



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

Tuesday, January 17, 2023

6:00 PM

A. CLOSED SESSION ROLL CALL

Clerk's Note: Council Member ORNELAS arrived to Closed Session at 5:04 PM and Council Member XIONG arrived to Closed Session at 5:26 PM.

Present: 7 - Mayor Matthew Serratto, Mayor Pro Tempore Bertha Perez, Council Member Jesse Ornelas, Council Member Sarah Boyle, Council Member Ronnie DeAnda, Council Member Shane Smith, and Council Member Fue Xiong

Absent: 0

B. CLOSED SESSION

Mayor SERRATTO called the Closed Session to order at 5:03 PM.

- B.1.** SUBJECT: PUBLIC EMPLOYEE
DISCIPLINE/DISMISSAL/RELEASE/COMPLAINT; Authority:
Government Code Section 54957
- B.2.** SUBJECT: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED
LITIGATION Significant Exposure to Litigation Pursuant to Paragraph
(2) of Subdivision (d) of Government Code section 54956.9: (1)
Potential Case
- B.3.** SUBJECT: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED
LITIGATION Significant Exposure to Litigation Pursuant to Paragraph
(4) of Subdivision (d) of Government Code Section 54956.9: Two (2)
Potential Lawsuits
- B.4.** SUBJECT: CONFERENCE WITH LEGAL COUNSEL - EXISTING
LITIGATION Pursuant to Paragraph (1) of Subdivision (d) of
Government Code section 54956.9 Name of Case: City of Merced v.
John Kudulis dba, Bob's Foreign Auto Parts, Merced Superior Court
Case No. 21CV-00159

- B.5.** **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to Paragraph (1) of Subdivision (d) of Government Code section 54956.9, Name of Case: City of Merced, City of Los Banos, and City of Atwater, Petitioners, vs. Merced County Association of Governments, Respondents

Clerk's Note: Council adjourned from Closed Session at 6:00 PM.

C. CALL TO ORDER

Mayor SERRATTO called the Regular Meeting to order at 6:08 PM.

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

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

- C.2. Pledge of Allegiance to the Flag

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

D. ROLL CALL

Present: 7 - Mayor Matthew Serratto, Mayor Pro Tempore Bertha Perez, Council Member Jesse Ornelas, Council Member Sarah Boyle, Council Member Ronnie DeAnda, Council Member Shane Smith, and Council Member Fue Xiong

Absent: 0

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

E. REPORT OUT OF CLOSED SESSION

There was no report.

F. CEREMONIAL MATTERS

- F.1.** **SUBJECT:** Proclamation - National Slavery and Human Trafficking Prevention Month

REPORT IN BRIEF

Received by a representative of the Valley Crisis Center.

Mayor SERRATTO presented the National Slavery and Human Trafficking

Prevention Month Proclamation to Ms. YANG from Valley Crisis Center.

F.2. **SUBJECT:** Recognition of the Merced Cougars Peewee Team

REPORT IN BRIEF

The City Council will recognize members of the Merced Cougars Peewee Team for their achievements.

Mayor SERRATTO and Council Member ORNELAS presented certificates of recognition to the Merced Cougars Peewee Team.

F.3. **SUBJECT:** Recognition of the Merced Junior Knight Team

REPORT IN BRIEF

The City Council will recognize members of the Merced Junior Knights Team for their achievements.

Mayor SERRATTO and Council Member ORNELAS presented certificates of recognition to the Merced Junior Knights Team.

Clerk's Note: Council took a recess at 6:36 PM and returned at 6:43 PM.

G. WRITTEN PETITIONS AND COMMUNICATIONS

Clerk's Note: There were no emails received.

K. REPORTS

K.1. **SUBJECT:** Wastewater Collection System Master Plan (WCSMP)

REPORT IN BRIEF

Seeks Council direction on finalizing the draft Wastewater Collection Master Plan.

RECOMMENDATION

City Council - Provide direction to staff on finalization of the draft Wastewater Collection Master Plan, provide direction to begin the CEQA environmental process.

Clerk's Note: Agenda Item K.1. was moved to be heard before Oral Communications.

There was no presentation given.

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

Madeline HARRIS, Merced - spoke in opposition of the Wastewater Collection System Master Plan.

Clerk's Note: There was no Council discussion.

A motion was made by Mayor Pro Tempore Perez, seconded by Council Member Ornelas, that this agenda item be continued to February 6, 2023 Council Meeting. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

H. ORAL COMMUNICATIONS

Clerk Note: Agenda Item K.1. was moved to be heard before Oral Communications.

L. LUCKENBOOTH, Merced - thanked Merced Police Department and spoke in favor of Measure C.

Rick WENDLING, Merced - spoke in opposition of disbanding the Merced Police Department DART Team, in support of Measure C, maintaining school resource officers, and spoke on reallocating housing funds to street maintenance.

Michael HARRIS, Merced - spoke on the flood, city workers, first responders, and road repairs being funded by Measure C.

Norma CARDONA, Merced - spoke on details of Bitwise Industries benefits.

Gloria SANDOVAL, Merced - spoke on the increased number of homeless people due to floods and an article on public toilets.

Pangcha VANG, Merced - spoke on the Town Hall being recorded, end time, and central meeting be relocated to Civic Center.

I. CONSENT CALENDAR

Approval of the Consent Agenda

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

vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

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 Meeting Minutes of September 6, 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 September 6, 2022.

This Consent Item was approved.

I.3. SUBJECT: Consideration to Create an Honorary Historic Neighborhood District for the Spaghetti Acres Neighborhood

REPORT IN BRIEF

Consider creating an honorary historic neighborhood district for the Spaghetti Acres neighborhood in Central Merced.

RECOMMENDATION

City Council - Adopt a motion approving **Resolution 2023-03**, A Resolution of the City Council of the City of Merced, California, Approving the Spaghetti Acres Honorary Neighborhood Residential Historic District Designation.

This Consent Item was approved.

I.4.

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Authorizing the Purchase of One Aerial Tree Truck Through a Cooperative Purchasing Agreement with Sourcewell via Global Rental Co, Inc., for \$198,904

REPORT IN BRIEF

Considers authorizing to waive the competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 to purchase a currently budgeted and Council approved fleet vehicle 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 and authorizing the purchase to be made with a cooperative purchase agreement through Sourcewell, a government procurement program; and,

B. Approving the purchase of one aerial tree truck in the amount of \$198,904 from Global Rental Co., Inc., through Sourcewell contract # 062320-ALT; and,

C. Authorizing the City Manager or the Deputy City Manager to execute any necessary documents for the purchases specified above, the Finance Officer to make the appropriate budget adjustments and City Buyer to issue the Purchase Orders, and approval of change orders not to exceed 10% of the total purchase price.

This Consent Item was approved.

I.5.

SUBJECT: Granting Abutter's Right to the Merced Holdings, LLC for the Hub Planned Development Project Located on McKee Road and Yosemite Avenue

REPORT IN BRIEF

Considers restoring abutter's rights of access that were relinquished and released by Grant Deed (Vol. 2611, Page 583, M.C.R.) to be restored to Merced Holdings, LLC., for purposes of completing the Hub Planned Development Project.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2023-07**, a Resolution of the City Council of the City of Merced, California approving grant of abutter's rights and authorizing the City Manager to execute all documents necessary to complete the transfer.

This Consent Item was approved.

I.6.

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Approve Purchases of Waterline Appurtenances, Parts, Equipment, and Supplies Necessary for Public Works Maintenance and Operations from Ferguson Enterprises, LLC, in the Amount not to Exceed \$100,000 Through June 30, 2023

REPORT IN BRIEF

Considers waiving the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 and approving the purchase of various waterline appurtenances, parts, equipment, and supplies for Public Works maintenance and operations.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210 for annual supplies and services agreements; and,

B. Approving the agreement for Purchase of Goods with Ferguson Enterprises, LLC, in the amount not to exceed \$100,000 in Fiscal Year 2022/2023; and,

C. Authorizing the City Manager or the Deputy City Manager, to execute the necessary documents or contracts, and to approve change orders up to the City Manager's purchasing authority.

This Consent Item was approved.

I.7.

SUBJECT: Approval and Execution of a Memorandum of

Understanding (MOU) Between the City of Merced and the City of Atwater for Regional Assistance to Firefighters Grant (AFG), Authorization for the Fire Department to Submit a Regional Grant Application to the Federal Emergency Management (FEMA) Fiscal Year 2022 AFG Program to Fund Replacement of End-of-Life Self-Contained Breathing Apparatus (SCBA), and Authorization for the Fire Department to Submit a Second Grant Application to FEMA Fiscal Year 2022 AFG for Advanced Life Support Equipment for the Merced Fire Department

REPORT IN BRIEF

Considers approving and executing a Memorandum of Understanding (MOU) between the City of Merced and the City of Atwater for Assistance to Firefighters Grant (AFG) Regional Grant. Provides authority to the Fire Department to submit a regional grant application to the Federal Emergency Management Agency (FEMA) Fiscal Year 2022 AFG Program to fund replacement of an end-of-life Self-Contained Breathing Apparatus. Project cost will not exceed \$2,000,000 per FEMA based upon the populations of Merced and Atwater combined. FEMA would be providing 90% of the project cost and the Regional Grant participants providing the 10% local match.

In addition, the Fire Department is requesting authority to submit a second grant application to the FEMA Fiscal Year 2022 AFG Program to fund the purchase of Advanced Life Support (ALS) electrocardiogram (ECG) monitors. Project cost not to exceed \$1,000,000 where FEMA would be providing 90% of the project cost and the City of Merced providing the 10% local match.

RECOMMENDATION

City Council - Adopt a motion:

A. Authorizing City Manager or Deputy City Manager to execute the MOU between City of Merced and City of Atwater for submission of Regional AFG Grant Project; and,

B. Authorizing the submittal of a regional grant application to the Federal Emergency Management Agency (FEMA) Fiscal Year 2022 Assistance to Firefighters Grant (AFG) Program with an estimated total project cost not to exceed \$2,000,000 per FEMA based upon

the populations of the City of Merced and Atwater combined. FEMA would be providing 90% of the project cost and the Regional Grant participants providing the 10% local match; and,

C. Authorizing the submittal of a second grant application to the Federal Emergency Management Agency (FEMA) Fiscal Year 2022 Assistance to Firefighters Grant (AFG) Program for ECG monitors with an estimated total project cost not to exceed \$1,000,000. FEMA would be providing 90% of the project cost and the Regional Grant participants providing the 10% local match.

This Consent Item was approved.

J. PUBLIC HEARINGS

J.1.

SUBJECT: Public Hearing to Consider the Annexation of Certain Property into Community Facilities District (CFD) No. 2003-2 (Services), Calling and Holding a Special Election for Annexation No. 22 into CFD No. 2003-2 (Services; Canvassing the Results of the Election Held within Annexation No. 22 of Said District, and Annexing Annexation No. 22 to Said District and Authorizing the Levy of a Special Tax Within Said Annexation No. 22. Annexation No. 22 Consists of Approximately 39.35 Acres of Land Generally Located on the East Side of G Street, Approximately 1,100 feet North of Cardella Road

REPORT IN BRIEF

Hold a public hearing and election for annexation into Community Facilities District No. 2003-2 (Services) for the approximately 39.35 acres of land generally located on the east side of G Street, approximately 1,100 feet north of Cardella Road.

RECOMMENDATION

City Council - Adopt a motion:

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

B. Adopting **Resolution 2023-04**, a Resolution of the City Council of the City of Merced, acting as the Legislative Body of the Community Facilities District No. 2003-2 (Services) of the City of Merced determining the validity of prior proceedings, calling a special election related to Annexation No. 22; and,

C. Holding an election; and,

D. Adopting **Resolution 2023-05**, a Resolution of the City Council of the City of Merced acting as the Legislative Body of the Community Facilities District No. 2003-2 (Services) of the City of Merced canvassing the results of the election held within Annexation No. 22 of said District; and,

E. Adopting **Resolution 2023-06**, a Resolution of the City Council of the City of Merced acting as the Legislative Body of the Community Facilities District No. 2003-2 (Services) of the City of Merced, annexing Annexation No. 22 to said district and authorizing the levy of a special tax within said Annexation No. 22.

Senior Planner Julie NELSON gave a slideshow presentation on an area being annexed into the Community Facilities District 2003-2 (Services) and briefly described the process.

Mayor SERRATTO opened the Public Hearing at 7:04 PM.

Rick WENDLING, Merced - asked if the special tax applies to surrounding residents that fall under Mello Roos taxes.

Mayor SERRATTO closed the Public Hearing at 7:06 PM.

Council, Mrs. NELSON, and City Manager Stephanie DIETZ discussed the timeline of the property owners wanting to develop property, police and fire response, and property taxes.

A motion was made by Mayor Pro Tempore Perez, seconded by Council Member Boyle, approving Resolution 2023-04. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

Assistant City Clerk Jennifer LEVESQUE opened the ballot and announced that the ballot was in favor of annexation into the Community Facilities District.

A motion was made by Council Member Boyle, seconded by Mayor Pro Tempore Perez, approving Resolution 2023-05 and Resolution 2023-06. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

J.2.

SUBJECT: Public Hearing to Consider Potential Introduction of an Ordinance to Approve Zone Change #431, Initiated By Sam Sahota, Property Owner; this Application is a Request for a Zone Change from an Urban Transition (U-T) Zone to a Low Density Residential (R-1-5) Zone at 385 S. Coffee Street to Develop a Future Subdivision with 45 Single-Family Home Lots at 385 S. Coffee Street; and, the Approximate 9.91-Acre Subject Site is Generally Located at the West Side of S. Coffee Street, 300 Feet North of E. Gerard Avenue

REPORT IN BRIEF

Request for City Council approval for a Zone Change from Urban Transition (U-T) to Low Density Residential (R-1-5) for one approximate 9.91-acre parcel located at 385 S. Coffee Street.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving Environmental Review #22-32 (Negative Declaration); and,

B. Introducing **Ordinance 2546**, An Ordinance of the City Council of the City of Merced, California, amending the official Zoning Map by rezoning approximately 9.91 acres of land at 385 South Coffee Street, generally located on the west side of South Coffee Street, 300 feet North of East Gerard Avenue, from Urban Transition (U-T) to Low-Density Residential (R-1-5); and,

C. Approving the First Amended and Restated Legislative Action Agreement and authorizing the City Manager or Deputy City Manager to execute the necessary documents.

Associate Planner Francisco MENDOZA gave a slideshow presentation on the Capella Estates new subdivision single-family homes.

Council and Mr. MENDOZA discussed affordable housing prices.

Mayor SERRATTO opened the Public Hearing at 7:23 PM.

Josue HERRERA, Merced - asked to consider using this lot as commercial and not residential homes.

Council and Applicant Sam SAHOTA discussed future developments, schools, neighborhood safety, and high traffic areas with Council.

Mayor SERRATTO closed the Public Hearing at 7:29 PM.

Council, Deputy City Manager Frank QUINTERO, and Mr. MENDOZA discussed future developments in surrounding areas, storm drainage basins, and water pumps.

Mayor SERRATTO re-opened the Public Hearing at 7:31 PM to allow Consultant to speak.

Council, Golden Valley Engineering & Surveying Consultant Ramiro MARQUEZ, Mr. SAHOTA, and Mr. MENDOZA discussed the storm drain system and basins, adding an affordable housing component, community input, details of RHNA, prices of homes being built, the needs of the community, and density zone of single family homes.

Rick WENDLING, Merced - spoke in opposition of affordable housing.

Pangcha VANG, Merced - urged Council to vote no on this item and spoke on the RHNA density zones.

Gloria SANDOVAL, Merced - spoke on housing not being affordable to Merced residents and the needs of the Merced community.

Mayor SERRATTO closed the Public Hearing at 7:51 PM.

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 Ornelas, Council Member Boyle, Council Member DeAnda, and Council Member Smith

No: 1 - Council Member Xiong

Absent: 0

L. BUSINESS

L.1. **SUBJECT:** Adoption of Resolution 2023-08 Confirming the Existence of a Local Emergency Within the Territorial Limits of the City of Merced as

Proclaimed by the Director of Emergency Services on January 7, 2023 and
Again on January 14, 2023 Pursuant to Merced Municipal Code Section
8.20.070

REPORT IN BRIEF

Asking the City Council to Declare a State of Emergency Due to Severe Storms and Potential Flooding.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2023-08**, a Resolution of the City Council of the City of Merced, California, confirming the existence of a local emergency

City Manager Stephanie DIETZ and Fire Chief Derek PARKER gave a slideshow presentation on the recent local emergency within the territorial limits of the City of Merced and emergency operations.

Council, Mrs. DIETZ, and Mr. PARKER thanked all staff members that assisted, discussed FEMA reimbursements, process for home inspectors, how the City can assist displaced citizens, upgrades on current systems, and Public Works department assistance with the flood.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

L.2.

SUBJECT: Accepting Flag Requests to be Added to the 2023 Flag Calendar for Approval

REPORT IN BRIEF

Considers accepting flag requests to be added to the flag calendar for the 2023 year for approval.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Flag Calendar for the 2023 year in accordance with Council Policy C-7 regarding the display of commemorative flags; and,

B. Bringing a Resolution back for adoption; and,

C. Providing Staff direction on selected request for future approval.

Council discussed the flag requests for the 2023 Flag Calendar.

Council Member Bertha PEREZ requested to change the name Mexico Flag to the Flag of Mexico.

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

Chang LAGEE, Merced - spoke in support of flying the pride flag and details of the LGBT community.

Miranda GRISWOLD, Merced - spoke in support of the Central Valley Pride Center and flying the pride flag.

Bren, Merced - spoke in support of the pride flag.

Joe, Merced - shared support of Central Valley Pride Center and urged Council to fly the pride flag.

Natalie, Merced - spoke in support of raising the pride flag.

Jesai BAHARI, Merced - spoke in support of the pride flag.

Talia FABIO-MATHIAS, Merced - spoke in support for the pride flag.

Jesai BAHARI, Merced - spoke in support of the pride flag.

Kimberly JARED, Merced - urged Council to vote yes on raising the pride flag.

Naomi TUCANIC, Merced - asked Council to support raising the pride flag.

Irene DEEDEE, Merced - urged Council to raise the pride flag.

Adam Lincoln LANE, Merced - spoke on the LGBTQ+ community and in support of the pride flag.

Adam CASTRO, Merced - spoke in support of the pride flag and the LGBTQ+ community.

Sherri NEUCOM, Merced - spoke in support of raising the pride flag.

Rosio VASQUEZ, Merced - urged Council to vote yes and spoke in support of raising the pride flag.

Tracy DEL REAL, Merced - spoke in support of the Central Valley Pride Center and urged Council to vote yes on raising the pride flag.

Tonya, Merced - spoke on flying the pride flag year-round.

Merced Citizen - spoke in support of raising the pride flag for our City.

Kasen CLOUD, Merced - spoke in support of raising the pride flag.

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

Jennifer MCQUEEN, Merced - spoke on the support of the pride community and urged Council to vote on raising the pride flag.

Shelby DEFEO, Merced - discussed the supportive pride community in Merced and supports raising the pride flag.

Nash FRANCO, Merced - spoke on violence against LGBT community and in support of raising the pride flag.

Josue HERRERA, Merced - spoke in support of raising the pride flag and discussed details of laws prohibiting gender expressions.

Kymm COSTA, Merced - spoke on Merced's diversity and shared support of the pride flag.

L. LUCKENBOOTH, Merced - spoke in opposition of the pride flag and supports those who have experienced violence in the community.

Alexis CARLSON, Merced - spoke on history of the pride flag and shared support of raising the pride flag.

Mayor SERRATTO reminded members of the audience and public speakers to be respectful.

Rick WENDLING, Merced - spoke in support of flying the Equity for All Genders flag in July.

Pangcha VANG, Merced - urged Council to vote yes on the LGBTQ flag and asked for more resources from Council to the LGBTQ community.

Council and City Manager Stephanie DIETZ discussed raising different flags, the meaning behind all flags, details of the Flag policy, conflicts between any flags, the Flag Calendar procedure, and making a motion per month.

A motion was made by Mayor Pro Tempore Perez, seconded by Council Member Ornelas, to approve raising the Pride Flag in June. The motion carried by the following vote:

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

No: 0

Absent: 0

Abstain: 1 - Council Member Boyle

A motion was made by Council Member Smith, seconded by Council Member Ornelas, to approve raising the Armed Forces Flag in May. The motion carried by the following vote:

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

No: 0

Absent: 0

Abstain: 1 - Council Member Boyle

A motion was made by Council Member Ornelas, seconded by Mayor Pro Tempore Perez, to approve raising the POW/MIA flag for all September and the Flag of Mexico for September 15-16. The motion carried by the following vote:

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

No: 0

Absent: 0

Abstain: 1 - Council Member Boyle

Council discussed the Flag Procedures, the All Gender flag being requested, and the amount of flags on the Bob Hart Square flagpole.

Clerk's Note: A second motion was made for the month of September.

A motion was made by Mayor Serratto, seconded by Council Member Ornelas, to take down the POW/MIA flag on September 15-16. The motion carried by the following vote:

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

No: 0

Absent: 0

Abstain: 1 - Council Member Boyle

Council discussed the All Gender Flag for July.

Clerk's Note: Mayor Pro Tempore PEREZ made a motion to raise the All Gender Flag in July and withdrew her motion. There was no second.

Clerk's Note: Council Member SMITH made a motion to revisit the All Gender Flag for more information. The motion failed for a lack of second.

L.3.

SUBJECT: Council Member Ornelas' Request to Discuss Establishing an Emergency Services Motel Policy

REPORT IN BRIEF

Council Member Ornelas' request to discuss establishing an emergency services motel policy pursuant to City Council Administrative Policies and Procedures C-1.

RECOMMENDATION

Provide direction to staff on next steps.

Council Member ORNELAS gave a brief presentation of establishing an Emergency Services Motel Policy, asked Council if they could give staff direction on developing a policy, and wanted to work with the Hotel/Motel Association.

Council discussed nuisance 911 calls.

Rick WENDLING, Merced - stated he misunderstood the Agenda Item.

Council discussed options to mitigate crime in motels and the ordinances regarding this matter.

A motion was made by Council Member Ornelas, seconded by Council Member Boyle, to have the Public Safety Subcommittee discuss this topic and to delegate staff for research. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 1 - Mayor Pro Tempore Perez

Absent: 0

L.4.

SUBJECT: Council Member Smith's Request to Discuss Joint School District Meeting

REPORT IN BRIEF

Council Member Smith's request to discuss holding a joint School District meeting pursuant to City Council Administrative Policies and Procedures C-1.

RECOMMENDATION

Provide direction to staff on next steps.

Council Member SMITH gave a brief presentation on having a Joint School District Meeting with Merced City School District and other school districts.

Council and City Manager Stephanie DIETZ discussed the relationship and communication with local school districts, potential policy, the City Council's scope, writing a letter to Superintendents, the amount of meetings a year, and obtaining more information at a future meeting.

A motion was made by Council Member Smith, seconded by Mayor Pro Tempore Perez, that this agenda item be tabled for 60 days. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0

L.5.

SUBJECT: Mayor Serratto's Request to Discuss Directing the Arts and Culture Advisory Commission to Develop Various Arts Districts

REPORT IN BRIEF

Mayor Serratto will discuss potentially directing the Arts and Culture Advisory Commission to develop various Arts Districts in the City pursuant to City Council Administrative Policies and Procedures C-1.

RECOMMENDATION

Provide staff direction for possible next steps.

Mayor SERRATTO gave a brief presentation on directing the Arts and Culture Advisory Commission to develop various arts districts.

Council and City Manager Stephanie DIETZ discussed the amount of districts, locations of each district, feedback from the Arts and Culture Advisory Commission, and city beautification.

Clerk's Note: Council Member SMITH requested to add an amendment to the motion, to include for the Arts and Culture Advisory Commission the option to reject the motion for Arts districts, Council Member ORNELAS denied the request.

A motion was made by Council Member Ornelas, seconded by Mayor Pro Tempore Perez, to request the Arts and Culture Advisory Commission to identify areas of Merced to be designated as an Art District with the minimum of five with the emphasis of areas that have existing murals and artwork. The motion carried by the following vote:

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

No: 1 - Council Member Smith

Absent: 0

L.6.

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 DEANDA requested to reconsider sending the letter sent to the Attorney General.

Council and City Manager Stephanie DIETZ discussed Council Member DEANDA's request, the letter already being sent to the Attorney General, this request coming to the February 21st Council Meeting.

Mayor SERRATTO requested to discuss fixing potholes.

Mayor and Mrs. DIETZ discussed the lack of budget and agreements for potholes and suggested to work with the Public Works Department to obtain more resources.

L.7. **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 DEANDA spoke on assisting citizens.

Council Member ORNELAS thanked all city staff for their hard work during the State of Emergency and Golden Valley Housing Association for their communication during floods.

Council Member XIONG thanked all city staff, shelters, and volunteers.

Mayor Pro Tempore PEREZ thanked city staff, including public works, and spoke on the community coming together to assist each other.

Council Member SMITH thanked city staff, including fire, police, and public works, spoke on the community coming together to assist others, and future meetings and assistance from the City to the citizens.

Council Member BOYLE reported on attending the soft-opening of Joystiq, spoke on the grand opening coming soon, recent flood events, and thanked community and Council for being liaison to the city staff and community.

Mayor SERRATTO thanked the community for stepping up to volunteer and donate for the citizen's in evacuation centers.

M. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 10:05 PM.

A motion was made by Council Member Boyle, seconded by Mayor Pro Tempore Perez, that the Regular Meeting be adjourned. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Perez, Council Member Ornelas, Council Member Boyle, Council Member DeAnda, Council Member Smith, and Council Member Xiong

No: 0

Absent: 0