



# 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 17, 2024

6:00 PM

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#### 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 SERRATTO called the Closed Session to order at 5:04 PM.

**Clerk's Note:** Council Member DEANDA arrived to Closed Session at 5:06 PM and Council Member XIONG arrived to Closed Session at 5:07 PM.

**B.1.** **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Garcia v. City of Merced; WCAB (Fresno), EAMS No.: ADJ11344043, ADJ11344057, ADJ11019846, ADJ11343931, ADJ11615856, ADJ13150358, and ADJ13727763; AUTHORITY: Government Code Section 54956.9(d)(1)

**B.2.** **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION USDC NORTHERN DISTRICT OF OHIO EASTERN DIVISION, IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION Case No. 1:17-md-2804 Pursuant to California Government Code Section 54956.9(d)(1)

**B.3.** **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.4.** SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): 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: American Federation of State, County, and Municipal Employees (AFSCME) Council 57 and Merced Association of City Employees (MACE). 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; Unrepresented Management 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: International Association of Fire Fighters, Local 1479. AUTHORITY: Government Code Section 54957.6

**Clerk's Note:** Council adjourned from Closed Session at 5:42 PM.

## **C. CALL TO ORDER**

Mayor SERRATTO called the Regular Meeting to order at 6:03 PM.

C.1. Invocation - Pastor Ceasar Johnson, Christian Life Center Merced

There was no Invocation delivered.

C.2. Pledge of Allegiance to the Flag

Mayor SERRATTO 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:** Recognition of Cruickshank Student Rishabh Saha for Placing 7th at the Finals of the Scripps National Spelling Bee

### REPORT IN BRIEF

Accepted by Cruickshank Middle School student Rishabh Saha.

Mayor SERRATTO presented a Certificate of Recognition to Cruickshank Student Rishabh SAHA.

## G. WRITTEN PETITIONS AND COMMUNICATIONS

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

Agenda Item K.1.: Steven DONAHUE and Amelia JOHNSON.

## H. ORAL COMMUNICATIONS

Cindy KELLY, Merced - spoke on a life-threatening virus affecting cat colonies and pet cats.

Rick WENDLING, Merced - spoke on Council's Oath of Office, bringing new businesses to the city, and to cut funding for affordable housing.

Lynn STAPP, Merced - spoke in opposition of potential cell tower by Chenoweth School that was presented to the Planning Commission.

Jason BEACH, Merced - spoke on funds raised by community to complete new Disc Golf baskets, invited the community to the B-Tier Disc Golf event, and asked for more parking space at Fahrens Park.

James REESE, Merced - spoke on details of Neighbors Unidos and invited Council to upcoming meetings.

Annissa FRAGOSO, Merced - invited the community to the Low Rider Celebration event.

Gloria SANDOVAL, Merced - suggested to explore paying Council Members and holding sessions for agenda information to citizens.

Mayor SERRATTO shared brief information on the Citizens Stipend Setting Commission and Town Halls.

Nicola ADAMS, Merced - shared details of the Jazz Festival dates, the Merced Nut Festival, and spoke on bringing tourism to the city.

Beverly BOMERSBAD, Merced - spoke on Council's action at the previous meeting and addressed her concerns on the issues of Merced.

Zachery KUYKENDALL, Merced - spoke on educating Disc Golf to the County's youth and improving Fahrens Park for Merced residents.

## I. CONSENT CALENDAR

Agenda Items I.8. Adoption of a Resolution Adopting the City of Merced Alternative Delivery Procurement Policy, I.10. Approval of Third Amendment to Agreement with Hinderliter de Llamas and Associates for Consultation Services for New Measure C Transaction Tax, I.12. Adoption of a Resolution Approving the Fiscal Year 2024/2025 Project List for the Road Repair Accountability Act (SB 1), Local Streets and Roads Funding, I.13. Award Bid to Redstone Construction, Inc. for the Congestion Mitigation Air Quality Grant (CMAQ) (061) Multi-Use Pathway on Childs Ave, from Golden Valley High School to North Coffee Street, Project Number CP220063, in the Amount of \$1,623,016, I.15. Approval of Street Closure Request #24-14 by the Merced County Hispanic Chamber of Commerce to Host a Vendor Fair Event (El Mercado), Located on W. Main Street Between M Street and Martin Luther King Jr. Way, Canal Street Between Main Street and W. 18th Street, Including Bob Hart Square on Thursday, July 11, September 5, November 7, and December 5, 2024, From 3:00 p.m. to 10:00 p.m., and Approval of a Request for a City of Merced Co-Sponsorship, I.16. Award Bid to EG Painting for Graffiti Abatement for a Period of Three Years, with the Approval to Extend Two Additional One-Year Periods, in the Total Amount of \$541,209.60, and I.17. Approval to Waive the Competitive Bidding Process and Purchase a Lenco BearCat G3 Armored Vehicle Utilizing a Government Procurement Program; 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: Approval of City Council/Public Financing and Economic Development/Parking Authority/Successor Agency to the Redevelopment Agency Meeting Minutes of April 15, 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 April 15, 2024.

**This Consent Item was approved.**

**I.3. SUBJECT: Approval of Request to Begin Initial Review of the City's Conflict-of-Interest Code in Advance of the Biennial Notice to be Filed no Later Than October 1, 2024**

**REPORT IN BRIEF**

The Political Reform Act requires every local government agency

review its conflict-of-interest code biennially with the code reviewing body (City Council) notifying agencies and special districts within its jurisdiction to review their conflict-of-interest codes.

**RECOMMENDATION**

**City Council** - Adopt a motion directing staff to begin an initial review of the City's conflict of interest codes and to file the Biennial Notice with the City Council no later than October 1, 2024.

**This Consent Item was approved.**

I.4.

**SUBJECT:** Approval to Accept Additional Grant Award of \$9,500 From the United Way of Merced County as the Administering Organization for the Heartland Creative Corps for an Additional Art Project on City Owned Property in the City of Merced

**REPORT IN BRIEF**

Considers approving to accept additional grant award for \$9,500 from the United Way of Merced County as the Administering Organization for the Heartland Creative Corps for an additional art project on city owned property in the City of Merced.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Accepting additional grant funding of \$9,500.00 from the United Way of Merced County as the Administering Organization for the Heartland Creative Corps for an additional Art Project on City Owned Property in the City of Merced; and,
- B. Authorizing the City Manager to execute the contract/standard agreement, including any amendments, and other necessary documents pertaining to the life of the grant; and,
- C. Increasing revenue in the amount of \$9,500, and appropriating the same in Fund 1000-General Fund-City Manager, project GR240011; and,
- D. Authorizing the use of pooled cash to cover the appropriation until grant funds are reimbursed; and
- E. Authorizing the Finance Officer to make the necessary budget adjustments.

This Consent Item was approved.

I.5.

**SUBJECT:** Approval to Waive the Competitive Bidding Requirements Utilizing Cooperative Purchasing Agreements with Sourcewell and Belcorp Ag, LLC., and Authorizing the Purchase of One (1) John Deere Industrial Mower for \$ 76,095.19

**REPORT IN BRIEF**

Considers waiving the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 to purchase currently budgeted industrial mower through the government procurement program Sourcewell.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code section 3.04.210 to utilize cooperative purchasing agreements through Sourcewell, a government procurement program; and,
- B. Approving the purchase of one John Deer Industrial Mower from Belcorp Ag, LLC. Through Sourcewell contract # 30497926; and,
- C. Authorizing the City Manager to execute any necessary documents for the purchase specified above and an approval of change orders not to exceed 10% of the total purchase price; and,
- D. Authorizing the Finance Officer to make the appropriate budget adjustments and City Buyer to issue the Purchase Orders.

This Consent Item was approved.

I.6.

**SUBJECT:** Approval of Property, Boiler and Machinery Insurance Renewal Through Alliant Property Insurance Program in the Amount of \$1,204,290.47 for Program Year 2024/2025

**REPORT IN BRIEF**

Considers approving the renewal of the City's policy through Alliant Property Insurance Programs (APIP) at 14.80% premium increase, amounting to \$1,204,290.47 for program year 2024/2025.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. 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, 2024, through June 30, 2025; and,
- B. Authorizing the City Manager to execute the necessary documents.

**This Consent Item was approved.**

**I.7.**

**SUBJECT:** Approval of Agreement for Professional Services with Thomas E. Lewis, Attorney at Law for Administrative Hearing Officer Services

**REPORT IN BRIEF**

Considers approving an agreement for professional services with Thomas E. Lewis, Attorney at Law for administrative hearing officer services.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving an Agreement for Professional Services with Thomas E. Lewis, Attorney at Law; and,
- B. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- C. Authorizing the City Manager to execute the necessary documents.

**This Consent Item was approved.**

**I.9.**

**SUBJECT:** Adoption of a Resolution Authorizing Fiscal Year 2024-25 Annual Special Tax Rates for Community Facilities District (CFD) No. 2003-2 (Services)

**REPORT IN BRIEF**

Considers adopting a Resolution setting the Annual Special Tax Rates for Fiscal Year 2024-25 for Community Facilities District (CFD) No. 2003-2 (Services) for the City of Merced.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Resolution 2024-63**, 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 2024-2025.

**This Consent Item was approved.**

I.11.

**SUBJECT:** Adoption of a Resolution to Apply for and Authorization to Accept if Awarded, the Environmental Enhancement & Mitigation (EE&M) Grant, not to Exceed \$750,000, from State of California Natural Resources Agency to Plant a Native, Drought Tolerant Urban Forest at General Vang Pao Park to Mitigate Environmental Impacts of the North Transit Hub, a Regional Transportation Facility (RTF)

**REPORT IN BRIEF**

Considers adopting a Resolution to apply for \$750,000 in grant funding from the State of California Natural Resources Agency for the development of an urban forest at General Vang Pao Park to mitigate environmental impacts to the area caused by the revised development of the North Transit Hub, a Regional Transportation Facility (RTF). Grant funds will be used to offset increased CO2 and required energy use in the area by establishing an urban forest made up of native, drought tolerant, trees at General Vang Pao Park. The grantor requires the adoption of a resolution in support of the City's grant application. Authorization is required by council to accept funding if awarded.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Adopting **Resolution 2024-58**, a Resolution of the City Council of the City of Merced, California, Approving the Application for the Grant Funds for the Environmental Enhancement and Mitigation (EEM) Program; and,

If awarded, Adopt a motion:

B. Authorizing the acceptance of the Environmental Enhancement & Mitigation Grant Funds, increasing revenue in the amount of \$750,000; and appropriating the same in Fund 5000-Parks and Community Services CIP; and,

C. Authorizing the use of pooled cash to cover the expenditures until Grant Funds are reimbursed; and,

D. Authorizing the City Manager to execute all documents, including any amendments; and,

E. Authorizing the Finance Officer to make the necessary budget adjustments.

**This Consent Item was approved.**

**I.14.**

**SUBJECT:** Approval of a Service Agreement Between the City of Merced and RSG Inc., for Affordable Housing Consulting Services for Fiscal Years 2024-25 and 2025-26 in an Amount not to Exceed \$161,000

**REPORT IN BRIEF**

Consider approving a Services Agreement with RSG Inc., to provide affordable housing consulting services to the City of Merced and the City's Housing Successor Agency for Fiscal Years 2024-25 and 2025-26, authorizing the City Manager to make minor modifications if necessary and execute on behalf of the City.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving a Services Agreement between the City of Merced and RSG Inc., for affordable housing consulting services for Fiscal Years 2024-25 and 2025-26 in an amount not to exceed \$161,000; and,

B. Authorizing the Finance Officer to make the necessary budget adjustments; and,

C. Authorizing the City Manager to make minor modifications if necessary and execute all the necessary documents on behalf of the City.

**This Consent Item was approved.**

**I.18.**

**SUBJECT:** Adoption of a Resolution Authorizing the Sale of One Surplus 2014 Schwarze Street Sweeper Truck to the City of Gustine and Approval of Surplus Equipment Purchase Agreement for a Total of \$20,000

**REPORT IN BRIEF**

Considers adopting a resolution to authorize the sale of one surplus 2014 AutoCar Schwarze A900 Monsoon street sweeper truck (City asset E-1382) to the City of Gustine as is under a Surplus Equipment Purchase Agreement for a total of \$20,000.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Adopting **Resolution 2024-62**, a Resolution of the City Council of the City of Merced, Deeming Certain Equipment of the City to be "Surplus" Property and Authorizing its Sale to the City of Gustine; and,
- B. Approving the Surplus Equipment Purchase Agreement; and,
- C. Authorizing the City Manager or designee to execute any necessary documents to sell asset E-1382 to the City of Gustine; and,
- D. Authorizing the Finance Officer to make any necessary budget adjustments.

**This Consent Item was approved.**

**I.19.**

**SUBJECT:** Approval of a Professional Services Agreement with McCampbell Analytical, Inc., for Bioassay Laboratory Services in the Annual Amount of \$19,170 for a Three (3) Year Agreement, for a Total Amount not to Exceed \$57,510, with Contract Term Ending June 30, 2027

**REPORT IN BRIEF**

Considers approving a Professional Services Agreement with McCampbell Analytical, Inc. for bioassay laboratory services for a three-year term in a total amount not to exceed \$57,510.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving a Professional Services Agreement with McCampbell Analytical, Inc. for bioassay laboratory services in the total contract amount of \$57,510 with contract term ending on June 30, 2027; and,

B. Authorizing the Finance Officer to make the necessary budget adjustments; and,

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

**This Consent Item was approved.**

**I.20.**

**SUBJECT:** Approval of Professional Services Agreement with BSK Analytical for General Laboratory Services in the Annual Amount of \$123,501.40, for a Total Contract Amount of \$370,504.20, for a Three (3) Year Term Ending June 30, 2027

**REPORT IN BRIEF**

Considers approving a three-year agreement with BSK Analytical for general laboratory services in the amount of \$370,504.20.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving an Agreement for Professional Services with BSK Analytical for general laboratory services in the total contract amount of \$370,504.20 with contract term ending on June 30, 2027; and,

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

C. Authorizing the Finance Officer to make the necessary budget adjustments.

**This Consent Item was approved.**

**I.21.**

**SUBJECT:** Approval of Resolution to Amend the Compensation Plan for Management Employees

**REPORT IN BRIEF**

Considers approving a Resolution to Amend Section 4.01 of the Compensation Plan for Management Employees.

**RECOMMENDATION**

**City Council** - Adopt a motion approving **Resolution 2024-71**, a Resolution of the City Council of the City of Merced, California, to Amend the Compensation Plan for Management Employees.

**This Consent Item was approved.**

I.22.

**SUBJECT:** Introduction of an Ordinance Amending Section 10.28.380 “Stop Intersections Designated” of the Merced Municipal Code

**REPORT IN BRIEF**

Considers introducing an Ordinance and approving recommendations from the Traffic Committee to approve amending the following to the Merced Municipal Code: “Intersection of 11th Street and Canal Street”.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Introducing **Ordinance 2565**, an Ordinance of the City Council of the City of Merced, California, Amending Section 10.28.380 “Stop Intersections Designated”, of the Merced Municipal Code; and,
- B. Approving the recommendation from the Traffic Committee listed above.

**This Consent Item was approved.**

I.23.

**SUBJECT:** Second Reading and Final Adoption of an Ordinance Amending Subsection (B) of Section 1.10.030, and Amending Subsection (B) and Adding Subsection (C) to Section 1.10.150; of the Merced Municipal Code Regarding the Administrative Citations Program

**REPORT IN BRIEF**

Second reading and final adoption an Ordinance amending subsection (B) of Section 1.10.030 to limit the pre-citation cure time for non-building, plumbing electrical or zoning violations and amending subsection (B) and adding subsection (C) to Section 1.10.150 providing a mechanism to transfer real property without releasing nuisance abatement liens that have not been satisfied.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Ordinance No. 2563**, an Ordinance of the City Council of the City of Merced, California, Amending Sections 1.10.030, “Correction Notice and Administrative Citation Issuance Procedures,” and 1.10.150, “Administrative Fee; Satisfaction of Lien” of the Merced Municipal Code.

This Consent Item was approved.

I.8.

**SUBJECT:** Adoption of a Resolution Adopting the City of Merced  
Alternative Delivery Procurement Policy

**REPORT IN BRIEF**

Considers adopting a Resolution of the City Council of the City of Merced, California, Adopting the City of Merced Alternative Delivery Procurement Policy to provide the ability to use Design-build, Progressive design-build, and/or Construction manager at-risk, project delivery procurements for up to five (5) public works projects per Fiscal Year, a total which may be adjusted by future action of the City Council.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Adopting **Resolution 2024-64**, a Resolution of the City Council of the City of Merced, California, Adopting the City of Merced Alternative Delivery Procurement Policy; and,

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

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

Council Member XIONG spoke on the design build procurement process and the process to waive the competitive bidding.

**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:** 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

I.10.

**SUBJECT:** Approval of Third Amendment to Agreement with  
Hinderliter de Llamas and Associates for Consultation Services for  
New Measure C Transaction Tax

**REPORT IN BRIEF**

Considers approving Third Amendment to Agreement with Hinderliter

de Llamas and Associates (HdL) for Consultation Services for new Measure C Transaction Tax.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving Third Amendment to Agreement with Hinderliter de Llamas and Associates for Consultation Services for new Measure C Transaction Tax; and,

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

C. Authorizing the Finance Officer to make the necessary budget adjustments.

Mayor SERRATTO pulled this item at the request of resident Rick WENDLING.

Rick WENDLING, Merced - spoke on contracting consultants and suggested to work with state employees for services.

Council and Finance Officer Venus RODRIGUEZ discussed the services that Hinderliter de Llamas (HdL) provides to the city, the flat fee amount paid to HdL, and details of meetings held with HdL.

**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.12.**

**SUBJECT:** Adoption of a Resolution Approving the Fiscal Year 2024/2025 Project List for the Road Repair Accountability Act (SB 1), Local Streets and Roads Funding

**REPORT IN BRIEF**

Considers approving the list of projects proposed to be funded with Road Maintenance and Rehabilitation Account (RMRA) funds pursuant to SB1 for FY 2024/2025.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Adopting **Resolution 2024-55**, a Resolution of the City Council of the City of Merced, California, adopting a list of projects for Fiscal Year 2024-2025 funded by SB1: The Road Repair and Accountability Act of 2017; and,

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

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

Council Member XIONG, City Surveyor Joe CARDOSO, and City Manager Scott MCBRIDE spoke on details of the list of projects, the pedestrian bridge over Bear Creek, discussions between Council during previous Council meetings, and the process of creating the project list.

Ashley Marie SUAREZ, Merced - spoke on the Senate Bill 1 project list and encouraged Council to repair roads in South Merced.

Council spoke on prioritizing road maintenance and the history of creating the project list.

**A motion was made by Council Member Smith, seconded by Mayor Pro Tempore Perez, that this agenda item be approved as presented. 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

**I.13.**

**SUBJECT:** Award Bid to Redstone Construction, Inc. for the Congestion Mitigation Air Quality Grant (CMAQ) (061) Multi-Use Pathway on Childs Ave, from Golden Valley High School to North Coffee Street, Project Number CP220063, in the Amount of \$1,623,016

**REPORT IN BRIEF**

Considers awarding a Construction Contract to Redstone Construction, Inc. in the amount of \$1,623,016 for the CMAQ Multi-Use Pathway on Childs Ave Project.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Awarding the CMAQ Multi-Use Pathway on Childs Ave, Project CP220063 to Redstone Construction, Inc., in the amount of \$1,623,016; and,

B. Authorizing the City Manager to execute the necessary documents and to approve change orders not to exceed 10% of the total contract; and,

C. Authorizing the Finance Officer authorization to make necessary budget adjustments.

Mayor SERRATTO pulled this item at the request of resident Ashley SUAREZ.

Ashley Marie SUAREZ, Merced - asked Council to continue investing in South Merced and fund methods to discourage vehicle use.

**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.15.**

**SUBJECT:** Approval of Street Closure Request #24-14 by the Merced County Hispanic Chamber of Commerce to Host a Vendor Fair Event (El Mercado), Located on W. Main Street Between M Street and Martin Luther King Jr. Way, Canal Street Between Main Street and W. 18th Street, Including Bob Hart Square on Thursday, July 11, September 5, November 7, and December 5, 2024, From 3:00 p.m. to 10:00 p.m., and Approval of a Request for a City of Merced Co-Sponsorship

**REPORT IN BRIEF**

Considers approving a request by the Merced County Hispanic Chamber of Commerce for the closure and use of City streets and Bob Hart Square on Thursday, July 11, September 5, November 7, and

December 5, 2024, for a Vendor Fair Event (El Mercado). The request seeks approval to close W. Main Street, between M Street and Martin Luther King Jr. Way, Canal Street between Main Street and W. 18th Street, including Bob Hart Square from 3:00 p.m. to 10:00 p.m. on each day. The application also includes a request for City of Merced Co-Sponsorship.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the street closure of W. Main Street between M Street and Martin Luther King Jr. Way, Canal Street between Main Street and W. 18th Street, and the use of Bob Hart Square on Thursday, July 11, September 5, November 7, and December 5, 2024, from 3:00 p.m. to 10:00 p.m.; and,

B. Approving City of Merced Co-Sponsorship, subject to the Conditions of Approval outlined in the Administrative Staff Report.

Mayor SERRATTO pulled this item at the request of resident Annissa FRAGOSO.

Annissa FRAGOSO, President of Hispanic Chamber of Commerce, Merced - requested Council to approve agenda item.

**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.16.**

**SUBJECT:** Award Bid to EG Painting for Graffiti Abatement for a Period of Three Years, with the Approval to Extend Two Additional One-Year Periods, in the Total Amount of \$541,209.60

**REPORT IN BRIEF**

Considers awarding a Services Agreement for graffiti abatement to EG Painting for a term of three (3) Years, with the approval to extend two additional one-year periods, for the cumulative total amount of

\$541,209.60 for the five-year period.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Awarding a Services Agreement for the Graffiti Abatement bid to EG Painting totaling \$541,209.60 for the five-year period; and,
- B. Authorizing the City Manager to execute the necessary Documents to include, documents for the two additional one-year extensions; and,
- C. Authorizing the Finance Officer to make necessary budget adjustments.

Mayor SERRATTO pulled this item at the request of City staff.

City Manager Scott MCBRIDE stated the contractor EG Painting requested their bid be pulled from consideration.

Ron COOK, Merced - spoke on the terms of the new agreement, the current contractor, and asked if Council could consider a review of the contractor after the first year.

Jolene COOK, Merced - spoke on a trial basis for the contractor being awarded.

Mr. MCBRIDE spoke on how Council should move forward and shared details of the second bidder.

**Clerk's Note:** Mayor SERRATTO stated this item will be brought back at the July 1st Council meeting, no action was taken.

I.17.

**SUBJECT:** Approval to Waive the Competitive Bidding Process and Purchase a Lenco BearCat G3 Armored Vehicle Utilizing a Government Procurement Program

**REPORT IN BRIEF**

Considers waiving the competitive bidding process and purchasing a Lenco BearCat G3 vehicle from Lenco Industries Inc., (Lenco) using the Houston-Galveston Area Council Government (H-GAC)-Ambulances, EMS, and Other Special Service Vehicles Purchasing Program.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Waiving the competitive bid requirements, in conformance with Section 3.04.210 of the Merced Municipal Code for piggybacking; and,

B. Authorizing the purchase of one (1) Lenco BearCat G3 from Lenco, with a total purchase price of \$430,332.72, through the H-GAC-Ambulances, EMS, and Other Special Service Vehicles Purchasing Program.

Mayor SERRATTO pulled this item at the request of Council Member XIONG and multiple residents.

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

Amelia JOHNSON, Merced - spoke in opposition of the proposed purchase and urged Council to vote no on the item.

**Clerk's Note:** The following speakers appeared in person.

Mike R, Merced - spoke on the vehicle having no benefits to the City.

Gloria SANDOVAL, Merced - encouraged Council to vote no on the proposed purchase.

Beverly BOMERSBACH, Merced - spoke on this vehicle being needed due to today's society and placing requirements to use the vehicle.

Council and Police Chief Steven STANFIELD discussed the replacement of the current vehicle, the vehicle being a collaboration between multiple counties, funding allocation plans, the cost of repairs, different uses for the vehicle, and the safety concerns of the vehicle.

**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:** 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

## J. PUBLIC HEARINGS

J.1. **SUBJECT:** Public Hearing on the Various Maintenance Districts' Engineer's Reports and Budgets for Fiscal Year 2024/2025 with

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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**

Considers 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** - Upon the conclusion of the public hearing, if the vote is successful to approve, confirm, and adopt the Engineer's Reports on Maintenance Districts;

**City Council** - Adopt a motion:

A. Adopting **Resolution 2024-48**, a Resolution of the City Council of the City of Merced, California, approving, confirming, and adopting Engineer's Reports on Maintenance Districts; and,

B. Providing staff direction on underfunded districts, including Quail Creek, Oakmont #3, Northwood Village, East College Homes, Oakbrook, Yosemite Village, Pleasanton Park, Merced Auto Center, Ridgeview Meadows, Fahren's Park I, Olivewood, Campus North, and Hansen Park.

Deputy Director of Public Works Juan OLMOS gave a slideshow presentation on the Maintenance District fiscal year 2024/2025 Engineer's report and budget.

Mayor SERRATTO opened the Public Hearing at 7:19 PM.

Zachary KUYKENDALL, Merced - spoke on the City's budget.

Mayor SERRATTO stated he needed to reserve his comments for Agenda Item J.3.

Mayor SERRATTO closed the Public Hearing at 7:20 PM.

Council and Mr. OLMOS discussed the communication to residents regarding reduction of services and details of the public outreach.

**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:** 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

**J.2.**

**SUBJECT:** Public Hearing - General Plan Amendment #23-05, Zone Change #434, Establishment of Planned Development (P-D) #81, and Appeal of the Planning Commission's Denial of Conditional Use Permit #1276, Site Plan Review Permit #538, and Minor Use Permit #24-02. This Request is Initiated by United Security Company, LLC, on Behalf of Nicholas Mary Lee, Trustee, Property Owner, for Approximately 3.50 Acres at 470 E. Olive Avenue; the General Plan Amendment Would Change the General Plan Land Use Designation from Low-Medium Density Residential (LMD) to Business Park (BP). The Zone Change Would Allow the Establishment of the Planned Development to Change the Land Use from Low Medium Density Residential (R-2) to "Self-Storage." The Conditional Use Permit Would Allow a Live/Work Unit for an Onsite Manager for the Self-Storage Facility. The Site Plan Review Permit Would Allow the Development of a Self-Storage Facility (Approximately 681 Storage Units) with Long-Term Boat and Recreational Vehicle Parking Spaces. The Minor Use Permit Would be for Interface Review to Allow Commercial Development Adjacent to or Across from a Low Density Residential (R-1-6) Zone

**REPORT IN BRIEF**

Based on City Council direction from the City Council Meeting of May 20, 2024, staff has prepared a resolution approving General Plan Amendment #23-05 and Environmental Review #23-45 (Mitigated Negative Declaration), and an Ordinance approving Zone Change #434 to allow the Establishment of Planned Development (P-D) #81 for a self-storage facility with boat and recreational vehicle parking. Staff has also prepared a resolution approving the appeal of the Planning Commission's denial of Conditional Use Permit #1276, Site Plan Review Permit #538, Minor Use Permit #24-02, and Environmental Review #23-45 (Mitigated Negative Declaration). The subject site is a 3.50-acre parcel located at 470 E. Olive Avenue, within northeast Merced.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Adopting **Resolution 2024-66**, A Resolution of the City Council of the City of Merced, California, approving Environmental Review #23-45 (Mitigated Negative Declaration) for General Plan Amendment #23-05 and Establishment of Planned Development (P-D) #81 for approximately 3.50 acres of land generally located on the south side of Olive Avenue, approximately 500 feet west of Oleander Avenue, and approving General Plan Amendment #23-05 for the same property changing the General Plan designation from Low-Medium Density Residential (LMD) to Business Park (BP); and,

B. Introducing **Ordinance 2564**, An Ordinance of the City Council of the City of Merced, California, approving Zone Change #434 to allow the Establishment of Planned Development (P-D) #81 changing the land use designation from Low Medium Density Residential (R-2) to "Self-Storage" for an approximately 3.50-acre parcel generally located on the south side of Olive Avenue, approximately 500 feet west of Oleander Avenue; and,

C. Approving the Legislative Action Agreement and authorizing the City Manager to execute the necessary documents; and,

D. Adopting Amendments to **Planning Commission Resolution #4130**, approving the appeal of the Planning Commission's denial of Conditional Use Permit #1276, Site Plan Review Permit #538, Minor Use Permit #24-02, and Environmental Review #23-45 (Mitigated Negative Declaration) for 470 E. Olive Avenue, generally located on the south side of Olive Avenue, approximately 500 feet west of Oleander Avenue.

**Clerk's Note:** Mayor Pro Tempore PEREZ left the Regular Meeting at 7:23 PM.

Senior Planner Francisco MENDOZA gave a slideshow presentation on the General Plan Amendment #23-05, zone change #434, established Planned Development #81, and appeal of conditional use permit #1276, site plan review permit #538, and minor use permit #24-02.

Mayor SERRATTO opened the Public Hearing at 7:32 PM.

Ashley Marie SUAREZ, Merced - shared safety concerns of the proposed zone change and urged Council to vote no.

Gloria SANDOVAL, Merced - spoke on the Planning Commission focusing on the needs of the city and the residential zoning area of the proposed lot.

Mayor SERRATTO closed the Public Hearing at 7:36 PM.

Council discussed the proposed zone change, the current affordable housing project in Merced, the need for storage units, previously approved storage unit, details of the traffic, public input, economic development opportunities, and the amount of time the lot has been available.

**A motion was made by Council Member Smith, seconded by Council Member Boyle, approving to adopt Resolution 2024-66, approving to introduce Ordinance 2564, approving the legislative action agreement, and adopting amendments to Planning Commission Resolution #4130. The motion carried by the following vote:**

**Aye:** 4 - Mayor Serratto, Council Member Boyle, Council Member DeAnda, and Council Member Smith

**No:** 1 - Council Member Xiong

**Absent:** 2 - Mayor Pro Tempore Perez, and Council Member Ornelas

Council and Mr. MENDOZA discussed the action needed by Council for Agenda item J.2.

**J.3.**

**SUBJECT: Continued Public Hearing to Allow Interested Persons to be Heard Regarding the City Council, Public Financing and Economic Development Authority, Parking Authority, and Successor Agency to the Redevelopment Agency of the City of Merced Fiscal Year 2024-25 Budget, Adoption of the Budget with Revision(s), 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 2024-25 City Council, Public Financing and Economic Development Authority, Parking Authority, and Successor Agency to the Redevelopment Agency of the City of Merced Budget.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Adopting **Resolution 2024-67**, Resolution of the City Council of the City of Merced, California, Adopting the Budget and Appropriating Revenue for Fiscal Year 2024-2025; and,

B. Adopting **Resolution 2024-68**, Resolution of the City Council of the

City of Merced, California, Adopting the Salary Range for the City Manager; and,

C. Adopting **Resolution 2024-69**, Resolution of the City Council of the City of Merced, California, Adopting the Salary Range for the City Attorney; and,

D. Adopting **Resolution 2024-70**, Resolution of the City Council of the City of Merced, California, Adopting the Salary Range for the Finance Officer; and,

E. Approving capital projects based upon the Planning Commission's June 5, 2024, 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, 2024; and,

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

A. Adopting **Resolution PFA 2024-03**, Resolution of the City of Merced Public Financing and Economic Development Authority, adopting the Budget and Appropriating Revenue for Fiscal Year 2024-2025; and,

B. Approving capital projects based upon the Planning Commission's June 5, 2024, 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, 2024; and,

**Parking Authority** - Adopt a motion:

A. Adopting **Resolution PA 2024-03**, Resolution of the City of Merced Parking Authority, adopting the Budget and Appropriating Revenue for Fiscal Year 2024-2025; and,

B. Approving capital projects based upon the Planning Commission's June 5, 2024, 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, 2024; and,

**Successor Agency to the Redevelopment Agency of the City of Merced** - Adopt a motion:

A. Adopting **Resolution SA 2024-04**, Resolution of the City of the

Successor Agency to the Redevelopment Agency of the City of Merced Adopting the Budget and Appropriating Revenue for Fiscal Year 2024-2025; and,

B. Approving capital projects based upon the Planning Commission's June 5, 2024, 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, 2024; and,

Finance Officer Venus RODRIGUEZ gave a slideshow presentation on the City Manager's proposed annual budget for fiscal year 2024/2025.

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

Ashley Marie SUAREZ, Merced - spoke on various projects that South Merced community members are prioritizing and finding funding to cover the projects.

Jason BEACH, Merced - spoke on parking issues, expanding the parking lot at Fahrens Park, Disc Golf events details, and asked for assistance to maintain park.

Zachary KUYKENDALL, Merced - spoke on Fahrens park and the issues with parking.

Mike R, Merced - shared concerns of the budget being allocated to the Police Department's salary and programs for persons involved with drugs.

Blanca OJEDA, Merced - spoke on Right-to-Counsel, rental increases, and rental assistance for tenants.

Mayor SERRATTO closed the Public Hearing at 8:15 PM.

Council discussed South Merced improvements, restroom installations in parks, decisions made regarding legal aid, investing more in the community, and details of the Community Development Block Grant funding.

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

**Aye:** 4 - Mayor Serratto, Council Member Boyle, Council Member DeAnda, and Council Member Smith

**No:** 1 - Council Member Xiong

**Absent:** 2 - Mayor Pro Tempore Perez, and Council Member Ornelas

## K. BUSINESS

**Clerk's Note:** Council took a recess at 8:21 PM and reconvened at 8:33 PM

### K.1.

**SUBJECT:** Adoption of Resolution Repealing Resolution 2018-78, to Re-adopt a Values Statements, and Update the Ethics and Code of Conduct for City Meetings, Adopting Rules of Order and Procedure for the Conduct of City Meetings, Approving the Revision of the Agenda Preamble, and Discussion on Public Participation

#### REPORT IN BRIEF

Considers the adoption of Resolution 2024- to repeal Resolution 2018-78 and to Readopt a Values Statements and Update the Ethics and Code of Conduct for City Meetings, Adopting Rules of Order and Procedure for the Conduct of City Meetings, Approving the Revision of the Agenda Preamble, and Discussion on Public Participation.

#### RECOMMENDATION

**City Council** - Adopt a motion:

A. Adopting **Resolution 2024-65**, A Resolution of the City Council of the City of Merced, California, Repealing Resolution No. 2018-78 to Re-Adopt a Values Statement, and Update the Ethics and Code of Conduct for City Meetings, and Adopting Rules of Order and Procedure for the Conduct of City Meetings; and,

B. Approving the Agenda Preamble language; and,

C. Providing staff direction on public participation.

City Attorney Craig CORNWELL gave a slideshow presentation on the conduct of city meetings.

Council and Mr. CORNWELL discussed the potential changes to city meetings, details of the Subcommittee, details of the public comment period, posting emails by 1 PM, creating an Action Item section, the time limit on public comment, and details of language within the draft Resolution.

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

Merced Resident - spoke in support of keeping the voicemails.

Heather PHAN, Merced - asked Council to keep the voicemail option.

Tammy SMITH, Merced - spoke on keeping the voicemails.

Rosalie VALLES, Merced - asked Council to vote no on K.1. and spoke on the community having the right to be heard.

Merced Resident - spoke on the Brown Act and to not eliminate voicemails.

Pamela SIMMONS, Merced - asked Council to leave the option to leave a voicemail for those who cannot leave their homes.

Dawn TROOK, Merced - urged Council to vote no on Agenda Item K.1. for those who cannot attend Council meetings.

Brenn BARON, Merced - spoke in opposition to Agenda Item K.1. and the benefits of leaving a voicemail.

Jazz DIAZ, Merced - spoke on the ability of leaving a voicemails for those who cannot attend Council meetings.

Phyllis BOYLE, Merced - spoke in support of not allowing voicemails.

Nelly, Merced - stated that some are unable to be physically present at Council meetings, spoke in opposition of the mayor reducing time limits, and asked Council to vote no on Agenda Item K.1.

Beverly - asked Council to vote no on Agenda Item K.1. and spoke on those who are unable to attend Council meetings.

Melanie PAWN, Merced - urged Council to vote no on Agenda Item K.1. and spoke on parents who are unable to attend Council meetings.

Beverly SCHICK, Merced - spoke in opposition of Agenda Item K.1.

Eugene VANG, Merced - urged Council to vote no on Agenda Item K.1.

**Clerk's Note:** The following speakers appeared in person.

Cindy KELLY, Merced - spoke on the benefits of keeping voicemails and in opposition of Agenda Item K.1.

Rick WENDLING, Merced - asked Council to vote no on K.1. and spoke in opposition of reducing the time limit.

Ashley Marie SUAREZ, Merced - spoke on community engagement and urged Council to not reduce the public comment.

Blanca OJEDA, Merced - urged Council to vote no and spoke in opposition of reducing public comment and voicemails.

Irma POLITO, Merced - asked Council to not make changes to the public comment and continue hearing the community.

Mike R, Merced - asked for clarification on the presentation, spoke in opposition of the agenda item, and stated that the three minute time limit is not enough.

Jennifer COSTA, Merced - urged Council to vote no and spoke on citizens with disabilities needing the chance to comment.

Natalie M, Merced - urged Council to vote no and spoke on citizens sharing their opinion.

Steven GRAHAM, Merced - spoke on finding ways to balance the meetings and requiring address to verify City of Merced residence.

Council, Mr. CORNWELL, Assistant City Clerk Jennifer LEVESQUE, and City Manager Scott MCBRIDE discussed details of the Council engaging with the community, the amount of time spent on single agenda items, and the origin of voicemails. Council also discussed details of the proposed Resolution, the procedures of city meetings, one-on-one conversation with constituents, citizens with the same comments, voting on each item separately, and details of emails left for public comment.

**A motion was made by Council Member Smith, seconded by Council Member Boyle, to post e-mails received by 1 PM the day of the Council meeting. The motion carried by the following vote:**

**Aye:** 5 - Mayor Serratto, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

**No:** 0

**Absent:** 2 - Mayor Pro Tempore Perez, and Council Member Ornelas

Council and Mr. CORNWELL discussed details of Robert's Rules of Order,

moving items in the agenda during the meeting, the role of the Chair and members, item reconsideration time frames, and details of the Brown Act.

**A motion was made by Council Member Smith, seconded by Council Member Boyle, to request the City Attorney to draft proposed rules and procedures along the lines discussed during the meeting for further discussion and approval by Council at the upcoming meeting, with any time frame on the right for a member of the prevailing side to move for reconsideration for their point to be discussed. The motion carried by the following vote:**

**Aye:** 4 - Mayor Serratto, Council Member Boyle, Council Member DeAnda, and Council Member Smith

**No:** 1 - Council Member Xiong

**Absent:** 2 - Mayor Pro Tempore Perez, and Council Member Ornelas

Council discussed details of the proposed time limit for public participation for Oral Communication.

**A motion was made by Council Member Smith, seconded by Council Member Boyle, change the time limit to three minutes on public participation for Oral Communication. The motion carried by the following vote:**

**Aye:** 5 - Mayor Serratto, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

**No:** 0

**Absent:** 2 - Mayor Pro Tempore Perez, and Council Member Ornelas

Council and Mr. CORNWELL discussed items with a high amount of speakers, the proposal of the Chair allowing to limit public comment with Council approval, how surrounding agencies hold public comment, repetitive comments, and Public Hearings.

**A motion was made by Mayor Serratto, seconded by Council Member Smith, to allow the Chair to limit Public Comment (does not apply to Oral Communication) with majority Council approval to reduce public comment to two minutes if there are 10 or more speakers and/or if period exceeds 30 minutes. The motion carried by the following vote:**

**Aye:** 4 - Mayor Serratto, Council Member Boyle, Council Member DeAnda, and Council Member Smith

**No:** 1 - Council Member Xiong

**Absent:** 2 - Mayor Pro Tempore Perez, and Council Member Ornelas

Council and Mr. MCBRIDE discussed details of the Consent Calendar and public input.

Council agreed and directed staff to continue to allow residents to pull items off the Consent Calendar for public comment.

**Clerk's Note:** There was no vote on this Council direction.

Council discussed details of public comment through voicemail, the history of voicemails, the benefit and downside of voicemails, the importance of public comment, and community engagement.

**A motion was made by Council Member Smith, seconded by Council Member Boyle, to stop the practice of playing voicemails during Council meetings. The motion carried by the following vote:**

**Aye:** 4 - Mayor Serratto, Council Member Boyle, Council Member DeAnda, and Council Member Smith

**No:** 1 - Council Member Xiong

**Absent:** 2 - Mayor Pro Tempore Perez, and Council Member Ornelas

Council and Mr. CORNWELL discussed the structure of the Council meetings, ceremonial matters, details of the proposed resolution, and presenting recognitions outside the Council meetings.

**Clerk's Note:** Council Member XIONG made a motion to end the practice of doing ceremonial recognitions or ceremonial items on the Council agenda. The motion failed for a lack of second.

Council and Mr. CORNWELL discussed details of ceremonial matters on the Council agenda, providing awards outside Council meetings to the community, and discussing options with city staff.

**A motion was made by Council Member Smith, seconded by Council Member Boyle, to request the City Attorney to work with staff to come back with suggestions for streamlining ceremonial matters on a time frame that makes sense for Mr. Cornwell. The motion carried by the following vote:**

**Aye:** 5 - Mayor Serratto, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

**No:** 0

**Absent:** 2 - Mayor Pro Tempore Perez, and Council Member Ornelas

Council and Ms. LEVESQUE discussed the proposed changes to the preamble.

Council directed staff to bring back the finalized Resolution for approval.

**A motion was made by Mayor Serratto, seconded by Council Member Smith, to approve the Agenda Preamble as recommended by staff. The motion carried by the following vote:**

**Aye:** 5 - Mayor Serratto, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

**No:** 0

**Absent:** 2 - Mayor Pro Tempore Perez, and Council Member Ornelas

**K.2.**

**SUBJECT: Appointment for City Representative to the Merced County Mosquito Abatement District Board of Trustees**

**REPORT IN BRIEF**

This report is to discuss the appointment of a city representative for the Merced County Mosquito Abatement District Board of Trustees.

**RECOMMENDATION**

**City Council** - Adopt a motion appointing an applicant as the city representative for the Merced County Mosquito Abatement District Board of Trustees.

Council discussed the vacancies and applicants for the City representative to the Merced County Mosquito Abatement District Board of Trustees.

**Clerk's Note:** Assistant City Clerk Jennifer LEVESQUE stated that applicant Jose RAMIREZ MENDOZA pulled his application for consideration.

**A motion was made by Council Member Smith, seconded by Council Member Boyle, to appoint Ariel King to serve as the City of Merced Representative to the Merced County Mosquito Abatement District Board of Trustees. The motion carried by the following vote:**

**Aye:** 5 - Mayor Serratto, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

**No:** 0

**Absent:** 2 - Mayor Pro Tempore Perez, and Council Member Ornelas

**K.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.

Mayor SERRATTO requested to discuss a ballot measure for the Transient Occupancy Tax (TOT) at the July 1st Council meeting.

**Clerk's Note:** Mayor SERRATTO stated that due to due to previous direction, there would be no motion.

**K.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 BOYLE reported on attending the Merced County Fair.

Council Member SMITH wished a Happy Birthday to Council Member DEANDA, City Manager Scott MCBRIDE, and Police Chief Steven STANFIELD.

**L. ADJOURNMENT**

**Clerk's Note:** The Regular Meeting was adjourned at 10:55 PM.

**A motion was made by Council Member Boyle, seconded by Council Member Smith, that this Regular Meeting be adjourned. The motion carried by the following vote:**

**Aye:** 5 - Mayor Serratto, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

**No:** 0

**Absent:** 2 - Mayor Pro Tempore Perez, and Council Member Ornelas