



# CITY OF MERCED

City Council Chamber  
Merced Civic Center  
2nd Floor  
678 W. 18th Street  
Merced, CA 95340

## Minutes

### City Council/Public Finance and Economic Development Authority/Parking Authority

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Monday, June 21, 2021

6:00 PM

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#### 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 5:03 PM.

**Clerk's Note:** Council Members BOYLE and ORNELAS arrived at 5:06 PM

- B.1.** SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Stephanie Dietz; Unrepresented Management AUTHORITY: Government Code Section 54957.6
- B.2.** SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): Travis Lindsey and Janell Van Bindsbergen, Lozano Smith, Attorneys at Law; Employee Organizations: American Federation of State, County, and Municipal Employees (AFSCME) Council 57; Local 2703, International Association of Fire Fighters, Local 1479; Merced Police Officers' Association (MPOA); Merced Association of Police Sergeants and Merced Association of City Employees (MACE). AUTHORITY: Government Code Section 54957.6
- B.3.** SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representatives: Mayor and City Council Members. Unrepresented Employee: City Attorney; Authority: Government Code Section 54957 and 54957.6
- B.4.** SUBJECT: PUBLIC EMPLOYMENT - Title: City Attorney/Interim City Attorney; Authority: Government Code Section 54957

**Clerk's Note:** Council adjourned from Closed Session at 5:51 PM.

## C. CALL TO ORDER

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

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

The invocation was delivered by Pastor Joel DORMAN from First Baptist Church.

### C.2. Pledge of Allegiance to the Flag

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

## D. ROLL CALL

**Present:** 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

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.

Mayor SERRATTO briefly discussed the latest guidelines for vaccinated and unvaccinated individuals when attending City Council meetings as related to agenda item M.2.

## F. CEREMONIAL MATTERS

### F.2. SUBJECT: Certificate of Recognition for Josh Hickman for His CCC Wrestling Tournament Victory with Golden Valley High School

#### REPORT IN BRIEF

Accepted by Josh Hickman.

Council Member ORNELAS presented Joshua HICKMAN with a certificate of recognition for his wrestling achievements while dealing with personal tragedy.

## G. SPECIAL PRESENTATIONS

**G.1.**                    **SUBJECT:** Update on the Merced Mall Renovation Project

**REPORT IN BRIEF**

Lois Coddling, Vice President of Leasing - Coddling Enterprises and Bill Kenney, Principal - The Kenney Company, will provide an update to Council on the Merced Mall Renovation Project.

**RECOMMENDATION**

For Information Only.

Bill KENNEY, Principal - The Kenney Company, gave Council an update on the Merced Mall renovation project and new timeline for completion.

**F.1.**                    **SUBJECT:** Certificate of Recognition for Local Amateur Boxing  
Champion David Haro

**REPORT IN BRIEF**

Accepted by David Haro.

**Clerk's Note:** Item F.1. was heard after Item G.1. due to the late arrival of the recipient.

Council Member ORNELAS provided Daniel HARO for his boxing championships and his recent announcement of becoming a professional boxer.

## H. WRITTEN PETITIONS AND COMMUNICATIONS

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

Item K.4. - Adam BLAUERT, Annissa FRAGOSO, Tiffany GREEN, Todd HALLENBECK, Erin HAMM, Keval MCNAMARA, and Yader ZELEDON.

Item K.5. - Diana ALEXANDER, Juan BRAVO, Toni FIORENZA, Rene MOUNCE, Elaine PARKER, Brent SAICH, and Emily TANZILLO.

Item M.1. - Susan AMUSSEN, Conrad FOURNIER, Robert LORENZI, Susanne SORENSEN, and Keith WEAVER.

## I. ORAL COMMUNICATIONS

Darlene INGERSOLL, Merced County Registrar of Voters - spoke on the

new voters choice programs in place.

Teri ROWLING, Merced - spoke about illegal fireworks use.

Mike SIEGEL, Merced - spoke on a recent incident at a downtown event.

Jeff SANDERS, Merced - spoke on illegal fireworks use in the city.

Merced resident - spoke on illegal fireworks.

## J. CONSENT CALENDAR

Items J.3. Information Only - Boards and Commissions Annual Attendance Reports and J.8. Approval of a Professional Services Agreement with J.B. Anderson Land Use Planning and Deposit and Reimbursement Agreement with Bellevue Merced, LLC, for Preparation of an Environmental Document for the Proposed M Street and Bellevue Road Annexation in the Amount of \$28,924.00; were pulled for separate consideration.

### Approval of the Consent Agenda

**A motion was made by Council Member Echevarria, seconded by Mayor Pro Tempore Blake, 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

#### J.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.**

#### J.2. **SUBJECT: Information Only - Planning Commission Minutes of March 3, March 17, April 7, April 21, and May 5, 2021**

**RECOMMENDATION**

For information only.

This Consent Item was approved.

J.4.

**SUBJECT:** Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of June 7, 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 June 7, 2021.

This Consent Item was approved.

J.5.

**SUBJECT:** Approval to Waive the Competitive Bidding Requirement and Approval to Use Cooperative Purchasing Agreements Through the National Purchasing Partners Government Division, DBA Public Safety GPO, Law Enforcement GPO, First Responders GPO, EMS GPO, and NPPGov (All Collectively Referred to Hereinafter as NPPGov); Approval of Agreements With L.N. Curtis and Sons for Personal Protective Equipment (Contract #: PS20060) in an Amount not to Exceed \$114,890 and for Firefighting Equipment (Contract #: PS20015) in an Amount not to Exceed \$155,379 and to Cascade Fire Equipment for PPE (Contract #: PS20055) in an Amount Not to Exceed \$12,340

**REPORT IN BRIEF**

Consider waiving the competitive bidding requirement and approving the use of cooperative purchasing agreements through the National Purchasing Partners Government Division, also doing business as NPPGov with: L.N. Curtis and Sons for Personal Protective Equipment (Contract #: PS20060) for an amount not to exceed \$114,890 and for Firefighting Equipment (Contract #: PS20015) for an amount not to exceed \$155,379 and to Cascade Fire Equipment for PPE (Contract #: PS20055) for an amount not to exceed \$12,340.

**RECOMMENDATION**

**City Council - Adopt a motion:**

A. Waiving the competitive bidding requirements for Personal Protective Equipment and Firefighting Equipment purchases from L.N. Curtis and Sons and Cascade Fire Equipment based on cooperative purchasing through NPPGov; and,

B. Approving the use of cooperative purchasing agreements through the National Purchasing Partners Government Division, also doing business as Public Safety GPO, Law Enforcement GPO, First Responders GPO, EMS GPO, and NPPGov (all collectively referred to hereinafter as NPPGov) with: L.N. Curtis and Sons for Personal Protective Equipment (Contract #: PS20060) for an amount not to exceed \$114,890 and for Firefighting Equipment (Contract #: PS20015) for an amount not to exceed \$155,379 and to Cascade Fire Equipment for PPE (Contract #: PS20055) for an amount not to exceed \$12,340; and authorizing purchases for the not-to-exceed amount specific for the respective vendor under each cooperative purchasing agreement through June 30, 2022; and,

C. Authorizing the City Manager or designee to execute the necessary documents and approve change orders for amounts not to exceed the total appropriated budget.

**This Consent Item was approved.**

**J.6.**

**SUBJECT: Approval to Waive the Competitive Bid Process to Allow for the Cooperative Purchase with Competitively Bid Contracts; (State of California Cooperative Agreement Software VAR # 7-16-70-37, Monterey County Office of Education CALSAVE #530067, State of Utah Cooperative Online Marketplace Contract MA3458, and Sourcewell Contract #081419) with CDW-G in a not to Exceed Amount of \$180,000 in Fiscal Year 2021/2022**

**REPORT IN BRIEF**

Approval to waive the competitive bid process to allow for the cooperative purchase with competitively bid contracts; (State of California Cooperative Agreement Software VAR #7-16-70-37, Monterey County Office of Education CALSAVE #530067, State of Utah Cooperative Online Marketplace Contract MA3458, and Sourcewell Contract #081419) with CDW-G in a not to exceed amount of \$180,000 in Fiscal Year 2021/2022

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving to waive the competitive bidding requirements due to piggybacking; and,
- B. Approving the State of California Cooperative Agreement Software VAR #7-16-70-37; and,
- C. Approving the Monterey County Office of Education CALSAVE agreement #530067; and,
- D. Approving the State of Utah cooperative online marketplace contract MA3458; and,
- E. Approving the Sourcewell contract #081419; and,
- F. Authorizing the City Manager or designee to execute the necessary documents; and,
- G. Authorizing the Finance Officer to make necessary budget adjustments; and,
- H. Authorizing the purchase of \$180,000 of goods through CDW-G.

**This Consent Item was approved.**

**J.7.**

**SUBJECT:** Adoption of a Resolution Authorizing Fiscal Year 2021-22 Annual Special Tax Rates for Community Facilities District (CFD) No. 2003-2 (Services)

**REPORT IN BRIEF**

Considers setting the Annual Special Tax Rates for Fiscal Year 2021-22 for Community Facilities District (CFD) No. 2003-2 (Services) for the City of Merced.

**RECOMMENDATION**

**City Council** - Adopt a motion approving **Resolution 2021-47**, a Resolution of the City Council of the City of Merced, California, acting as the legislative body of the Community Facilities District No. 2003-2 (Services) of the City of Merced, authorizing the establishment of an annual special tax for said district for Fiscal Year 2021-2022.

**This Consent Item was approved.**

J.9.

**SUBJECT:** Approval of Modification to Street Closure Request #21-01 Regarding a Monthly Farmers Market Event (El Mercado) Hosted by the City of Merced and the Merced County Hispanic Chamber of Commerce to Extend the Event Time from 10:00 p.m. to 11:00 p.m. and to Modify Condition #12 Extending the Time That Music is Allowed From 9:00 p.m. to 10:00 p.m. for the Remaining Dates of the Event on July 1, August 5, September 2, and October 7, 2021

**REPORT IN BRIEF**

Considers a request by the City of Merced and the Merced County Hispanic Chamber of Commerce to modify Street Closure Request #21-01 regarding the closure and use of City streets and Bob Hart Square. The modifications include the extension of the event time from 10:00 p.m. to 11:00 p.m. and the modification of Condition #12 extending the time that music is allowed from 9:00 p.m. to 10:00 p.m. for the remaining events dates on Thursday, July 1, August 5, September 2, and October 7, 2021, for a monthly Farmers Market Event (El Mercado).

**RECOMMENDATION**

**City Council** - Adopt a motion approving the modification of Street Closure Request #21-01 including the extension of the event time from 10:00 p.m. to 11:00 p.m. and the modification to Condition #12 extending the time that music is allowed from 9:00 p.m. to 10:00 p.m., subject to the details and conditions outlined in the Administrative Staff Report.

**This Consent Item was approved.**

J.10.

**SUBJECT:** Approval of Agreement for Use of City Right-of-Way with Mainzer OB, LLC for a Grease Interceptor, Including Necessary Plumbing, and Overhead Signage on N Street

**REPORT IN BRIEF**

Considers approving the agreement for use of City right-of-way with Mainzer OB, LLC for a Grease Interceptor, including necessary plumbing, and Overhead Signage on N Street.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the agreement for use of City right-of-way with the Mainzer OB, LLC; and, authorizing the City

Manager or designee to execute the necessary documents.

This Consent Item was approved.

J.11.

**SUBJECT:** Approval of Additional Contingency in the Amount of \$168,558 for Additional Work Which is Reflected in Change Order #3 Associated with the Alpine Dr - G St. to Wainwright Ave. Improvements, Project No. 119006

**REPORT IN BRIEF**

Considers approving an increase to the contingency in the amount of \$168,558 for City Project No. 119006 - Alpine Drive, G Street to Wainwright Avenue Improvements.

**RECOMMENDATION**

**City Council** - Adopt a motion authorizing the City Manager or designee to execute the necessary documents and to approve change orders up to a total contingency amount of \$229,706.03. An increase in contingency of \$168,558.

This Consent Item was approved.

J.12.

**SUBJECT:** Approval of Property, Boiler and Machinery Insurance Renewal Through Alliant Property Insurance Program in the Amount of \$551,105.84 for Program Year 2021/2022

**REPORT IN BRIEF**

Considers approving the renewal of the City's policy through Alliant Property Insurance Programs (APIP) at 33.76% premium increase, amounting to \$551,105.84 for program year 2021/2022.

**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, 2021 through June 30, 2022; and authorizing the City Manager or designee to execute the necessary documents.

This Consent Item was approved.

J.3.

**SUBJECT:** Information Only - Boards and Commissions Annual Attendance Reports

**REPORT IN BRIEF**

Annual attendance review conducted with results filed with the City Clerk's Office.

**RECOMMENDATION**

For information only.

Mayor SERRATTO pulled this item due to a request from the public to speak on the item.

Dorothea WHITE, Merced - asked Council to review the Board and Commission Attendance Policy to include vacations as excused absences.

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

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

**No:** 0

**Absent:** 0

**J.8.**

**SUBJECT:** Approval of a Professional Services Agreement with J.B. Anderson Land Use Planning and Deposit and Reimbursement Agreement with Bellevue Merced, LLC, for Preparation of an Environmental Document for the Proposed M Street and Bellevue Road Annexation in the Amount of \$28,924.00

**REPORT IN BRIEF**

Considers approving a Professional Services Agreement with J.B. Anderson Land Use Planning along with a Reimbursement Agreement with Bellevue Merced, LLC, for preparation of an environmental document for the proposed annexation of approximately 37 acres location on the north side of Bellevue Road, west of M Street (extended).

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the Professional Services Agreement with J.B. Anderson Land Use Planning in the amount of \$28,924.00 for preparation of an environmental document for the M Street and Bellevue Road Annexation; and,

B. Approving the Deposit and Reimbursement Agreement with

Bellevue Merced, LLC, in the amount of \$31,816.40 to cover the cost of the consultant contract and staff time for the administration of the environmental review process; and,

C. Approving an increase of revenue in the amount of \$22,324.00 to account 017-0804-360-01-02 - Other Revenue Developers and appropriating \$28,924 to account 017-0804-512-17-00-Professional Services (\$6,600 previously paid by the developer into account 017-0804-331-03-17- Environmental Review Fees) for payment to J.B. Anderson Land Use Planning; and,

D. Approving an increase of revenue in the amount of \$2,892.40 to account 017-0804-331-01-11 - Cost Recovery; and,

E. Authorizing the City Manager or designee to execute the documents.

Mayor SERRATTO pulled this item due to a request from the public to speak on the item.

Sheng XIONG, Merced - questioned the timeline for the environmental document and asked about the notice for review.

Development Services Director Scott MCBRIDE commented that the public will be included in the process.

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

**Aye:** 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. PUBLIC HEARINGS

**Clerk's Note:** Agenda items K.2. and K.3. were heard prior to K.1. due to a statutory requirement that K.1. be heard at a predetermined time of 7:00 PM.

### K.2.

**SUBJECT:** Public Hearing to Consider General Plan Amendment #21-01 and Zone Change #427, Initiated by MCP, LLC, Property

Owner Requesting a Change From the Current General Plan Land Use Designation of Low Density Residential (LD) to High-Medium Density Residential (HMD), and a Zone Change From Low Density Residential (R-1-6) to Medium Density Residential (R-3-2) for Four 0.22-Acre Parcels Located at 565, 575, 601, and 609 Q Street to Allow for the Development of a 4 Plex on 4 Separate Parcels, for a Total of 16 Units

**REPORT IN BRIEF**

Staff is recommending continuing this item to the City Council Meeting of July 19, 2021, to allow time to work out project details with the applicant.

**RECOMMENDATION**

**City Council** - Adopt a motion continuing the Public Hearing to the Meeting of July 19, 2021.

Associate Planner Francisco MENDOZA-GONZALEZ briefly explained the request to continue this Public Hearing to the City Council Meeting of July 19, 2021.

**A motion was made by Council Member Echevarria, seconded by Council Member Perez, that this agenda item be continued to the July 19, 2021 Council Meeting. 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.3.**

**SUBJECT:** Public Hearing and Adoption of Resolution to Vacate a 32-Foot-Wide Strip of Right-of-Way, Containing Approximately 19,628.69 Square Feet, Generally Located Approximately 362 Feet North of Yosemite Avenue Between Mansionette Drive and Sandpiper Avenue (Extended)(Vacation #21-02)

**REPORT IN BRIEF**

Considers approving a Resolution to order the vacation of a 32-foot-wide portion of roadway, containing approximately 19,628.69 square feet of land, generally located approximately 362 feet north of Yosemite Avenue, between Mansionette Drive and Sandpiper Avenue (extended).

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Resolution 2021-46**, a Resolution of the City Council of the City of Merced, California ordering the

vacation of 32-foot-wide strip of right-of-way, containing approximately 19,628.69 square feet, generally located approximately 362 feet north of Yosemite Avenue, between Mansionette Drive and Sandpiper Avenue (extended) (Vacation #21-02).

Development Services Director Scott MCBRIDE gave a slideshow presentation on a resolution to vacate a 32-foot-wide strip of right-of-way between Mansionette Drive and Sandpiper Avenue (Extended)(Vacation #21-02).

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

**A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Echevarria, to adopt Resolution 2021-46. 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

**Clerk's Note:** Council took a recess at 6:58 PM and reconvened at 7:00 PM.

**K.1.**

**SUBJECT: Public Hearing (to be Heard at 7PM) to Receive a Report from Staff on the Redistricting Process and Permissible Criteria to be Considered to Redraw the Council District Map, to Receive Input from the Community Regarding the Redrawing of Election District Boundaries, Direction Regarding an Advisory Committee, and Scheduling Remaining Required Public Hearings**

**REPORT IN BRIEF**

Public Hearing to inform Council and the public on the redistricting process, allow community input regarding the redrawing of the Council District Map, provide staff direction on an advisory committee, and scheduling remaining required Public Hearings.

**RECOMMENDATION**

Receive public input on the redrawing of election district boundaries, provide direction to staff regarding an advisory committee and scheduling the required Public Hearings.

Jeff TILTON with National Demographics Corporation gave a slideshow presentation on the redistricting process and permissible criteria to be considered to redraw the Council District Map based off of the 2020 Census data.

Council and Mr. TILTON briefly discussed the languages available in the mapping tools.

Mayor SERRATTO opened the Public Hearing at 7:18 PM.

Sheng XIONG, Leadership Council - stated support for an advisory committee to review the current districts and requested translation services be available at the meetings.

Dorothea WHITE, Merced - spoke in favor of having an advisory committee.

Jermaine PASTER, Merced - spoke in favor of an advisory committee.

Michelle ALLISON, Atwater - spoke on the redistricting process and the need for the advisory committee.

Alissa HAYES, Merced - questioned the scope of the advisory committee.

Mr. TILTON explained the different types of committees used in redistricting.

Michelle ALLISON, Atwater - asked about the prison population numbers and how they are used in the redistricting maps.

Mr. TITLTON explained how the prison population numbers were applied to the mapping process.

Blanca - spoke in favor of an advisory committee.

Mayor SERRATTO closed the Public Hearing at 7:35 PM.

Council discussed the process and the use of an advisory committee to hold meetings, different languages available for the public and engaging the public in the map drawing process.

Council decided that applications for a nine member committee with six members appointed by district, one at-large member appointed by the Mayor, and another two at-large members with one each from Districts 1-3

and from Districts 4-6 should be brought before Council for appointment at the meeting of August 2, 2021.

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

**K.4.**

**SUBJECT:** Public Hearing and Adoption of Resolution to Vacate the Northern Portion of the Arbor Walkway Easement (Approximately 2,800 Square Feet) Which Would Revert Development Rights Back to the Adjacent Property Owner of 531 W. Main Street, Merced, Generally Located on the North Side of Main Street, Approximately 150 Feet East of M Street

**REPORT IN BRIEF**

Considers the vacation of the northern portion of the Arbor Walkway easement (approximately 2,800 square feet) which would revert development rights back to the adjacent property owner of 531 W. Main Street.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Adopting **Resolution 2021-55**, A Resolution of the City Council of the City of Merced, California, approving a mutual termination of the easement agreement between the City of Merced and Creative Development Concepts, Inc.; and,

B. Adopting **Resolution 2021-56**, a Resolution of the City Council of the City of Merced, California, ordering the vacation of the Arbor Walkway North easement (approximately 2,800 square feet) which would revert development rights back to adjacent property owner of 531 W. Main Street (Vacation #21-03).

Associate Planner Francisco MENDOZA-GONZALEZ gave a slideshow presentation on a resolution to vacate the northern portion of the Arbor Walkway Easement which would revert development rights back to the adjacent property owner of 531 W. Main Street and described the potential project proposed by the owner.

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

City Attorney Phaedra NORTON asked that Council continue this item to August 2, 2021 meeting to allow the applicant and interested parties to meet and resolve any issues.

Mayor SERRATTO opened the Public Hearing at 8:02 PM.

**Clerk's Note:** The following three comments were provided via voicemail.

Sue EMANIVONG, Lao Association of Merced - spoke in support of the vacation of the easement.

Susan WALSH, Merced - spoke in support of the vacation of the easement.

Jeff HENENFENT, Merced - spoke against the vacation of the easement.

Maria SOTO, Livingston - spoke in favor of the vacation of the easement.

Mike WARDA, Turlock - spoke against the vacation of the easment as it is still being used by the public.

Erin HAMM, Merced - spoke against the vacation of the easement at Arbor Walkway.

Annissa FRAGOSO, Merced Hispanic Chamber of Commerce - spoke in favor of the vacation of the easement.

Rene GALVAN, Merced - spoke in favor of the vacation of the easement.

Monica GOMEZ, Merced - spoke in favor of the vacation of the easement.

Manuel ALVARADO, United Way of Merced County - spoke in favor of the vacation of the easement.

Alissa HAYNES, Merced - spoke in favor of leaving the walkway open to the public.

Andre SANTOS, Merced - spoke in support of the vacation of the easement.

Tim RAZZARI, Merced - spoke against the vacation of the easement.

Christopher BERNAL, Merced - spoke in favor of the vacation of the easement.

Dwight LARKS, Livingston - spoke about the need for the vacation of the easement and the project that will take place at Arbor Walkway.

Elisa TREVINO, Hispanic Chamber of Commerce - spoke in favor of the vacation of the easement.

Mayor SERRATTO closed the Public Hearing at 8:50 PM.

Council briefly discussed the vacation of the easement, the safety of citizens using the walkway, and a potential compromise.

**A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Shelton, that this agenda item be continued to the August 2, 2021 Council meeting. 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:** 1 - Council Member Perez

**Absent:** 0

**Recused:** 1 - Council Member Ornelas

**K.5.**

**SUBJECT: Public Hearing to Consider (1) the Annexation of Certain Property into Community Facilities District (CFD) No. 2003-2 (Services) for the Yosemite Crossing Development, Calling and Holding a Special Election for Annexation No. 17 into CFD No. 2003-2 (Services) for the Yosemite Crossing Development; Canvassing the Results of the Election Held within Annexation No. 17 of Said District, and Annexing Annexation No. 17 to Said District and Authorizing the Levy of a Special Tax Within Said Annexation No. 17; and (2) Detachment of Same Property from Mansionette Maintenance District**

**REPORT IN BRIEF**

Requests the City Council Conduct a Consolidated Public Hearing Regarding (a) Annexation into Community Facilities District (CFD) No. 2003-2 (Services) for the Yosemite Crossing Development, and (b) Detachment of same Property from Mansionette Maintenance District; Hold Election for Annexation; Detach Property from Mansionette Maintenance District.

**RECOMMENDATION**

**City Council** - Adopt a motion (1) on behalf of itself and the CFD:

A. Holding a Consolidated Public Hearing on the annexation of certain property into the CFD and the levy of special taxes; and,

B. Adopting **Resolution 2021-50**, 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. 17; and,

C. Holding an election; and,

D. Adopting **Resolution 2021-51**, 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. 17 of said District; and,

E. Adopting **Resolution 2021-52**, 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. 17 to said district and authorizing the levy of a special tax within said Annexation No. 17.

**City Council** - Adopt a motion (2):

A. Adopting **Resolution 2021-53**, a Resolution of the City Council of the City of Merced, detaching area designated as Annexation No. 17 of the City of Merced Community Facilities District No. 2003-2 (Services) from the Mansionette Maintenance District

Director of Development Services Scott MCBRIDE gave a brief statement clarifying that this item was to create a district to tax the commercial development and not homeowners of the Mansionette subdivision.

Principal Planner Michael HREN gave a slideshow presentation on the annexation of certain property into Community Facilities District (CFD) No. 2003-2 (Services) for the Yosemite Crossing Development.

Mayor SERRATTO opened the Public Hearing at 9:13 PM.

Juan BRAVO, Merced - removed his protest after the clarification of the item.

Mayor SERRATTO closed the Public Hearing at 9:14 PM.

**A motion was made by Council Member Shelton, seconded by Council Member Perez, to adopt Resolution 2021-50. 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 announced that the single ballot received was in favor of annexation into the CFD.

**A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Perez, to adopt Resolution 2021-51, Resolution 2021-52 and Resolution 2021-53. 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.6.**

**SUBJECT:** Public Hearing for the Introduction and Review of the Draft U.S. Department of Housing and Urban Development (HUD) 2021 Annual Action Plan; Proposed Expenditure of CDBG and HOME Funds for FY 2021-2022; and, Receipt of Public Comment During a Reduced 15-Day Public Review and Comment Period

**REPORT IN BRIEF**

Presentation and discussion of the Preliminary Draft of the HUD 2021 Annual Action Plan; and Public Hearing to provide the public an opportunity to comment.

**RECOMMENDATION**

**City Council -**

A. Conduct a public hearing to receive public comment regarding the Draft 2021 Annual Action Plan and proposed expenditure of CDBG, HOME, and other funds for Fiscal Year 2021-2022; and,

B. Provide comment, if any, on staff recommendations for the distribution of projects, goals, and objectives, and allocation of funding in the Draft 2021 Annual Action Plan; and,

C. Provide comment, if any, on staff recommendations regarding the Community Organization CDBG funding request applications received for Fiscal Year 2021-2022.

Housing Program Supervisor Kim NUTT gave a slideshow presentation on the draft U.S. Department of Housing and Urban Development (HUD) 2021 Annual Action Plan and the proposed expenditure of CDBG and HOME Funds for FY 2021-2022.

Mayor SERRATTO opened the Public Hearing at 9:28 PM.

Sheng XIONG, Leadership Council - asked about the funding allocations in the budget.

Mayor SERRATTO closed the Public Hearing at 9:30 PM.

Council and Ms. NUTT discussed different programs that the funding could be used for.

Council and Mr. MCBRIDE discussed the application process and the search for new service providers.

**A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Ornelas, that this agenda item be continued to the July 6, 2021 Council meeting. 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.7.**

**SUBJECT: Public Hearing on the Various Maintenance Districts' Engineer's Reports and Budgets for Fiscal Year 2021/2022 with Adoption of Resolution for Approval, Confirmation, and Adoption of the Engineer's Reports for the Various Maintenance Districts as Originally Submitted or as Modified**

**REPORT IN BRIEF**

Consider adopting a Resolution approving, confirming, and adopting Engineer's Reports and Budgets for Maintenance Districts after the close of the Public Hearing.

**RECOMMENDATION**

**City Council** - Adopt a Motion adopting **Resolution 2021-48**, a Resolution of the City Council of the City of Merced, California, approving, confirming, and adopting Engineer's Reports on Maintenance Districts.

Director of Public Works Ken ELWIN gave a slideshow presentation on the various Maintenance Districts' Engineer's Reports and Budgets for Fiscal Year 2021/2022.

Mayor SERRATTO opened the Public Hearing at 9:45 PM.

Michelle ALLISON, Merced - asked about the different locations that have Maintenance Districts.

Mr. ELWIN clarified various locations covered by Maintenance Districts.

Mayor SERRATTO closed the Public Hearing at 9:50 PM.

Council and City Manager Stephanie DIETZ discussed the current system and the potential for adding new neighborhoods into Maintenance Districts.

**A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Boyle, to adopt Resolution 2021-48. 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.8.**

**SUBJECT: Continued Public Hearing to Allow Interested Persons to be Heard Regarding the City Council, Public Financing and Economic Development Authority, and Parking Authority Fiscal Year 2021-22 Budget, Adoption of the Budget with Revision(s), if any, and Appropriation of the Revenue and Approval of the Capital Projects for Each Respective Budget**

**REPORT IN BRIEF**

Continued Public Hearing and adoption of the Fiscal Year 2021-22 City Council, Public Financing and Economic Development Authority, and Parking Authority Budget.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Adopting **Resolution 2021-54**, Resolution of the City Council of the City of Merced, California, Adopting the Budget and Appropriating Revenue for Fiscal Year 2021-2022; and,

B. Approving capital projects based upon the Planning Commission's June 9, 2021 finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2021; and,

C. Approving a transfer in Fiscal Year 2020-21 not to exceed \$159,000 from Fund 085-Measure Y Parks and Recreation 20% unreserved, unencumbered fund balance to Fund 024-Parks and Community Services to mitigate estimated year-end cash short fall.

**Public Financing and Economic Development Authority** - Adopt a motion:

A. Adopting **Resolution PFA 2021-01**, Resolution of the City of Merced Public Financing and Economic Development Authority, Adopting the Budget and Appropriating Revenue for Fiscal Year 2021-2022; and,

B. Approving capital projects based upon the Planning Commission's June 9, 2021 finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2021.

**Parking Authority** - Adopt a motion:

A. Adopting **Resolution PA 2021-01**, Resolution of the City of Merced Parking Authority, Adopting the Budget and Appropriating Revenue for Fiscal Year 2021-2022; and,

B. Approving capital projects based upon the Planning Commission's June 9, 2021 finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2021.

Finance Officer Venus RODRIGUEZ and City Manager Stephanie DIETZ gave a slideshow presentation regarding the City Council, Public Financing and Economic Development Authority, and Parking Authority Fiscal Year 2021-22 Budget.

Mayor SERRATTO opened the Public Hearing at 10:04 PM.

Sheng XIONG, Leadership Council - advocated for housing policies and the budget for affordable housing.

Fue XIONG, Merced - commented on the budget for affordable housing and a housing trust fund.

Mayor SERRATTO closed the Public Hearing at 10:11 PM.

Council and Ms. RODRIGUEZ briefly discussed various budget line items.

**A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Boyle, to adopt Resolution 2021-54, Resolution PFA 2021-01, Resolution PA 2021-01, appropriate revenue for Fiscal Year 2021-2022 and approve additional items as recommended by staff. 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

## L. REPORTS

### L.1.

**SUBJECT:** Adoption of Resolution Approving the Yosemite Crossing Subdivision, Phase 1 - Final Map #5382 for 6 Commercial Lots, Generally Located on the Northeast Corner of Yosemite Avenue and G Street, and the Approval of the Subdivision Agreement for Yosemite Crossing, Phase 1

#### REPORT IN BRIEF

Considers the approval of Final Map #5382 for 6 commercial lots, generally located at the northeast corner of Yosemite Avenue and G Street, and the Subdivision Agreement for Yosemite Crossing, Phase 1.

#### RECOMMENDATION

**City Council** - Adopt a motion:

A. Adopting **Resolution 2021-49**, A Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Yosemite Crossing, Phase 1 Subdivision (#5382); and,

B. Approving the Subdivision Agreement for Yosemite Crossing, Phase 1; and,

C. Authorizing the City Manager or designee to execute the Subdivision Agreement.

Principal Planner Michael HREN gave a brief report on a resolution approving the Yosemite Crossing Subdivision, Phase 1 - Final Map #5382 for 6 commercial lots, and the approval of the Subdivision Agreement for

Yosemite Crossing.

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

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

**No:** 0

**Absent:** 0

## M. BUSINESS

### M.1.

**SUBJECT:** Council Member Echevarria's Request to Discuss the Potential for Council to Reconsider the Recommendation for Essential Air Service to the Department of Transportation at a Future Council Meeting

#### REPORT IN BRIEF

Council Member Echevarria's Request to Discuss the potential for Council to reconsider the recommendation for essential air service to the Department of Transportation pursuant to City Council Administrative Policies and Procedures C-1.

#### RECOMMENDATION

Provide direction to staff on the potential to reconsider previous Council action at a future meeting.

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

Alice, Merced resident - spoke in support of Boutique Air.

Julia LARSON, Merced - spoke in support of Boutique Air.

Council Member ECHEVARRIA proposed Council reconsider the recommendation made to the Department of Transportation regarding essential air service at Merced Yosemite Regional Airport.

Council briefly discussed reconsidering the recommendation at a future meeting.

**A motion was made by Council Member Ornelas, seconded by Council Member Perez, to reconsider the essential air service recommendation at the July 6, 2021 Council meeting. The motion carried by the following vote:**

**Aye:** 5 - Mayor Serratto, Council Member Echevarria, Council Member Perez, Council Member Ornelas, and Council Member Boyle

**No:** 2 - Mayor Pro Tempore Blake, and Council Member Shelton

**Absent:** 0

**M.2.** **SUBJECT:** Discussion on the Format of Future City Council Meetings in Response to Governor's Rescinding of the Order for Face Coverings and Social Distancing Requirements Related to the Statewide COVID-19 Emergency

**REPORT IN BRIEF**

Discuss the format and seating arrangement of City Council Meetings.

**RECOMMENDATION**

Provide staff direction on the format and seating arrangement of future City Council Meetings in response to the Governor's rescinding of the order for face coverings and social distancing requirements related to the statewide COVID-19 emergency.

Council briefly discussed seating arrangement for the next meeting.

**M.3.** **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 none.

**M.4.** **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 ORNELAS commented on a meeting with Police Chief Tom CAVALLERO regarding community policing, youth sports starting, and homeless encampment refuse and safety.

Council Member ECHEVARRIA commented on a meeting with Chief

CAVALLERO.

Council Member PEREZ thanked the public for participating in the meeting.

## N. ADJOURNMENT

**Clerk's Note:** The Regular Meeting was adjourned at 10:53 PM.

**A motion was made by Council Member Ornelas, seconded by Mayor Pro Tempore Blake, that the meeting be adjourned. 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