should have more influence to change the speed limit. He also spoke on his concerns for kids and pedestrians walking in areas of higher speed limits and speed limits in school zones.

Mr. SON explained the speed limits in school zones and the default speed when children are present.

Keith ENSMINGER, Merced - spoke on his concerns with vehicles speeding in his neighborhood. He also spoke on speed bumps, funding for speed bumps, and other traffic measures.

Monica VILLA, Merced - spoke on her concerns for children and high speed limits. She also spoke on shared roads in the downtown area.

Mayor MURPHY closed the Public Hearing at 7:56 PM.

Council and Mr. SON discussed the criteria for placing speed bumps in neighborhoods, public education campaigns, traffic circles, and the difference between County and City speed limits.

Mayor MURPHY discussed the speed limits on various roads. He also requested Mr. Son reevaluate the speed on Yosemite Avenue.

**A motion was made by Council Member Serratto, seconded by Council Member Pedrozo, to approve the introduction of Ordinance 2492. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Blake

**F.2.**                    SUBJECT: Public Hearing - Authorization for Demolition of Well Site  
#3 Elevated Tank, Project No. 117047

**REPORT IN BRIEF**

Consider authorizing actions to remove the elevated water storage tank at Well Site #3, including certification of the Final Environmental Impact Report (EIR).

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Adopting **Resolution 2018- 56**, a Resolution of the City Council of the City of Merced, California, approving and certifying a final Environmental Impact Report for the Well 3 Tank Demolition Project, making findings and determinations, adopting a statement of facts and overriding considerations, and adopting a Mitigation Monitoring Program; and,
- B. Approving an amendment to agreement for professional services (environmental compliance) with Rincon, Incorporated; and,
- C. Approving an agreement for professional services (engineering design services) with Cardno, Incorporated, in the amount of \$88,361; and,
- D. Authorizing the City Manager or Assistant City Manager to execute the necessary documents.

Environmental Project Manager Joe ANGULO gave a brief presentation on the authorization for demolition of well site #3 elevated tank.

Council Member MARTINEZ and Rincon Consultant Eric VONBERG discussed the historic significance of well site # 3 water tower.

Mayor MURPHY opened the Public Hearing at 8:22 PM

Ronnie DE ANDA, Merced - spoke on the historic tower.

Mayor MURPHY closed the Public Hearing at 8:24 PM.

Interim City Attorney Jolie HOUSTON stated that there were typos in the Resolution and to approve the Resolution as amended.

**A motion was made by Council Member Pedrozo, seconded by Mayor Pro Tempore McLeod, that this agenda item be approved as amended. The motion**



carried by the following vote:

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

**No:** 0

**Absent:** 1 - Council Member Blake

## G. REPORTS

### G.1. SUBJECT: Draft Report of the Water Rate Study and Request to Set a Public Hearing Following the Proposition 218 Notification

#### REPORT IN BRIEF

Presentation of the Draft Water Rate & Capital Facility Charge Study.

#### RECOMMENDATION

**City Council** - Adopt a motion:

A. Approving the Water Rate and Capital Facility Charge Study report; and,

B. Authorizing staff to proceed with the Public Notification process following Proposition 218 guidelines; and,

C. Setting a Public Hearing for October 15, 2018, at 6:00 PM to approve the amended rates.

Stantec Consultant Mark HILDABRAND gave a slide show presentation on the Water Rate Study.

Council and Mr. HILDABRAND discussed the annual bill rate, the City of Turlock's commercial rate, and the water connection fee for Capital Facilities.

Mayor MURPHY, Mr. HILDABRAND, and staff discussed surface water usage and future planning of a surface water treatment plant.

Council Member BELLUOMINI and Mr. HILDABRAND discussed Capital Spending Forecast.

**A motion was made by Council Member Pedrozo, seconded by Mayor Pro Tempore McLeod, to approve the water rate and capital facilities charges study report, authorize staff to proceed with the public notification process, and set a Public Hearing for October 15, 2018 . The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Blake

**G.2. SUBJECT: Entry Sign Consultant**

**REPORT IN BRIEF**

Seeks Council direction on hiring entry sign consultant.

**RECOMMENDATION**

Provide Staff with direction regarding the hiring of an entry sign consultant.

City Manager Steve CARRIGAN gave a brief presentation on entry signs.

Council Member PEDROZO stated his opposition of the use of General Fund money for this project.

Council Member BELLUOMINI discussed the importance of Welcome Signs in the City.

Council discussed the Welcome Sign locations by the Campus Parkway off ramp, funding for the project, scope of work proposed, and possibly waiting for mid year to determine any savings.

**A motion was made by Council Member Belluomini, seconded by Mayor Pro Tempore McLeod, to direct staff to hire an entry sign consultant. The motion carried by the following vote:**

**Aye:** 5 - Council Member Belluomini, Council Member Martinez, Mayor Pro Tempore McLeod, Council Member Serratto, and Mayor Murphy

**No:** 1 - Council Member Pedrozo

**Absent:** 1 - Council Member Blake

**H. BUSINESS**

**H.1. SUBJECT: Discussion on a Tax Transparency Oversight Committee**

**REPORT IN BRIEF**

Discussion on potentially combining the Measure C Oversight Committee and the Measure Y Oversight Committee into a Tax Transparency Oversight Committee.

**RECOMMENDATION**

For Information Only

Interim City Attorney Jolie HOUSTON gave a brief presentation on combining the Measure C Oversight Committee and the Measure Y Oversight Committee and creating a Tax Transparency Oversight Committee.

Assistant City Manager Stephanie DIETZ stated that this idea was brought to the Measure C Oversight Committee and that they agreed that combining both Oversight Committee's to form a Tax Transparency Oversight Committee would be beneficial.

Council discussed combining the Measure C Oversight Committee, the Measure Y Oversight Committee, and any future tax or bond measure committees.

Council Member BELLUOMINI requested clearer language in the section on meeting times and roles and duties. He also requested that the committee should report to Council once a year.

Council was in favor of combining the Measure C Oversight Committee and the Measure Y Oversight Committee into a Tax Transparency Oversight Committee.

**Clerk's Note:** No formal action was taken on this item.

H.2.

**SUBJECT:** Establish a Council Subcommittee for Police Station Needs Assessment

**REPORT IN BRIEF**

Establish a subcommittee for police station needs assessment.

**RECOMMENDATION**

Provide staff direction on establishing a subcommittee.

Assistant City Manager Stephanie DIETZ gave a brief presentation on establishing a Council Subcommittee for Police Station needs assessment.

**A motion was made by Council Member Pedrozo, seconded by Council Member Serratto, to appoint Council Member Blake, Council Member Belluomini, and Mayor Pro Tempore McLeod to the Council Subcommittee for Police Station needs assessment. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Blake

#### H.3. Request to Add Item to Future Agenda

Council Member BELLUOMINI requested to add an item on Accessory Dwelling Units for the September 17th Council Meeting.

#### H.4. City Council Comments

Council Member PEDROZO reported on attending the tour and ribbon cutting of UC Merced's 2020 Plan and the Merced Union High School District Welcome Back meeting. He also spoke on the Water Rally in Sacramento and acknowledged the FFA Students for attending. He also reported on attending the 4th Annual Harvest of Hope dinner.

Council Member BELLUOMINI reported on attending the tour and ribbon cutting of UC Merced's 2020 Plan and the Water Rally in Sacramento. He spoke on visiting the Santa Rosa Mall and commented on the current updates of the mall.

Mayor Pro Tempore MCLEOD spoke on her admiration for the Police Department's Lip Sync Challenge.

Council Member SERRATTO reported on attending the Water Rally in Sacramento.

Council Member MARTINEZ spoke on the Water Rally in Sacramento and participating in the Merced Police Department's Lip Sync Challenge. He reported on attending the tour and ribbon cutting of UC Merced's 2020 Plan and the Merced Union High School District Welcome Back meeting.

Mayor MURPHY reported on attending the tour and ribbon cutting of UC Merced's 2020 Plan, the National Night Out event, the Merced Integrated Regional Water Management Authority meeting, the meet and greet event with the Downtown Neighborhood Association, the Police Department promotions and swearing-in ceremony, the Police Department Lip Sync Challenge, the skate park grand opening, the Merced Union High School District Welcome Back meeting, the Merced County Association of Governments meeting, and the Annual Gala for Playhouse Merced. He also spoke on the Water Rally in Sacramento.

## I. ADJOURNMENT

**Clerk's Note:** The Regular Meeting was adjourned at 10:05 PM.

**A motion was made by Council Member Belluomini, seconded by Council Member Pedrozo, to adjourn the Regular Meeting. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Blake