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, April 20, 2020 **6:00 PM**

A. CLOSED SESSION ROLL CALL

Clerk's Note: Council Members BLAKE and SHELTON arrived at 5:15 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

B. CLOSED SESSION

Mayor MURPHY called the Closed Session meeting to order at 5:02 PM.

Clerk's Note: This Closed Session was held via video conference per Governor NEWSOM's Executive Order N-29-20.

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 Association of Police Sergeants. AUTHORITY: Government Code Section 54957.6

B.3. **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

Clerk's Note: Council adjourned from Closed Session at 5:48 PM.

C. CALL TO ORDER

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

Clerk's Note: The Regular Meeting was held via video conference per Governor NEWSOM's Executive Order N-29-20 and roll call votes were taken.

C.1. Invocation - Val Fogelberg, The Church of Jesus Christ of Latter-Day Saints

The invocation was delivered by Val FOGELBERG from The Church of Jesus Christ of Latter-Day Saints.

C.2. Pledge of Allegiance to the Flag

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

D. ROLL CALL

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. Presentation by Economist Dr. Robert Eyler, CIty of Merced - Economics in Time of COVID-19

President, Economic Forensics and Analytics Professor, Economics, Sonoma State University Dr. Robert EYLER gave a slide show presentation on Economics in Time of COVID-19.

Council and Dr. EYLER discussed COVID-19 effects on housing and unemployment.

F.2. Staff Updates on COVID-19

Assistant City Manager Stephanie DIETZ and Fire Chief Billy ALCORN gave a slide show presentation updating Council on COVID-19.

G. CEREMONIAL MATTERS

G.1. **SUBJECT:** Proclamation - Arbor Day

Mayor MURPHY read the Arbor Day Proclamation.

H. WRITTEN PETITIONS AND COMMUNICATIONS

There were none.

I. ORAL COMMUNICATIONS

There was no public input.

J. CONSENT CALENDAR

Item J.3. Acceptance of the 2019 Housing Element Annual Progress Report, Which Describes the City's Progress in Meeting the City's Share of Regional Housing Needs and the Goals and Priorities of the Housing Element Including Number of Entitlements, Permits, Certificates of Occupancy for all Housing Types; was 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

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: Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of March 16, 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 March 16, 2020.

This Consent Item was approved.

J.4.

SUBJECT: Adoption of Resolution Setting a Public Hearing for Monday, May 18, 2020, to Vacate an Easement for a Sewer Lift Station (Including a Temporary Construction Easement for the Sewer Lift Station) and a Public Utilities Easement Located on the West End of the Property at 1610 West 16th Street, Generally Located on the South Side of West 16th Street, Approximately 480 Feet East of North Highway 59 (Vacation #20-01)

REPORT IN BRIEF

Set a public hearing for May 18, 2020, to vacate a 908-square-foot sewer lift station easement, a 980-square-foot temporary construction easement for the sewer lift station, and a 2,791-square-foot public utilities easement, generally located on the west end of the property located at 1610 West 16th Street.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2020-17**, a Resolution of the City Council of the City of Merced, California, declaring its intention to vacate a 908-square-foot sewer lift station easement, a 980-square-foot temporary construction easement, and a 2,791-square-foot public utilities easement, generally located on the west end of the property located at 1610 West 16th Street, and setting time and place for Public Hearing.

This Consent Item was approved.

J.5.

SUBJECT: Approval of Professional Services Agreement with Tristar Risk Management for Workers' Compensation Third Party Claims Administration and Ancillary Services through June 30,

2023 in an Annual Base Amount of $95,000 Plus Additional Fees Required for Bill Review

REPORT IN BRIEF

Approves Tristar Risk Management as the Workers' Compensation Third Party Administrator

RECOMMENDATION

City Council - Adopt a motion approving the contract for workers' compensation third party administrator for claims administration and ancillary services with Tristar Risk Management and authorizing the City Manager or Assistant City Manager to execute the necessary documents.

This Consent Item was approved.

J.6.

SUBJECT: Approval of First Amendment to the Agreement for Labor Relations Consulting to Approve an Additional $60,000 for Labor Contract Negotiations and Employee Related Legal Services with Law Firm of Liebert Cassidy Whitmore, for the Not to Exceed Amount of $160,000

REPORT IN BRIEF

Considers approving first amendment to the Liebert Cassidy Whitmore Agreement for the not to exceed amount of $160,000.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the first amendment to an agreement for professional services with Liebert Cassidy Whitmore for continuing labor relations consulting, labor contract negotiations, and employee related matters in an amount not to exceed $160,000; and,

B. Authorizing the Finance Officer to make any necessary budget adjustments; and,

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

This Consent Item was approved.

J.7.

SUBJECT: Approval of Agreement with Hilda Cantu Montoy, Esq. to Provide Professional Legal Services to the Personnel Board on an

As Needed Basis Through June 30, 2024

REPORT IN BRIEF

An agreement for professional services between the City of Merced and Personnel Board Attorney Hilda Cantu Montoy.

RECOMMENDATION

City Council - Adopt a motion approving the updated agreement with Hilda Cantu Montoy in order to continue to provide legal counsel to the Personnel Board.

This Consent Item was approved.

J.3.

SUBJECT: Acceptance of the 2019 Housing Element Annual Progress Report Which Describes the City's Progress in Meeting the City's Share of Regional Housing Needs and the Goals and Policies of the Housing Element Including Number of Entitlements, Permits, Certificates of Occupancy for All Housing Types

REPORT IN BRIEF

Provides the public an opportunity to provide oral testimony and written comments regarding the 2019 Housing Element Annual Progress Report (APR) during the City Council's consideration of the APR.

RECOMMENDATION

City Council - Adopt a motion accepting the 2019 Housing Element Annual Progress Report.

This item was pulled to allow for public comment.

Clerk's Note: The Following Public Comments were provided via email to Council.

Sheng XIONG, Leadership Council, Merced - expressed the need for equitable housing for all income levels and to review the Annual Progress Report and its programs to assess their effectiveness.

A motion was made by Council Member McLeod, seconded by Mayor Pro Tempore Serratto, 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. PUBLIC HEARINGS

K.1.

SUBJECT: Public Hearing to Consider Parks and Community Services Facilities and Programs Service Fee Schedule Increases

REPORT IN BRIEF

Public Hearing to consider the Parks and Community Services Facilities and Programs fee schedule modification.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2020-19**, a Resolution of the City Council of the City of Merced, California, approving Parks and Recreation program and service fees.

Recreation and Parks Director Joey CHAVEZ gave a brief presentation on the Parks and Community Services Facilities and Programs Service Fee Schedule Increases.

Council and Mr. CHAVEZ discussed facilities use, moving the effective date to 2021, fees impact on City resources, and the voucher program.

Mayor MURPHY opened and subsequently closed the Public Hearing at 7:32 PM due to lack of public participation.

A motion was made by Council Member Blake, seconded by Council Member Echevarria, that this agenda item be tabled. 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.2.

SUBJECT: Public Hearing to Consider the Annexation of Certain Property into CFD No. 14, Calling and Holding a Special Election for Annexation No. 14 into Community Facilities District (CFD) No. 2003-2 (Services) for the Stoneridge South Subdivision and Future Apartment Project; Canvassing the Results of the Election Held within Annexation No. 14 of Said District and Authorizing the Levy of a Special Tax Within Said Annexation No. 14

REPORT IN BRIEF

Hold a public hearing and election for annexation into Community Facilities District No. 2003-2 (Services) for the Stoneridge South Subdivision and Future Apartment Project located east of G Street between Winder Avenue and Mission Avenue.

RECOMMENDATION

City Council - Complete the following items in order:

A. Hold a Public Hearing on the annexation of certain property into the CFD and the levy of special taxes; and,

B. Adopt **Resolution 2020-14**, a Resolution of the City Council of the City of Merced, acting as the Legislative Body of the Community Facilities District No. 2003-2 (Services) of the City of Merced determining the validity of prior proceedings, calling a special election related to Annexation No. 14; and,

C. Hold an election; and,

D. Adopt **Resolution 2020-15**, a Resolution of the City Council of the City of Merced acting as the Legislative Body of the Community Facilities District No. 2003-2 (Services) of the City of Merced canvassing the results of the election held within Annexation No. 14 of said District; and,

E. Adopt **Resolution 2020-16**, a Resolution of the City Council of the City of Merced acting as the Legislative Body of the Community Facilities District No. 2003-2 (Services) of the City of Merced annexing Annexation No. 14 to said district and authorizing the levy of a special tax within said Annexation No. 14.

Associate Planner Julie NELSON gave a slide show presentation on the Community Facilities District 2003-2 Annexation #14 for the Stoneridge South Subdivision and Future Annexation Area.

Mayor MURPHY opened and subsequently closed the Public Hearing at 7:41 PM due to lack of public comment.

Council Member MARTINEZ and Ms. NELSON discussed developing Winder Avenue.

A motion was made by Council Member Martinez, seconded by Council Member Blake, to approve Resolution 2020-14. 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

Assistant City Clerk John TRESIDDER opened the ballot and announced a yes vote for the Annexation #14 to the Community Facilities District No. 2003-2.

A motion was made by Council Member Blake, seconded by Council Member Shelton, to approve Resolution 2020-15 and Resolution 2020-16. 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. REPORTS

L.1.

SUBJECT: Adoption of Resolution Approving the Stoneridge South Subdivision, Phase 1 - Final Map 5369 for 32 Single-Family Lots, Generally Located on the South Side of Winder Avenue at La Habra Street (extended), and the Approval of the Subdivision Agreement for Stoneridge South, Phase 1

REPORT IN BRIEF

Considers the approval of Final Map #5369 for 32 single-family lots, generally located on the south side of Winder Avenue at La Habra Street (extended), and the Subdivision Agreement for Stoneridge South, Phase 1.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2020-13**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Stoneridge South, Phase 1 Subdivision (#5369); and,

B. Approving the Subdivision Agreement for Stoneridge South, Phase 1;

and,

C. Authorizing the City Manager or the Assistant City Manager to execute the subdivision agreement.

Associate Planner Julie NELSON gave a slide show presentation on the Stoneridge South Subdivision Phase 1 Final Map #5369.

Council Member MARTINEZ, Ms. NELSON and City Engineer Michael BELTRAN discussed widening Winder Avenue.

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

M. BUSINESS

M.1. **SUBJECT:** Proposed COVID-19 Recovery Program Discussion

REPORT IN BRIEF

Discussion on the proposed COVID-19 Recovery Program.

RECOMMENDATION

Provide direction to the City Manager on elements to include in a proposed COVID-19 Recovery Program.

City Manager Steve CARRIGAN gave a brief presentation on the Proposed COVID-19 Recovery Program.

Mayor MURPHY and Council Member BLAKE discussed a concept for Council's consideration for a voucher program.

Council discussed the proposed voucher program, establishing a subcommittee, and funding for the proposed voucher program.

Clerk's Note: The Following Public Comments were provided via email to Council.

Sara Hill, Greater Merced Chamber of Commerce - stated the Greater Merced Chamber of Commerce's full support of encouraging local

spending.

Chad ENGLERT, Merced Fire Fighters Local 1479 - expressed supporting local businesses. He also stated his concerns regarding the City's financial health.

Marilyn MOCHEL, Merced - suggested Council should form a Merced Economic Recovery Advisory Group.

Clerk's Note: The Following Public Comments were provided via voicemail to Council.

Matt DAVIS, Owner of Crossfit Merced, Merced - requested Council to allow the re-opening of gyms.

Gloria SANDOVAL on behalf of Eduardo CASTRO, Merced - spoke on the issues that people are facing during the pandemic.

Jovanna MORALES, Merced - encouraged Council to keep in mind the disadvantaged communities during the recovery plan.

Brenda GUTIERREZ, Merced - spoke on the issues that people are facing during the pandemic.

Council continued discussion on the proposed voucher program, forming a subcommittee, and direct aid.

A motion was made by Mayor Murphy, seconded by Council Member McLeod, to form a subcommittee with Mayor Murphy, Council Member Blake and Council Member McLeod.

Council continued discussion after the motion.

Council Member MARTINEZ requested to be on the subcommittee.

Mayor MURPHY withdrew his motion.

A motion was made by Council Member Martinez, seconded by Mayor Pro Tempore Serratto, to direct staff to research the voucher program, the loan program, a utility rebate, and to appoint Mayor Murphy, Council Member McLeod, and Council Member Martinez to a subcommittee. The motion carried by the following vote:

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

No: 1 - Council Member Echevarria

Absent: 0

M.2. **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.

There were no future items added.

M.3. **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 thanked essential workers.

Council Member ECHEVARRIA spoke on the NAACP Virtual Town Hall Meeting.

Mayor MURPHY reported on participating in the NAACP Virtual Town Hall event. He also spoke on his upcoming virtual Town Hall event.

N. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 9:16 PM.

A motion was made by Council Member Blake, seconded by Council Member McLeod, to adjourn the Regular Meeting. 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