CITY OF MERCED

Minutes

City Council/Public Finance and Economic Development Authority/Parking Authority

City Council Chamber
Merced Civic Center
2nd Floor
678 W. 18th Street
Merced, CA 95340

Tuesday, February 18, 2020 **6:00 PM**

A. CLOSED SESSION ROLL CALL

Present: 6 - Mayor Mike Murphy, Mayor Pro Tempore Matthew Serratto, Council Member Kevin Blake, Council Member Fernando Echevarria, Council Member Anthony Martinez, and Council Member Delray Shelton

Absent: 1 - Council Member Jill McLeod

B. CLOSED SESSION

Mayor MURPHY called the Closed Session to order at 5:03 PM.

Clerk's Note: Mayor Pro Tempore SERRATTO arrived at 5:04 PM.

B.1. **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Steve Carrigan; Employee Organization: American Federation of State, County, and Municipal Employees (AFSCME) Council 57; Local 2703; International Association of Fire Fighters, Local 1479; Merced Association of City Employees (MACE). AUTHORITY: Government Code Section 54957.6

B.2. **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Steve Carrigan; Employee Organizations: Merced Police Officers' Association (MPOA). AUTHORITY: Government Code Section 54957.6

B.3. **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Steve Carrigan; Employee Organizations: Merced Association of Police Sergeants. AUTHORITY: Government Code Section 54957.6

B.4. **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION; Englert, et. al. v. City of Merced; Case No. 1:18-CV-01239-LJO-EPG; AUTHORITY: Government Code Section 54956.9(d)(1)

B.5. **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - EXISTING

LITIGATION; McKinnon, et. al. v. City of Merced; Case No. 1:18-CV-01124-LJO-SAB; AUTHORITY: Government Code Section 54956.9(d)(1)

Clerk's Note: Council adjourned from Closed Session at 5:53 PM.

C. CALL TO ORDER

Mayor MURPHY called the Regular Meeting to order at 6:03 PM.

C.1. Invocation - Joel Dorman, First Baptist Church

The inovcation was delivered by Joel DORMAN from First Baptist Church.

C.2. Pledge of Allegiance to the Flag

Mayor Pro Tempore SERRATTO led the Pledge of the Allegiance to the Flag.

D. ROLL CALL

Clerk's Note: Council Member MCLEOD arrived at 6:04 PM.

Present: 7 - Mayor Mike Murphy, Mayor Pro Tempore Matthew Serratto, Council Member Kevin Blake, Council Member Fernando Echevarria, Council Member Anthony Martinez, Council Member Jill McLeod, and Council Member Delray Shelton

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. **SUBJECT:** Arts and Culture Advisory Commission Annual Report

REPORT IN BRIEF

The Annual Report will be given by Colton Dennis, Chair of the Arts and Culture Advisory Commission

RECOMMENDATION

For Information-Only.

Arts and Culture Advisory Commission Chair Colton DENNIS gave a slide show presentation on the Arts and Culture Advisory Commission Annual Report.

Mayor Pro Tempore SERRATTO and Mr. DENNIS discussed process and funding for various art projects.

G. WRITTEN PETITIONS AND COMMUNICATIONS

There were none.

H. ORAL COMMUNICATIONS

Monica VILLA, Merced - spoke on various topics.

I. CONSENT CALENDAR

Items I.6. Approval of an Increase of $240,000 in Development Services Revenue Account 017-0805-310.03-00 License and Permits/Construction Permits, Appropriating $220,000 in Development Services Expenditure Account 017-0805-512.17-00 Professional Services for Fiscal Year 219-2020, and Appropriating $20,000 in Development Services Expenditure Account 017-0805-511.04-01 Regular Overtime for Fiscal Year 201-2020 and I.8. Approval of the Updated 2020-21 Regional, State, and Federal Legislative Platform; were pulled for separate consideration.

Approval of the Consent Agenda

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

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

No: 0

Absent: 0

I.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.

I.2. **SUBJECT:** Information Only - Planning Commission Meeting Minutes of January 8, 2020

RECOMMENDATION

For information only.

This Consent Item was approved.

I.3. **SUBJECT:** Information Only - Site Plan Approval Committee Meeting Minutes of July 18, October 10, October 24, and December 5, 2019

RECOMMENDATION

For information only.

This Consent Item was approved.

I.4. **SUBJECT:** Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of January 21, 2020

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 January 21, 2020.

This Consent Item was approved.

I.5. **SUBJECT:** Approval of Street Closure Request #20-01 by Merced LGBTQ Alliance to Host the Annual Merced LGBTQ Alliance Pride 2020 Event, Located on W. Main Street Between M and K Streets (Including Bob Hart Square); and Canal Street Between W. Main Street and Arbor Lane, on Saturday, May 2, 2020, from 10:00 a.m. to 11:00 p.m.

REPORT IN BRIEF

Considers approving a request by the Merced LGBTQ Alliance for the closure and use of City streets and Bob Hart Square on Saturday, May 2, 2020, for the Annual Merced LGBTQ Alliance Pride 2020 event. The request seeks approval to close W. Main Street, between M and K Streets, including Bob Hart Square, and Canal Street between W. Main Street and Arbor Lane, on Saturday, May 2, 2020, from 10:00 a.m. to 11:00 p.m.

RECOMMENDATION

City Council - Adopt a motion approving the street closure of W. Main Street between M and K Streets, including the use of Bob Hart Square, and Canal Street between W. Main Street and Arbor Lane, on Saturday, May 2, 2020, from 10:00 a.m. to 11:00 p.m., subject to the details and conditions outlined in the administrative staff report.

This Consent Item was approved.

I.7.

SUBJECT: Acceptance of $40,826.00 in Fiscal Year 2017 State Homeland Security Grant Program (SHSGP) Funds, Waiver of the Competitive Bidding Requirements to Maintain the Radios and Equipment Standards, and Authorization to Purchase the Portable Radios and Radio Equipment

REPORT IN BRIEF

Considers accepting $40,826.00 in Fiscal Year 2017 SHSGP funds for the purchase of Portable Radios and Radio Equipment as revenue, appropriating supplemental funds, using pooled cash to cover the appropriation until grant funds are reimbursed, and waiving the competitive bidding requirements.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting Fiscal Year 2017 SHSGP grant funds in the amount of $40,826.00 as revenue in the Intergovernmental - State Governments Grants - Other State Grants account 001-0901-324.02-00; and

B. Appropriating $40,826.00 to the Machinery/Equipment account 001-0901-523.43-00 to purchase portable radios and radio equipment; and

C. Waiving the competitive bidding requirements to maintain the radios and equipment standards; and

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

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

This Consent Item was approved.

I.9.

SUBJECT: Adoption of Resolution Setting a Public Hearing for March 16, 2020 to Consider the Work and Expense Report and Any Protest or Objections Thereto for the Abatement Work Done for 1716 East 23rd Street (Abatement of Public Nuisance and Demolition of Building)

REPORT IN BRIEF

Considers setting a public hearing to hear the work and expense report for the abatement work done for 1716 East 23rd Street.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2020-06**, a Resolution of the City Council of the City of Merced, California, receiving the cost of assessment and report on 1716 (APN 034-063-006) East 23rd Street, Merced, California, and setting a public hearing thereon for March 16, 2020.

This Consent Item was approved.

I.6.

SUBJECT: Approval of an Increase of $240,000 in Development Services Revenue Account 017-0805-310.03-00 License and Permits/Construction Permits, Appropriating $220,000 in Development Services Expenditure Account 017-0805-512.17-00 Professional Services for Fiscal Year 2019-2020, and Appropriating $20,000 in Development Services Expenditure Account 017-0805-511.04-01 Regular Overtime for Fiscal Year 2019-2020

REPORT IN BRIEF

Considers approving an increase of $240,000 in Development Services Department revenue account 017-0805-310.03-00 License and Permits/Construction Permits; approving an appropriation of $220,000 in Development Services expenditure account 017-0805-512.17-00 Professional Services for Fiscal Year 2019-2020; and approving an appropriation of $20,000 in Development Services

expenditure account 017-0805-511.04-01 Regular Overtime for Fiscal Year 2019-2020.

RECOMMENDATION

City Council - Adopt a motion approving an increase of $240,000 in Development Services revenue account number 017-0805-310-00 (License and Permits/Construction Permits); approving an appropriation of $220,000 in Development Services expenditure account number 017-0805-512.17-00 Professional Services; and approving an appropriation of $20,000 in Development Services expenditure account 017-0805-511.04-01 Regular Overtime for Fiscal Year 2019-2020.

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

Director of Development Services Scott MCBRIDE and Chief Building Official Denise FRAZIER discussed appropriating funds to continue the plan review, permitting and inspection services.

Council Member MARTINEZ and Ms. FRAZIER discussed the appropriation of funds.

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

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

No: 0

Absent: 0

I.8. **SUBJECT:** Approval of the Updated 2020-21 Regional, State and Federal Legislative Platform

REPORT IN BRIEF

Consider approving the updated 2020-21 Regional, State, and Federal Legislative Platform.

RECOMMENDATION

City Council - Adopt a motion adopting the updated 2020-21 Regional, State and Federal Legislative Platform.

Council Member MARTINEZ pulled this item to discuss rent control and local control regarding the Regional, State and Federal Legislative

Platform.

Council and staff discussed rent and local control.

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

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

No: 0

Absent: 0

J. PUBLIC HEARINGS

J.1.

SUBJECT: Public Hearing to Consider Amendments to Chapter 2.52, "Bicycle Advisory Commission" of the Merced Municipal Code to Expand the Role of the Bicycle Advisory Commission to Include all Modes of Active Transportation

REPORT IN BRIEF

Considers the expansion of the Merced Bicycle Advisory Commission's scope to include all modes of Active Transportation, in accordance with the recommendations made in the City's adopted Active Transportation and Safe-Routes-to-School Plan.

RECOMMENDATION

City Council - Adopt a motion introducing **Ordinance 2513**, an Ordinance of the City Council of the City of Merced, California, amending Chapter 2.52, "Bicycle Advisory Commission" of the Merced Municipal Code.

Principal Planner Michael HREN gave a brief presentation on the proposed amendments to the Bicycle Advisory Commission Ordinance.

Mayor MURPHY opened the Public Hearing at 6:48 PM.

Lisa KAYSER-GRANT, Merced Bicycle Coalition, Merced - spoke on expanding the representation to a Bicycle/Pedestrian Advisory Commission.

Tom HOTHEM, Merced - spoke on expanding representation and inclusivity by having a complete streets plan in place.

Mayor MURPHY closed the Public Hearing at 6:53 PM.

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

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

No: 0

Absent: 0

K. REPORTS

K.1.

SUBJECT: Mid-Year Budget Review for Fiscal Year 2019-2020 Including Requests for Approval of General Fund Supplemental Appropriations and Budget Amendments in Various Funds Totaling $214,500

REPORT IN BRIEF

Presents the Fiscal Year 2019-2020 Mid-Year Financial Report and seeks approval for General Fund Supplemental Appropriations and Budget Amendments in Various Funds totaling $214,500.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a Supplemental Appropriation from the unreserved, unencumbered General Fund balance in the amount of $14,500, transferring to Fund 024 Parks and Community Services and appropriating the same; and,

B. Approving a Supplemental Appropriation from the unreserved, unencumbered General Fund balance in the amount of $200,000, transferring to Fund 666 Workers Compensation and appropriating the same.

Finance Officer Venus RODRIGUEZ gave a slide show presentation on the Mid-Year Review for Fiscal Year 2019-2020.

Council, Ms. Rodriguez, City Manager Steve CARRIGAN, and Assistant City Manager Stephanie DIETZ discussed housing project challenges, worker's compensation alternative funding, and revenue savings.

A motion was made by Council Member Blake, seconded by Council Member

Martinez, that this agenda item be approved. The motion carried by the following vote:

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

No: 0

Absent: 0

L. BUSINESS

L.1. **SUBJECT:** Request to Add Item to Future Agenda

REPORT IN BRIEF

Provides members of the City Council to request that an item be placed on a future City Council agenda for initial consideration by the City Council.

No future items were added.

L.2. **SUBJECT:** City Council Comments

REPORT IN BRIEF

Provides an opportunity for the Mayor and/or Council Member(s) to make a brief announcement on any activity(ies) she/he has attended on behalf of the City and to make a brief announcement on future community events and/or activities. The Brown Act does not allow discussion or action by the legislative body under this section.

Council Member MARTINEZ reported on attending the State of the City event and the proposed youth center open house at 27th and K Streets. He also spoke on future events.

Council Member ECHEVARRIA reported on attending the State of the City event. He also spoke on the newly appointed Interim Police Chief and the upcoming Town Hall Meetings.

Mayor Pro Tempore SERRATTO reported on attending the State of the City event, meetings regarding the Loughborough Project, the NAACP Pancake Breakfast, a meeting with Restore Merced, and the BYU Young Ambassadors event.

Council Member MCLEOD reported on attending the State of the City event.

Council Member BLAKE reported on attending the State of the City event.

Council Member SHELTON reported on attending the State of the City event.

Mayor MURPHY spoke on the State of the City event. He also reported on attending a meeting with representatives from the Bay Area Council, a meeting with the Merced City School Superintendent, the BYU Young Ambassadors event, and a meeting in Sacramento on High Speed Rail.

M. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 7:23 PM.

A motion was made by Mayor Murphy, seconded by Mayor Pro Tempore Serratto, to adjourn the Regular Meeting in honor of Mike Salvadori. The motion carried by the following vote:

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

No: 0

Absent: 0