



# 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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Tuesday, July 5, 2016

7:00 PM

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#### A. CLOSED SESSION ROLL CALL

Mayor THURSTON called the Closed Session to order at 6:32 PM.

**Present:** 6 - Mayor Stanley P. Thurston, Mayor Pro Tempore Joshua Pedrozo, Council Member Michael Belluomini, Council Member Kevin Blake, Council Member Tony Dossetti, and Council Member Mike Murphy

**Absent:** 1 - Council Member Noah Lor

#### B. CLOSED SESSION

**B.1.** **SUBJECT:** PUBLIC EMPLOYMENT - Title: City Attorney; Authority: Government Code Section 54957

**Clerk's Note:** Council adjourned from Closed Session at 6:58 PM.

#### C. CALL TO ORDER

Mayor THURSTON called the Regular Meeting to order at 7:02 PM.

C.1. Invocation - Pastor Fernando Lopez, Living Word Harvest

The Invocation was delivered by Pastor Fernando LOPEZ of the Living Word Harvest.

C.2. Pledge of Allegiance to the Flag

#### D. ROLL CALL

**Present:** 6 - Mayor Stanley P. Thurston, Mayor Pro Tempore Joshua Pedrozo, Council Member Michael Belluomini, Council Member Kevin Blake, Council Member Tony Dossetti, and Council Member Mike Murphy

**Absent:** 1 - Council Member Noah Lor

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 Public Financing and Economic Development Authority. City Council Members receive a monthly stipend of \$20.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$50.00 each month as a part of the adopted budget and Resolution 1975-37. The members of the Parking Authority, and Public Financing and Economic Development Authority receive no compensation.

## **E. REPORT OUT OF CLOSED SESSION**

There was no report.

## **F. CEREMONIAL MATTERS**

### F.1. Proclamation - Parks and Recreation Month

Council Member DOSSETTI read a Proclamation for Parks and Recreation Month. It was received by Recreation and Parks Commission Member Corinne CHAVEZ.

## **G. SPECIAL PRESENTATIONS**

### G.1. Revenue Sharing Update - City Manager Steve Carrigan

City Manager Steve CARRIGAN gave a brief update on the Revenue Sharing Agreement with the County.

### G.2. UC Merced Annexation Update - Senior Deputy City Attorney Kenneth Rozell

Senior Deputy City Attorney Kenneth ROZELL reported on the UC Merced Annexation Agreement with the City.

### G.3. "Downtown Commons" Mixed-Use Development Opportunity - Economic Development Director Frank Quintero and Development Services Director David Gonzalves

Economic Development Director Frank QUINTERO and Development Services Director Dave GONZALVES presented the Downtown Commons Mixed-Use Project that would be open for proposals.

## **H. WRITTEN PETITIONS AND COMMUNICATIONS**

There were no written petitions or communications.

## **I. ORAL COMMUNICATIONS**

Stan SCOTT, Merced - addressed the illegal fireworks going on in the City and volunteered to put a plan into place to help the situation.

Monica VILLA, Merced - spoke about various topics.

Rachelle ABRIL, Merced - spoke on the continued issue about the property located on 12th Street and use of the McNamera soccer field.

John MURRAY, Merced - spoke on the Youth Council, VIPER Program, and funds for the Board of Education.

## J. CONSENT CALENDAR

Agenda Items J.7. Agreement for Professional Services with Condor Earth Technologies, Inc., for Groundwater Monitoring Well and Municipal Well Sampling Services, J.12. Set a Public Hearing for the Merced Fire Department User Fee Study, J.13. Request for Proposal - Award Landscape Maintenance Services Agreement, J.14. Supplemental Budget Appropriation Downtown Maintenance District - Fiscal Year 2015/2016 Budget Close Out, and J.15. Second Amendment to Professional Services Agreement and Second Amendment to Reimbursement Agreement for Preparation of an Environmental Impact Report for the Merced Gateway Center were pulled for separate consideration.

### Approval of the Consent Agenda

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

**Aye:** 6 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Murphy

**No:** 0

**Absent:** 1 - Council Member Lor

**J.1.**                    **SUBJECT:** Information Only-Site Plan Minutes of June 2, 2016

#### RECOMMENDATION

For information only.

**This Consent Item was approved.**

**J.2.**                    **SUBJECT:** Information Only-Planning Commission Minutes of May 18, 2016

#### RECOMMENDATION

For information only.

**This Consent Item was approved.**

**J.3.**                    **SUBJECT:** Information-Only Contracts

#### REPORT IN BRIEF

Notification of awarded Non-Public Works contracts under \$28,000 and of Public Works contracts under \$63,054.

**AUTHORITY**

Pursuant to the authority delegated to the City Manager on behalf of the City by Article XI, Section 1109, of the Merced City Charter to execute Public Works contracts under the adjusted FY 2015-2016 threshold of \$63,054.00, and Chapter 3.04.080 - 3.04.110 of the Merced Municipal Code to execute Non-Public Works contracts under the adjusted FY 2015-2016 threshold of \$28,000.00, the contracts listed on the attached table were entered into by the City.

**This Consent Item was approved.**

**J.4.**

**SUBJECT:** Reading by Title of All Ordinances and Resolutions

**REPORT IN BRIEF**

Ordinances and Resolutions which appear on the public agenda shall be determined to have been read by title and a summary title may be read with further reading waived.

**RECOMMENDATION**

**City Council** - Adopt a motion waiving the reading of Ordinances and Resolutions, pursuant to Section 412 of the Merced City Charter.

**This Consent Item was approved.**

**J.5.**

**SUBJECT:** Agreement for Professional Services with Friedman and Bruya, Incorporated, for Laboratory Services in Support of the City's Groundwater Investigation

**REPORT IN BRIEF**

Consider authorizing an Agreement for Professional Services with Friedman and Bruya, Incorporated, for specialized laboratory services in support of the City's groundwater investigation.

**RECOMMENDATION**

**City Council** - Adopt a motion approving an Agreement for Professional Services with Friedman and Bruya, Inc., for a three-year term in the amount of \$9,807 annually for each of the fiscal years FY 2016/17, FY 2017/18, and FY 2018/19, to provide laboratory analytical services; and authorizing the City Manager to execute necessary documents.

**This Consent Item was approved.**

**J.6.**

**SUBJECT:** Agreement for Professional Services with HerSchy

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Environmental, Inc., for Groundwater Sampling and Reporting  
Services

**REPORT IN BRIEF**

Consider authorizing an agreement for groundwater well sampling and reporting services in support of the Airport Hazardous Waste Site investigation.

**RECOMMENDATION**

**City Council** - Adopt a motion approving an Agreement for Professional Services with HerSchy Environmental, Inc. for a three year term of July 1, 2016 to June 30, 2019, in the amount of \$8,503 annually for each of the fiscal years FY 2016/17, FY 2017/18, and FY 2018/19 to provide groundwater well sampling and reporting services; and, authorizing the City Manager to execute the necessary documents.

**This Consent Item was approved.**

**J.8.**

**SUBJECT:** Administering Agency State Program Supplement  
Revision for Bridge Repairs Preventive Maintenance (BPMP) Grant  
for the M & G Street Bridge Repairs Project 108026

**REPORT IN BRIEF**

Consider a Resolution approving a revision to the California Department of Transportation Program Supplement for the use of \$1,707,744 in BPMP Grant funding for the construction costs associated with the bridge repair project.

**RECOMMENDATION**

**City Council** - Adopt a Motion approving **Resolution No. 2016-32**, a Resolution of the City Council of the City of Merced, California, approving Federal Aid Projects Program Supplement Agreement No. 017-N1; and, authorizing the City Manager or his designee to execute all necessary documents.

**This Consent Item was approved.**

**J.9.**

**SUBJECT:** Two Agreements for Professional Services with Provost  
and Pritchard Engineering Group, Incorporated, Project No.  
116029

**REPORT IN BRIEF**

Consider authorizing two separate Agreements for environmental remediation services for a combined total of \$287,580.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving the Agreement for Professional Services Agreement (cleanup contract) with Provost and Pritchard Engineering Group, Incorporated, in the amount of \$230,800 for groundwater cleanup; and,
- B. Approving the Agreement for Professional Services Agreement (reporting contract) with Provost and Pritchard Engineering Group, Incorporated, in the amount of \$56,780 for report drafting; and,
- C. Authorizing the City Manager to execute necessary documents.

**This Consent Item was approved.**

**J.10.**

**SUBJECT:** SHARE Program Agreement with Department of Fish and Wildlife

**REPORT IN BRIEF**

Agreement with the Department of Fish and Wildlife to provide hunting and bird watching opportunities at the City's Waste Water Treatment Plant property through the SHARE program.

**RECOMMENDATION**

**City Council-** Adopt **Resolution No. 2016-33** a Resolution of the City of Merced, California, approving standard agreement No. P1680003 with the State of California Department of Fish and Wildlife for the Shared Habitat Alliance for Recreational Enhancement (SHARE) Program; and authorizing the City Manager to execute the necessary documents.

**This Consent Item was approved.**

**J.11.**

**SUBJECT:** Property, Boiler and Machinery Insurance Renewal

**REPORT IN BRIEF**

Consider approving the renewal of the City's policy through Alliant Property Insurance Programs (APIP) at 0.55% premium decrease, amounting to \$177,944.01 for program year 2016/2017.

**RECOMMENDATION**

**City Council** - Adopt a motion ratifying the renewal of the property and boiler and machinery insurance through the Alliant Property Insurance Programs (APIP), administered by Alliant Insurance Services for the

period of July 1, 2016 through June 30, 2017; and authorizing the City Manager to execute the necessary documents.

**This Consent Item was approved.**

**J.16.**

**SUBJECT:** Second Reading - Ordinance Dealing with Residential Water Connections and Right-of-Way Purchases

**REPORT IN BRIEF**

Second reading of previously introduced Ordinance.

**RECOMMENDATION**

**City Council** - Adopt **Ordinance No. 2462**, an Ordinance of the City Council of the City of Merced, California, Amending Section 15.40.110, "Payment" of the Merced Municipal Code Regarding Water Main Extensions; and,

**This Consent Item was approved.**

**J.7.**

**SUBJECT:** Agreement for Professional Services with Condor Earth Technologies, Inc., for Groundwater Monitoring Well and Municipal Well Sampling Services

**REPORT IN BRIEF**

Consider authorizing an agreement for groundwater monitoring well and municipal well sampling services in support of the City's PCE and MTBE investigations.

**RECOMMENDATION**

**City Council** - Adopt a motion approving an Agreement for Professional Services with Condor Earth Technologies, Inc., for a three-year term of July 1, 2016 to June 30, 2019, in the amount of \$72,278 annually for each of the fiscal years FY 2016/17, FY 2017/18, and FY 2018/19, to provide groundwater and municipal well sampling services; and, authorizing the City Manager to execute the necessary documents.

Council Member BELLUOMINI pulled this item to ask about the other bid amounts received from the other firms.

Environmental Project Manager Joe ANGULO provided the bid amounts from the other bidders and clarified an exceptionally low bid.

**A motion was made by Council Member Belluomini, seconded by Mayor Pro Tempore Pedrozo, that this Consent Item be approved. The motion carried by a unanimous vote.**

J.12.

**SUBJECT: Set a Public Hearing for the Merced Fire Department  
User Fee Study**

**REPORT IN BRIEF**

Considers setting a Public Hearing for adoption of resolution updating the Merced Fire Department's current fee structure.

**RECOMMENDATION**

**City Council** - Adopt a motion setting a public hearing for Monday, July 18, 2016, to consider adopting a resolution updating the Merced Fire Department's current fee structure.

Council Member BELLUOMINI pulled this item to ask how the public hearing will be advertised.

Fire Chief Shawn HENRY noted that a standard notice would be provided for the public hearing.

Council Member BELLUOMINI suggested notifying all customers who pay these fees.

Council Member MURPHY suggested better notifications if feasible.

Mayor THURSTON cautioned the precedence of mass notifications by mail.

Council Member DOSSETTI asked what the law states on public notifications and the increase in cost.

Council Member BLAKE suggested a newsletter to be sent out with the utility bills.

**A motion was made by Council Member Belluomini, seconded by Mayor Pro Tempore Pedrozo, to set a Public Hearing for September 6, 2016 and use the newsletter to notify businesses of the hearing . The motion carried by the following vote:**

**Aye:** 6 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Murphy

**No:** 0

**Absent:** 1 - Council Member Lor

J.13.

**SUBJECT: Request for Proposal - Award Landscape Maintenance  
Services Agreement**

**REPORT IN BRIEF**

Council consider approval of professional services agreement with Yard Masters, Incorporated for landscape maintenance services.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving a professional services agreement with Yard Masters, Incorporated, located in Merced, CA, to provide landscape maintenance services for two years, with an option to renew for a maximum of (3) three additional one-year periods, effective July 1, 2016, in the amount of \$557,160 annually (subject to approval of the Fiscal Year 2016/2017 budget); and,

B. Authorizing the City Manager to sign the necessary documents and execute future contract amendments.

Mayor Pro Tempore PEDROZO pulled this item to ask for a brief report and discuss the current landscaper's performance.

Director of Public Works/Interim City Engineer Ken ELWIN briefly went over the maintenance services and the current landscape maintenance crew, Yard Masters.

Mayor Pro Tempore PEDROZO stated that he was not satisfied with Yard Masters and did not agree with the terms of the contract.

**A motion was made by Mayor Pro Tempore Pedrozo, seconded by Council Member Dossetti, to approve a one year agreement with Yard Masters then go out to bid again after one year. The motion carried by the following vote:**

**Aye:** 4 - Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, and Council Member Dossetti

**No:** 2 - Mayor Thurston, and Council Member Murphy

**Absent:** 1 - Council Member Lor

**J.14.**

**SUBJECT:** Supplemental Budget Appropriation Downtown Maintenance District - Fiscal Year 2015/2016 Budget Close Out

**REPORT IN BRIEF**

Consider authorizing a supplemental budget appropriation to cover Fiscal Year 2015/2016 employee health care benefit costs and utility expenses in the Downtown Maintenance District Fund.

**RECOMMENDATION**

**City Council** - Adopt a motion approving a supplemental budget appropriation from the unappropriated reserves of the Downtown Maintenance District in the amount not to exceed \$6,100, to cover employee health care benefit costs and utility expenses in the Downtown Maintenance District Fund.

Council Member MURPHY pulled this item to question the budget appropriation.

Director of Public Works/Interim City Engineer Ken ELWIN stated the appropriation was needed to cover a change of insurance coverage for an employee in the maintenance district.

Finance Director Brad GRANT reminded Council of the eratta list presented during the budget process and explained that this cost would be covered by the maintenance district going forward.

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

**Aye:** 6 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Murphy

**No:** 0

**Absent:** 1 - Council Member Lor

**J.15.**

**SUBJECT:** Second Amendment to Professional Services Agreement and Second Amendment to Reimbursement Agreement for Preparation of an Environmental Impact Report for the Merced Gateway Center

**REPORT IN BRIEF**

The City Council will consider approving a Second Amendment to Professional Services Agreement with FCS International, Inc., and a Second Amendment to Reimbursement Agreement with Gateway Park Development Partners, LLC, for the preparation of an Environmental Impact Report for the Merced Gateways commercial project at the northeast and northwest corners of Campus Parkway and Coffee Street.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the Second Amendment to Agreement for Professional

Services with FCS International, Inc., to prepare an Environmental Impact Report for the Merced Gateway Center in the additional amount of \$32,500 (bringing the total contract up to \$197,500); and,

B. Approving the Second Amendment to Reimbursement Agreement with Gateway Park Development Partners, LLC, regarding the Environmental Impact Report in the amount of \$35,750 (bringing the total amount up to \$217,250, with \$32,500 for the consultants and \$3,250 for City staff management of the contract); and,

C. Approving the additional appropriation of funds to Account 017-0804-512-17-00-Professional Services in the additional amount of \$32,500 for payment to FCS International, Inc., for planning services; and,

D. Approving an increase in revenue in the amount of \$32,500 to Account 017-0804-360-01-02-Other Revenue Developers and \$3,250 to Account 017-0804-331-03-25-Environmental Impact Filing EIR for staff administration of the environmental process (approval is contingent upon execution of the agreements).

Council Member BELLUOMINI pulled this item to ask for clarification on the change on the Environmental Impact Report.

Director of Development Services Dave GONZALVES explained the change was needed to address the possibility of connecting Coffee street or leaving it as is.

Council Member DOSSETTI asked about the strip of land that cuts Coffee Street off.

Mr. GONZALVES replied that this change is assessing that item.

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

**Aye:** 6 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Murphy

**No:** 0

**Absent:** 1 - Council Member Lor

## K. PUBLIC HEARINGS

**K.1.                    SUBJECT: Continued Public Hearing - 2-Year Suspension of  
Collection of the Regional Transportation Impact Fees**

#### REPORT IN BRIEF

The City Council will consider a proposed Ordinance which will suspend the City's collection of Regional Transportation Impact Fees (RTIF) on all new development projects for a period of two years, or until July 5, 2018.

#### RECOMMENDATION

**City Council** - Adopt a motion introducing **Ordinance 2461**, "An Ordinance of the City Council of the City of Merced, California, Amending Section 17.64.150, 'Repeal,' of the Merced Municipal Code Relating to the Regional Transportation Impact Fees."

Planning Manager, Kim ESPINOSA and Director of Development Services Dave GONZALVES gave a slide presentation on the Regional Transportation Impact Fees.

Mayor THURSTON explained the structure of Merced County Association of Governments and requested to know what projects were lost due to the fees.

Council Member DOSSETTI asked for clarification from MCAG and asked whether it would be more beneficial to put it on the table after the election due to the half-cent sales tax.

Executive Director of the MCAG Margie KIRN explained the purpose of the impact fees.

Council Member BELLUOMINI discussed the justification of reduction of fees versus the justification of suspending the fees.

Council Member PEDROZO asked about the MCAG process on projects, the Applegate project, and amount is in the bank currently.

Council Member MURPHY asked if it would be beneficial to delay the completion of the Campus Parkway project for two years in order to get additional development.

Council Member BLAKE supported suspending the impact fees temporarily and evaluate the difference.

Mayor THURSTON opened the Public Hearing at 8:50 PM.

Vice President of Downtown Neighborhood Association Jill MCCLEOD asked about the structure of fees for developers.

Project Developer Vic PATEL asked how developments impact project funds.

Kevin THOMAS encouraged the suspension of the impact fees.

Mayor THURSTON closed the Public Hearing at 9:05 PM.

Mr. GONZALVES clarified how the fees will be implemented

Council Members continued discussion of the impact fees.

**A motion was made by Council Member Belluomini, seconded by Mayor Thurston, to deny the recommendation of Staff and to not approve the suspension of the collection of Regional Transportation Impact Fees. The motion was failed by the following vote:**

**Aye:** 2 - Mayor Thurston, Council Member Belluomini

**No:** 3 - Council Member Blake, Council Member Dossetti, and Council Member Murphy

**Absent:** 1 - Council Member Lor

Mayor THURSTON called for a 10-minute break at 9:27 PM.

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

**Aye:** 4 - Mayor Pro Tempore Pedrozo, Council Member Blake, Council Member Dossetti, and Council Member Murphy

**No:** 2 - Mayor Thurston, and Council Member Belluomini

**Absent:** 1 - Council Member Lor

**K.2.**

**SUBJECT:** Zoning Ordinance Amendment #16-02 regarding Medical Marijuana Dispensaries, Deliveries, and Cultivation for Qualified Patients

**REPORT IN BRIEF**

Consider adoption of an ordinance to establish regulations for medical marijuana dispensaries, deliveries, and cultivation for qualified patients.

**RECOMMENDATION**

**City Council** - Adopt a motion approving one of the following options:

A. Adopt a Negative Declaration and Introduce **Ordinance 2463** (as recommended by the Planning Commission) that would allow medical marijuana dispensaries in the Professional/Commercial Office (C-O), Light Industrial (I-L) and Heavy Industrial (I-H) zones with a conditional use permit; allow delivery of medical marijuana under specific circumstances; and allow limited growth, indoors only, of medical marijuana (6 plants or less per lot) for a qualified patient:

“An Ordinance of the City Council of the City of Merced, California, Amending Chapter 20.84, “Medical Marijuana and Cultivation” and amending Sections 20.20.040 “Conditional Uses,” 20.34.040 “Conditional Uses,” and 20.36.040 “Conditional Uses,” of the Merced Municipal Code regarding the zoning of medical marijuana dispensaries as conditional uses”.

**OR**

B. Adopt a Negative Declaration and Introduce **Ordinance 2464** (as directed by the City Council on April 20, 2016, and originally presented to the Planning Commission on May 18, 2016) that would allow medical marijuana dispensaries in the Professional/Commercial Office (C-O) zone with a conditional use permit; allow delivery of medical marijuana under specific circumstances; and allow limited growth of medical marijuana (12 immature or 6 mature plants or less per lot) for a qualified patient under specific circumstances:

“An Ordinance of the City Council of the City of Merced, California, Amending Chapter 20.84, “Medical Marijuana and Cultivation” and amending Sections 20.20.040 “Conditional Uses,” of the Merced Municipal Code regarding the zoning of medical marijuana dispensaries as conditional uses”.

Planning Manager Kim ESPINOSA presented the Zoning Ordinance for Medical Marijuana.

Mayor THURSTON asked what will happen if the State passes its marijuana law and if a medical marijuana card would still be needed.

Senior Deputy City Attorney Ken ROZELL explained that the process of obtaining a medical marijuana card would differ from the relaxed process that is currently in place.

Council Member MURPHY spoke about the respect for neighbors who live next door to a marijuana growth house.

Mr. ROZELL explained the law in which outdoor plant growth is allowed.

Council Member BELLUOMINI discussed a provision allowing cities to open dispensaries prior to the State issuing licenses.

Mr. ROZELL explained the provision and recommended that very clear objective standards are applied and further explained the role the City has in regulating the dispensaries.

Mayor THURSTON questioned the cost to regulate this ordinance.

Council Member BLAKE asked if both state license and local permits are required.

Mr. ROZELL explained that once the transition period is over, then both state and local permits will be required.

Mayor THURSTON opened the Public Hearing at 10:14 PM.

Susan BOUSCAREN, Merced - gave a business plan presentation.

Dennis NEBEKER, Fresno - discussed medical marijuana versus recreational marijuana.

Charles, Modesto - offered his knowledge and experience to the Council.

Mayor THURSTON asked why dispensaries are under a non-profit.

Mr. CHARLES explained the State will offer a non-profit status, but the Federal Government sees the business as a for-profit business.

Mr. BELLUOMINI questioned the application process for dispensaries.

John LEE, San Jose - offered his services to the Council.

Eric MOORE, Merced - asked how many applications the City has received and for clarifications regarding the clause in the ordinance.

George BOYADJIAN, Fresno - discussed and offered his knowledge on the non-profit status, safety of plant growth, and regulating plants.

Dwight LARKS, Merced - stated his support for the ordinance.

Kevin THOMAS, Merced - asked for one park to be excluded from the ordinance because the surrounding buildings are medical and office buildings.

Mayor THURSTON closed the Public Hearing at 10:56 PM.

Mr. BLAKE stated his support for Option B of the Staff Report.

Council Member DOSSETTI stated his support for either option and asked Ms. ESPINOSA why Main Street was on the ordinance map.

Ms. ESPINOSA explained the area in question is zoned for commercial use.

Mr. MURPHY stated he would rather have the State develop the regulations and stated his opposition to outdoor growth.

Council Member PEDROZO stated his support of Staff's recommendation with a few modifications.

Mr. BELLUOMINI stated his support of proceeding with the dispensaries and revising the ordinance to move forward with licenses before the State issues them and his support for modifying the zones.

Mayor THURSTON stated it is irresponsible to move forward without knowing the cost and how to regulate plant growth and dispensaries.

**A motion was made by Council Member Murphy, seconded by Council Member Dossetti, to approve the Staff's recommendation but modify the zones to exclude light and heavy industrial zones. The motion failed by the following vote:**

**Aye:** 3 - Council Member Dossetti, Mayor Thurston, and Council Member Murphy

**No:** 3 - Council Member Blake, Council Member Belluomini, and Council Member Pedrozo

**Absent:** 1 - Council Member Lor

**A motion was made by Council Member Belluomini, seconded by**

**Council Member Blake, to approve the ordinance as recommended by Staff with the exclusion of the light and heavy industrial zones, and with the provision to be added for dispensaries to begin prior to the State's licensing. The motion failed by the following vote:**

**Aye:** 3 - Council Member Belluomini, Council Member Blake, and Council Member Pedrozo

**No:** 3 - Council Member Dossetti, Mayor Thurston, and Council Member Murphy

**Absent:** 1 - Council Member Lor

**Clerk's Note:** It was decided to bring this item to the next meeting.

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

**Aye:** 6 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Murphy

**No:** 0

**Absent:** 1 - Council Member Lor

## L. REPORTS

### L.1.

**SUBJECT:** Citizen Request to add "Veterans Blvd" as an "Honorary" Addition to "M Street"

#### REPORT IN BRIEF

This item is in response to a citizen request to add "Veterans Blvd" as an "Honorary" Addition to "M Street" (Official name of "M Street" will NOT change.)

#### RECOMMENDATION

Provide staff with direction on this request.

Council Member MURPHY recused himself from this item because of the close proximity of his business and place of residence.

Planning Manager Kim ESPINOSA gave a slide presentation on adding an honorary name of Veterans Blvd to M Street.

Council Member Pedrozo stated his support for the project and spacing out the signage.

Council Member BELLUOMINI asked the applicant where the funding for this is coming from.

Rich MILLER discussed how the organization obtains funds for the project including fundraising and grants.

**Clerk's Note:** Staff was directed to hold a public hearing on this item at a future meeting.

## M. BUSINESS

### M.1.

**SUBJECT:** Appointment - Planning Commission

#### REPORT IN BRIEF

Consider re-appointing one member to the Planning Commission to a full term.

#### RECOMMENDATION

**City Council** - Accept nomination and re-appoint one individual to the Planning Commission.

**A motion was made by Mayor Thurston, seconded by Mayor Pro Tempore Pedrozo, to reappoint Jill McLeod to the Planning Commission. The motion carried by the following vote:**

**Aye:** 6 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Murphy

**No:** 0

**Absent:** 1 - Council Member Lor

**Clerk's Note:** Clarification for Consent Item J.13. was discussed at this time.

Council Member PEDROZO requested to discuss this item to clarify his earlier motion on the item.

Council briefly discussed the different options in awarding the contract.

Senior Deputy City Attorney Ken ROZELL stated that Council could reconsider this item if they voted to do so.

**A motion was made by Mayor Thurston, seconded by Council Member Murphy, to bring back item J.13. for reconsideration. The motion carried by the following vote:**

**Aye:** 6 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Murphy

**No:** 0

**Absent:** 1 - Council Member Lor

Reconsideration of Item J.13.

**A motion was made by Mayor Thurston, seconded by Council Member Blake, to approve as recommended by staff. The motion carried by the following vote:**

**Aye:** 6 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Murphy

**No:** 0

**Absent:** 1 - Council Member Lor

M.2. Request to Add Item to Future Agenda

There were no future agenda items requested.

M.3. City Council Comments

Council Member DOSSETTI reported attending a Boys and Girls Club Event.

Council Member MURPHY addressed the passing of Genie SALVADORI.

## N. ADJOURNMENT

City Council Meeting was adjourned at 11:41 PM.

**A motion was made by Council Member Murphy, seconded by Mayor Thurston, to adjourn the meeting in honor of Genie Salvadori. The motion carried by the following vote:**

**Aye:** 6 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Murphy

**No:** 0

**Absent:** 1 - Council Member Lor