



# 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, November 18, 2024

6:00 PM

---

#### A. CLOSED SESSION ROLL CALL

**Present:** 6 - Mayor Matthew Serratto, Mayor Pro Tempore Bertha Perez, Council Member Sarah Boyle, Council Member Ronnie DeAnda, Council Member Shane Smith, and Council Member Fue Xiong

**Absent:** 1 - Council Member Jesse Ornelas

#### B. CLOSED SESSION

Mayor Pro Tempore PEREZ called the Closed Session to order at 5:09 PM.

**Clerk's Note:** Council Member XIONG arrived to Closed Session at 5:11 PM and Mayor SERRATTO arrived to Closed Session at 5:18 PM.

**B.1.** **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION Significant Exposure to Litigation. Three (3) Potential Cases. Pursuant to California Government Code Section Gov. Code § 54956.9(d)(2)

**B.2.** **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Daniel Richardson v. City of Merced WCAB Fresno. Case Numbers ADJ18731051, ADJ13523794, ADJ14557235, ADJ18702223, ADJ15608483; Pursuant to California Government Code Section 54956.9(d)(1)

**B.3.** **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Name of case: Miguel Gallegos v. City of Merced; Workers' Compensation Appeals Board Case Numbers STK-ADJ 11334105, STK-ADJ 12611948, STK-ADJ 11334059 and STK-ADJ 11340752; Authority: Government Code Section 54956.9(d)(1))

**B.4.** **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representatives: City Manager Scott McBride, Deputy City Manager Frank Quintero, Finance Officer Venus Rodriguez, Human

Resources Manager Suzanne Fierro, LCW Legal Representative Che Johnson, and LCW Legal Representative Michael Jarvis; Employee Organizations: Merced Police Officers' Association (MPOA) and Merced Association of Police Sergeants (MAPS). AUTHORITY: Government Code Section 54957.6

**B.5.** SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representatives: City Manager Scott McBride, Deputy City Manager Frank Quintero, Finance Officer Venus Rodriguez, Human Resources Manager Suzanne Fierro, LCW Legal Representative Che Johnson, and LCW Legal Representative Michael Jarvis; Employee Organizations: International Association of Fire Fighters, Local 1479. AUTHORITY: Government Code Section 54957.6

**B.6.** SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representatives: City Manager Scott McBride, Deputy City Manager Frank Quintero, Finance Officer Venus Rodriguez, Human Resources Manager Suzanne Fierro, LCW Legal Representative Che Johnson, and LCW Legal Representative Michael Jarvis; Employee Organizations: Public Safety Managers, Unrepresented Managers, and Executive Managers. AUTHORITY: Government Code Section 54957.6

**Clerk's Note:** Council adjourned from Closed Session at 5:56 PM.

## **C. CALL TO ORDER**

Mayor SERRATTO called the Regular Meeting to order at 6:00 PM.

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

The Invocation was delivered by Pastor Joel DORMAN of the First Baptist Church.

C.2. Pledge of Allegiance to the Flag

Pastor Joel DORMAN led the Pledge of Allegiance to the Flag.

## **D. ROLL CALL**

**Present:** 6 - Mayor Matthew Serratto, Mayor Pro Tempore Bertha Perez, Council Member Sarah Boyle, Council Member Ronnie DeAnda, Council Member Shane Smith, and Council Member Fue Xiong

**Absent:** 1 - Council Member Jesse Ornelas

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, the Public Financing and Economic Development Authority, and the Successor Agency to the Redevelopment Agency. 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, the Public Financing and Economic Development Authority, and the Successor Agency to the Redevelopment Agency receive no compensation.

## E. REPORT OUT OF CLOSED SESSION

There was no report.

## F. CEREMONIAL MATTERS

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

### REPORT IN BRIEF

Accepted by members of a Native American Tribe.

Mayor SERRATTO presented the Native American Heritage Month Proclamation to two Native American Tribes of Merced County.

F.2.                    **SUBJECT:** Proclamation - Hmong Flute Masters NujSisLoob  
Appreciation Day

### REPORT IN BRIEF

Accepted by the "NujSisLoob" community volunteer group.

Mayor SERRATTO presented the Hmong Flute Masters NujSisLoob Appreciation Day Proclamation to the "NujSisLoob" community volunteer group.

## G. WRITTEN PETITIONS AND COMMUNICATIONS

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

Public Comment: Reverend Ginger OSBY.

Agenda Item I.14.: Jerry PEREZCHICA.

## H. PUBLIC COMMENT

Jennifer FLACHMAN, Merced - spoke on upcoming Community Involvement events in Merced.

Aggie FREEMAN, Merced - spoke on the Field of Honor event, the Run for

the Fallen event, and events on Veteran's Day.

James REESE, Merced - shared details of the recent Community Cookout event held by Neighbors Unidos and future Community Cookout events.

Chief of Police Steven STANFIELD, Merced - shared details of the Cops and Critters event and thanked the Public Works Fleet Division for repairing the Crown Victoria police vehicle.

Representatives of the Merced Health Advocates for Positive Changes, Merced - introduced their organization, shared detailed concerns of bike lanes and unsafe roads, and spoke on road safety.

## I. CONSENT CALENDAR

Agenda Items I.5. Adoption of a Resolution Approving Final Map #5419 for Crossing at River Oaks Phase 4, Subdivision for 43 Lots at Coffee Street and Childs Avenue, and the Approval of the Subdivision Agreement for the Crossing at River Oaks Phase 4, I.7. Authorization to Donate Surplus Self Contained Breathing Apparatus and Related Equipment to Merced College Fire Technology Program, I.11. Second Reading and Final Adoption of an Ordinance Adding Chapter 8.60, "Vacant Building Limitations and Standards" to the Merced Municipal Code, and I.14. Second Reading and Final Adoption of an Ordinance Amending Chapter 9.51, "Camping and Storage of Personal Property" of the Merced Municipal Code; were pulled for separate consideration.

### Approval of the Consent Agenda

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

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

**No:** 0

**Absent:** 1 - Council Member Ornelas

#### 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 - Planning Commission Minutes of July 3, 2024, August 7, 2024, August 21, 2024, and September 18, 2024

**RECOMMENDATION**

For information only.

This Consent Item was approved.

I.3.

**SUBJECT:** Information Only - Site Plan Review Minutes of July 25, 2024, and September 26, 2024

**RECOMMENDATION**

For information only.

This Consent Item was approved.

I.4.

**SUBJECT:** Approval of City Council/Public Financing and Economic Development/Parking Authority/Successor Agency to the Redevelopment Agency Meeting Minutes of May 6, 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 May 6, 2024.

This Consent Item was approved.

I.6.

**SUBJECT:** Adoption of Resolution Acknowledging Receipt of the Merced Fire Department's Annual State Mandated Inspection Compliance Report Regarding the Inspection of Certain Occupancies for the Reporting Period of October 1, 2023, Through September 30, 2024, Pursuant to California Health and Safety Code §13146.4

**REPORT IN BRIEF**

Considers adopting a Resolution acknowledging receipt of the Merced Fire Department's Annual Compliance Report regarding performance of annual inspections pursuant to California Health and Safety Code (HSC) §13146.4.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Resolution 2024-105**, a Resolution of the City Council of the City of Merced, California, acknowledging receipt of a report made by the Fire Chief of the Merced Fire Department regarding the inspection of certain occupancies required to perform annual inspections in such occupancies pursuant to sections 13146.2 and 13146.3 of the California Health and Safety Code.

**This Consent Item was approved.**

**I.8.**

**SUBJECT:** Award Bid to Clyde G. Steagall, Inc. for the WWTP Transformer Replacement Project, Project Number CP240031, in the Amount of \$ 606,519

**REPORT IN BRIEF**

Considers awarding a Construction Contract to Clyde G. Steagall, Inc. in the amount of \$ 606,519 for the WWTP Transformer Replacement project.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Awarding the WWTP Transformer Replacement, Project CP240031 to Clyde G. Steagall, Inc. in the amount of \$ 606,519; and,
- B. Authorizing the City Manager to execute the necessary documents and to approve change orders not to exceed 15% of the total contract.

**This Consent Item was approved.**

**I.9.**

**SUBJECT:** Adoption of a Resolution Setting a Public Hearing on December 16, 2024, for the Annual Compliance Report for Development Impact Fees as Required by Government Code Section 66000 et. seq. and City Council Resolution 88-72

**REPORT IN BRIEF**

Considers adopting a Resolution to set a Public Hearing for December 16, 2024, to accept public comment and consider approving the annual report regarding the collection and spending of Development Impact Fees.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Resolution 2024-108**, a Resolution of the City Council of the City of Merced, California, establishing a date when the final annual report of development fees will be available for public review, and setting a Public Hearing thereon for December 16, 2024.

**This Consent Item was approved.**

**I.10.**

**SUBJECT:** Second Reading and Final Adoption of an Ordinance Amending Section 20.44.170, "Regulation of Commercial Cannabis Activities - Commercial Cannabis Business Permit Required," of Merced Municipal Code to Allow City Council Consideration of Alternative Sites for Retail Cannabis Business Applications Under Appeal, and Include a Local Ownership Element for Cannabis Retail Permits Issued after November 3, 2021

**REPORT IN BRIEF**

Second reading and final adoption of an Ordinance amending section 20.44.170, "Regulation of Commercial Cannabis Activities - Commercial Cannabis Business Permit Required," of Merced Municipal Code to Allow City Council Consideration of Alternative Sites for Retail Cannabis Business Applications Under Appeal, and Include a Local Ownership Element for Cannabis Retail Permits Issued after November 3, 2021.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Ordinance 2571**, an Ordinance of the City Council of the City of Merced, California, Amending Section 20.44.170. "Regulation of Commercial Cannabis Activities - Commercial Cannabis Business Permit Required," of Merced Municipal Code to Allow City Council Consideration of Alternative Sites for Retail Cannabis Business Applications Under Appeal, and Include a Local Ownership Element for Cannabis Retail Permits Issued after November 3, 2021.

**This Consent Item was approved.**

I.12.

**SUBJECT:** Second Reading and Final Adoption of an Ordinance Amending Chapter 8.22 to Add Fireworks Host Liability and Enforce Stricter Penalties

**REPORT IN BRIEF**

Second reading and final adoption Ordinance amending Chapter 8.22 to Fireworks Host Liability and enforce stricter penalties.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting an **Ordinance 2570**, an Ordinance of the City Council of the City of Merced, California, amending Chapter 8.22 (Fireworks) to add Fireworks Host Liability; Enforce Stricter penalties; and Reorder/Renumber Certain Sections.

**This Consent Item was approved.**

I.13.

**SUBJECT:** Second Reading and Final Adoption of an Ordinance Adding Chapter 9.80, "Recreational Vehicle Parking Regulations" to the Merced Municipal Code

**REPORT IN BRIEF**

Second reading and final adoption of an Ordinance adding Chapter 9.80, "Recreational Vehicle Parking Regulations" prohibiting on-street parking from all residential zones in the City of Merced.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting Ordinance 2572, an Ordinance of the City Council of the City of Merced, California, Adding Chapter 9.80 "Recreational Vehicle Parking Regulations" to the Merced Municipal Code

**This Consent Item was approved.**

I.5.

**SUBJECT:** Adoption of a Resolution Approving Final Map #5419 for Crossing at River Oaks Phase 4, Subdivision for 43 Lots at Coffee Street and Childs Avenue, and the Approval of the Subdivision Agreement for the Crossing at River Oaks Phase 4

**REPORT IN BRIEF**

Considers adopting the Final Map #5419 for 43 lots, located between Coffee Street and Campus Parkway, south of Childs Avenue, and the Subdivision Agreement for the Crossing at River Oaks, Phase 4



Subdivision.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving **Resolution 2024-107**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Crossing at River Oaks, Phase 4 Subdivision (#5419); and,

B. Approving the Subdivision Agreement for the Crossing at River Oaks, Phase 4 Subdivision; and,

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

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

**Clerk's Note:** Council Member SMITH recused himself due to the applicant being a client at his law firm.

**Clerk's Note:** There was no Council discussion.

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

**Aye:** 5 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Boyle, Council Member DeAnda, and Council Member Xiong

**No:** 0

**Absent:** 1 - Council Member Ornelas

**Recused:** 1 - Council Member Smith

I.7.

**SUBJECT:** Authorization to Donate Surplus Self Contained Breathing Apparatus and Related Equipment to Merced College Fire Technology Program

**REPORT IN BRIEF**

Considers authorizing to donate a surplus Self-Contained Breathing Apparatus (SCBA) and spare bottles previously used by the Fire Department to the Merced College Fire Technology program.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Authorizing the donation of surplus self-contained breathing apparatus (SCBA), related equipment and air bottles to the Merced College Fire Technology program; and,

B. Approving the Full Release and Indemnity Agreement with Merced College and authorizing the City Manager execute all necessary documents.

Mayor SERRATTO pulled this item at the request of resident Dr. Valerie ALBANO.

Dr. Valerie ALBANO, Merced - spoke on the law enforcement courses in Merced College and stated that Merced College is grateful for the donation.

Donny ROE, Merced - shared details of the Fire Program at Merced College and described the items donated by the Fire Department.

Interim Fire Chief Casey WILSON spoke on the Fire Department's partnership with Merced College and thanked Council for their consideration.

**Clerk's Note:** There was no Council discussion.

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

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

**No:** 0

**Absent:** 1 - Council Member Ornelas

**I.11.**

**SUBJECT: Second Reading and Final Adoption of an Ordinance Adding Chapter 8.60, "Vacant Building Limitations and Standards" to the Merced Municipal Code**

**REPORT IN BRIEF**

Second reading and final adoption of an Ordinance adding Chapter 8.60, "Vacant Building Limitations and Standards" to create restrictions on ownership of commercial and residential vacant properties.

**RECOMMENDATION**

**City Council - Adopt a motion adopting Ordinance 2573, an**

Ordinance of the City Council of the City of Merced, California, Adding Chapter 8.60 "Vacant Building Limitations and Standards" to the Merced Municipal Code.

Mayor SERRATTO pulled this item at the request of Council Member SMITH and resident Robert DYLINEA.

Council Member SMITH requested to bring this ordinance back for further discussion. He also discussed the need for further feedback from subject matter experts, the workload for Code Enforcement officers, details of the budget, and vacancy signs.

Robert DYLINEA, Merced - spoke on gathering community input, reach out to subject matter experts, details on assessing the fee, further budget conversations, and details of the equipment used to board the buildings.

Council, City Attorney Craig CORNWELL, Chief of Police Steven STANFIELD, and Interim Fire Chief Casey WILSON discussed the urgency of moving forward with the ordinance, various public safety concerns, details of the proposed ordinance, the nuisance issue, and the processes on First Responders responding to blighted buildings. They also discussed steps to improving the proposed ordinance, details of boarding a building up, and the fire safety concerns of boarded buildings.

**Clerk's Note:** Council Member DEANDA stepped out during the vote.

**A motion was made by Mayor Pro Tempore Perez, seconded by Council Member Smith, to bring the proposed ordinance back in 90 days. The motion carried by the following vote:**

**Aye:** 5 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Boyle, Council Member Smith, and Council Member Xiong

**No:** 0

**Absent:** 2 - Council Member Ornelas, and Council Member DeAnda

**I.14.**

**SUBJECT: Second Reading and Final Adoption of an Ordinance Amending Chapter 9.51, "Camping and Storage of Personal Property" of the Merced Municipal Code**

**REPORT IN BRIEF**

Second reading and final adoption of an Ordinance amending Chapter 9.51, "Camping and Storage of Personal Property" to create restrictions on camping in public spaces with the City of Merced.

---

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Ordinance 2568**, an Ordinance of the City Council of the City of Merced, California, Amending Chapter 9.51 "Camping and Storage of Personal Property" of the Merced Municipal Code

Mayor SERRATTO pulled this item at the request of Council Member XIONG and resident Ashley SUAREZ.

Ashley SUAREZ, Merced - spoke on providing housing for residents, details of the unhoused community, and urged the city to do more for the community.

Council Member SMITH briefly discussed the community support received for the proposed ordinance.

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

**Aye:** 4 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Boyle, and Council Member Smith

**No:** 2 - Council Member DeAnda, and Council Member Xiong

**Absent:** 1 - Council Member Ornelas

**J. PUBLIC HEARINGS**

**J.1.**

**SUBJECT:** Public Hearing - Vacation #24-02 - Initiated by Merced Security Storage, LLC, to Abandon an Undeveloped 10-Foot-Wide Storm Drain Easement at 1965 West Olive Avenue

**REPORT IN BRIEF**

Considers approving the vacation of an approximately 13,850-square-foot easement at 1965 West Olive Avenue, generally located on the north side of West Olive Avenue, approximately 815 feet east of North Highway 59.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Resolution 2024-106**, A Resolution of the City Council of the City of Merced, California, ordering the vacation of the 10-foot-wide easement along the eastern edge of 1965 West Olive Avenue, (approximately 13,850 square feet), which would revert development rights to the property owner of 1965 West Olive Avenue (Vacation #24-02).

Assistant Planner Matt LIVINGSTON gave a slideshow presentation on

Vacation #24-02, the Public Utility Easement located at 1965 West Olive Avenue.

Mayor SERRATTO opened the Public Hearing at 7:24 PM and subsequently closed the Public Hearing at 7:24 PM due to lack of public comments.

**Clerk's Note:** There was no Council discussion.

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

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

**No:** 0

**Absent:** 1 - Council Member Ornelas

## K. ACTION ITEMS

### K.1.

**SUBJECT:** Introduction of an Ordinance of the City Council of the City of Merced, California, Repealing Chapter 8.50, "Foreclosed and Vacant Homes," of the Merced Municipal Code Enacted by Ordinance No. 2337

#### REPORT IN BRIEF

Consideration of draft Ordinance Repealing Chapter 8.50, "Foreclosed and Vacant Homes," of the Merced Municipal Code Enacted by Ordinance No. 2337.

#### RECOMMENDATION

**City Council** - Adopt a motion:

A. Introducing and approving the first reading of **Ordinance 2574**, an Ordinance of the City Council of the City of Merced, California, Repealing Chapter 8.50, "Foreclosed and Vacant Homes," of the Merced Municipal Code Enacted by Ordinance No. 2337; and,

B. Set the Ordinance for a second reading and adoption.

City Attorney Craig CORNWELL briefly discussed the introduction of an ordinance repealing Chapter 8.50 to the Merced Municipal Code.

Council Member SMITH briefly discussed details of the proposed

ordinance.

**A motion was made by Council Member Smith, seconded by Mayor Pro Tempore Perez, to bring the proposed ordinance back in 90 days. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Ornelas

**K.2.**

**SUBJECT:** Approval of a First Amendment to the Professional Service Agreement with Provost & Pritchard Engineering Group, Incorporated, for Monitoring Well Installation, Ground Water Sampling, Preparation of a Work Program, and Ground Water Monitoring Report for the Airport Remediation Site Investigation and a Supplemental Appropriation in the Amount of \$371,400 from Fund 6001 Water Operations

**REPORT IN BRIEF:**

Considers approving a first amendment to a Professional Services Agreement for additional monitoring wells, sampling, work program and investigation at the Airport Remediation Site as required by the California Regional Water Quality Control Board in the amount of \$371,400 for a contract total of \$453,565.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the First Amendment to the Professional Services Agreement with Provost & Pritchard Engineering Group, Incorporated, in the amount \$371,400.00 for monitoring wells installation, ground water sampling, preparation of a work program, ground water monitoring for the Airport Remediation Site Investigation; and,

B. Approving a Supplemental Appropriation in the amount of \$371,400 from the unencumbered, unreserved fund balance of Fund 6001-Water Operations in the Professional Services account; and,

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

Deputy City Manager Frank QUINTERO briefly discussed the First Amendment to a Professional Services Agreement with Provost and Pritchard Engineering Group, Inc. and the approval of a supplemental

appropriation.

David NORMAN, Environment Manager for Provost and Pritchard Engineering Group, Inc - spoke on the process of monitoring well installation, ground water sampling, preparation of a work program, and ground water monitoring report for the airport remediation site investigation.

Council and Mr. NORMAN discussed the process of containing the contamination and details of the work being conducted.

Ashley SUAREZ, Merced - spoke on the previous truck parking lot location, the letter attached to the administrative report, and suggested to create a plan of action to prevent contamination, provide a work plan, and include additional community engagement.

Martha KELLY, Merced - shared concerns of the impact of the PFAS chemical and spoke in details of the damage caused by the PFAS chemical.

Council and Mr. NORMAN discussed details of the U.S. Environmental Protection Agency levels reported and details of detecting the levels.

**Clerk's Note:** Recommendation B required a 5 affirmative votes by Council.

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

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

**No:** 0

**Absent:** 1 - Council Member Ornelas

**K.3.**

**SUBJECT:** Approval of a Supplemental Appropriation in the Amount of \$19,065 from Fund 1020 Affordable Housing and Approval of Professional Services Agreement with RSG Solutions in the Amount of \$94,065 to Include Preparation of the 2025-2029 Five-Year Consolidated Plan, 2025 First-Year Annual Action Plan, Analysis of Impediments to Fair Housing Choice, and Updates to the Citizen Participation Plan; and, to Assist the Housing Division with Comprehensive Updates to its Federal Program Policies and Procedures

### REPORT IN BRIEF

Considers approving a Professional Services Agreement with RSG Solutions in the amount of \$94,065 to prepare the 2025-2029 Five-Year Consolidated Plan, 2025 First-Year Annual Action Plan, Analysis of Impediments to Fair Housing Choice, and updates to the Citizen Participation Plan, and to assist the Housing Division with necessary comprehensive updates to its Federal Program Policies and Procedures, as required by the U.S. Department of Housing and Urban Development (HUD), to ensure overall compliance with management of the City's CDBG, HOME, and other Federal funding; Considers the use of \$75,000 of 2024 Community Development Block Grant (CDBG) Administrative Funds and \$19,065 from Fund 1020-Affordable Housing for the cost of these services.

### RECOMMENDATION

**City Council** - Adopt a motion:

A. Approving the Professional Services Agreement with RSG Solutions for preparation of the 2025-2029 Five-Year Consolidated Plan, 2025 First Year Annual Action Plan, Analysis of Impediments to Fair Housing Choice, and updates to the Housing Division Federal Policies and Procedures in the amount of \$94,065; and,

B. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance of Fund 1020 Affordable Housing in the amount of \$19,065 to offset the additional cost proposal to assist the Housing Division with updates to its Federal Policies and Procedures; and,

C. Authorizing the City Manager to execute, and if necessary, make minor modifications to the agreement and all associated documents.

Housing Program Supervisor Kim NUTT gave a slideshow presentation on the approval of a supplemental appropriation, the Professional Services Agreement with RSG Solutions, and details of the funding.

Ashley SUAREZ, Merced - spoke on the proposed five year Consolidated Plan for the community needs,

Council, Ms. NUTT, City Manager Scott MCBRIDE, Finance Officer Venus RODRIGUEZ, and City Attorney Craig CORNWELL discussed the reason to use Fund-1020 for the expenditure, further details of the funding allocation, utilizing Fund-1020, details of the other funding sources, details of the supplemental appropriation, dividing the funding between separate funding sources, the public being informed of the supplemental



appropriation, and the amount of votes needed to pass the supplemental appropriation.

**Clerk's Note:** Recommendation B required 5 affirmative votes by Council.

**A motion was made by Council Member Xiong, seconded by Mayor Pro Tempore Perez, to approve the supplemental appropriation and use the Housing Admin Fund, General Fund, and Developmental Services Fund for the \$19,065 split evenly. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Ornelas

Council and Mrs. RODRIGUEZ discussed the clarification of the vote taken and all funding sources.

**Clerk's Note:** Council re-voted on the item to clarify the motion.

**A motion was made by Council Member Xiong, seconded by Mayor Pro Tempore Perez, to approve the supplemental appropriation and use the Housing Admin Fund (CDBG), General Fund, and Developmental Services Fund for the \$19,065 split evenly. The motion carried by the following vote:**

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

**No:** 0

**Absent:** 1 - Council Member Ornelas

**K.4.**

**SUBJECT:** Accepting and Appropriating Grant Funding in the Amount of \$2,500 for FY 2024-2025 Merced County First 5 Community Engagement Event Sponsorship Program for Breakfast with Santa

**REPORT IN BRIEF**

Considers accepting and appropriating grant funding in the amount of \$2,500 from First 5 Merced County Breakfast with Santa

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Accepting grant funds from First 5 Merced County and increasing revenue in Fund 1018-Parks and Community Service, Contribution account

in the amount of \$2,500; and,

B. Appropriating the same in Fund 1018-Parks and Community Service, Operating Materials, Services and Supplies; and,

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

Director of Parks & Community Services Chris JENSEN briefly discussed the acceptance and appropriation of grant funding received from Merced County First 5 for the Community Engagement Event, Breakfast with Santa.

**Clerk's Note:** There was no Council discussion.

**Clerk's Note:** Recommendation B required 5 affirmative votes by Council.

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

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

**No:** 0

**Absent:** 1 - Council Member Ornelas

**K.5.**

**SUBJECT:** Approval of Designation of the Western Portion of Fahrens Park for the Development of a Multi-Use Natural Trail within the Flood Basin

**REPORT IN BRIEF**

Considers approving Parks & Community Services' request for designation of the western portion of Fahrens Park for the addition of a natural trail within the basin between Rascal Creek along Buena Vista and Yosemite Avenue. The trail would serve as a mixed-use path for additional recreation within the park such as biking and running.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the designation of Fahrens Park west for the development of a multiuse natural trail within the flood basin between rascal creek and Yosemite Avenue.

Director of Parks & Community Services Chris JENSEN briefly discussed the approval of designation of the Western Portion of Fahrens Park for the development of the multi-use natural trail.

Council and Mr. JENSEN discussed details of the request of outlined in the

Administrative Report, the bike lane surrounding the area, and the infrastructure on the North side of the trail.

**A motion was made by Council Member Boyle, 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 Perez, Council Member Boyle, Council Member DeAnda, and Council Member Smith

**No:** 1 - Council Member Xiong

**Absent:** 1 - Council Member Ornelas

## L. BUSINESS

### L.1. **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.

**Clerk's Note:** No future items were added.

### L.2. **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.

Mayor Pro Tempore PEREZ gave a shoutout to everyone who was on the firetruck in the rain at the Veteran's Parade.

Council Member SMITH shared updates of the Drama Island teams.

Council Member BOYLE reported on attending the Veteran's Parade, Laura Fountain unveiling, Stonefield Turkey Giveaway, Kids Discovery Station Donor Appreciation event, Faces of FEMA event, and wished everyone a Happy Thanksgiving.

Mayor SERRATTO reported on attending the last Mercado event, Phoenix Project event, shared details of those in the Phoenix Project program, Drama Island, the various Veteran's Day events, Central California Band event, and spoke about Ben from La Casita Restaurant.

## M. ADJOURNMENT

**Clerk's Note:** The Regular Meeting was adjourned at 8:21 PM.

A motion was made by Council Member Boyle, seconded by Mayor Pro Tempore Perez, that this Regular Meeting be adjourned in Honor of Ben from La Casita Restaurant. The motion carried by the following vote:

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

**No:** 0

**Absent:** 1 - Council Member Ornelas