



# 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, July 18, 2022

6:00 PM

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#### A. CLOSED SESSION ROLL CALL

**Clerk's Note:** Council Member PEREZ arrived to Closed Session at 5:05 PM.

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

**Absent:** 1 - Council Member Delray Shelton

#### B. CLOSED SESSION

Mayor SERRATTO called the Closed Session to order at 5:01 PM.

##### B.1.

**SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant Exposure of Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Section 54956.9: (1) Case

##### B.2.

**SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Initiation of Litigation Pursuant to Paragraph (4) of Subdivision (d) of Section 54956.9: (1) Case

##### B.3.

**SUBJECT:** CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Properties: APN #'s 049-200-005, 049-200-020, 049-200-022, 049-200-019, 049-200-023, 049-200-017, 049-200-021, 049-200-024, 049-200-025, 049-220-018, 049-220-019, 049-220-016, 049-220-020, 049-220-015, 065-030-004, 049-240-016, 049-240-017; Agency Negotiator: Stephanie Dietz, City Manager; Negotiating Parties: Robert C. Rice, Sandton Capital Partners and City of Merced; Under Negotiation: Price and Terms of Payment

**Clerk's Note:** Council adjourned from Closed Session at 5:52 PM.

#### C. CALL TO ORDER

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

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

The Invocation was delivered by Joel DORMAN of the First Baptist Church.

C.2. Pledge of Allegiance to the Flag

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

**D. ROLL CALL**

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

**Absent:** 1 - Council Member Delray Shelton

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. CEREMONIAL MATTERS**

**F.1. SUBJECT: Recognition of Youth Council Members**

**REPORT IN BRIEF**

Recognition of Youth Council Members Kaylie Escobar-Islas, Ana Quintana-Ceja, Satya Ortega, and Diego Luna for their service.

Mayor SERRATTO and Lam KINDAVONG recognized the members of the Youth Council.

**G. WRITTEN PETITIONS AND COMMUNICATIONS**

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

Oral Communications - Bryan CARPENTER and Jeanne SHOENSTEIN.

Agenda Item J.3 - Ron COOK.

## H. ORAL COMMUNICATIONS

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

Lynn BARRERA, Merced - spoke on the animal treatment in Merced and praised the Trap-N-Release program.

**Clerk's Note:** The following speakers appeared in person.

Kenneth JAMES, Merced - stated his support for the appointment of Walter SMITH to the Recreation and Parks Commission.

Walter SMITH, Merced - praised the City of Merced for working together as a team and the support.

Mayor SERRATTO, thanked Walter SMITH for sponsoring children's swimming.

Joseph ZAMORA, S.W.A.G. Representative, Merced - spoke on behalf of S.W.A.G. and the support he has received from the City of Merced.

Necola ADAMS, Merced - spoke on the Merced Nut Festival and requested support from the City of Merced.

Kenneth BROWN, Golden Valley Neighborhood Association, Merced - spoke on how the Measure C funds are spent.

Dr. Wanda PATRICK, Merced - spoke on the Nut Festival.

Marcus CLAY, S.W.A.G., Turlock - spoke on his support of S.W.A.G.

Pangcha VANG, Merced - spoke about Measure C and requested the City Attorney to announce how many votes Measure C needs to get passed.

Devon HILLIARD, S.W.A.G. Founder, Merced - praised City Council for approving S.W.A.G. for community funding.

Joy WIDMARK, Merced - spoke on traffic safety in her neighborhood.

## I. CONSENT CALENDAR

Items I.3. Approval of a Three-Year Lease Renewal Option for an Agricultural Ground Lease Between the City of Merced and Fagundes Dairy for Use of Approximately Thirty-Five (35) Acres in and Around the

Merced Yosemite Regional Airport with Rent Starting at \$5,355.00 per Year for a Term of Three (3) Years, I.7. Selection of the Yosemite Avenue, M Street to R Street, Reconstruction as the Eligible Roadway Project and Adoption of a Resolution Authorizing the City Manager to File the Regional Surface Transportation Program (RSTP) Exchange Funds Claim Form for Fiscal Year 2021/2022, I.8.0 Award of Bid to Dirt Dynasty, Inc. for the CMAQ Merced North Transit Hub, Project Number 121045, in the Amount of \$1,666,296.25; were pulled for separate consideration.

### Approval of the Consent Agenda

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

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

**No:** 0

**Absent:** 1 - Council Member Shelton

#### 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 - Traffic Committee Minutes of March 8, 2022

##### **RECOMMENDATION**

For information only.

**This Consent Item was approved.**

#### I.4. **SUBJECT:** Approval to Waive the Competitive Bid Process to Allow for the Cooperative Purchase with Competitively Bid Contracts; (Monterey County Office of Education CALSAVE #530067, State of Utah Cooperative Online Marketplace Contract MA3458, Sourcewell

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Contract #081419, and NASPO ValuePoint Software  
ADSP016-130652) with CDW-G in a not to Exceed Amount of  
\$300,000 in Fiscal Year 2022/2023

**REPORT IN BRIEF**

Considers waiving the competitive bid process to allow for the cooperative purchase with competitively bid contracts; (Monterey County Office of Education CALSAVE #530067, State of Utah Cooperative Online Marketplace Contract MA3458, Sourcewell Contract #081419, and NASPO ValuePoint Software ADSP016-130652) with CDW-G in a not to exceed amount of \$300,000 in Fiscal Year 2022/2023.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving to waive the competitive bidding requirements as permitted by Merced Municipal Code section 3.04.210 to utilize cooperative purchases with competitively bid contracts; and,
- B. Approving the Monterey County Office of Education CALSAVE agreement #530067; and,
- C. Approving the State of Utah cooperative online marketplace contract MA3458; and,
- D. Approving the Sourcewell contract #081419; and,
- E. Approving the NASPO ValuePoint Software ADSP016-130652; and,
- F. Authorizing the City Manager or Deputy City Manager to execute the necessary documents; and,
- G. Authorizing the Finance Officer to make necessary budget adjustments; and,
- H. Authorizing the purchase of \$300,000 of goods through CDW-G.

**This Consent Item was approved.**

**I.5.**

**SUBJECT:** Approval of the First Amendment to the Professional Services Agreement with Goodwin Consulting Group for the Preparation of the Rate and Method of Apportionment (RMA) for

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Community Facilities District (CFD) Annexation No. 21

**REPORT IN BRIEF**

Considers approving the first amendment to the contract with Goodwin Consulting Group for preparation of the Rate and Method of Apportionment (RMA) for Community Facilities District Annexation No. 21.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the first amendment to the Professional Services Agreement with Goodwin Consulting Group, Inc. to prepare the rate and method of apportionment for Community Facilities Annexation No. 21 in the amount of \$10,000; and,

B. Authorizing the City Manager or Deputy City Manager to execute the necessary documents.

**This Consent Item was approved.**

**I.6.**

**SUBJECT:** Award a Professional Services Agreement for an Infill Study and to Design a Master Plan Set for Duplexes and Triplexes

**REPORT IN BRIEF**

Considers approving an agreement for professional services with Precision Civil Engineering, Inc., for \$105,000 to prepare an Infill Study and to Design a Master Plan Set for Duplexes and Triplexes.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving an agreement for professional services with Precision Civil Engineering, Inc. (PCE), in the amount of \$105,000 to conduct an Infill Study and to prepare designs for a Master Plan Set for Duplexes and Triplexes and to prepare program documents; and,

B. Authorizing the City Manager or Deputy City Manager to execute the agreements and any necessary documents.

**This Consent Item was approved.**

**I.9.**

**SUBJECT:** Approval of the Professional Services Agreement with the Boys and Girls Club for a not to Exceed Amount of \$100,000 for

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American Rescue Plan Act (ARPA) Non-Profit Support Funding

**REPORT IN BRIEF**

Considers the approval of the Professional Services Agreement with the Boys and Girls Club for a not to exceed amount of \$100,000 for ARPA Non-Profit Support Funding.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving the Professional Services Agreement with the Boys and Girls Club for an amount not to exceed \$100,000 for ARPA Non-Profit Support Funding; and,
- B. Authorizing the City Manager or the Deputy City Manager to execute the necessary documents.

**This Consent Item was approved.**

**I.10.**

**SUBJECT:** Approval of the Professional Services Agreement with the Merced Lao Family Community, Inc. for a not to Exceed Amount of \$100,000 for American Rescue Plan Act (ARPA) Non-Profit Support Funding

**REPORT IN BRIEF**

Considers the approval of the Professional Services Agreement with the Merced Lao Family Community, Inc. for a not to exceed amount of \$100,000 for ARPA Non-Profit Support Funding.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving the Professional Services Agreement with the Merced Lao Family Community, Inc. for an amount not to exceed \$100,000 for ARPA Non-Profit Support Funding; and,
- B. Authorizing the City Manager or the Deputy City Manager to execute the necessary documents.

**This Consent Item was approved.**

**I.11.**

**SUBJECT:** Approval of the Professional Services Agreement with the United Way of Merced County for the Mountain Valley 211

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Program for a not to Exceed Amount of \$50,000 for American  
Rescue Plan Act (ARPA) Non-Profit Support Funding

**REPORT IN BRIEF**

Considers the approval of the Professional Services Agreement with the United Way of Merced County for the Mountain Valley 211 Program for a not to exceed amount of \$50,000 for ARPA Non-Profit Support Funding.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the Professional Services Agreement with the United Way of Merced County for the Mountain Valley 211 Program for an amount not to exceed \$50,000 for ARPA Non-Profit Support Funding; and,

B. Authorizing the City Manager or the Deputy City Manager to execute the necessary documents.

**This Consent Item was approved.**

**I.12.**

**SUBJECT:** Award of Bid and Approval of Agreement for the Purchase of Goods with Momar, Inc. for the Supply and Delivery of Vita Micro CS 70 (a Refined Form of Crude Glycerin) in the not to Exceed Amount of \$150,000 for the Contract Term Ending June 30, 2023

**REPORT IN BRIEF**

Considers awarding the bid and approving an agreement with Momar Inc. for the supply and delivery of Vita Micro CS 70 for the City's Wastewater Treatment Facility in the not to exceed amount of \$150,000.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Awarding the bid and approving the agreement with Momar, Inc. for the supply and delivery of Vita Micro CS 70 in the not to exceed amount of \$150,000 for the contract term ending June 30, 2023; and,

B. Authorizing the City Manager or Deputy City Manager to execute the



necessary documents.

This Consent Item was approved.

I.13.

**SUBJECT:** Approval of Change Order No. 1 for Construction Contract with Elite Landscape Construction, Inc., in the Amount of \$72,886.48 for Bellevue Ranch Landscape Improvements, Project No. 120053

**REPORT IN BRIEF**

Considers approving Change Order No. 1 with Elite Landscape Construction, Inc., for Project No. 120053 - Bellevue Ranch Landscape Improvements in the additional amount of \$72,886.48, for a total construction contract amount of \$1,282,226.93.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving Change Order No. 1 for Bellevue Ranch Landscape Improvements, Project No. 120053, with Elite Landscape Construction, Inc., in the additional amount of \$72,886.48, for a total construction contract amount of \$1,282,226.93; and,

B. Authorizing the City Manager or Deputy City Manager to execute the necessary documents.

This Consent Item was approved.

I.14.

**SUBJECT:** Approval to Waive the Competitive Bidding Requirements and Approve Purchases of Parts, Equipment, Supplies, and Services Necessary for Public Works Maintenance and Operations From Ewing Irrigation Products, Inc., in the Amount not to Exceed \$100,000; From McLaughlin Waste Equipment, Inc., in the Amount not to Exceed \$75,000; From Modesto Industrial Electrical Co., Inc., in the Amount not to Exceed \$150,000; From Western Industrial Sales, Inc., dba Kellogg Supply in the Amount not to Exceed \$150,000; and From Badger Meter, Inc., in the Amount not to Exceed \$300,000 through June 30, 2023

**REPORT IN BRIEF**

Considers waiving the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 and approving the purchase of various parts, equipment, supplies, and services for Public Works maintenance and operations.

## RECOMMENDATION

### City Council - Adopt a motion:

- A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210 for annual supplies and services agreements; and,
- B. Approving the agreement for Purchase of Goods with Ewing Irrigation Products, Inc., in the amount not to exceed \$100,000 in Fiscal Year 2022/2023; and,
- C. Approving the agreement for Purchase of Goods with McLaughlin Waste Equipment, Inc., in the amount not to exceed \$75,000 in Fiscal Year 2022/2023; and,
- D. Approving the agreement for Supplies and Services with Modesto Industrial Electrical Co., Inc., in the amount not to exceed \$150,000 in Fiscal Year 2022/2023; and,
- E. Approving the agreement for Purchase of Goods with Western Industrial Sales, Inc., dba Kellogg Supply in the amount not to exceed \$150,000 in Fiscal Year 2022/2023; and,
- F. Approving the agreement for Purchase of Goods with Badger Meter, Inc., in the amount not to exceed \$300,000 in Fiscal Year 2022/2023; and,
- G. Authorizing the City Manager or the Deputy City Manager, to execute the necessary documents or contracts, and to approve change orders up to the City Manager's purchasing authority.

**This Consent Item was approved.**

### I.15.

**SUBJECT:** Approval to Waive the Competitive Bidding Requirements and Approve Purchases of Parts, Equipment, Supplies, and Services Necessary for Public Works Maintenance and Operations From Jim Brisco Enterprises, Inc. in the Amount not to Exceed \$115,000; From Tesco Controls, LLC in the Amount not to Exceed \$85,000; From SYAR Industries, Inc., in the Amount not to Exceed \$75,000; and From Western Systems, Inc., in the Amount not to Exceed \$115,000 Through June 30, 2023

## REPORT IN BRIEF

Considers waiving the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 and approving the purchase of various parts, equipment, supplies, and services for Public Works maintenance and operations.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210 for annual supplies and services agreements; and,

B. Approving the agreement for Purchase of Goods with Jim Brisco Enterprises, Inc., in the amount not to exceed \$115,000 in Fiscal Year 2022/2023; and,

C. Approving the agreement for Purchase of Goods with Tesco Controls, LLC, in the amount not to exceed \$85,000 in Fiscal Year 2022/2023; and,

D. Approving the agreement for Purchase of Goods with SYAR Industries, Inc., in the amount not to exceed \$75,000 in Fiscal Year 2022/2023; and,

E. Approving the agreement for Purchase of Goods with Western Systems, Inc., in the amount not to exceed \$115,000 in Fiscal Year 2022/2023; and,

F. Authorizing the City Manager or the Deputy City Manager, to execute the necessary documents or contracts, and to approve change orders up to the City Manager's purchasing authority.

**This Consent Item was approved.**

**I.16.**

**SUBJECT:** Approval to Waive the Competitive Bidding Requirements and Approve Purchases of Parts, Equipment, Supplies, and Services Necessary for Public Works Maintenance and Operations From Golden State Emergency Vehicle Service, Inc., in the Amount not to Exceed \$150,000; From Merced Truck & Trailer, Inc., in the Amount not to Exceed \$150,000; From Razzari-Dodge, Inc., in the Amount not to Exceed \$100,000; From Ron Smith Buick GMC, L.P., in the Amount not to Exceed \$100,000; From with Ruckstell California Sales Co., Inc., in the Amount not to Exceed \$115,000; and From Schoettler Tire, Inc., in

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the Amount not to Exceed \$175,000 Through June 30, 2023

**REPORT IN BRIEF**

Considers waiving the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 and approving the purchase of various parts, equipment, supplies, and services for Public Works maintenance and operations.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210 for annual supplies and services agreements; and,

B. Approving the agreement for Supplies and Services with Golden State Emergency Vehicle Service, Inc., in the amount not to exceed \$150,000 in Fiscal Year 2022/2023; and,

C. Approving the agreement for Supplies and Services with Merced Truck & Trailer, Inc., in the amount not to exceed \$150,000 in Fiscal Year 2022/2023; and,

D. Approving the agreement for Supplies and Services with Razzari-Dodge, Inc., in the amount not to exceed \$100,000 in Fiscal Year 2022/2023; and,

E. Approving the agreement for Supplies and Services with Ron Smith Buick GMC, L.P., in the amount not to exceed \$100,000 in Fiscal Year 2022/2023; and,

F. Approving the agreement for Supplies and Services with Ruckstell California Sales Co., Inc., in the amount not to exceed \$115,000 in Fiscal Year 2022/2023; and,

G. Approving the agreement for Purchase of Goods with Schoettler Tire, Inc. in the amount not to exceed \$175,000 in Fiscal Year 2022/2023; and,

H. Authorizing the City Manager or the Deputy City Manager, to execute the necessary documents or contracts, and to approve change orders up to the City Manager's purchasing authority.

**This Consent Item was approved.**

I.3.

**SUBJECT:** Approval of a Three-Year Lease Renewal Option for an Agricultural Ground Lease Between the City of Merced and Fagundes Dairy for Use of Approximately Thirty-Five (35) Acres in and Around the Merced Yosemite Regional Airport with Rent Starting at \$5,355.00 per Year for a Term of Three (3) Years

**REPORT IN BRIEF**

Considers a lease agreement (3-year term) with Fagundes Dairy for use of approximately thirty-five (35) acres located in and around the Merced Yosemite Regional Airport.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the lease agreement between Fagundes Dairy and the City of Merced and authorizing the City Manager or the Deputy City Manager to execute all necessary documents.

Mayor SERRATTO pulled this item at the request of Pangcha VANG.

Pangcha VANG, Merced - questioned the rent amount being charged to Fagundes Dairy.

Council Member ECHEVARRIA and Deputy City Manager Frank QUINTERO discussed the rent cost for Fagundes Dairy, the possibility of lowering the amount, and how the rent was based.

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

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

**No:** 0

**Absent:** 1 - Council Member Shelton

I.7.

**SUBJECT:** Selection of the Yosemite Avenue, M Street to R Street, Reconstruction as the Eligible Roadway Project and Adoption of a Resolution Authorizing the City Manager to File the Regional Surface Transportation Program (RSTP) Exchange Funds Claim Form for Fiscal Year 2021/2022

**REPORT IN BRIEF**

Selects the Yosemite Avenue, M Street to R Street, reconstruction

project in the amount of \$1,050,517.00, and authorizes staff to complete the FY 2021/2022 Regional Surface Transportation (RSTP) Claim Form in the amount of \$1,050,517.00 for submittal to the Merced County Association of Governments (MCAG).

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Selecting the Yosemite Avenue, M Street to R Street, project; and,
- B. Directing staff to complete the 2021/2022 RSTP claim form by listing the selected projects and corresponding project costs; and,
- C. Adopting **Resolution 2022-45**, a Resolution of the City Council of the City of Merced California, authorizing the City Manager to file the Regional Surface Transportation Program (RSTP) Exchange Funds claim for Fiscal Year 2021/2022; and,
- D. Authorizing the Finance Officer to make necessary budget adjustments for Fiscal Year 2021-2022 and 2022-2023.

Mayor SERRATTO pulled this item at the request of Pangcha VANG.

Pangcha VANG, Merced - commented on the location of the street repair and suggested this street repair be moved to a location in South Merced.

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

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

**No:** 0

**Absent:** 1 - Council Member Shelton

**I.8.**

**SUBJECT:** Award of Bid to Dirt Dynasty, Inc. for the CMAQ Merced North Transit Hub, Project Number 121045, in the Amount of \$1,666,296.25

**REPORT IN BRIEF**

Considers awarding a construction contract to Dirt Dynasty, Inc. in the amount of \$1,666,296.25 for the CMAQ Merced North Transit Hub Project Number 121045.

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**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Awarding the CMAQ Merced North Transit Hub Project Number 121045 to Dirt Dynasty, Inc., in the amount of \$1,666,296.25; and,

B. Authorizing the City Manager or Deputy City Manager to execute the necessary documents and to approve change orders not to exceed 10% of the total contract; and,

C. Authorizing the Finance Officer to make necessary budget adjustments.

Mayor SERRATTO pulled this item at the request of Fue XIONG.

Fue XIONG, Merced - questioned the completion of the Construction Contract with Dirt Dynasty and suggested the City uses a Project Labor Agreement.

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

**Aye:** 5 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Echevarria, Council Member Perez, and Council Member Boyle

**No:** 0

**Absent:** 1 - Council Member Shelton

**Abstain:** 1 - Council Member Ornelas

**J. REPORTS**

**J.1.**

**SUBJECT:** Presentation on the 2021 City of Merced Fire Department Annual Report and a Preliminary Report on the 2022 Illegal Fireworks Efforts by Merced Fire and Merced Police Departments

**REPORT IN BRIEF**

Fire Chief Derek Parker to provide a presentation on the 2021 City of Merced Fire Department Annual Report. Additionally, Fire Chief Parker will provide preliminary data on the 2021 Illegal Fireworks campaign.

Please note, the presentations and the information presented herein is subject to change prior to the scheduled City Council Meeting. Consistent with the Brown Act, any changes to the presentation will be made available to the public and City Council at the same time.

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**RECOMMENDATION**

For information only.

Fire Chief Derek PARKER gave a slideshow presentation on the Illegal Fireworks Enforcement Campaign 2022 Report; followed by a slideshow presentation on the Merced Fire Department 2021 Annual Report.

Council, City Manager Stephanie DIETZ and Mr. PARKER discussed new technologies to assist Merced Fire Department, cross-training law enforcement and fire officials within the City of Merced, and the diversity in personnel and languages spoken in the Merced Fire Department.

Joel KNOX, Merced - shared his appreciation for Fire Chief Derek PARKER, Merced Police Department, City Manager and the Chief of Police for improving this year's 4th of July.

**Clerk's Note:** No formal vote was taken, item was information only.

**J.2.**

**SUBJECT:** Report for Discussion on Preliminary Annexation  
Application #22-01 for Branford Point Annexation

**REPORT IN BRIEF**

The City Council will be asked to evaluate Preliminary Annexation Application #22-01 for the Branford Point Annexation project, 47.7 acres of mixed-use development on the west side of Lake Road, south of Bellevue Road.

**RECOMMENDATION**

**City Council** - Adopt a motion indicating general support for an official annexation application being processed for the Branford Point project.

Planning Manager Kim ESPINOSA gave a slideshow presentation on the evaluation of Preliminary Annexation Application #22-01 for the Branford Point Annexation project.

Greg OPINSKY, Applicant - spoke on his Branford Point Annexation project.

Fue XIONG, Merced - spoke on the income bracket for affordable housing.

Gloria SANDOVAL, Merced - expressed concern for attracting non-local residents, affordable housing for Merced residents, and the issue of transportation.

Sheng XIONG, Leadership Council for Accountability, Merced -



commented on the specificity of the income levels, affordable housing trust fund, and studies in South Merced.

Greg OPINKSY, Applicant - spoke on including affordable housing to the project and a community location for the City of Merced.

Council, Development Services Director Scott MCBRIDE and Greg OPINSKY discussed the project, the ability to consider a labor hiring agreement, and expressed concern of affordable housing.

**A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Boyle, expressing general support for the project. The motion failed by the following vote:**

**Aye:** 3 - Mayor Serratto, Mayor Pro Tempore Blake, and Council Member Boyle

**No:** 3 - Council Member Echevarria, Council Member Perez, and Council Member Ornelas

**Absent:** 1 - Council Member Shelton

**J.3.**

**SUBJECT:** Report on the Existing Graffiti Abatement Services Contract as Requested During the FY 2022/23 Goals & Priorities Setting Session

**REPORT IN BRIEF**

Staff to provide a report on the existing Graffiti Abatement Services Contract as requested during the 2022/23 Goals & Priorities Setting Session.

**RECOMMENDATION**

Information Only.

City Manager Stephanie DIETZ gave a report on the existing Graffiti Abatement Services Contract from years 2020 to 2022.

Council and Ms. DIETZ discussed the amount of calls for service in districts, the location of the data presented by the vendor, and a maintenance plan for future references.

Fue XIONG, Merced - spoke on the fixed monthly rate of the contract.

Council and Ms. DIETZ discussed the bid results for the contract, the future bid process, the report results being presented, and the details of the contract.

**K. BUSINESS**

K.1.

**SUBJECT:** Annual Appointments to the Arts and Culture Advisory Commission (Districts 1, 2, 5, 6) (1 At-Large) (2 Ex-Officio)

**REPORT IN BRIEF**

Accept nominations to fill the Arts and Culture Advisory Commission.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Accepting nominations and appointing individuals to serve as members of the Arts and Culture Advisory Commission (Districts 1, 2, 5, 6) (1 At-Large) and (2 Ex-Officio); or,

B. Accepting nominations and appointing as many members as Council sees appropriate and directing staff to continue the recruitment of applicants.

Council discussed the vacancies and applicants on the Arts and Culture Advisory Commission. Council agreed to appoint District 3 and District 6 at a future meeting.

A motion was made by Council Member Ornelas, seconded by Mayor Pro Tempore Blake, to appoint Gregorio Rocha-Tabera to the District 1 seat, re-appoint Maria Zaragoza to the District 2 seat, appoint Tommy Tran to the District 5 seat, appoint Robert Hypes to the At-Large seat, and appoint Kim Garner to the Ex-Officio seat on the Arts and Culture Advisory Commission. The motion carried by the following vote:

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

**No:** 0

**Absent:** 1 - Council Member Shelton

K.2.

**SUBJECT:** Annual Appointments to the Bicycle and Pedestrian Advisory Commission (Districts 2 and 6) (1 At-Large) and (3 Ex-Officio)

**REPORT IN BRIEF**

Accept nominations to fill vacancies on the Bicycle and Pedestrian Advisory Commission.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Accepting nominations and appointing individuals to serve as members of the Bicycle and Pedestrian Advisory Commission (Districts 2 and 6) (1 At-Large) and (3 Ex-Officio); or,

B. Accepting nominations and appointing as many members as Council sees appropriate and directing staff to continue the recruitment of applicants.

Council discussed the vacancies and applicants for the Bicycle and Pedestrian Advisory Commission.

**A motion was made by Council Member Ornelas, seconded by Council Member Echevarria, to appoint Peggy Hsu to the At-Large seat, appoint Mary Buhl, Christine Chavez and Ralph Morris to the Ex-Officio seat on the Bicycle and Pedestrian Advisory Commission. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Shelton

**K.3.**

**SUBJECT:** Annual Appointments to the Building and Housing Board of Appeals (3 Seats)

**REPORT IN BRIEF**

Accept nominations to fill vacancies on the Building and Housing Board of Appeals.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Accepting nominations and appointing individuals to serve as members of the Building and Housing Board of Appeals (one [1] vacancy and two [2] expiring terms); or,

B. Accepting nominations and appointing as many members as Council sees appropriate and directing staff to continue the recruitment of applicants.

Council discussed the vacancies and applicants for the Building and Housing Board of Appeals.

**A motion was made by Council Member Perez, seconded by Council Member Boyle, to re-appoint James Allen and appoint Steven Patterson to the Building and Housing Board of Appeals. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Shelton

**K.4.**

**SUBJECT: Annual Appointments to the Planning Commission (Districts 2 and 5)**

**REPORT IN BRIEF**

Accept nominations to fill seats on the Planning Commission.

**RECOMMENDATION**

**City Council - Adopt a motion:**

A. Accepting nominations and appointing individuals to serve as members of the Planning Commission (Districts 2 and 5); or,

B. Accepting nominations and appointing as many members as Council sees appropriate and directing staff to continue the recruitment of applicants.

Council discussed the vacancies and applicants for the Planning Commission.

**A motion was made by Council Member Boyle, seconded by Council Member Ornelas, to appoint Anthony Gonzalez to the District 5 seat on the Planning Commission. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Shelton

**A motion was made by Council Member Echevarria, seconded by Council Member Perez, to appoint the District 1 seat to the second meeting in August 15, 2022 for the Planning Commission. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Shelton

**K.5.** **SUBJECT: Annual Appointments to the Recreation and Parks Commission (Districts 1,3,4 and 6)**

**REPORT IN BRIEF**

Accept nominations to fill seats on the Recreation and Parks Commission.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Accepting nominations and appointing individuals to serve as members of the Recreation and Parks Commission (Districts 1, 3, 4, and 6); or,

B. Accepting nominations and appointing as many members as Council sees appropriate and directing staff to continue the recruitment of applicants.

Council discussed the vacancies and applicants for the Recreation and Parks Commission.

**A motion was made by Council Member Perez, seconded by Council Member Echevarria, to re-appoint Yesenia Cruel to the District 3 seat on the Recreation and Parks Commission. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Shelton

**A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Ornelas, to re-appoint Valente Huitron to the District 4 seat on the Recreation and Parks Commission. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Shelton

**A motion was made by Council Member Echevarria, seconded by Council Member Perez, to amend the previous motion to make appointments to the Arts and Culture Advisory Commission (District 3 and 6), and the Planning Commission (District 2), and the Recreation and Parks Commission (District 1 and 6) to the August 15, 2022 City Council meeting, be moved to the September 6, 2022 City Council Meeting. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Shelton

**K.6.**

**SUBJECT:** Annual Appointments to the Regional Airport Authority (2 Seats)

**REPORT IN BRIEF**

Accept nominations to fill two vacancies on the Regional Airport Authority.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Accepting nominations and appointing individuals to serve as members of the Regional Airport Authority (2); or,

B. Accepting nominations and appointing as many members as Council sees appropriate and directing staff to continue the recruitment of applicants.

Council discussed the vacancies and applicants for the Regional Airport Authority.

**A motion was made by Council Member Ornelas, seconded by Council Member Perez, to appoint Alwin Acuna and Sabrina Abong to the Regional Airport Authority. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Shelton

**K.7.**

**SUBJECT:** Annual Appointments to the Tax Transparency Commission (District 4 and 5)

**REPORT IN BRIEF**

Accept nominations to fill seats on the Tax Transparency Commission.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Accepting nominations and appointing individuals to serve as members

of the Tax Transparency Commission (District 4 and 5); or,

B. Accepting nominations and appointing as many members as Council sees appropriate and directing staff to continue the recruitment of applicants.

Council discussed the vacancies and applicants for the Tax Transparency Commission.

**Clerk's Note:** District 5 will be moved to the September 6, 2022 City Council Meeting.

**A motion was made by Council Member Boyle, seconded by Council Member Ornelas, to re-appoint Glen Davis to the District 4 seat on the Tax Transparency Commission. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Shelton

**K.8.                    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 BOYLE requested an annual report of the projects approved in the budget and their status by District.

**K.9.                    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 ECHEVARRIA reported on attending on the meeting for South Merced, commented on a future event, the South Merced Station Open House, and spoke on the SPCA membership.

Council Member ORNELAS reported on attending the HSA Softball Tournament and Merced Cruise Night.

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Council Member PEREZ commented on a vendor selling barbecue.

Mayor SERRATTO thanked Centurion Boats for helping renovate McNamara Park and commented on the opening of the Phase 3 of Campus Parkway Project.

Council Member PEREZ thanked Council Member BOYLE for attending the opening of the Phase 3 of Campus Parkway Project.

Council Member BOYLE commented on attending the opening of the Phase 3 of Campus Parkway Project.

## L. ADJOURNMENT

**Clerk's Note:** The Regular Meeting was adjourned at 8:49 PM.

**A motion was made by Council Member Perez, seconded by Mayor Pro Tempore Blake, to adjourn the Regular Meeting. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Shelton