



# 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, January 4, 2021

6:00 PM

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#### A. CLOSED SESSION ROLL CALL

**Present:** 6 - Mayor Matthew Serratto, Mayor Pro Tempore Kevin Blake, Council Member Delray Shelton, Council Member Bertha Perez, Council Member Jesse Ornelas, and Council Member Sarah Boyle

**Absent:** 1 - Council Member Fernando Echevarria

#### B. CLOSED SESSION

Mayor SERRATTO called the Closed Session to order at 5:30 PM.

**Clerk's Note:** Mayor SERRATTO recused himself from the Closed Session due to the proximity of his residence to the agenda items.

##### B.1.

**SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to Paragraph (1) of Subdivision (d) of Government Code section 54956.9, Name of Case: In the Matter of the Inspection of 1050 Rambler Road Merced County Superior Court Case No. 20CV-00847

##### B.2.

**SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to Paragraph (1) of Subdivision (d) of Government Code section 54956.9, Name of Case: Cyrus John Nownejad, et al. v. City of Merced Building and Housing Board of Appeals; Does 1-10, Merced County Superior Court Case No. 20CV-02608

**Clerk's Note:** Council adjourned from Closed Session at 5:54 PM.

#### C. CALL TO ORDER

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

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

The invocation was delivered by Pastor Joel DORMAN from First Baptist Church.

C.2. Pledge of Allegiance to the Flag

The Pledge of Allegiance was led by Mayor Pro Tempore BLAKE.

**D. ROLL CALL**

**Present:** 6 - Mayor Matthew Serratto, Mayor Pro Tempore Kevin Blake, Council Member Delray Shelton, Council Member Bertha Perez, Council Member Jesse Ornelas, and Council Member Sarah Boyle

**Absent:** 1 - Council Member Fernando Echevarria

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 \$400.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$100.00 each month as a part of the adopted budget and Resolution 2020-86. 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. WRITTEN PETITIONS AND COMMUNICATIONS**

**Clerk's Note:** Emails were received for the following agenda items and were forwarded to Council prior to the meeting.

Oral Communications - Rick WENDLING

Item I.1 - Ron ARAGON, Michael BELLUOMINI, Christine GRIMALDI-CLARKSON, Gloria CONLIN, Carlene CUNNINGHAM, Julie MARCHINI, Weldon MATTOS, Diana ODOM-GUNN, Grey ROBERTS, and Roberta SALING

Item J.6. - Diana ODOM-GUNN

**G. ORAL COMMUNICATIONS**

Derek PARKER, newly appointed Fire Chief, - introduced himself to the Council.

**Clerk's Note:** The following comment was received via voicemail.

Rick WENDLING, Merced - spoke on the pandemic lockdowns.

**H. CONSENT CALENDAR**

**Approval of the Consent Agenda**

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

**Aye:** 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

**No:** 0

**Absent:** 1 - Council Member Echevarria

**H.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.**

**H.2. SUBJECT: Information-Only Contracts for the Month of December 2020**

**REPORT IN BRIEF**

Notification of awarded Non-Public Works contracts under \$33,000 and of Public Works contracts under \$71,862.

**This Consent Item was approved.**

**H.3. SUBJECT: Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of June 1, 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 June 1, 2020.

This Consent Item was approved.

H.4.

**SUBJECT:** Approval to Waive the Competitive Bidding Requirements, Authorizing the Purchase of One Replacement Tractor from Garton Tractor, Inc. for \$260,000 Through the Government Procurement Program, and Approval of a Supplemental Appropriation in the Amount of \$260,000 from the Fleet Capital Replacement Fund 674 to Purchase the Replacement Tractor

**REPORT IN BRIEF**

Considers authorizing a waiver of competitive bidding requirement pursuant to Merced Municipal Code Section 3.04.210 to purchase one replacement tractor through the governmental procurement program Sourcewell and approving a supplemental appropriation of \$260,00 from the Fleet Capital Replacement Fund 674.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving the purchase of a replacement tractor from Garton Tractor, Inc. in the amount of \$260,000 through Sourcewell contract # 021815-CNH; and,
- B. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210 and authorizing the tractor purchase to be made with the cooperative purchase agreement through Sourcewell, a governmental procurement program; and,
- C. Approving a supplemental appropriation in the amount of \$260,000 from the unreserved, unencumbered fund balance of Fund 674-Fleet Replacement Fund to account line 674-1103-633.63-00, project 242115 for the purchase of the tractor; and,
- D. Authorizing the Finance Officer to make any necessary budget adjustments.

This Consent Item was approved.

H.5.

**SUBJECT:** Approval to Void an Existing Construction Contract with Rolfe Construction Company, Inc. and Approval of a New Construction Contract with Rolfe Construction Company, Inc., in the Amount of \$1,839,263.00, for a Sewer Funded Project for the

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Gerard Avenue Sewer from Highway 99 to Water Well 10-R2  
(Kibby Road), Project No. 117020

**REPORT IN BRIEF**

Considers voiding the existing construction contract in the amount of \$1,839,263.00 and approving a new construction contract in the amount of \$1,839,263.00 funded by Sewer Enterprise funds for City Project No. 117020 - Gerard Avenue Sewer from Highway 99 to Water Well 10-R2 (Kibby Road).

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Voiding the current construction contract for the Gerard Avenue sewer from Highway 99 to Water Well 10-R2 (Kibby Road), Project 117020, with Rolfe Construction Company, Inc., in the amount of \$1,839,263.00; and,
- B. Approving a new construction contract for the Gerard Avenue sewer from Highway 99 to Water Well 10-R2 (Kibby Road), Project 117020, to Rolfe Construction Company, Inc., in the amount of \$1,839,263.00 and,
- C. Authorizing the City Manager or designee to execute the necessary documents and to approve change orders not to exceed 10% of the total contract.

**This Consent Item was approved.**

**H.6.**

**SUBJECT:** Approval of an Amendment to the Construction Contract with United Pavement Maintenance, Inc., in the Amount of \$89,258.70 and an Increase to the Project Contingency in the Amount of \$30,000, for Additional Work Which is Reflected in Change Order Associated with the R Street Improvements from Loughborough Drive to Buena Vista Drive, Project No. 119003 the Total Amount of the Amendment with the Additional Contingency Shall not Exceed \$132,596.80.

**REPORT IN BRIEF**

Considers amending the construction contract to add an additional amount of \$89,258.70 and increase the contingency in the amount of \$30,000 for City Project No. 119003 - R Street Improvements from Loughborough Drive to Buena Vista Drive.

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**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Amending the contract for R Street Improvements from Loughborough Drive to Buena Vista Drive, Project 119003, to United Pavement Maintenance Inc., in the amount of \$89,258.70 and,

B. Authorizing the City Manager to execute the necessary documents and to approve change orders up to a total contingency amount of \$132,596.80. An increase in contingency of \$30,000.

**This Consent Item was approved.**

**H.7.**

**SUBJECT:** Adoption of Resolution to Amend the Pay Ranges for the Temporary Classifications of Lifeguard I, Lifeguard II, Pool Manager, Recreation Coordinator, Recreation Leader, and Recreation Specialist. Effective January 1, 2021, to Comply with State of California Minimum Wage Requirements

**REPORT IN BRIEF**

Considers adopting a Resolution to authorize amendments to the Pay Ranges for the Temporary Classifications of Lifeguard I, Lifeguard II, Pool Manager, Recreation Coordinator, Recreation Leader and Recreation Specialist effective January 1, 2021, to comply with State of California minimum wage requirements.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Resolution 2021-01**, a Resolution of the City Council of the City of Merced, California, amending the salary ranges for the temporary classifications of Lifeguard I, Lifeguard II, Pool Manager, Recreation Coordinator, Recreation Leader, and Recreation Specialist; and authorizing the City Manager to execute the necessary documents.

**This Consent Item was approved.**

**I. REPORTS**

**I.1.**

**SUBJECT:** Update to the City Council on the Proposed Design for the N Street Project and Request for Direction on Design Elements; and Update on Upcoming Capital Improvement Projects for 2021

**REPORT IN BRIEF**

Provide an update to the City Council on the proposed design for the N

Street project and provide an update on upcoming capital improvement projects for 2021.

**RECOMMENDATION**

Provide direction to staff on design elements to finalize the N Street project prior to going out to bid to begin construction.

City Engineer Michael BELTRAN gave a slideshow presentation providing details on the N Street project to help increase parking in the area and updated Council on other upcoming street projects.

**Clerk's Note:** The following comments were received via voicemail.

Gray ROBERTS, Merced Historical Society - expressed concerns with safety and disturbing the existing trees.

Carlene PENNINGHAM, Merced - spoke in opposition to parking between the existing palm trees.

Council and Mr. BELTRAN discussed the median parking in the current plan.

Council agreed that the parking between the existing trees should be removed from the design and to keep the diagonal parking along the sides of the roadway.

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

**I.2.**

**SUBJECT:** Summary of COVID-19 Programs Supporting Local Businesses During the Pandemic from April 2020 to December 2020

**REPORT IN BRIEF**

Summary of COVID-19 programs initiated by the City of Merced and other agencies offering relief and support to local businesses in response to the COVID-19 pandemic.

**RECOMMENDATION**

For Information Only - Action Not Required

Director of Economic Development Frank QUINTERO gave a slideshow presentation discussed the City of Merced's support of businesses during the pandemic, different partnerships that were formed with other agencies, different programs in place to help businesses, and upcoming items to assist businesses in need.

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

## J. BUSINESS

- J.1. **SUBJECT:** Direction on the Format and Dates for the 2021 Community Town Halls and Strategic Planning Session to Provide Input on the Development of the Fiscal Year 2021/22 Budget

### REPORT IN BRIEF

Seeks direction on the format and dates for the 2012 Community Town Halls and Council Strategic Planning Session to provide input on the development of the fiscal year 2021/22 Annual Budget.

### RECOMMENDATION

Provide staff with dates for three Community Town Hall meetings and direction on the format and preferred dates for the Strategic Planning Session.

Council and City Manager Stephanie DIETZ discussed the number and type of Town Hall style meetings for the upcoming year, the strategic planning session, a survey put out to the public, how the public can participate, and different ways to publicize the event.

Council agreed to hold two virtual Town Hall meetings from 5:30 PM to 8:30 PM on February 11th and 18th and to hold February 27th for a strategic planning session.

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

- J.2. **SUBJECT:** Citizens' Oversight Committee - Measure V Appointment

### REPORT IN BRIEF

Nomination for appointment to the Measure V Transportation Expenditure Plan - Citizens Oversight Committee.

### RECOMMENDATION

**City Council** - Adopt a motion nominating a member to the City of Merced seat on the Citizens' Oversight - Measure V Committee.

Council discussed the applications for the Measure V Oversight Committee before making nominations.

**A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Boyle, to appoint Don Bergman as the City representative on the Citizens'**



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**Oversight Measure V Committee. The motion carried by the following vote:**

**Aye:** 4 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, and Council Member Boyle

**No:** 2 - Council Member Perez, and Council Member Ornelas

**Absent:** 1 - Council Member Echevarria

**J.3.**

**SUBJECT: Mayor Serratto's Request to Discuss a Continuation of the Police/Community Relations Advisory Committee**

**REPORT IN BRIEF**

Mayor Serratto's request to discuss a continuation of a citizens' committee to review police/community relations pursuant to City Council Administrative Policies and Procedures C-1.

**RECOMMENDATION**

Provide direction to staff to evaluate the ability to continue the Police/Community Relations Advisory Committee going forward.

Mayor SERRATTO gave a brief presentation regarding Police/Community Committee relations and stated the need to continue the work. He requested that the Council subcommittee for public safety work with the City Manager and the Police Chief to come up with options for a continuation of the committee and return to an April meeting with a report back.

City Manager Stephanie DIETZ and Council briefly discussed the scope of the Mayor's request which would include the possibility of forming a permanent Council appointed committee.

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

**Aye:** 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

**No:** 0

**Absent:** 1 - Council Member Echevarria

**J.4.**

**SUBJECT: Mayor Serratto's Request to Discuss Renaming the Merced Regional Airport**

**REPORT IN BRIEF**

Mayor Serratto's request to discuss renaming the Merced Regional Airport pursuant to City Council Administrative Policies and Procedures C-1.

**RECOMMENDATION**

Provide direction to staff to the potential renaming of the Merced Regional Airport in partnership with the Regional Airport Authority.

Mayor SERRATTO requested review of a name change to the Merced Regional Airport by the Regional Airport Authority with recommendations being brought back to Council.

Council and City Manager Stephanie DIETZ discussed the airport and the benefits of a possible name change, current zoning around the airport, and the marketing of the airport.

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

**Aye:** 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

**No:** 0

**Absent:** 1 - Council Member Echevarria

**J.5.**

**SUBJECT: Mayor Serratto's Request to Discuss a City Cleanup Partnership**

**REPORT IN BRIEF**

Mayor Serratto's request to discuss a City cleanup partnership pursuant to City Council Administrative Policies and Procedures C-1.

**RECOMMENDATION**

Provide direction to staff to develop a Community Cleanup program in partnership with neighborhoods and non-profits within the City of Merced.

Mayor SERRATTO requested City support for non profit and community volunteer cleanup efforts and to have the City Manager implement a Community Cleanup Program.

Council and City Manager Stephanie DIETZ discussed the cleanup efforts, the City large item drop off location, and allowing all city residents to use the drop off location.

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

**Aye:** 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

**No:** 0

**Absent:** 1 - Council Member Echevarria

**J.6.**

**SUBJECT:** Mayor Serratto's Request to Discuss a Proposed Downtown Art Project

**REPORT IN BRIEF**

Mayor Serratto's request to discuss a proposed downtown art project pursuant to City Council Administrative Policies and Procedures C-1.

**RECOMMENDATION**

Provide direction to staff to allow for proposed Downtown Art Projects in partnership with the Arts and Culture Advisory Commission.

Mayor SERRATTO discussed an art project to paint downtown utility boxes and requested the Arts and Culture Advisory Commission review the process.

Council and City Manager Stephanie DIETZ discussed downtown art, the process used to request proposals, the selection of local artists, and the possible expansion of the project outside of the downtown area.

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

**Aye:** 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

**No:** 0

**Absent:** 1 - Council Member Echevarria

**J.7.**

**SUBJECT:** Mayor Serratto's Request to Discuss the City of Merced's First Time Homebuyers Program

**REPORT IN BRIEF**

Mayor Serratto's request to discuss a the City of Merced's First Time Homebuyers Program pursuant to City Council Administrative Policies and Procedures C-1.

**RECOMMENDATION**

Provide direction to staff to evaluate a possible First Time Homebuyer Program and potential funding opportunities and partnerships within the community.

Mayor SERRATTO discussed meeting with Council Member ECHEVARRIA to complete outreach to local stakeholders regarding a first time homebuyers program and return to Council for further direction.

Council and City Manager Stephanie DIETZ discussed grant funding available for first time home buyers.

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

**Aye:** 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

**No:** 0

**Absent:** 1 - Council Member Echevarria

**J.8.** **SUBJECT: Discussion on the Format of Future City Council Meetings During COVID-19**

**REPORT IN BRIEF**

Discuss the format of City Council Meetings.

**RECOMMENDATION**

Provide staff direction on the format of future City Council Meetings.

Council agreed to hold the next meeting in the same format.

**J.9.** **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.

Council Member ORNELAS requested to add an item to discuss a business license waiver program for Black History Month to be placed on the Council meeting of January 19, 2021.

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

**Aye:** 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

**No:** 0

**Absent:** 1 - Council Member Echevarria

**J.10.**                      **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.

There were none.

**K. ADJOURNMENT**

**Clerk's Note:** The Regular Meeting was adjourned at 8:00 PM.

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

**Aye:** 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

**No:** 0

**Absent:** 1 - Council Member Echevarria