



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, January 6, 2025

6:00 PM

A. CLOSED SESSION ROLL CALL

Present: 7 - Mayor Matthew Serratto, Mayor Pro Tempore Sarah Boyle, Council Member Darin Dupont, Council Member Ronnie DeAnda, Council Member Michael Harris, Council Member Shane Smith, and Council Member Fue Xiong

Absent: 0

B. CLOSED SESSION

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

Clerk's Note: Mayor Pro Tempore BOYLE arrived to Closed Session at 5:03 PM.

B.1.

SUBJECT: PUBLIC EMPLOYEE PERFORMANCE EVALUATION Title:
City Attorney Pursuant to California Government Code Section 54957

Clerk's Note: Council adjourned from Closed Session at 5:55 PM.

C. CALL TO ORDER

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

Invocation - Pastor Joel Dorman, Summit Church Merced

The Invocation was delivered by Pastor Joel DORMAN of the Summit Church of Merced.

Pledge of Allegiance to the Flag

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

D. ROLL CALL

Present: 7 - Mayor Matthew Serratto, Mayor Pro Tempore Sarah Boyle, Council Member Darin Dupont, Council Member Ronnie DeAnda, Council Member Michael Harris, Council Member Shane Smith, and Council Member Fue Xiong

Absent: 0

E. REPORT OUT OF CLOSED SESSION

There was no report.

F. CEREMONIAL MATTERS

- F.1. **SUBJECT:** Recognition of the Merced High School Women's Water Polo Team

REPORT IN BRIEF

The City Council will recognize members of the Merced High School Women's Water Polo Team for their achievements.

Council presented Certificates of Recognition to members of the Merced High School Women's Water Polo Team.

G. WRITTEN PETITIONS AND COMMUNICATIONS

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

Agenda Item J.1.: Shayla DASTRUP, Kevin NIDA, Sherri MORRIS, Lynn STAPP, and Sheryl WIGHT.

Agenda Item M.2.: Tracy Del REAL and Amelia JOHNSON.

Agenda Item M.3.: Karen ASHER, Jeffrey CARTER, Tracy Del REAL, Amelia JOHNSON, Nanalyn LOPEZ, Karen ORONG, Michael RENCH, Merced Resident, LaTanya RI'CHARD, and Jose RUBSLCAVA.

H. PUBLIC COMMENT

Jean OKUYE, Merced - welcomed the new Council members and requested for the city to update the website with public events.

Jennifer FLACHMAN, Merced - announced the City Council Town Hall meeting dates and locations; the January 28th meeting will be located at the Civic Center, the January 30th meeting will be located at Merced High School, and the February 6th meeting will be located at Don Stowell Elementary School.

I. CONSENT CALENDAR

Agenda Items I.6. Adoption of a Resolution Approving Final Map #5421 for Bellevue Ranch West Villages 18 - 22, Phase 3 Subdivision for 39 Single-Family Lots, Generally Located at the Southwest Corner of M Circle

and Bellevue Road, and the Approval of the Subdivision Agreement for Bellevue Ranch West Villages 18 - 22, Phase 3 Subdivision and I.8. Approval of Street Closure Request and Use of City Owned Real Estate by the Revered Dr Martin Luther King Committee for the Annual Martin Luther King Jr. Community March and Celebration on January 20, 2025, West 24th Street from the West Entrance of the Amtrak Station to I Street, Martin Luther King Jr. Way, Martin Luther King Jr Way from West 24th Street to West Main Street and the Use of a Portion of Parking Lot #14 Located at 1739 Martin Luther King Jr. Way; were pulled for separate consideration.

Approval of the Consent Agenda

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Boyle, Council Member Dupont, Council Member DeAnda, Council Member Harris, 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 December 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.3. SUBJECT: Approval of City Council/Public Financing and

Economic Development/Parking Authority/Successor Agency to the
Redevelopment Agency Meeting Minutes of June 17, 2024

REPORT IN BRIEF

Official adoption of previously held meeting minutes.

RECOMMENDATION

**City Council/Public Financing and Economic
Development/Parking Authority/Successor Agency to the
Redevelopment Agency** - Adopt a motion approving the meeting
minutes of June 17, 2024.

This Consent Item was approved.

I.4.

SUBJECT: Approval of an Increase in Contingency in the Amount
of \$73,089.83 for Additional Unanticipated Work Reflected in
Contract Change Order No. 7 with Mid Cal Pipeline & Utilities, Inc.
for the Orchard Lane Sewer Relocation Project No. CP190025

REPORT IN BRIEF

Considers approving proposed Contract Change Order No. 7 for
unanticipated work, with an increase in contingency in the amount of
\$73,089.83 for Project No. CP190025 Orchard Lane Sewer Relocation
Project.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving proposed Contract Change Order No. 7 with an increase
in contingency of \$73,089.83 for a total contingency amount of
\$160,713.33, which is approximately 18.34% of the original contract
amount; and,

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

This Consent Item was approved.

I.5.

SUBJECT: Adoption of Resolution to Amend the Pay Ranges for the
Temporary Classifications of Lifeguard I, Lifeguard II, Pool
Manager, Recreation Coordinator, Recreation Leader, and
Recreation Specialist, Effective January 1, 2025, to Comply with
State of California Minimum Wage Requirements

REPORT IN BRIEF

Considers adopting a Resolution to authorize amendments to the Pay Ranges for the Temporary Classifications of Lifeguard I, Lifeguard II, Pool Manager, Recreation Coordinator, Recreation Leader, and Recreation Specialist effective January 1, 2025, to comply with State of California minimum wage requirements.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting a **Resolution 2025-01**, a Resolution of the City Council of the City of Merced, California, amending the salary range for the temporary classifications of Lifeguard I, Lifeguard II, Pool Manager, Recreation Coordinator, Recreation Leader, and Recreation Specialist; and,

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

This Consent Item was approved.

I.7.

SUBJECT: Authorization to Accept \$43,820 in Grant Funds from the 2024 Edward Byrne Justice Assistance Grant (JAG) Program for the Merced Police Department to Purchase Portable and Pole-Mounted Cameras for the Real Time Crime Center

REPORT IN BRIEF

Considers authorizing to accept grant funding from the US Department of Justice offered to the Merced Police Department in the amount of \$43,820 from the 2024 Edward Byrne Justice Assistance Grant (JAG) program to purchase portable and pole-mounted cameras for the Real Time Crime Center.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting the grant in the amount of \$43,820 from JAG; and,

B. Approving the use of pooled cash until grant funds are reimbursed; and,

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

This Consent Item was approved.

I.9.

SUBJECT: Award Bid to Santos Ford for the Purchase of Four (4) New SUV Interceptor Hybrids for a Cost of \$59,571.67 Each, Four (4) New SUV Interceptor (Gasoline) for a Cost of \$57,428.32 Each, and Two (2) Police Responder Supercrew Pickups for a Cost of \$54,992.70 Each, Totaling \$577,985.36 for the Police Department

REPORT IN BRIEF

Considers awarding the bid to Santos Ford for the purchase of eight (8) new SUV Interceptors (four Hybrid and four Gasoline) and two (2) Police Responder Supercrew Pickups for the Police Department for a total cost of \$577,985.36.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the bid to Santos Ford for the supply of eight (8) new SUV Interceptors (four Hybrid and four Gasoline) and two (2) Police Responder Supercrew Pickups for the Police Department for a total cost of \$577,985.36; and,

B. Authorizing the City Buyer to issue the Purchase Order(s), and approval of change orders not to exceed 10% of the total purchase price; and,

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

This Consent Item was approved.

I.10.

SUBJECT: Authorization to Submit an Application to the California Clean Water State Revolving Fund (CWSRF) Program to Provide Financing, for Improvements to the Merced Wastewater Treatment Facility

REPORT IN BRIEF

Considers authorizing an application to the California Clean Water State Revolving Fund Loan Program, for certain improvements to the wastewater treatment facility.

RECOMMENDATION

City Council - Adopt a motion:

A. Authorizing staff to apply for Wastewater Treatment Facility Phase VI Improvements, Project No. 8798-110, funding through the California Clean Water State Revolving Fund Loan Program, in an amount of \$61,855,000; and,

B. Adopting **Resolution 2025-04**, A Resolution of the City Council of the City of Merced, California, authorizing the filing of a loan/grant application with the State Water Resources Control Board for the upgrade of the wastewater treatment facilities, pipelines and other infrastructure, stating its intention to reimburse expenditures paid prior to the issuance of the obligation, and designating the City Manager as the authorized representative to execute necessary documents; and,

C. Authorizing the City Manager to execute any other necessary documents.

This Consent Item was approved.

I.11.

SUBJECT: Approval of the Second Amendment to the Agreement for Professional Services with Provost & Pritchard Consulting Group for Environmental Consulting Services to the City of Merced as the Successor Agency

REPORT IN BRIEF

Considers approving the Second Amendment to the Agreement for Professional Services with Provost & Pritchard Consulting Group, extending the contract term to June 30, 2026.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Second Amendment to the Agreement for Professional Services with Provost & Pritchard to perform the additional work required, include the additional compensation of eight hundred twenty-eight thousand and two hundred Dollars (\$828,200.00), and extending the contract term to align with the R Street Remediation Project Plan as detailed through the Memorandum and Project Update (Attachment 1); and,

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

This Consent Item was approved.

I.12.

SUBJECT: Adoption of Resolution of the Successor Agency to the Redevelopment Agency of the City of Merced Approving a Recognized Obligation Payment Schedule for July 1, 2025, Through June 30, 2026 (ROPS 25-26)

REPORT IN BRIEF

Considers approving and adopting a Recognized Obligation Payment Schedule as the Successor Agency to the Redevelopment Agency of the City of Merced for July 1, 2025, through June 30, 2026, which is due to the Department of Finance by February 1, 2025.

RECOMMENDATION

Successor Agency - Adopt a motion:

A. Approving **Resolution SA 2025-01**, a Resolution of the Successor Agency to the Redevelopment Agency of the City of Merced approving a Recognized Obligation Payment Schedule (ROPS 25-26) including Administrative Budget for July 1, 2025, through June 30, 2026; and,

B. Authorizing the Finance Officer to make any necessary budget adjustments.

This Consent Item was approved.

I.6.

SUBJECT: Adoption of a Resolution Approving Final Map #5421 for Bellevue Ranch West Villages 18 - 22, Phase 3 Subdivision for 39 Single-Family Lots, Generally Located at the Southwest Corner of M Circle and Bellevue Road, and the Approval of the Subdivision Agreement for Bellevue Ranch West Villages 18 - 22, Phase 3 Subdivision

REPORT IN BRIEF

Considers adopting Final Map #5421 for 39 single-family lots, located at the southwest corner of M Circle and Bellevue Road, and the subdivision agreement for the Bellevue Ranch West Villages 18 - 22, Phase 3 Subdivision.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2025-02**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for

Bellevue Ranch West Villages 18 - 22, Phase 3 Subdivision (#5421);
and,

B. Approving the Subdivision Agreement for the Bellevue Ranch West Villages 18 - 22, Phase 3 Subdivision; and,

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

Mayor SERRATTO pulled this item at the request of Council Member HARRIS, Council Member SMITH, and Council Member XIONG.

Clerk's Note: Council Member HARRIS recused due to voting on this item as a previous member of the Planning Commission and Council Member SMITH recused himself due to the applicant being a client at his law firm.

Council Member XIONG discussed walkable neighborhoods and the density zoning of the property.

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

Aye: 4 - Mayor Serratto, Mayor Pro Tempore Boyle, Council Member Dupont, and Council Member DeAnda

No: 1 - Council Member Xiong

Absent: 0

Recused: 2 - Council Member Harris, and Council Member Smith

I.8.

SUBJECT: Approval of Street Closure Request and Use of City Owned Real Estate by the Revered Dr Martin Luther King Committee for the Annual Martin Luther King Jr. Community March and Celebration on January 20, 2025, West 24th Street from the West Entrance of the Amtrak Station to I Street, Martin Luther King Jr. Way, Martin Luther King Jr Way from West 24th Street to West Main Street and the Use of a Portion of Parking Lot #14 Located at 1739 Martin Luther King Jr. Way

REPORT IN BRIEF

Considers approving the use and closure of West 24th Street from the West entrance of the Amtrak Station to I Street, Martin Luther King Jr. Way, Martin Luther King Jr. Way from West 24th Street to West Main Street and a portion of the City Parking Lot #14 located at 1739 Martin Luther King Jr. Way on Monday, January 20, 2025, to hold a march, parade and food preparation for the annual Martin Luther King, Jr.

celebration.

RECOMMENDATION

City Council - Adopt a motion approving the request by Tamara Cobb and the Revered Dr Martin Luther King Committee to close West 24th Street from the West entrance of the Amtrak Station to I Street, Way Martin Luther King Jr. Way, from West 24th Street to West Main Street and to cone off a portion of the City Parking Lot #14 located at 1739 Martin Luther King Jr. Way on Monday, January 20, 2025, to hold the march and prepare food as part of a community celebration.

Mayor SERRATTO pulled this item at the request of Council Member HARRIS.

Council, Chief of Police Steven STANFIELD, and Traffic Police Sergeant Nathan MCKINNON discussed the safety concerns of the event, applying additional staff for the event, and updating the safety plan.

A motion was made by Council Member Harris, 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 Boyle, Council Member Dupont, Council Member DeAnda, Council Member Harris, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

J. PUBLIC HEARINGS

J.1.

SUBJECT: Public Hearing - Appeal of Planning Commission's Denial of Conditional Use Permit #1277, Initiated by AT&T Mobility; This Application Involves a Request to Construct a 55-Foot-Tall Wireless Communication Tower in the Form of a Stealth Mono-Pine Tree at 1717 E. Olive Avenue, Generally Located at the Northeast Corner of E. Olive Avenue and Parsons Avenue, with a General Plan Designation of Low Density Residential (LD), and a Zoning Classification of (R-1-6)

REPORT IN BRIEF

AT&T Mobility is appealing the Planning Commission's denial of Conditional Use Permit #1277 to construct a 55-foot-tall wireless communication tower in the form of a stealth mono-pine tree at 1717 E. Olive Avenue.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2025-__**, a Resolution of the City Council of the City of Merced, California, approving the appeal of AT&T of the Merced Planning Commission approval of Conditional Use Permit #1277; **or**,

B. Adopting **Resolution 2025-__**, a Resolution of the City Council of the City of Merced, California, denying the appeal of AT&T of the Merced Planning Commission denial of Conditional Use Permit #1277; **or**,

C. Continuing the appeal to a specific date (to be spelled out in the Council motion).

Clerk's Note: Council Member HARRIS recused due to voting on this item as a previous member of the Planning Commission

Principal Planner Jonnie LAN and Development Services Technician Jessie LEE gave a slideshow presentation on the appeal of the Planning Commission's denial of Conditional Use Permit #1277 initiated by AT&T.

Council and City Attorney Craig CORNWELL discussed the review process, details of Federal Communications Commission regulations, details of Municipal Code 20.58.070, actions taken by Council that are bound by government law, details of the tower being camouflaged, details of the Planning Commission's administrative report, details of the City Council's administrative report, and details of AT&T's appeal.

Mayor SERRATTO opened the Public Hearing at 6:43 PM.

Sheryl WIGHT, Merced - spoke on the impact of the tower's location on families and the Elementary School, the opposition of the neighborhood, and asked why AT&T cannot move the location of the tower.

Bryant, Merced - voiced his opposition of the stealth tower's location, spoke on the negative impacts on his property value, and the health impact of families due to radiation.

Tami DAVIDSON, Merced - spoke on the profits to the church where the AT&T cell tower will be placed, the negative impacts on children's health due to radiation, and loss of property value.

Lola O'BRIEN, Merced - spoke in opposition of the cell tower, shared details of different sections of the Merced Municipal Code that reference

cell towers, and the petition being signed by residents.

Laurie O'BRIEN, Merced - spoke in opposition of the cell tower, the view of the tower, details of the zoning around the area, the lack of notice to residents, and the affect this has on children.

Shawn O'BRIEN, Merced - gave a slideshow presentation on the impact of the cell tower in the neighborhood.

Lynn STAPP, Merced - thanked the Planning Commission for denying the cell tower, spoke on existing cell towers, and asked to uphold the decision made by the Planning Commission.

Jason VERRINDER, Merced - urged Council to uphold the decision made by the Planning Commission, spoke on the locations presented, and the needs of the city.

Maria RODRIGUEZ, Merced - asked for the list of non-viable sites for the cell tower and requested to search for a new location.

Joy WIDMARK, Merced - asked for clarification on the need of a cell tower in the area and urged Council to continue denying the request for a cell tower.

Mayor SERRATTO closed the Public Hearing at 7:09 PM.

Mayor SERRATTO stated he will re-open the Public Hearing to allow the applicant to speak.

Mayor SERRATTO re-opened the Public Hearing at 7:09 PM.

Carl JONES, Applicant - shared details of the proposed stealth cell tower, details of the location request, data on the radio frequency of a cell tower, and the Federal Communications Commission guidelines.

Council, Mr. JONES, and Mrs. LAN discussed the steps taken to camouflage the cell tower, the visibility of the cell tower, why the Rahilly Park location was not chosen, other potential sites in Merced, the importance of adding a cell tower in the area, the option to move the tower to the west, the re-notice of residents if project is moved, options to maintaining the stealth, and details regarding other location options.

Mayor SERRATTO re-closed the Public Hearing at 7:30 PM.

Council, Mr. CORNWELL, and Mrs. LAN discussed the federal law affecting Council's vote, the lack of cell phone coverage throughout the area, potentially tabling the item to another Council meeting, dedicating potential revenue to neighborhood if location is moved to Rahilly Park, the financial impacts if item goes to court, details of the ordinance, the process of Conditional Use Permits, and details of the Brown Act.

Mayor SERRATTO re-opened the Public Hearing at 7:50 PM.

Mr. JONES, Applicant - made a statement of State's regulations regarding denial of a cell tower.

Mayor SERRATTO re-closed the Public Hearing at 7:52 PM.

Council and Mr. CORNWELL discussed the obstruction of scenic view and the return date to Council.

Council agreed to uphold the denial by the Planning Commission and deny the appeal for the Conditional Use Permit #1277 with the following findings: Ordinance 20.68.020(K)(3) requires that the proposed tower is put forward that it "minimizes the obstruction of scenic view of residentially owned property" and the proximity of the tower location to Vickie Court residents and the position of the sun that there is almost no way to minimize the obstruction of scenic view from the residentially owned property.

A motion was made by Council Member Smith, seconded by Mayor Pro Tempore Boyle, to approve Recommendation B. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Boyle, Council Member Dupont, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

Recused: 1 - Council Member Harris

Clerk's Note: Council took a recess at 7:59 PM.

Clerk's Note: Council Member DEANDA left the Regular Meeting at 8:06 PM.

Clerk's Note: Council reconvened at 8:14 PM.

J.2.

SUBJECT: Public Hearing to Consider Adoption of a Resolution

Granting a Certificate of Public Convenience and Necessity for EDN
Group (DBA EDN Private Patrol) to Engage in Private Patrol Services

REPORT IN BRIEF

Considers approving a Resolution granting and issuing a certificate of public convenience and necessity to EDN Group (DBA EDN Private Patrol).

RECOMMENDATION

City Council - Adopt a motion approving **Resolution 2025-03**, a Resolution of the City Council of the City of Merced, California, granting a certificate of public convenience and necessity to EDN Group (DBA EDN Private Patrol).

Sergeant Brian RINDER briefly discussed the request to adopt a resolution granting a Certificate of Public Convenience and Necessity for EDN Group to engage in private patrol services.

Mayor SERRATTO opened the Public Hearing at 8:15 PM and subsequently closed the Public Hearing at 8:15 PM due to lack of public comments.

Council Member XIONG briefly stated that there is no necessity to engage in private patrol services.

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

Aye: 5 - Mayor Serratto, Mayor Pro Tempore Boyle, Council Member Dupont, Council Member Harris, and Council Member Smith

No: 1 - Council Member Xiong

Absent: 1 - Council Member DeAnda

K. ACTION ITEMS

K.1.

SUBJECT: Approval of a Supplemental Appropriation from the Unencumbered, Unreserved Fund Balance of Fund 1017-Economic Development Opportunity in the Amount of \$100,000 and Transferring \$250,000 from Fund 5003-Airport Industrial Park to Fund 5006-Airport CIP Fund

REPORT IN BRIEF

Considers approving a supplemental appropriation from the unreserved,

unencumbered fund balance from 1017-Economic Development Opportunity in the amount of \$100,000 and transferring \$250,000 from Fund 5003-Airport Industrial Park, for a total amount of \$350,000 for the design phase of the new fuel storage and bulk loading/unloading system at the Merced Regional Airport.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a supplemental appropriation from the unreserved, unencumbered fund balance of Fund 1017-Economic Development Opportunity in the amount of \$100,000, transferring to Fund 5006 Airport CIP and appropriating the same to the Fuel Farm Project CP220067; and,

B. Approving the transfer of \$250,000 from Fund 5003-Airport Industrial Park Projects to be Determined to Fund 5006 Airport CIP in the amount of \$250,000 and appropriating the same to the Fuel Farm Project CP220067.

Deputy City Manager Frank QUINTERO briefly discussed the request to approve a supplemental appropriation for the design phase of the new fuel storage and bulk loading/unloading system at the Merced Regional Airport.

Council and Mr. QUINTERO discussed the total amount of the project, discussion with the Federal Aviation Administration to secure funding, the budget for the Merced Regional Airport, and bringing airport discussions to the One Voice trip.

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Boyle, Council Member Dupont, Council Member Harris, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member DeAnda

Council Member XIONG requested to move Agenda Items M.2. and M.3. to be heard before Agenda Item K.2. due to the large amount of community members remaining in the audience.

Council and City Attorney Craig CORNWELL discussed the process of amending the agenda.

A motion was made by Council Member Xiong, seconded by Council Member Smith, to move Agenda Items M.2. and M.3. to be heard before Agenda Item K.2. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Boyle, Council Member Dupont, Council Member Harris, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member DeAnda

M.2.

SUBJECT: Request to Display the African American Flag in Bob Hart Square in Honor of Black History Month as Submitted by the NAACP Beginning on February 1, 2025 Through February 28, 2025 and to Include this Request on the Annual Flag Calendar Adopted by the City Council

REPORT IN BRIEF

Request from the NAACP to Display the African American Flag in Bob Hart Square on February 1, 2025 through February 28, 2025 in honor of Black History Month and to include this request on the annual Flag Calendar adopted by the City Council.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the request to be added to the Flag Calendar for the 2025 year in accordance with Council Policy C-7 regarding the display of commemorative flags; and,

B. Bringing a Resolution back for adoption.

Clerk's Note: Agenda Items M.2. and M.3. were moved to be heard before Agenda Item K.2.

Norma CARDONA, Merced - shared details of the history of Black History Month.

Allen BROOKS, Merced - gave details of the flag will be displayed if approved.

Mayor SERRATTO briefly discussed the history of the request to display a flag.

Clerk's Note: There was no Council discussion.

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Boyle, Council Member Dupont, Council Member Harris, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member DeAnda

M.3.

SUBJECT: Adoption of a Resolution to Display the Pride Flag at Bob Hart Square for the Month of June 2025 per City Council Policy C-7

REPORT IN BRIEF

Considers approving the request to display the Pride Flag at Bob Hart Square for the month of June 2025 per the City Council Policy C-7.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the request to display the Pride Flag at Bob Hart Square for the month of June 2025; and,

B. Bringing a Resolution back for adoption.

Clerk's Note: Agenda Items M.2. and M.3. were moved to be heard before Agenda Item K.2.

Assistant City Clerk Jennifer LEVESQUE briefly discussed the corrected title of the agenda report and the process of adopting a resolution to display a commemorative flag.

Gilbert VASQUEZ, Merced - spoke on the importance of the Pride Flag and urged the City Council to approve raising the Pride Flag.

Katalina ZAMBRANO, Cal Calle Central, Merced - spoke on the importance of raising the Pride Flag, details of the queer community, and thanked Council for the consideration.

Norma CARDONA, Merced - spoke on the LGBTQ+ community and shared the meaning behind raising the Pride Flag.

Natalie LEAL, Merced - shared a personal story of how she was introduced to the Cal Pride organization and the meaning of the Pride Flag.

Gak'mun JONES, Merced - shared a personal story of moving to the City of Merced, shared details of living in South Korea, and asked Council to raise the Pride Flag.

Adam CASTRO, Merced - spoke on being a small business owner in Merced and the meaning of raising the Pride Flag.

Council Member HARRIS briefly discussed personal support for the community requesting to display the Pride Flag.

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Boyle, Council Member Dupont, Council Member Harris, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member DeAnda

K.2.

SUBJECT: Acceptance and Consideration of Deed Restriction for Community Park 42 for the California Department of Parks and Recreation Office of Grants and Local Services

REPORT IN BRIEF

Considers accepting and complying to the deed restriction from the California Department of Parks and Recreation Office of Grants and Local Services and recognizing Community Park 42 aligning with the public purpose of the 2018 Parks Bond Act Per Capita Program.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting the Deed Restriction from the California Department of Parks and Recreation Office of Grants and Local Services; and,

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

Clerk's Note: Agenda Items M.2. and M.3. were moved to be heard before Agenda Item K.2.

Director of Parks and Community Services Chris JENSEN briefly discussed the acceptance of the Deed Restriction for Community Park 42.

Council Member XIONG and Mr. JENSEN discussed the term of the

agreement.

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Boyle, Council Member Dupont, Council Member Harris, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member DeAnda

K.3.

SUBJECT: Acceptance and Appropriation of \$22,074 from the Merced County Remote Access Network Board as Reimbursement Funding for the Purchase of Message Switch Server, 3-Year Subscription to RedHat Services and Installation of a CalPhoto Interface from Tyler Technology

REPORT IN BRIEF

Considers approval to accept and appropriate \$22,074 in Remote Access Network (RAN) funding from the Merced County Remote Access Network for the purchase of a new virtual message switch server along with the services to configure and a three-year subscription to RedHat services. We will also be purchasing the technical services needed for a new CalPhoto interface through Tyler Technology.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting \$22,074 in revenue from the Merced County RAN Board, increasing revenue and appropriating the same in Fund 1000-General Fund (Police Division) for the purchase of computer equipment and services; and,

B. Authorizing the City Manager to execute all necessary documents; and,

C. Authorizing the use of pooled cash for the purchase until the reimbursement is received.

Chief of Police Steven STANFIELD briefly discussed the acceptance and appropriation of the reimbursement funding from the Merced County Remote Access Network Board.

Clerk's Note: There was no Council discussion.

Clerk's Note: This Agenda Item required five affirmative votes from

Council.

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Boyle, Council Member Dupont, Council Member Harris, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member DeAnda

K.4.

SUBJECT: Approval of a Supplemental Appropriation from the Unencumbered, Unreserved Fund Balance of the General Fund in the Amount of \$103,000 for Fiscal Year 2024/25 Art Projects

REPORT IN BRIEF

Considers approving a supplemental appropriation from the unencumbered, unreserved fund balance of the General Fund in the amount of \$103,000 for fiscal year 2024/25 art projects.

RECOMMENDATION

City Council - Adopt a motion approving of a Supplemental Appropriation from the Unencumbered, Unreserved Fund Balance of the General Fund in the Amount of \$103,000 for Fiscal year 2024/25 Art Projects; and,

Senior Management Analyst Jennifer FLACHMAN briefly discussed the approval of a supplemental appropriation for the Fiscal Year 2024-2025 art projects.

Clerk's Note: There was no Council discussion.

Clerk's Note: This Agenda Item required five affirmative votes from Council.

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Boyle, Council Member Dupont, Council Member Harris, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member DeAnda

L. REPORTS

L.1. **SUBJECT:** City of Merced Financial Forecast and CalPERS Update

REPORT IN BRIEF

Presentation of the Financial Forecast and CalPERS Update.

RECOMMENDATION

Information only.

Finance Officer Venus RODRIGUEZ and City Manager Scott MCBRIDE gave a slideshow presentation on the City of Merced Financial Forecast, to include all streams of revenue, expenditures, and funding for all departments. They also gave an update on CalPERS.

Council, Mrs. RODRIGUEZ, and Mr. MCBRIDE discussed details of the sustainability of the General Fund, details of different mitigation options, the process of design phases and Capital Improvement Projects, discussing priority road projects, details of the cash revolving fund, different options to increase revenue, improving the Economic Development in the city, continue working with all the Subcommittees, and working to improve revenue streams.

Clerk's Note: There was no formal vote taken, item was for information only.

M. BUSINESS

M.1. **SUBJECT:** Update on City Council Designated Representative(s) to Various Organizations and Areas of Interest Related to City Business

REPORT IN BRIEF

Update on City Council Designated Representative assignments for 2023.

RECOMMENDATION

City Council - Adopt a motion accepting City Council designated representatives to various organizations and areas of interests related to City Business.

Mayor SERRATTO briefly discussed the updated City Council designated representatives to various organizations and areas of interest related to city business.

Council discussed the various organizations and areas of interest related to city business and the balance of designations between Council Members.

Council agreed on the following:

Budget: Mayor Pro Tempore BOYLE, Mayor SERRATTO, and Council Member XIONG.

Economic Development: Council Member DUPONT, Council Member SMITH, Mayor Pro Tempore BOYLE.

Ethics: Council Member DUPONT, Council Member HARRIS, Mayor SERRATTO.

Continuum of Care: Mayor SERRATTO.

Downtown: Mayor Pro Tempore BOYLE, Council Member HARRIS, and Mayor SERRATTO.

Housing/Planning: Council Member DUPONT, Council Member HARRIS, and Mayor SERRATTO.

League of Cal Cities: Mayor Pro Tempore BOYLE and Council Member DUPONT.

LAFCo: Council Member DUPONT.

MCAG: Mayor SERRATTO with Council Member SMITH as an alternate.

Public Safety: Mayor Pro Tempore BOYLE, Council Member HARRIS, and Council Member SMITH.

Recreation and Parks Activities: Mayor Pro Tempore BOYLE, Council Member DUPONT, and Council Member XIONG.

South Merced: Council Member DEANDA, Council Member DUPONT, and Council Member XIONG

Utilities: Council Member HARRIS, Mayor SERRATTO, and Council Member XIONG.

Transportation: Mayor Pro Tempore BOYLE, Mayor SERRATTO, Council Member SMITH.

A motion was made by Council Member Smith, seconded by Council Member Dupont, to confirm the 2025/2026 Merced City Council Designated Representatives as presented. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Boyle, Council Member Dupont, Council Member Harris, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member DeAnda

M.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.

Council Member SMITH requested to discuss the C-7 policy at the February 19, 2025 Council Meeting. He also requested to bring the Rental Registry item for more information at the March 3, 2025 Council Meeting.

M.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 HARRIS thanked his wife, Shelly for all her support during his campaign and reported on attending the swearing in ceremony for Merced County Supervisor Jim PACHECO and Merced County Superior Court Judge Monika DONABED.

Council Member DUPONT wished everyone a Happy New Year and reported on attending the swearing in ceremony for Merced County Superior Court Judge Monika DONABED.

Mayor Pro Tempore BOYLE reported on attending the swearing in ceremony for Merced County Superior Court Judge Monika DONABED and the Loughborough Traffic Calming meeting.

N. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 9:56 PM.

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

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Boyle, Council Member Dupont, Council Member Harris, Council Member Smith, and Council Member Xiong

No: 0

Absent: 1 - Council Member DeAnda