



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, November 4, 2024

6:00 PM

A. CLOSED SESSION ROLL CALL

Present: 7 - Mayor Matthew Serratto, Mayor Pro Tempore Bertha Perez, Council Member Jesse Ornelas, Council Member Sarah Boyle, Council Member Ronnie DeAnda, Council Member Shane Smith, and Council Member Fue Xiong

Absent: 0

B. CLOSED SESSION

Mayor SERRATTO called the Closed Session to order at 5:32 PM.

B.1. **SUBJECT:** CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Property: 615 W. 15th Street, Merced, CA APN 031-360-060; Agency Negotiator: D. Scott McBride, City Manager; Frank Quintero, Deputy City Manager; Venus Rodriguez, Finance Officer; Craig J. Cornwell, City Attorney; Negotiating Parties: California High Speed Rail Authority, Under Negotiation: Appraisal of Property Pursuant to California Government Code Section 54956.8

B.2. **SUBJECT:** CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Property: 755 W. 15th Street, Merced, CA APN 031-360-029; Agency Negotiator: D. Scott McBride, City Manager; Frank Quintero, Deputy City Manager; Venus Rodriguez, Finance Officer; Craig J. Cornwell, City Attorney; Negotiating Parties: California High Speed Rail Authority; Under Negotiation: Appraisal of Property Pursuant to California Government Code Section 54956.8

Clerk's Note: Council adjourned from Closed Session at 6:01 PM.

C. CALL TO ORDER

Mayor SERRATTO called the Regular Meeting to order at 6:06 PM.

C.1. Invocation - Pastor Caesar Johnson, Christian Life Center Merced

The Invocation was delivered by Pastor Caesar JOHNSON of the Christian Life Center Merced.

C.2. Pledge of Allegiance to the Flag

Pastor Caesar JOHNSON led the Pledge of Allegiance to the Flag.

D. ROLL CALL

Present: 7 - Mayor Matthew Serratto, Mayor Pro Tempore Bertha Perez, Council Member Jesse Ornelas, Council Member Sarah Boyle, Council Member Ronnie DeAnda, Council Member Shane Smith, and Council Member Fue Xiong

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, the Public Financing and Economic Development Authority, and the Successor Agency to the Redevelopment Agency. 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, the Public Financing and Economic Development Authority, and the Successor Agency to the Redevelopment Agency receive no compensation.

E. REPORT OUT OF CLOSED SESSION

There was no report.

F. CEREMONIAL MATTERS

F.1. SUBJECT: Proclamation - School Psychologist Week

REPORT IN BRIEF

Accepted by Merced Union High School District representatives Donna Hoffart, Angelica Navarrette Perez, and Antonio Rodriguez and Merced City School District representatives Christopher Bruening, Diane Taylor, Andrea Hoffman, Jelsyn Pritchard, Murial Banda, Danielle Sotelo, and Janette Ramirez. Also accepted by, Merced County Office of Education representatives Ashley Bateman, Kathere Williams, Denisse Gonzalez, Jason Whisenhunt, Arlette Magallon, Katherine Long, Arianna Ramirez, Cailan Gaede, and Shawnelle Brunger, Weaver Union School District representative Stephanie Martinez-Piuser, and Atwater Elementary School District representatives Cristina Rubalcava, Krushenka Salazar, Miriam Andrade, Alyssa Chavez, Jasmine Clark, April De La Cruz (CVA-CASP Board Member), and Karina Flores.

Mayor SERRATTO presented the School Psychologist Week Proclamation to members of various school districts.

G. WRITTEN PETITIONS AND COMMUNICATIONS

Clerk's Note: This email was received for the following agenda item and

forwarded to Council prior to the meeting.

Public Comment: Angela LARA.

H. PUBLIC COMMENT

Aggie FREEMAN, President of Rotary Club of Merced Sunrise, Merced - shared details of the Field of Honor event.

Glenn GALMAN, Merced - shared details of the Run for the Fallen.

Christan SANTOS, Representative of Congressman John DUARTE, Merced - spoke on the Dia De Los Muertos holiday, Election day, and shared information on House of Representatives Bill 10034.

Chief of Police Steve STANFIELD, Merced - shared details of a Gala event held by an outreach ministry in Merced and spoke on the Merced Police Department receiving the Community Partnership Award.

Curtis THOMAS, Merced - spoke on the homeless population and Homeless Court in Merced.

Steve ROUSSOS, Merced - shared details of the Neighbors Unidos meetings held via zoom and in public parks.

Mayor SERRATTO briefly shared details of the Clean Up event at Applegate Park.

Bryce PRATER, Merced - spoke on California Laws and ordinances that have passed in previous years.

Necola ADAMS, Merced - shared details of the Musical Festival event, spoke on the High Speed Rail, and congratulated the Police Chief and the city for their work on the unhoused.

Rhonda BATSON, Merced - shared various events happening in Merced.

I. CONSENT CALENDAR

Agenda Item I.3. Approval of an Agreement Between the City of Merced and the Downtown Merced Property Owner's Association to Administer the Downtown Merced Property-Based Improvement District and Authorizing the City Manager to Execute the Agreement was pulled for separate consideration.

Approval of the Consent Agenda

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

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 Contracts for the Month of October 2024

REPORT IN BRIEF

Notification of awarded Non-Public Works contracts under \$38,000 and of Public Works contracts under \$85,161.

This Consent Item was approved.

I.4. SUBJECT: Award Construction Contract to American Paving Co., for the G Street Bridge Repair, Project No. CP230066, in the Amount of \$148,400

REPORT IN BRIEF

Considers authorizing to waive the competitive bidding requirements for CP230066 and considers awarding a Construction Contract to American Paving Co., in the amount of \$148,400 for the G Street Bridge Repair.

RECOMMENDATION

City Council - Adopt a motion:

- A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210; and,
- B. Awarding the G Street Bridge Repair, Project No. CP230066 to American Paving Co., in the amount of \$148,400; and,
- C. Authorizing the City Manager to execute the necessary documents and to approve change orders not to exceed 15% of the total contract.

This Consent Item was approved.

I.5.

SUBJECT: Adoption of a Resolution Assuring Timely Delivery for the 2024 Congestion Mitigation and Air Quality (CMAQ) Program Applications with Merced Association of Governments (MCAG)

REPORT IN BRIEF

Considers adopting a resolution assuring timely delivery of the 2024 Congestion Mitigation and Air Quality (CMAQ) program applications for two sidewalks projects in the City of Merced.

RECOMMENDATION

City Council - Adopt a motion:

- A. Adopting **Resolution 2024-103**, a Resolution of the City Council of the City of Merced, California, Assuring Timely Delivery for the 2024 Congestion Mitigation and Air Quality (CMAQ) Program Applications with Merced Association of Governments (MCAG); and,
- B. Authorizing the City Manager to execute all necessary documents.

This Consent Item was approved.

I.6.

SUBJECT: Second Reading and Final Adoption of an Ordinance Repealing Chapter 8.30 (Regulation of Shopping Carts), and Adopting a New Chapter Pertaining to the Regulation of Shopping Carts in the City

REPORT IN BRIEF

Second reading and final adoption of an Ordinance Repealing Chapter 8.30 (Regulation of Shopping Carts) and Adopting a New Chapter Pertaining to the Regulation of Shopping Carts in the City with the intent of putting more emphasis on the shopping cart owners to maintain carts

on-site, and to facilitate the removal of carts that are found off the premises of any store.

RECOMMENDATION

City Council - Adopt a motion adopting **Ordinance 2569**, an Ordinance of the City Council of the City of Merced, California, Repealing Chapter 8.30 (Regulation of Shopping Carts), and Adopting a New Chapter 8.30 Pertaining to the Regulation of Shopping Carts in the City.

This Consent Item was approved.

I.3.

SUBJECT: Approval of an Agreement Between the City of Merced and the Downtown Merced Property Owner's Association to Administer the Downtown Merced Property-Based Improvement District and Authorizing the City Manager to Execute the Agreement

REPORT IN BRIEF

Considers approving the Agreement Between the City of Merced and the Downtown Merced Property Owner's Association to Administer the Downtown Merced Property-Based Improvement District and Authorizing the City Manager to Execute the Agreement.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Agreement Between the City of Merced and the Downtown Merced Property Owner's Association to Administer the Downtown Merced Property-Based Improvement District; and,

B. Authorizing the City Manager to Execute the Agreement Between the City of Merced and the Downtown Merced Property Owner's Association to Administer the Downtown Merced Property-Based Improvement District in substantially the form on file with the City Clerk, with such changes thereto as may be approved as to form by the City Attorney.

Mayor SERRATTO pulled this item at the request of resident TaShandra BELLAMY.

TaShandra BELLAMY, Merced - spoke on the ballot for the Property-Based Improvement District, the amount of taxes on homeowners around the downtown area, and the process of appealing the PBID taxes.

Council, City Attorney Craig CORNWELL, and City Manager Scott MCBRIDE discussed the potential assistance for homeowners, assessments on properties, appeals to a vote, details of the agenda item, the members of the PBID, potential homeowner exemptions, and the amount of votes needed to pass the item.

A motion was made by Council Member Smith, seconded by Council Member Boyle, to approve the agreement as presented. The motion carried by the following vote:

Aye: 4 - Mayor Serratto, Council Member Boyle, Council Member DeAnda, and Council Member Smith

No: 3 - Mayor Pro Tempore Perez, Council Member Ornelas, and Council Member Xiong

Absent: 0

J. PUBLIC HEARINGS

J.1.

SUBJECT: Public Hearing - Zoning Ordinance Amendment #24-01, Initiated by the City of Merced, Application Involves Changes to the Merced Zoning Ordinance (Title 20 of the Merced Municipal Code), Which Amends Merced Municipal Code Section 20.44.170 (Regulation of Commercial Cannabis Activities - Commercial Cannabis Business Permit Required). This Amendment Would Clarify the Process to Amend or Provide Supplemental Application Materials, Clarify the Responsibility of the Applicant Relative to Meeting the Requirements of the Selection Criteria, Clarify the Process to Correct Potential Scoring Errors, Clarify the Qualified Commercial Cannabis Business Application List Timelines and Clarify the Process if There is a Failure for a Business to Meet the Clarified Timeline and Various Other Amendments

REPORT IN BRIEF

The City is proposing modifications to the City's current cannabis ordinance found under Merced Municipal Code Section 20.44.170 - Regulations of Commercial Cannabis Activities - Commercial Cannabis Business Permit Required. This ordinance amendment would clarify the process to amend or provide supplemental application materials, clarify the responsibility of the applicant relative to meeting the requirements of the Selection Criteria, clarify the process to correct potential scoring errors, clarify the Qualified Commercial Cannabis Business Application List timelines and clarify the process if there is a failure for a business to meet the clarified timeline and various other amendments.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting a Categorical Exemption for Environmental Review #24-21;
and,

B. Introducing **Ordinance 2571**, an Ordinance of the City Council of the City of Merced, California, Amending Section 20.44.170. "Regulation of Commercial Cannabis Activities - Commercial Cannabis Business Permit Required," of Merced Municipal Code to Allow City Council Consideration of Alternative Sites for Retail Cannabis Business Applications Under Appeal, and Include a Local Ownership Element for Cannabis Retail Permits Issued after November 3, 2021.

Principal Planner Jonnie LAN and City Manager Scott MCBRIDE gave a slideshow presentation on the zoning ordinance amendment #24-01, Commercial Cannabis Business Permits.

Mayor SERRATTO opened the Public Hearing at 7:05 PM and subsequently closed the Public Hearing at 7:06 PM due to lack of public comments.

Clerk's Note: There was no Council discussion.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

J.2.

SUBJECT: Public Hearing Pursuant to the Tax Equity and Fiscal Responsibility Act (TEFRA) and Adoption of Resolution Approving the Issuance of Revenue Bonds by the California Municipal Finance Authority in an Aggregate Principal Amount not to Exceed \$50,000,000 for the Purpose of Financing and Refinancing the Acquisition, Construction, Development, and Equipping of a 108-Unit Qualified Residential Property at 1808 Parsons Avenue, an Affordable Housing Project

REPORT IN BRIEF

Requests the City Council to conduct a TEFRA Public Hearing and consider adopting a resolution approving the issuance of Revenue Bonds by the California Municipal Finance Authority (CMFA) in an aggregate amount not to exceed \$50,000,000 on behalf of Visionary Home Builders of California, Inc. for the purpose of financing or refinancing the acquisition, construction, improvement, and equipping the Bella Vista 108-unit Affordable Housing Project. The City will not have any financial or legal obligations for the tax-exempt status of the bonds, the debt service on the bonds, or for any other matter related to the proposed bonds.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-102**, a Resolution of the City Council of the City of Merced, California, approving a Plan of Finance including the issuance of Revenue Bonds by California Municipal Finance Authority to finance and refinance a qualified residential rental project for the benefit Of VHB Bella Vista, LLC, and certain other matters relating thereto and,

B. Authorizing the City Manager to execute all necessary documents.

Management Analyst Leah BROWN gave a slideshow presentation on the public hearing for California Municipal Finance Authority, Tax Equity and Fiscal Responsibility Act (TEFRA) revenue bond hearing and the plan of finance for Vision Builders of CA, Inc. for the Bella Vista Apartments.

Mayor SERRATTO opened the Public Hearing at 7:10 PM.

Maria ALVARADO, Project Manager for Bella Vista - spoke on the Bella Vista purpose and shared details of the project.

Mayor SERRATTO closed the Public Hearing at 7:12 PM.

Clerk's Note: There was no Council discussion.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

K. ACTION ITEMS

- K.1. **SUBJECT:** Opening of a Public Meeting for Public Input Regarding the Establishment and Levying of an Assessment for the Formation of a Tourism Based Improvement District (TBID) as Authorized in Merced City Council Resolution 2024-92

REPORT IN BRIEF

The Council is being asked to open a public meeting for public input on the establishment and levying of an assessment to create a Tourism Businesses Improvement District (TBID) as contained in Merced City Council Resolution 2024-92.

RECOMMENDATION:

City Council - Adopt a motion opening the public meeting period seeking public input regarding the establishment and levying of an assessment for the formation Tourism Business Improvement District, Resolution 2024-92, without acting until the public hearing is closed on December 2, 2024.

Economic Associate Amanda WILLIAMS gave a slideshow presentation on the formation of the Tourism Based Improvement District (TBID) and the request to open the public meeting for public input.

Colton DENNIS, Merced - spoke on pairing arts and culture with TBID, suggested to invest in arts and culture in the community, and asked if there could be a spot for arts on the TBID.

Council Member XIONG briefly discussed the similarity of the TBID and the Property-Based Improvement District.

A motion was made by Mayor Pro Tempore Perez, seconded by Council Member Boyle, to open the public meeting. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, and Council Member Smith

No: 1 - Council Member Xiong

Absent: 0

- K.2. **SUBJECT:** Seeking Direction on Other Reinvestment Options on the City Council Adopted American Rescue Plan Act (ARPA) Strategic Investment Plan

REPORT IN BRIEF

Seeking direction on other reinvestment options on the City Council adopted American Rescue Plan Act (ARPA) Strategic Investment Plan.

RECOMMENDATION

Provide staff direction on reinvestment options related to the ARPA Strategic Investment Plan.

City Manager Scott MCBRIDE and City Surveyor Joe CARDOSO gave a slideshow presentation on reinvestment options on the City Council adopted American Rescue Plan Act (ARPA) strategic plan.

Council, Mr. CARDOSO, and Mr. MCBRIDE discussed the waterline replacement on Bob Hart Square, potentially locating funds for the Bob Hart Square project, the amount of the project, details of the Request for Proposals, and the beginning stages of updating Bob Hart Square. They also discussed details of the stage, the history of the water-main, details of all projects presented, details of the initial quote of the Bob Hart Square project, and potentially allocating funds to other projects.

A motion was made by Mayor Pro Tempore Perez, seconded by Council Member Boyle, to allocate \$1 million to the Bob Hart Square project. The motion carried by the following vote:

Aye: 4 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Boyle, and Council Member Smith

No: 3 - Council Member Ornelas, Council Member DeAnda, and Council Member Xiong

Absent: 0

K.3.

SUBJECT: Continued - Additional Information and Options Requested by Council in Order to Authorize Submission of a Formal Request to the U.S. Department of Housing and Urban Development (HUD) Asking for Voluntary Grant Reductions (VGRs) of Future CDBG and HOME Allocations in Lieu of Repayment from Local Funds; or Authorization to Make the Required Repayments to HUD from Local Funds; or Authorization for a Combined VGR and Local Fund Repayment from Either General Fund or Fund 1020 Affordable Housing, Stemming from the January 2020 HUD Environmental Monitoring Findings and Required Corrective Actions for the Gateway Terrace II Affordable Housing Project

REPORT IN BRIEF

Provides the City Council with additional options and information that was requested at the October 21, 2024, Council meeting to assist Council in

authorizing the City Manager to move forward with a formal request to HUD to voluntarily reduce future CDBG and/or HOME annual allocations, or authorize repayment to HUD from General Fund and/or Fund 1020 Affordable Housing, or authorize a combined Voluntary Grant Reduction and General Fund/Fund 1020 repayment, in order to satisfy HUD's required corrective action to repay ineligible expenditures of CDBG and HOME and resolve the environmental findings.

RECOMMENDATION

City Council - Adopt a motion:

Voluntary Grant Reduction Only:

A. Authorizing the City Manager to submit a formal letter to HUD requesting Voluntary Grant Reductions of both CDBG and HOME allocations, with a full 1-year reduction of CDBG and a 3-year reduction of HOME; or,

B. Authorizing the City Manager to submit a formal letter to HUD requesting Voluntary Grant Reductions of both CDBG and HOME allocations, with a 2-year reduction of CDBG and a 3-year reduction of HOME; or,

C. Authorizing the City Manager to submit a formal letter to HUD requesting Voluntary Grant Reductions of both CDBG and HOME allocations, with a 3-year reduction for each allocation;

Or -

Repayment from Local Fund Only:

D. Approving a Supplemental Appropriation from the unreserved, unencumbered General Fund balance in the amount of \$700,507 to repay the full balance of the ineligible activities; or,

E. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance of Fund 1020 Affordable Housing in the amount of \$700,507 to repay the full balance of the ineligible activities; or,

F. Approving a Supplemental Appropriation from each of the above unreserved, unencumbered fund balances, General Fund and Fund 1020 Affordable Housing, in amounts as determined by Council up to the amount of \$700,507;

Or -

Combined VGR and Repayment from Local Fund:

G. Approving the City Manager to submit a formal letter to HUD requesting Voluntary Grant Reduction of CDBG at a 1-, 2-, or 3-year reduction, and a repayment of \$392,593.55 of HOME ineligible activities from the unreserved, unencumbered fund balances of General Fund or Fund 1020 Affordable Housing, or other appropriate local fund, at Council's discretion for the number of years of CDBG reduction and HOME local repayment source.

And -

H. Authorize the Finance Officer to make any and all needed budget adjustments and other actions to support the Council's above determination.

City Manager Scott MCBRIDE and Housing Program Supervisor Kim NUTT gave a slideshow presentation on the continuation discussion of the Housing and Urban Department (HUD) 2021 Environmental Findings Report final corrective actions.

Council, Mr. MCBRIDE, and Ms. NUTT discussed details of all the repayment options, funding allocated for future projects, details of the 1020-Fund, the repayment process for the individual option, and the process that HUD follows once they are repaid.

Clerk's Note: Recommendations D through H required five affirmative votes from Council.

A motion was made by Council Member Smith, seconded by Council Member Boyle, to pay the owed amount from Fund-1020. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

Clerk's Note: Council took a recess at 8:25 PM and reconvened at 8:37 PM

K.4.

SUBJECT: Approval of Additional Contingency in the Amount of \$17,842.70 for Additional Work Which is Reflected in the Final

Change Order with Tosted Asphalt, Inc., for the R St Sidewalk
Replacement Childs Avenue to 13th Street, Project Number CP220024
to Close out the Project

REPORT IN BRIEF

Considers approving an increase to the contingency in the amount of \$17,842.70 for Project No. CP220024 - R St Sidewalk Replacement Childs Avenue to 13th Street. This will be the final increase to close out the project.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Final Change Order with Tosted Asphalt, Inc., with an increase in contingency of \$17,742.70, for a total contingency amount of \$35,697.00, which is approximately 19.88% of the original contract amount; and,

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

City Surveyor Joe CARDOSO briefly discussed the approval to increase the contingency amount for Project No. CP22024 Construction Contract.

Clerk's Note: There was no Council discussion.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

K.5.

SUBJECT: Approval to Accept and Appropriate \$45,000 in the Fiscal Year 2021 State Homeland Security Grant Program (SHSGP) and Approval to Purchase a Fotokite Tethered Drone

REPORT IN BRIEF

Considers accepting and appropriating \$45,000 of Fiscal Year 2021 SHSGP Grant program funds for the purchase of a Fotokite tethered drone for the Fire Department and to waive the competitive bidding requirement for the purchase.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting \$45,000 from Fiscal Year 2021 SHSGP grant funds, increasing revenue in Fund 1000 General Fund Fire Department and appropriating the same for the purchase of a Fotokite tethered drone; and,

B. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210 for standardization of equipment; and,

C. Authorizing the City to purchase requested drone and associated equipment through LN Curtis and Sons for equipment costs not to exceed \$45,000; and,

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

E. Authorizing the City Manager to execute the necessary documents.

Interim Fire Chief Casey WILSON briefly discussed the acceptance of funds in the Fiscal Year 2021 State Homeland Security Grant Program (SHSGP) and the approval to purchase a Fotokite Tethered drone.

Clerk's Note: There was no Council discussion.

Clerk's Note: Recommendation A required five affirmative votes from Council.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

K.6.

SUBJECT: Acceptance of the 2024 Interfacility Transport Ambulance Feasibility Study, Accepting a Report on Advanced Life Support First Response, Approving the Addition of One Fire Battalion Chief 40-Hour Position, and Approving the Supplemental Appropriation for the Purchase of One Vehicle and Three (3) Advanced Life Support

Cardiac Monitors

REPORT IN BRIEF

Present City Council a report on the 2024 Interfacility Transport Ambulance Feasibility Study, provide an update on first responder advanced life support, and request additional resources to support the implementation of the first responder advanced life support program.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting the Merced Fire Department 2024 Interfacility Transport Ambulance Feasibility Study; and,
- B. Accepting a report on First Responder Advanced Life Support (FRALS) as information only; and,
- C. Approving **Resolution 2024-104**, a Resolution of the City Council of the City of Merced, California, Amending the Classification Plan by Updating the Personnel Allocation in the Fire Department by Adding One Fire Battalion Chief-40 Position; and,
- D. Approving a supplemental appropriation in the amount of \$50,000 from the unencumbered, unreserved fund balance of Fund 2003-Measure Y Fire; and,
- E. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210 for standardization of equipment in purchasing three (3) Advanced Life Support LIFEPAK LP35 Cardiac Monitors in the amount of \$145,021; and,
- F. Authorizing the City Manager to execute the necessary documents; and,
- G. Authorizing the Finance Officer to make the necessary budget adjustments.

Interim Fire Chief Casey WILSON gave a slideshow presentation on the Advanced Life Support First Response delivery update of 2024.

Council and Mr. WILSON discussed the function of cardiac monitor function and details of the required votes.

Tim WILLIAMS, EMS Administrator for the Merced County EMS Agency, Merced - thanked the Fire Department for their work on the ALS First

Responder in the city and congratulated the City of Merced for moving forward with the project.

Michael HARRIS, Merced - spoke in support of the ALS First Responder in the City of Merced and shared a personal story while working as a First Responder.

Council and Mr. WILSON discussed the future plan for ALS First Responder, details of the five year contract with Merced County, timeline of contract, and the lifespan of emergency vehicles.

Clerk's Note: Recommendations D and G required five affirmative votes from Council.

A motion was made by Mayor Pro Tempore Perez, seconded by Council Member Ornelas, to approved Recommendations D and G. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

A motion was made by Council Member Ornelas, seconded by Council Member Boyle, to approve Recommendations A, B, C, E, and F. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

K.7.

SUBJECT: Introduction of an Ordinance Adding Chapter 8.60, "Vacant Building Limitations and Standards" to the Merced Municipal Code

REPORT IN BRIEF

Considers the introduction of a draft Ordinance adding Chapter 8.60, "Vacant Building Limitations and Standards" to create restrictions on ownership of commercial and residential vacant properties.

RECOMMENDATION

City Council - Adopt a motion:

A. Introducing and approving the first reading of **Ordinance 2573**, an Ordinance of the City Council of the City of Merced, California, Adding Chapter 8.60 "Vacant Building Limitations and Standards" to the Merced Municipal Code; and,

B. Setting the Ordinance for a second reading and adoption.

City Attorney Craig CORNWELL briefly discussed the introduction of an ordinance adding chapter 8.60 to the Merced Municipal Code.

Council and Mr. CORNWELL discussed the process of fee waivers, the difference between a vacant building and a vacant boarded building, exceptions for vacant properties, holding property owners accountable, details of rehabilitating a property, and details of the ordinance.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

K.8.

SUBJECT: Introduction of an Ordinance Amending Chapter 8.22 to Add Fireworks Host Liability and Enforce Stricter Penalties

REPORT IN BRIEF

Considers introducing a draft Ordinance amending Chapter 8.22 to Fireworks Host Liability and enforce stricter penalties.

RECOMMENDATION

City Council - Adopt a motion:

A. Introducing and approving the first reading of **Ordinance 2570**, an Ordinance of the City Council of the City of Merced, California, amending Chapter 8.22 (Fireworks) to add Fireworks Host Liability; Enforce Stricter penalties; and Reorder/Renumber Certain Sections; and,

B. Set the Ordinance for a second reading and adoption.

City Attorney Craig CORNWELL briefly discussed the introduction of an

ordinance amending chapter 8.22 to the Merced Municipal Code.

Clerk's Note: There was no Council discussion.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

K.9.

SUBJECT: Introduction of an Ordinance Adding Chapter 9.80, "Recreational Vehicle Parking Regulations" to the Merced Municipal Code

REPORT IN BRIEF

Considers the introduction of a draft Ordinance adding Chapter 9.80, "Recreational Vehicle Parking Regulations" prohibiting on-street parking from all residential zones in the City of Merced.

RECOMMENDATION

City Council - Adopt a motion:

A. Introducing and approving the first reading of **Ordinance 2572**, an Ordinance of the City Council of the City of Merced, California, Adding Chapter 9.80 "Recreational Vehicle Parking Regulations" to the Merced Municipal Code; and,

B. Set the Ordinance for a second reading and adoption.

City Attorney Craig CORNWELL briefly discussed the introduction of an ordinance adding chapter 9.80 to the Merced Municipal Code.

Council, Chief of Police Steven STANFIELD, and Mr. CORNWELL discussed the time limit for short-term Recreational Vehicle (RV) parking, the Merced Police Department process for citing RVs, the issue of RVs around the city, details of the concerned citizen complaints, safety concerns for dated RVs, and time limit for long-term RV parking.

Council agreed to make the following amendments to the proposed ordinance: "load and unload" to be removed from section 9.80.040 "Parking Pass" and placed in section 9.80.030(A) and not use a time limit

of 48 hours, instead use language "load and unload".

A motion was made by Council Member Ornelas, seconded by Mayor Pro Tempore Perez, that this agenda item be approved with the amendments the City Attorney proposed. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

K.10.

SUBJECT: Introduction of an Ordinance Amending Chapter 9.51, "Camping and Storage of Personal Property" of the Merced Municipal Code

REPORT IN BRIEF

Considers the introduction of a draft Ordinance amending Chapter 9.51, "Camping and Storage of Personal Property" to create restrictions on camping in public spaces with the City of Merced.

RECOMMENDATION

City Council - Adopt a motion:

A. Introducing and approving the first reading of **Ordinance 2568**, an Ordinance of the City Council of the City of Merced, California, Amending Chapter 9.51 "Camping and Storage of Personal Property" of the Merced Municipal Code; and,

B. Set the Ordinance for a second reading and adoption.

City Attorney Craig CORNWELL briefly discussed the introduction of an ordinance amending chapter 9.51 to the Merced Municipal Code.

Council and Mr. CORNWELL briefly discussed the amendments made at the previous Council meeting.

A motion was made by Council Member Smith, 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 Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, and Council Member Smith

No: 1 - Council Member Xiong

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.

Mayor SERRATTO and Council Member SMITH requested to add an item to discuss an ordinance for walking in crosswalks in business districts to the December 16, 2024 City Council meeting.

Mayor SERRATTO and City Attorney Craig CORNWELL briefly discussed the requested item.

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 BOYLE reported on attending various Soft Openings and Grand Openings of local businesses, the Merced County Banquet event, and the Merced Police Cops for Critters event.

Mayor SERRATTO thanked Council for the work done at previous Council meetings and spoke on various Halloween celebrations, Veteran's Day events, Merced College's Haunted House, and Roller Land's Anniversary event. He also stated to be safe on Election Day.

Mayor Pro Tempore PEREZ wished her colleagues Mayor SERRATTO and Council Member BOYLE good luck on Election Day.

M. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 10:07 PM.

A motion was made by Council Member Boyle, seconded by Mayor Pro Tempore Perez, that this Regular Meeting be adjourned. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0