



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 21, 2022

6:00 PM

A. CLOSED SESSION ROLL CALL

Present: 5 - Mayor Matthew Serratto, Council Member Delray Shelton, Council Member Bertha Perez, Council Member Jesse Ornelas, and Council Member Sarah Boyle
Absent: 2 - Mayor Pro Tempore Kevin Blake, and Council Member Fernando Echevarria

B. CLOSED SESSION

Mayor SERRATTO called the Closed Session to order at 5:30 PM.

B.1.

SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Property: 636, APN: 031-134-003; Agency Negotiator: Stephanie Dietz, City Manager; Negotiating Parties: Caleb Medafind. and City of Merced; Under Negotiation: Price and Terms of Payment

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

C. CALL TO ORDER

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

C.1. Invocation - Pastor Ella Luna-Garza, United Methodist Church Merced

There was no Invocation.

C.2. Pledge of Allegiance to the Flag

Mayor SERRATTO led the Pledge of Allegiance to the Flag.

D. ROLL CALL

Present: 5 - Mayor Matthew Serratto, Council Member Delray Shelton, Council Member Bertha Perez, Council Member Jesse Ornelas, and Council Member Sarah Boyle
Absent: 2 - Mayor Pro Tempore Kevin Blake, and Council Member Fernando Echevarria

D.1. In accordance with Government Code 54952.3, it is hereby announced that the City Council sits either simultaneously or serially as the Parking Authority and the Public Financing and Economic Development Authority. City Council members receive a monthly stipend of \$400.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$100.00 each month as a part of the adopted budget and Resolution 2020-86. The members of the Parking Authority and the Public Financing and Economic Development Authority receive no compensation.

E. REPORT OUT OF CLOSED SESSION

There was no report.

F. CEREMONIAL MATTERS

F.1. SUBJECT: Proclamation - Small Business Saturday

REPORT IN BRIEF

Accepted by Jagandeep Mokha, Vice President of the Merced County Indian Chamber of Commerce.

Mayor SERRATTO presented the Small Business Saturday Proclamation to Jagandeep MOKHA from Merced County Indian Chamber of Commerce.

F.2. SUBJECT: Proclamation - National Diabetes Day

REPORT IN BRIEF

Accepted by Lauren, an advocate for National Diabetes.

Mayor SERRATTO presented the National Diabetes Day Proclamation to Lauren FIGG from the California Insulin4All.

G. WRITTEN PETITIONS AND COMMUNICATIONS

Clerk's Note: There were no emails or voicemails received.

H. ORAL COMMUNICATIONS

Rick WENDLING, Merced - spoke on the effects of the COVID-19 vaccine.

Atenceia MARIA, Merced - spoke on School Board members not being available to speak to concerned parents.

Mayor SERRATTO briefly responded.

Kerry LONA, Merced - spoke on the Merced Mall renovations and asked for an update on construction to the Merced Mall.

I. CONSENT CALENDAR

Items I.6. Administering Agency Amendment Modification Summary (E-76) for a Congestion Mitigation and Air Quality Improvement (CMAQ) Grant CML-5085(057) for Use of \$152,837 in Post-Programming CMAQ Carryover Apportionment to Supplement the Construction Phase Funding for Project No. 121045 - Merced North Transit Hub; I.18. Authorization to Commit Housing Grant Funds from the State of California Department of Housing and Community Development from the Permanent Local Housing Allocation (PLHA) Program for 2021-2023 in the Amount of Approximately \$1,608,830 to Linc Housing; and I.19. Approval to Accept and Appropriate CalHome 2021 Grant Funds in the Amount of \$2,500,000; were pulled for separate consideration.

Approval of the Consent Agenda

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

Aye: 4 - Mayor Serratto, Council Member Shelton, Council Member Perez, and Council Member Boyle

No: 0

Absent: 2 - Mayor Pro Tempore Blake, and Council Member Echevarria

Abstain: 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 - Bicycle and Pedestrian Advisory Minutes of March 1, 2022

RECOMMENDATION

For information only.

This Consent Item was approved.

- I.3. **SUBJECT:** Information Only - Site Plan Review Minutes of June 23, 2022, July 14, 2022, and August 25, 2022

RECOMMENDATION

For information only.

This Consent Item was approved.

- I.4. **SUBJECT:** Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of July 18, 2022

REPORT IN BRIEF

Official adoption of previously held meeting minutes.

RECOMMENDATION

City Council/Public Financing and Economic Development/Parking Authority - Adopt a motion approving the meeting minutes of July 18, 2022.

This Consent Item was approved.

- I.5. **SUBJECT:** Approving a Three-Year Lease Agreement Between the City of Merced and Javier Rodriguez, DBA Viajes California for Office Space in the Merced Transportation Center at the Rental Rate of \$375, \$400, and \$425 per Month in the First, Second, and Third Year Respectively

REPORT IN BRIEF

Authorizes the City to enter into a lease agreement with Javier Rodriguez for 330 square feet of office space and use of the common area facilities located at the Merced Transportation Center, 710 West 16th Street.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the lease agreement between Javier Rodriguez, a sole proprietor, doing business as Viajes California and the City of Merced; and,

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

This Consent Item was approved.

I.7.

SUBJECT: Award Bid to Harris Builders, Inc. for the Stephen Leonard Park Building Rehabilitation Structural Repairs, Project Number 123052, in the Amount of \$252,550

REPORT IN BRIEF

Considers awarding a construction contract to Harris Builders, Inc. in the amount of \$252,550 for the Stephen Leonard Park Building Rehabilitation Structural Repairs. It should be noted that roofing material is not included in this bid. Roofing and all other rehabilitation will occur in the next advertisement in late December.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the Stephen Leonard Park Building Rehabilitation Structural Repairs, Project No. 123052 to Harris Builders, Inc., in the amount of \$252,550; and,

B. Authorizing the City Manager or Deputy 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.

This Consent Item was approved.

I.8.

SUBJECT: Adoption of a Resolution Setting a Public Hearing on December 19, 2022, 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 setting a public hearing for December 19, 2022, 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 2022-69**, 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 19, 2022.

This Consent Item was approved.

I.9.

SUBJECT: Approval of Street Closure Request Submitted by Merced Main Street Association for the 2022 Annual Christmas Parade on December 3, 2022 From 10:00 A.M. until 8:00 P.M.

REPORT IN BRIEF

Considers allowing the use of City streets on December 3, 2022 for the Christmas Parade.

RECOMMENDATION

City Council - Adopt a motion approving the street closures of East Main Street, from Calimyrna Avenue to "G" Street, West Main Street, from "G" to "O" Streets, "O" Street from West Main Street to 20th Street including side streets as requested by Mike Waite of the Merced Main Street Association for the 2022 Christmas Parade on Saturday, December 3, 2022.

This Consent Item was approved.

I.10.

SUBJECT: Authorization to Accept \$25,000 in Grant Funds from the California Office of Traffic Safety from their Child Passenger Safety Program to Conduct Child Safety Seat Checks-Ups, Child Safety Seat Education Classes, Appointment Based Child Safety Seat Check-Ups, Participate in Traffic Safety Fairs and/or Community Events, Attend Training to Become Child Passenger Safety Technicians, Along with Funds to Purchase Child Safety Seats, Educational Materials, and Equipment and Supplies to Conduct Check-Ups and Education Classes

REPORT IN BRIEF

Considers accepting grant funding from the California Office of Traffic Safety offered to the Merced Police Department in the amount of \$25,000 from their Child Passenger Safety Program to conduct Child Safety Seat Checks-Ups, Child Safety Seat Education Classes, Appointment Based Child Safety Seat Check-Ups, participate in Traffic Safety Fairs and/or Community Events, attend training to become Child

Passenger Safety Technicians, along with funds to purchase child safety seats, educational materials, and equipment and supplies to conduct check-ups and education classes.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting the grant; and,
- B. Approving the use of pooled cash until reimbursement from the grant is received; and,
- C. Authorizing the City Manager or Deputy City Manager to execute the necessary documents.

This Consent Item was approved.

I.11.

SUBJECT: Authorization to Accept \$40,000 in Grant Funds from the California Office of Traffic Safety from their Pedestrian and Bicycle Safety Program to Conduct Walking School Buses, Walking Field Trips, Helmet Usage Surveys, Bicycle Rodeos, Community Bike Rides, Bicycle Helmet Inspections, Pedestrian and Bicycle Safety Pop Up Events, and Safe Routes to School, Along with Funds to Purchase Crossing Guard Safety Kits, Bicycle Helmets, and Other Equipment and Supplies for Rodeos and Safety Events

REPORT IN BRIEF

Considers accepting grant funding from the California Office of Traffic Safety offered to the Merced Police Department in the amount of \$40,000 from their Pedestrian and Bicycle Safety Program to Conduct Walking School Buses, Walking Field Trips, Helmet Usage Surveys, Bicycle Rodeos, Community Bike Rides, Bicycle Helmet Inspections, Pedestrian and Bicycle Safety Pop Up Events, and Safe Routes to School, along with funds to purchase Crossing Guard Safety Kits, Bicycle Helmets, and other equipment and supplies for education and rodeos and safety events.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting the grant; and,
- B. Approving the use of pooled cash until reimbursement from the grant

is received; and,

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

This Consent Item was approved.

I.12.

SUBJECT: Authorization to Accept \$100,000 in Grant Funds from the California Office of Traffic Safety to Conduct DUI Checkpoints, DUI Saturation Patrols, Traffic Safety Enforcement, Distracted Driving Enforcement, Motorcycle Enforcement, Pedestrian/Bicycle Enforcement, Street Racing Enforcement, and Educational Presentations, Along with Funds for Attending Training and Funds for Checkpoint Supplies as Part of the 2022 California Office of Traffic Safety Traffic Enforcement Program Grant

REPORT IN BRIEF

Considers accepting grant funding from the California Office of Traffic Safety offered to the Merced Police Department in the amount of \$100,000 from the Traffic Enforcement Program Grant to conduct DUI Checkpoints, DUI Saturation Patrols, Traffic Safety Enforcement, Distracted Driving Enforcement, Motorcycle Enforcement, Pedestrian/Bicycle Enforcement, Street Racing and Sideshow Enforcement, Educational Presentations; and, to purchase checkpoint supplies, and to attend training related to alcohol enforcement.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting the grant; and,

B. Approving the use of pooled cash until reimbursement from the grant is received; and,

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

This Consent Item was approved.

I.13.

SUBJECT: Authorization to Accept \$42,866 in Grant Funds from the 2022 Edward Byrne Justice Assistance Grant (JAG) Program for the Merced Police Department to Purchase an All-Terrain Vehicle and Trailer for the Regional Bomb Unit (Merced and Mariposa Counties and Yosemite National Park)

REPORT IN BRIEF

Considers accepting grant funding from the US Department of Justice offered to the Merced Police Department in the amount of \$42,866 from the 2022 Edward Byrne Justice Assistance Grant (JAG) program to purchase an all-terrain vehicle and trailer for the regional bomb unit that serves Merced and Mariposa counties and Yosemite National Park.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting the grant; and,
- B. Approving the use of pooled cash until reimbursement is received from the grant; and,
- C. Authorizing the Merced Police Department and the City Manager or Deputy City Manager to execute the necessary documents.

This Consent Item was approved.

I.14.

SUBJECT: Award Bid to Razzari Ford for the Purchase of Two New Police Responder Four-Door Pickups for a Total Cost not to Exceed \$103,269.90 and Award Bid to Merced Chevrolet for the Purchase of Three New Four-Door Sedans for a Total Cost not to Exceed \$73,106.82 for the Police Department

REPORT IN BRIEF

Considers awarding the bid to Razzari Ford for the purchase of two new police responder four-door pickups and awarding the bid to Merced Chevrolet for three new four door sedans from Merced Chevrolet as scheduled replacements utilizing budgeted Measure C funding.

RECOMMENDATION

City Council - Adopt a motion:

- A. Awarding the bid to Razzari Ford for the supply of two new police responder four door pickups, for a total amount not to exceed \$103,269.90; and,
- B. Awarding the bid to Merced Chevrolet for the supply of three new four door sedans, for the amount not to exceed \$73,106.82; and,

C. Authorizing the City Manager or the Deputy City Manager to execute the necessary documents, the City Buyer to issue the Purchase Order(s), and approval of change orders not to exceed 10% of the total purchase price.

This Consent Item was approved.

I.15.

SUBJECT: Approving the First Amendment to the Agreement for Professional Services with LSA Associates, Inc., in the Amount of \$24,787.52, for Environmental Compliance Services, Including the Preparation of a Mitigated Negative Declaration, for the Proposed Well Site No. 22, Project No. 116020, for a Total of \$119,209.54

REPORT IN BRIEF

Considers approving the first amendment to a contract for environmental compliance services with LSA Associates, Inc., to prepare a Mitigated Negative Declaration document for the proposed Municipal Well 22 at 3987 North Hatch Road.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the first amendment to an agreement for Professional Services with LSA Associates, Inc., in the amount of \$24,787.52; and,

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

This Consent Item was approved.

I.16.

SUBJECT: Adoption of a Resolution Approving Final Map #5404 for Garden Walk Merced, Subdivision for 16 Residential Lots with an Outparcel for Common Areas at 565/575/601/609 Q Street, Generally Located on the West Side of Q Street, Directly South of West 6th Street

REPORT IN BRIEF

Considers the approval of Final Map #5404 for Garden Walk Merced, Subdivision for 16 residential lots with an outparcel for common areas at 565/575/601/609 Q Street, generally located on the west side of Q Street, directly south of West 6th Street.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2022-63**, a Resolution of the City Council of the City of Merced, California, Approving the Final Subdivision Map for the Garden Walk Merced Subdivision (#5404); and,

B. Authorizing the City Manager or Deputy City Manager to execute all necessary documents.

This Consent Item was approved.

I.17.

SUBJECT: Approval of Professional Services Agreement with Goodwin Consulting Group for Preparation of the Rate and Method of Apportionment (RMA) for Community Facilities District (CFD) Services Annexation No. 23

REPORT IN BRIEF

Considers approving the contract with Goodwin Consulting Group for preparation of the Rate and Method of Apportionment (RMA) for Community Facilities District Annexation No. 23.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving Professional Services Agreement with Goodwin Consulting Group, Inc. to prepare the Rate and Method of Apportionment for Community Facilities Services Annexation No. 23 in the amount of \$11,000; and,

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

This Consent Item was approved.

I.6.

SUBJECT: Administering Agency Amendment Modification Summary (E-76) for a Congestion Mitigation and Air Quality Improvement (CMAQ) Grant CML-5085(057) for Use of \$152,837 in Post-Programming CMAQ Carryover Apportionment to Supplement the Construction Phase Funding for Project No. 121045 - Merced North Transit Hub

REPORT IN BRIEF

Considers accepting \$152,837 in Post-Programming CMAQ Carryover Apportionment for construction of Merced North Transit Hub.

Installation a parking area and transit hub in the Bellevue Ranch Development located in the eastern half of M Circle will allow for commuters and UC Students access to parking and busses.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting Post-Programming CMAQ Carryover Apportionment funds and increasing revenue in account 450-1104-321.32-00 by \$152,837 and appropriating the same to account 450-1104-637-65-00 (Project No. 121045) for costs associated with construction of Merced North Transit Hub; and,

C. Approving the use of pooled cash until reimbursement is received from the apportionment; and,

D. Authorizing the City Manager or the Deputy City Manager to execute the necessary documents.

Mayor SERRATTO requested to pull this item at the request of Council Member ORNELAS.

There was no Council discussion.

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

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

No: 0

Absent: 2 - Mayor Pro Tempore Blake, and Council Member Echevarria

I.18.

SUBJECT: Authorization to Commit Housing Grant Funds from the State of California Department of Housing and Community Development from the Permanent Local Housing Allocation (PLHA) Program for 2021-2023 in the Amount of Approximately \$1,608,830 to Linc Housing

REPORT IN BRIEF

Considers committing housing grant funds from the State of California Department of Housing and Community Development (HCD) from the Permanent Local Housing Allocation (PLHA) Program for the years 2021-2023 in the approximate amount of \$1,608,830 to Linc Housing.

RECOMMENDATION

City Council - Adopt a motion:

A. Pledging 95% of PLHA 2021-2023 funds to Linc Housing towards a 100% affordable multifamily housing project and issuing them a letter of commitment; and,

B. Authorizing the City Manager or Deputy City Manager to execute all documents, including any amendments.

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

Scott MCBRIDE briefly introduced representatives of Linc Housing.

Rose CUYNO, Linc Housing - introduced herself, discussed a short background of Linc Housing Corporation, and showed excitement to start this affordable housing project.

Carmen NOYOLA, Linc Housing - thanked city and county staff for their work and showed support for the affordable housing project with Linc Housing Corporation.

Mayor SERRATTO briefly responded to the Linc Housing representatives.

There was no Council discussion.

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

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

No: 0

Absent: 2 - Mayor Pro Tempore Blake, and Council Member Echevarria

I.19.

SUBJECT: Approval to Accept and Appropriate CalHome 2021 Grant Funds in the Amount of \$2,500,000

REPORT IN BRIEF

Considers accepting and appropriating CalHome 2021 Grant Funds in the amount of \$2,500,000.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting the 2021 CalHome grant funds in the amount of \$2,500,000; and,
- B. Increasing the revenue in CalHome 2021 Fund account 089-1301-324.02-00 by \$2,500,000 and appropriating the same to 089-1301-522.29-00 for expenditures; and,
- C. Authorizing the use of pooled cash to cover the appropriation until grant funds are reimbursed; and,
- D. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- E. Authorizing the City Manager or Deputy City Manager to execute all documents, including any amendments or agreements to execute to completion of the grant activities stipulated in the 2021 CalHome Standard Agreement (Attached).

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

Sheng XIONG, Leadership Council, Merced - spoke in support of the grant funds being accepted and raised concerns this program reaching low income levels.

There was no Council discussion.

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

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

No: 0

Absent: 2 - Mayor Pro Tempore Blake, and Council Member Echevarria

J. PUBLIC HEARINGS

J.1.

SUBJECT: Public Hearing to Consider a Resolution Approving the Sale of the Housing Successor Agency Properties at 1744 I Street, 26 W. 18th Street, 49 W. 18th Street, and 150 W. 19th Street; Approving a Disposition and Development Agreement Between the City of Merced, Acting on its Own Behalf and as the Housing Successor, and Fuller Center for the Development of Four (4) to Five (5) Single Family Homes for Very Low-Income Families

REPORT IN BRIEF

Considers approving a Resolution approving the sale of Housing Successor Agency properties at 1744 I Street, 26 W. 18th Street, 49 W. 18th Street, and 150 W. 19th Street. Then consider various actions including the approval of the Disposition and Development Agreement (DDA) between the City of Merced acting on its own behalf and as the Housing Successor and Fuller Center for the development of affordable housing for low-income families, approving a Regulatory Agreement (RA) setting up the terms of affordability and resale restrictions.

RECOMMENDATION

City Council - Hold a Public Hearing and Adopt a motion:

A. Adopting **Resolution 2022-66**, a Resolution of the City Council of the City of Merced, California, approving a Disposition and Development Agreement between the City of Merced and the Fuller Center for housing of Merced County and making related approvals under section 33433 of the California Health and Safety Code; and,

B. Approving the Sale of a Housing Successor Agency property at 1744 I Street, 26 W. 18th Street, 49 W. 18th Street, and 150 W. 19th Street; and,

C. Approving Affordable Housing Covenant and Restrictions on Sale and authorizing certain other actions to complete the construction of the homes; and,

D. Authorizing the Finance Officer to pay plan check fees and building permit fees up to \$7,000 and any upsizing of water and sewer connection fees determined as the properties are developed from LMI Housing Asset funds (Successor Agency); and,

E. Authorizing the City Manager or Deputy City Manager to execute any and all agreements and documents to fulfill the terms and conditions of the disposition of the property per the DDA, the Covenant, and any future documents that may be necessary for the project, subject to the agreements and/or documents being approved as to form by the City Attorney.

Management Analyst Leah BROWN gave a presentation on the Fuller Center for Housing and introduced Lyle ALLEN from the Fuller Center.

Lyle ALLEN, Fuller Center - shared the history of the Fuller Center and briefly explained the affordable housing project with the City.

Mayor SERRATTO opened the Public Hearing at 6:34 PM and subsequently closed the Public Hearing at 6:34 PM due to lack of public comment.

There was no Council discussion.

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

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

No: 0

Absent: 2 - Mayor Pro Tempore Blake, and Council Member Echevarria

J.2.

SUBJECT: Public Hearing to Consider the Adoption of the Amended Water Shortage Contingency Plan

REPORT IN BRIEF

Requests adopting a resolution approving the Amended Water Shortage Contingency Plan following a Public Hearing.

RECOMMENDATION

City Council - Adopt a Motion:

A. Adopting **Resolution 2022-70**, Resolution of the City Council of the City of Merced, California, approving and adopting the amended Water Shortage Contingency Plan for the City of Merced; and,

B. Authorizing submittal of the Final Plan to the Department of Water Resources.

Water Conservation Coordinator Debbie FORTE and Bao from Blackwater Consulting gave a presentation on the Amended Water Shortage Contingency Plan.

Mayor SERRATTO opened the Public Hearing at 6:38 PM.

Sheng XIONG, Merced - spoke on SB 244 and ensured the capacity reaches different residences in the City.

Mayor SERRATTO closed the Public Hearing at 6:40 PM.

There was no Council discussion.

A motion was made by Council Member Boyle, seconded by Council Member

Shelton, that this agenda item be approved. The motion carried by the following vote:

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

No: 0

Absent: 2 - Mayor Pro Tempore Blake, and Council Member Echevarria

J.3.

SUBJECT: Public Hearing for Introduction of Ordinances Adopting Title 24, Parts 1-12 of the California Code of Regulation as the 2022 California Building and Fire Codes, and Local Amendments, for the City of Merced

REPORT IN BRIEF

Public Hearing to Introduce Ordinances adopting Title 24, Parts 1-12 of the California Code of Regulations, referred to as the California Building Code, as the referenced Building and Fire Codes for the City of Merced.

RECOMMENDATION

City Council - Adopt a motion:

A. Introducing **Ordinance 2545**, an Ordinance of the City Council of the City of Merced, California, Amending Chapter 17.04, "Building Code," Sections 17.04.010, 17.05.010, 17.06.010, 17.07.010, 17.09.010, 17.10.010, 17.12.010, 17.20.010, 17.24.010, 17.28.020, and 17.34.010 of the Merced Municipal Code to Adopt by Reference the California Building Code, California Administrative Code, California Electrical Code, California Mechanical Code, and California Plumbing Code; and,

B. Introducing **Ordinance 2544**, an Ordinance of the City Council of the City of Merced, California, Amending Chapter 17.32, "Fire Prevention Code," of the Merced Municipal Code.

Fire Chief Derek PARKER and Fire Marshal Manuel ABEYTA briefly discussed amendments being introduced to building and fire codes.

Mayor SERRATTO opened the Public Hearing at 6:42 PM and subsequently closed the Public Hearing at 6:42 PM due to lack of public comment.

There was no Council discussion.

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

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

No: 0

Absent: 2 - Mayor Pro Tempore Blake, and Council Member Echevarria

K. REPORTS

K.1.

SUBJECT: Consideration of the Recommendation from Recreation and Parks Commission to Rename McNamara Playground- Kirk Wright Memorial Playground

REPORT IN BRIEF

An application has been received to consider renaming the playground at McNamara Park. The application received suggests renaming the site Kirk Wright Memorial Playground. The application has been reviewed by the Director of Parks and Community Services for requirements set forth in Administrative Policy A-20 and was found to be compliant with all requirements and without any identifiable conflict of interest. A public hearing was held by the Recreation and Parks Committee on October 24th. The required Subcommittee of Commissioners and two City Council representatives was present to review the application, ask questions, and make suggestions to the Commission. As a result of the public hearing the Recreation and Parks Commission voted to request City Council's formal adoption of the name Kirk Wright Memorial Playground for the site at McNamara Park.

RECOMMENDATION

City Council - Adopt a motion approving the Recreation and Parks Commission recommendation to rename the playground at McNamara Park, Kirk Wright Memorial Playground.

Director of Parks and Community Services Christopher JENSEN gave a brief discussion to consider renaming McNamara Playground to Kirk Wright Memorial Playground.

Walter SMITH, Merced - spoke on the dedication Kirk Wright had to his community and showed support to the consider changing the playground name to Kirk Wright Memorial Playground.

Karess WRIGHT, Merced - shared touching stories of her father, Kirk Wright and spoke in support of the consideration.

Shana WRIGHT, Merced - shared Kirk Wright's legacy that is continued to

this day in the community.

Council Member SHELTON spoke in support of renaming McNamara Playground to Kirk Wright Memorial Playground.

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

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

No: 0

Absent: 2 - Mayor Pro Tempore Blake, and Council Member Echevarria

K.2.

SUBJECT: Presentation on Parks & Community Services Proposal to First 5 Merced County in Response to the Safe Play Initiative to Expand Park and Playground Access to Youth, Caregivers, and Families for Council's Consideration are Playground Installations at General Vang Pao or Community Park 42

REPORT IN BRIEF

In response to the First 5 of Merced County's Safe Play Initiative, Parks and Community Services propose playground installations at either General Vang Pao Park or Community Park 42. The goal of the Safe Play Initiative is to increase access to parks and playgrounds within Merced County by eliminating barriers to park access for children and their caretakers. The theme of the Merced City Parks & Community Services proposal is to increase access to playgrounds by building a playground that is accommodating to youth of all abilities and caretakers of multiple generations. Staff are seeking Council's direction on either a proposal of \$400,000 for a playground at General Vang Pao park or for \$300,000 for a playground at Community Park 42.

RECOMMENDATION

City Council- Adopt a motion:

A. Recommending Parks & Community Services Department to submit a proposal in the amount of \$400,000 towards the development of Aletha June Playground at General Vang Pao Park in response to the Safe Play Initiative from First 5 Merced County; and,

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

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

Or, Adopt a motion:

D. Recommending Parks & Community Services Department submit a proposal in the amount of \$300,000 towards the development of a playground as part of phase one of Community Park 42 Park project in response to the Safe Play Initiative of First 5 Merced County; and,

E. Authorizing City Manager or Deputy City Manager to execute all necessary documents and,

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

Director of Parks and Community Services Christopher JENSEN gave a presentation on the Safe Play Initiative.

Council and Mr. JENSEN discussed options of funding opportunities, ADA compliance in playgrounds, and presenting the proposal to First 5 Merced County.

A motion was made by Council Member Ornelas, seconded by Council Member Perez, to submit a proposal towards Aletha June Playground at General Vang Pao Park. The motion carried by the following vote:

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

No: 0

Absent: 2 - Mayor Pro Tempore Blake, and Council Member Echevarria

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.

Council Member ORNELAS requested to recognize the Youth Football Super Bowl Champs and Cougar Football Champs.

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.

Council Member BOYLE reported on attending the Veteran's Day Parade, Table 59 ribbon cutting, and Santa's arrival at the Merced Mall.

Council Member ORNELAS reported on attending the Veteran's Day Parade, recognized the loss of life of the 9 month old baby girl in Merced, and showed gratitude of the efforts of Merced law enforcement on the tragedy.

M. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 7:12 PM.

A motion was made by Council Member Perez, seconded by Council Member Boyle, that the meeting was adjourned. The motion carried by the following vote:

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

No: 0

Absent: 2 - Mayor Pro Tempore Blake, and Council Member Echevarria