

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERCED, CALIFORNIA, AMENDING CHAPTERS 15.08 AND 15.40 OF THE MERCED MUNICIPAL CODE TO EXTEND THE TIME DURING WHICH THE CITY WILL REFUND CERTAIN PAYMENTS FOR WATER AND SEWER LINES TO THE UNIVERSITY OF CALIFORNIA, MERCED, AND FINDING THAT THE ADOPTION OF THE ORDINANCE IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ("CEQA")

THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN AS FOLLOWS:

SECTION 1. AMENDMENT TO CODE. Section 15.08.150(B) of the Merced Municipal Code is hereby amended to read as follows:

“(B) For lines installed by the University of California, Merced pursuant to the Contract for Water and Sewer Services Between the City of Merced and the Regents of the University of California, recorded as Document No. 2003-028581 in the official records of the county of Merced, the city shall not make refunds to the University of California, Merced after the fortieth anniversary of the date of that contract (as amended), entered into as of October 1, 2003.”

SECTION 2. AMENDMENT TO CODE. Section 15.40.080(B) of the Merced Municipal Code is hereby amended to read as follows:

“(B) For lines installed pursuant to the Contract for Water and Sewer Services Between the City of Merced and the Regents of the University of California, recorded as Document No. 2003-028581 in the official records of the county of Merced, the city shall not make refunds to the University of California, Merced after the fortieth anniversary of the date of that contract (as amended), entered into as of October 1, 2003.”

SECTION 3. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 4. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections,

subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 5. CEQA. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(3) (the activity is not a project as defined in Section 15378), and 15060(c)(2) (this contract amendment relating only to the length of reimbursement obligation has no potential for resulting in physical change to the environment, directly or indirectly).

SECTION 6. PUBLICATION. The City Clerk is directed to cause a summary of this Ordinance to be published in the official newspaper at least once within fifteen (15) days after its adoption showing the vote thereon.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the ____ day of _____, 2025, and was passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2025, by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

[SIGNATURE PAGE TO FOLLOW]

APPROVED:
MATTHEW SERRATTO, MAYOR

Mayor

ATTEST:
D. SCOTT MCBRIDE, CITY CLERK

BY: _____
Assistant/ Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:
CRAIG J. CORNWELL, CITY ATTORNEY

 7/10/2025
City Attorney Date