



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, December 20, 2021

6:00 PM

A. CLOSED SESSION ROLL CALL

Present: 7 - Mayor Matthew Serratto, Mayor Pro Tempore Kevin Blake, Council Member Fernando Echevarria, Council Member Delray Shelton, Council Member Bertha Perez, Council Member Jesse Ornelas, and Council Member Sarah Boyle

Absent: 0

B. CLOSED SESSION

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

Clerk's Note: Pursuant to Assembly Bill 361, Council Member PEREZ participated in the Closed Session virtually.

B.1.

SUBJECT: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant Exposure Litigation Pursuant to Paragraph (2) of Subdivision (d) of Government Code section 54956.9: (1) Potential Case Regarding the Northern Portion of the Arbor Walkway

Clerk's Note: Council Member ORNELAS recused himself from this item due to the proximity of his work to this location.

B.2.

SUBJECT: CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Eugene Drummond v. City of Merced; Workers Compensation Case Number ADJ15080750; AUTHORITY: Government Code Section 54956.9(d)(1)

Clerk's Note: Council adjourned from Closed Session at 5:42 PM.

C. CALL TO ORDER

Mayor SERRATTO called the Regular Meeting to order at 6:02 PM.

C.1. Invocation - Pastor Juan Ochoa, Calvary Assembly of God Merced

The invocation was delivered by Pastor Juan OCHOA from the Calvary Assembly of God, Merced.

C.2. Pledge of Allegiance to the Flag

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

F. CEREMONIAL MATTERS

Mayor SERRATTO moved the Ceremonial Items portion of the agenda to allow for the United Tribes of California to perform a Native American Ceremony and to present gifts to their supporters.

F.1. SUBJECT: Proclamation - Native American Heritage Month

REPORT IN BRIEF

Accepted by United Tribes of California.

Mayor SERRATTO presented the Native American Heritage Month proclamation to representatives from the United Tribes of California.

D. ROLL CALL

Present: 7 - Mayor Matthew Serratto, Mayor Pro Tempore Kevin Blake, Council Member Fernando Echevarria, Council Member Delray Shelton, Council Member Bertha Perez, Council Member Jesse Ornelas, and Council Member Sarah Boyle

Absent: 0

Clerk's Note: Pursuant to Assembly Bill 361, Council Member PEREZ participated in the Regular Meeting virtually.

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.

G. WRITTEN PETITIONS AND COMMUNICATIONS

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

Oral Communications - Guillermina PEREZ and Yusdivia R.

H. ORAL COMMUNICATIONS

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

Anonymous citizen - expressed concern about meeting conduct and decorum.

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

Gloria SANDOVAL, Merced - spoke about Homeless Person's Memorial Day and homeless issues.

I. CONSENT CALENDAR

Items I.8 Approval of a Supplemental Appropriation from the Economic Development Opportunity Fund (074) for \$43,825.00, and Approval of a First Amendment to the Professional Service Agreement with Kristin Lowell, Inc in the Amount of \$43,825.00 to Initiate the Process of Forming a Tourism Business Improvement District in the City of Merced, and I.11 Second Reading and Final Adoption of an Ordinance Amending Section 20.44.160 of the Merced Municipal Code Regarding Tobacco Sales Near Schools; 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: 7 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

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: Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of November 15, 2021

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 November 15, 2021.

This Consent Item was approved.

I.3.

SUBJECT: Approval of an Agreement for Professional Services with Galvin Preservation Associates, Inc., a California Corporation, to Provide Environmental and Permitting Consulting Services for the Bear Creek Bike Path Embankment Repair Project for a Total Amount not to Exceed \$64,705.00

REPORT IN BRIEF

Considers approving a professional services agreement with Galvin Preservation Associates, Inc., a California Corporation, to provide Environmental and Permitting Consulting Services for the Bear Creek Bike Path Embankment Repair Project.

RECOMMENDATION

City Council - Adopt a motion approving an agreement for professional services (environmental and permitting) with Galvin Preservation Associates, Inc., a California Corporation, in the amount of \$64,705.00, and authorizing the City Manager or Deputy City Manager to sign the necessary documents.

This Consent Item was approved.

I.4.

SUBJECT: Adoption of a Resolution Authorizing the Submittal of a Joint Application and Participation in the State of California Housing and Community Development (HCD) Homekey Program; Authorizing the Finance Officer to Make Necessary Budget Amendments to Implement the Homekey Program; and Authorizing

the Finance Officer to use Pooled Cash if Necessary Pending Reimbursements from the Homekey Program

REPORT IN BRIEF

Authorizes the submittal of a Joint Application and Participation in the State of California Department of Housing and Community Development Department (HCD) Homekey; authorizing the City Manager or Deputy City Manager to execute the Standard Agreement if selected for such funding any amendments thereto, and any related documents to participate in the Homekey Program; authorizing the Finance Officer to make any Budget Amendments necessary for the implementation of the use of the Homekey Program Funds; and authorizing the Finance Officer to use Pooled Cash if necessary, pending reimbursements from the Homekey Program.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting Resolution **2021-109**, a Resolution of the City Council of the City of Merced, California, authorizing a joint application and participation in the Homekey Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the Homekey Program; and,

B. Authorizing the City Manager or Deputy City Manager to execute the Standard Agreement if selected for such funding and any amendments thereto, and any related documents necessary to participate in the Homekey Program; and,

C. Authorizing the Finance Officer to make any Budget Amendments necessary for the implementation of the use of the Homekey Program; and,

D. Authorizing the use of pooled cash until reimbursement if grant is awarded from the Homekey Program.

This Consent Item was approved.

I.5.

SUBJECT: Approval to Waive the Competitive Bidding Process and Allow the City to Piggyback onto Existing City of Tucson Contract # 171725-01 for Mobile Computing Solutions Through Vendors Adwar Video; ARC; BAYCOM, Inc.; CDW-G; Code 3 Technology; GovDirect; Insight, Island Tech Services, LLC; LEHR; MCT; One

Diversified, LLC; PCS Mobile; Rugged Solutions America, LLC dba Rugged Depot; and Turn-Key Mobile in a not to Exceed Amount of \$120,000

REPORT IN BRIEF

Considers waiving the competitive bid process and approving procurement through OMMNIA Partners' multiyear competitively bid contract #171725-01 from the City of Tucson for mobile computing solutions with Adwar Video; ARC; BAYCOM, Inc.; CDW-G; Code 3 Technology; GovDirect; Insight, Island Tech Services, LLC; LEHR; MCT; One Diversified, LLC; PCS Mobile; Rugged Solutions America, LLC dba Rugged Depot; and Turn-Key Mobile in a not to exceed amount of \$120,000.

RECOMMENDATION

City Council - Adopt a motion:

- A. Waiving the competitive bidding requirements; and,
- B. Approving piggybacking onto the City of Tucson contract 171725-01 expiring October 9, 2022 for a not to exceed amount of \$120,000 per fiscal year, and,
- C. Authorizing the City Manager or Deputy City Manager to execute the necessary documents, including renewals; and,
- D. Authorizing the Finance Officer to make necessary budget adjustments.

This Consent Item was approved.

I.6.

SUBJECT: Adoption of Resolution Approving the Administering Agency State Program Supplement No. F035 and Agreement Summary (E-76) for a Congestion Mitigation and Air Quality Improvement (CMAQ) Grant CML-5085(055), (Project No. 121044), CMAQ-Nottingham Sidewalk Project for the use of \$46,920 in CMAQ Grant Funding for Preliminary Engineering for the Nottingham Sidewalk Project

REPORT IN BRIEF

Considers a resolution approving a California Department of Transportation Program Supplement for the use of \$46,920 in CMAQ

Grant funding for Preliminary Engineering for the Nottingham Sidewalk Project.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2021-112**, a Resolution of the City Council of the City of Merced, California, approving Federal-Aid Projects Program Supplement Agreement No. F035; and,

B. Accepting CMAQ grant funds and increasing revenue in account 450-1104-321-32-00 by \$46,920 and appropriating the same to account 450-1104-637-65-00 (Project No. 121044) for preliminary engineering costs associated with design of Nottingham Sidewalk Project,

C. Approving the use of pooled cash until reimbursement is received from the grant; and,

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

This Consent Item was approved.

I.7.

SUBJECT: Adoption of Resolution Approving Final Map #5394 for the Bellevue Ranch West, Village 18-A, Phase 3 Subdivision for 78 Single-Family Lots, Generally Located Northwest of Freemark Avenue, West of the Future Catherine A. Hostetler Boulevard, and the Approval of the Subdivision Agreement for the Bellevue Ranch West, Village 18-A, Phase 3 Subdivision

REPORT IN BRIEF

Considers the approval of Final Map #5394 for 78 single-family lots, generally located Northwest of Freemark Avenue, west of the future Catherine A. Hostetler Boulevard, and the Subdivision Agreement for the Bellevue Ranch West, Village 18A, Phase 3 subdivision.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2021-115**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Bellevue Ranch West, Village 18-A, Phase 3 Subdivision

(#5394); and,

B. Approving the Subdivision Agreement for Bellevue Ranch West, Village 18A, Phase 3 Subdivision; and,

C. Authorizing the City Manager or Deputy City Manager to execute all necessary documents.

This Consent Item was approved.

I.9.

SUBJECT: Award of Bid and Approval of Contract with Miracle Playsystems for the Fahrens Park Playground Equipment Replacement, Project No. 122012, in the Amount of \$274,999.15

REPORT IN BRIEF

Considers awarding a contract in the amount of \$274,999.15 to Miracle Playsystems to remove and replace the Playground Equipment located at Fahrens Park.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding bid and approving the Professional Services Agreement with Miracle Playsystems for the Fahrens Park Playground Equipment Replacement, Project No. 122012, in the amount of \$274,999.15; 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.

This Consent Item was approved.

I.10.

SUBJECT: Award of Bid and Approval of a Construction Contract with Rolfe Construction, Inc., for the G Street Improvements, Childs Avenue to 13th Street & Alleys 11th to 13th Street in the Amount of \$2,531,371.00; Project No. 117039

REPORT IN BRIEF

Consider awarding a construction contract to Rolfe Construction, Inc., in the amount of \$2,531,371.00 for the G Street Improvements, Childs Avenue to 13th Street & Alleys 11th to 13th Street Project.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the G Street Improvements, Childs Avenue to 13th Street & Alleys 11th to 13th Street Project 117039 to Rolfe Construction, Inc., in the amount of \$2,531,371.00; 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.

This Consent Item was approved.

I.8.

SUBJECT: Approval of a Supplemental Appropriation from the Economic Development Opportunity Fund (074) for \$43,825.00, and Approval of a First Amendment to the Professional Service Agreement with Kristin Lowell, Inc in the Amount of \$43,825.00 to Initiate the Process of Forming a Tourism Business Improvement District in the City of Merced

REPORT IN BRIEF

Considers appropriating \$43,825.00 from the Economic Development Opportunity Fund for a proposed first amendment to the professional service agreement with Kristin Lowell, Inc. to start the process of establishing a Tourism Business Improvement District.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a supplemental appropriation in the amount of \$43,825.00 from the unreserved, unencumbered fund balance of the Economic Development Opportunity Fund (074) to account 074-2002-572-1700 (professional Services - Economic Development Opportunity Fund); and,

B. Approving the first amendment to the professional services agreement with Kristin Lowell, Inc., in the amount of \$43,825.00; and,

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

Council Member ORNELAS pulled this item to request a report from staff.

City Manager Stephanie DIETZ and Deputy City Manager Frank

QUINTERO reported on Council's desire to pursue a Tourism Based Improvement District to assist in promoting tourism.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 0

I.11.

SUBJECT: Second Reading and Final Adoption of an Ordinance Amending Section 20.44.160 of the Merced Municipal Code Regarding Tobacco Sales Near Schools

REPORT IN BRIEF

Second reading and final adoption of an ordinance amending Section 20.44.160 of the Merced Municipal Code Regarding Tobacco Sales Near Schools, which would more closely match the regulations for Commercial Cannabis Permits and allow for exceptions to be made under certain circumstances for tobacco retailers near youth-oriented facilities.

RECOMMENDATION

City Council - Adopt a motion adopting **Ordinance 2535**, an Ordinance of the City Council of the City of Merced, CA, amending section 20.44.160 "Tobacco Sales Prohibited Near Schools" of the Merced Municipal Code regarding tobacco sales near schools and other sensitive uses.

Council Member ORNELAS pulled this item to vote on it separately.

A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Echevarria, 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 Shelton, and Council Member Boyle

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

Absent: 0

J. PUBLIC HEARINGS

J.1.

SUBJECT: Public Hearing to Consider the Annexation of Certain

Property into Community Facilities District (CFD) No. 2003-2 (Services), Calling and Holding a Special Election for Annexation No. 19 into CFD No. 2003-2 (Services) for Approximately 2.8 Acres Located at the Northwest Corner of Highway 59 and Santa Fe Drive; Canvassing the Results of the Election Held within Annexation No. 19 of Said District, and Annexing Annexation No. 19 to Said District and Authorizing the Levy of a Special Tax Within Said Annexation No. 19

REPORT IN BRIEF

Hold a public hearing and election for annexation into Community Facilities District No. 2003-2 (Services) for the approximately 2.8-acre commercial project located at the northwest corner of Highway 59 and Santa Fe Drive.

RECOMMENDATION

City Council - Adopt a motion:

- A. Holding a Public Hearing on the annexation of certain property into the CFD and the levy of special taxes; and,
- B. Adopting **Resolution 2021-116**, a Resolution of the City Council of the City of Merced, acting as the Legislative Body of the Community Facilities District No. 2003-2 (Services) of the City of Merced determining the validity of prior proceedings, calling a special election related to Annexation No. 19; and,
- C. Holding an election; and,
- D. Adopting **Resolution 2021-117**, a Resolution of the City Council of the City of Merced acting as the Legislative Body of the Community Facilities District No. 2003-2 (Services) of the City of Merced canvassing the results of the election held within Annexation No. 19 of said District; and,
- E. Adopting **Resolution 2021-118**, a Resolution of the City Council of the City of Merced acting as the Legislative Body of the Community Facilities District No. 2003-2 (Services) of the City of Merced, annexing Annexation No. 19 to said district and authorizing the levy of a special tax within said Annexation No. 19.

Senior Planner Julie NELSON gave a slideshow presentation on the annexation of the approximately 2.8-acre commercial project located at the northwest corner of Highway 59 and Santa Fe Drive into Community Facilities District No. 2003-2 (Services).

Mayor SERRATTO opened the Public Hearing at 6:57 PM and subsequently closed the Public Hearing at 6:58 due to lack of public comment.

A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Boyle, to adopt Resolution 2021-116. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 0

Assistant City Clerk Jennifer LEVESQUE opened the ballot and announced that the ballot was in favor of annexation into the CFD.

A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Shelton, to adopt Resolution 2021-117 and Resolution 2021-118. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 0

J.2.

SUBJECT: Public Hearing to Consider Adoption of a Resolution Authorizing and Adopting the Permanent Local Housing Allocation Plan and Adoption of Resolution Authorizing the Submittal of an Application to the Permanent Local Housing Allocation Program of the State of California Housing and Community Development

REPORT IN BRIEF

Authorizing and adopting the Permanent Local Housing Allocation Plan (PLHA), certifying that the public had adequate opportunity to review and comment on the plan, authorizing the submittal of the Five Year Permanent Local Housing Plan to the State of California Department of Housing and Community Development Department (HCD); authorizing the submittal of an application to the Permanent Local Housing Plan Program to HCD.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting Resolution **2021-113**, a Resolution of the City Council of the

City of Merced, California, authorizing and adopting the Permanent Local Housing Allocation Plan and certifying that the public had adequate opportunity to review and comment on the plan; authorizing the submittal of the Five Year Permanent Local Housing Plan to the State of California Department of Housing and Community Development; and,

B. Adopting Resolution **2021-114**, a Resolution of the City Council of the City of Merced, California, hereby authorizes the submittal of an application to the Permanent Local Housing Plan Program (PLHA) to State of California Department of Housing and Community Development Department (HCD), and the execution of a Standard Agreement if selected for funding and any amendments thereto; and any related documents to participate in the Permanent Local Housing Allocation Program; and,

C. Authorizing the Finance Officer to make any Budget Amendments necessary for the implementation of the use of the Permanent Local Housing Allocation; and,

D. Authorizing the Finance Officer to use Pooled Cash if necessary, pending reimbursements from the Permanent Local Housing Allocation Program.

Development Services Director Scott MCBRIDE gave a slideshow presentation on the Permanent Local Housing Allocation Plan (PLHA) and outlined the steps to submit the plan to the State of California Department of Housing and Community Development.

Mayor SERRATTO opened the Public Hearing at 7:07 PM and subsequently closed the Public Hearing at 7:08 due to lack of public comment.

A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Perez, to adopt Resolution 2021-113, Resolution 2021-114, and authorize the Finance Officer to make necessary budget adjustments and use pooled cash pending reimbursement. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 0

J.3.

SUBJECT: Public Hearing to Consider Adoption of Resolution Accepting the Annual Report on Development Impact Fees for Fiscal Year 2020/2021 as Required by Government Code Section 66006(b)

REPORT IN BRIEF

Considers adopting a Resolution of the City Council of the City of Merced accepting the City's Annual Compliance Report for Development Impact Fees (AB 1600) as required by Government Code section 66006(b).

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting the Annual Compliance Report for Development Impact Fees for Fiscal Year 2020/2021 which contains the information required by California Government Code Section 66006(b); and,

B. Adopting **Resolution 2021-119**, a Resolution of the City Council of the City of Merced, California, accepting the Development Impact Fees Fiscal Year 2020/2021 Annual Report and making findings related to unexpended developer deposits for public improvements as required by California Government Code Section 66001.

City Engineer Michael BELTRAN gave a slideshow presentation on the annual report for development impact fees as required by Government Code 660006(b), described the appropriate uses for the fees, and upcoming projects that will use these fees.

Mayor SERRATTO opened the Public Hearing at 7:17 PM and subsequently closed the Public Hearing at 7:18 due to lack of public comment.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 0

K. REPORTS

K.1. SUBJECT: City of Merced Financial Forecast, CalPERS, Fiscal Year 2020-21 Quarterly and Sewer Rate Update

REPORT IN BRIEF

Presentation of the Financial Forecast, CalPERS, Fiscal Year 2020-21 Quarterly and Sewer Rate Update.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2021-121**, A Resolution of the City Council of the City of Merced, California continuing the base sewer service rates and charges unchanged for the next calendar year.

Finance Officer Venus RODRIGUEZ gave a slideshow presentation on a five-year financial forecast for the City, gave an overview of revenues and expenditures, explained various City funds, gave an update on the CalPERS retirement system unfunded liability, presented a quarterly update and discussed freezing the current sewer rates.

Council and Ms. RODRIGUEZ briefly discussed various portions of the report including CalPERS and the current sewer rate.

A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Ornelas, to adopt Resolution 2021-121. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 0

K.2.

SUBJECT: Report on Encampment Services as Previously Directed by the City Council

REPORT IN BRIEF

Staff to provide a report updating the City Council on the current level of services being provided to encampments throughout the community.

RECOMMENDATION

City Council - Information only.

City Manager Stephanie DIETZ gave a slideshow presentation updating the Council on the City's efforts to manage the current homeless encampments within the City, trash services provided, the outreach and services offered to the residents of the encampments, the cooperation with CalTrans and Merced County, and the data being collected regarding the homeless population.

Council and Ms. DIETZ briefly discussed the encampments, the types of programs and services offered, and projects with permanent supportive housing.

Hope, Merced - expressed concerns over the access to the resources available to the homeless individuals.

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

K.3.

SUBJECT: Report and Request for Direction on Partial Cancellation of Development Agreement Including Reservation and Dedication of Future Fire Station Within the Weaver Annexation Area

REPORT IN BRIEF

Provide Direction to Staff to initiate the partial cancellation of the Development Agreement (DA) including the reservation and dedication of a future fire station location within the Weaver Annexation Area near Coffee Street and Gerard Avenue.

RECOMMENDATION

City Council - Provide staff direction to initiate a partial cancellation of the Development Agreement (DA) including the reservation and dedication of a future fire station to be located within the Weaver Annexation Area near Coffee Street and Gerard Avenue.

Development Services Director Scott MCBRIDE and Fire Chief Derek PARKER gave a presentation outlining the various response time and areas of coverage for the current fire stations and requested direction to initiate the partial cancellation of a Development Agreement that included the reservation and dedication of a future fire station location within the Weaver Annexation Area near Coffee Street and Gerard Avenue.

Eric PLUIM, General Manager of Gateway Marketplace Development - requested Council move the future fire station development to a different location to allow for more multi-family housing to be built on the development land.

Clerk's Note: Council expressed general support for the partial cancellation of the Development Agreement with no formal vote or action being taken on this item.

Clerk's Note: Mayor Pro Tempore BLAKE left the meeting at 8:42 PM.

L. BUSINESS

L.1.

SUBJECT: Direction on the Format and Dates for the 2022 Community Town Halls and Strategic Planning Session to Provide Input on the

Development of the Fiscal Year 2022/23 Budget

REPORT IN BRIEF

Seeks direction on the format and dates for the 2022 Community Town Halls and Council Strategic Planning Session to provide input on the development of the fiscal year 2022/23 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 discussed the format and dates for the 2022 Town Hall meetings which included options for virtual and in-person meetings and which locations should be used.

Council agreed on in-person Town Hall meetings on February 3rd, February 10th and February 17th with the locations to be determined based on location availability, a Strategic Planning Session on February 19th, and agreed that the central Town Hall meeting would be a hybrid meeting including both in person and virtual elements.

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

L.2.

SUBJECT: Adoption of a Resolution Making Findings to Hold City Council, Commission, and Committee Meetings Using a Combination of In-Person/Virtual (Hybrid) Meetings Under Assembly Bill (AB) 361

REPORT IN BRIEF

That the City Council finds that during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing, the City Council and all commission and committee meetings will be held as hybrid meetings, allowing for direction on format elements.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2021-120**, a Resolution of the City Council of the City of Merced, California, making findings consistent with the requirements of AB 361 to allow for in-person/virtual (hybrid) public meetings.

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

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake

L.3. **SUBJECT:** Council Member Echevarria's Request to Discuss a Potential Trap and Release Program for Feral Cats

REPORT IN BRIEF

Council Member Echevarria's Request to discuss a potential trap and release program for feral cats pursuant to City Council Administrative Policies and Procedures C-1.

RECOMMENDATION

Provide direction to staff regarding a trap and release program for feral cats.

Council Member ECHEVARRIA expressed a goal for a catch and release program for feral cats to spay and neuter them to control the population.

Council discussed the potential program, programs that are already being worked on by Merced County, animal control in the City, and the need to bring this back to a future meeting.

Council agreed to allow staff to meet with the County to discuss their plans and bring this item for discussion at the Strategic Planning Session in February.

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

L.4. **SUBJECT:** Request to Add Item to Future Agenda

REPORT IN BRIEF

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

There were no requests.

L.5. **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 commented on a law enforcement luncheon, a recent dinner for Albion Soccer Club, the States allocation of valley water, and wished all a Merry Christmas.

Council Member BOYLE wished all a Merry Christmas and Happy New Year.

Council Member SHELTON wished all a Merry Christmas.

Council Member ORNELAS commented on the new police car design, youth boxing, and commented on a winter solstice event at the Boys and Girls Club.

Mayor SERRATTO commented on all of the accomplishments of the City Council and City Staff throughout the year.

M. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 9:36 PM.

A motion was made by Council Member Ornelas, seconded by Mayor Serratto, that the meeting be adjourned. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 1 - Mayor Pro Tempore Blake