



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, July 18, 2016

7:00 PM

A. CLOSED SESSION ROLL CALL

Present: 7 - Mayor Stanley P. Thurston, Mayor Pro Tempore Joshua Pedrozo, Council Member Michael Belluomini, Council Member Kevin Blake, Council Member Tony Dossetti, Council Member Noah Lor, and Council Member Mike Murphy

Absent: 0

B. CLOSED SESSION

Clerk's Note: Council adjourned to Closed Session at 6:35 PM.

B.1.

SUBJECT: CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; David Alcaraz vs. City of Merced; Workers Compensation Appeals Board Case No. ADJ-10058236; AUTHORITY: Government Code Section 54956.9(d)(1)

Clerk's Note: Council adjourned from Closed Session at 6:49 PM.

C. CALL TO ORDER

Mayor THURSTON called the Regular Meeting to order at 7:00 PM.

C.1. Invocation - Bruce Metcalf, Merced Rescue Mission

The invocation was presented by Bruce METCALF of the Merced Rescue Mission.

C.2. Pledge of Allegiance to the Flag

D. ROLL CALL

Present: 7 - Mayor Stanley P. Thurston, Mayor Pro Tempore Joshua Pedrozo, Council Member Michael Belluomini, Council Member Kevin Blake, Council Member Tony Dossetti, Council Member Noah Lor, and Council Member Mike Murphy

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 Public Financing and Economic Development Authority. City Council Members receive a monthly stipend of \$20.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$50.00 each month as a part of the adopted budget and Resolution 1975-37. The members of the Parking Authority, and Public Financing and Economic Development Authority receive no compensation.

E. REPORT OUT OF CLOSED SESSION

There was no report.

F. CEREMONIAL MATTERS

There were no Ceremonial Matters.

G. SPECIAL PRESENTATIONS

G.1. Revenue Sharing Update - Steve Carrigan, City Manager

City Manager Steve CARRIGAN gave a brief update on the Revenue Sharing Agreement with the County.

H. WRITTEN PETITIONS AND COMMUNICATIONS

The Clerk read a letter from Nancy Young-BERGMAN about the Merced Community Health Forum.

I. ORAL COMMUNICATIONS

Jenny TROST, Merced - spoke on weed abatement and landscaping/water for the Bellevue Ranch East Suvdivision.

Sharon SILVA, Merced Chamber - announced the Cap and Town event.

Bruce METCALF, Rescue Mission - encouraged the Council to pass a grant for back packs for the homeless.

Monica VILLA, Merced - spoke on police and the elections.

J. CONSENT CALENDAR

Items J.4. Acceptance of the Petition for Annexation of a 5.92-Acre Parcel Located at the Southeast Corner of Mercy Avenue and Mansionette Drive into Community Facilities District (CFD) No. 2003-2 (Services) (Annexation #9), J.5. Professional Services Agreement with Interwest Consulting Group for Engineering Services, J.9. Authorization for the Purchase of Twenty One (21) New Panasonic Toughbook Laptop Computer Systems for Police Patrol Vehicles and Waiving the Competitive

Bidding Requirement, and J.13. Second Reading of Ordinance - 2-Year Suspension of Collection of the Regional Transportation Impact Fees were pulled for consideration.

Approval of the Consent Agenda

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

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

J.1. **SUBJECT:** Information Only-Bicycle Advisory Commission Minutes of April 26, 2016

RECOMMENDATION

For information only.

This Consent Item was approved.

J.2. **SUBJECT:** City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of February 16, 2016, February 18, 2016, and June 20, 2016

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 February 16, 2016, February 18, 2016, and June 20, 2016.

This Consent Item was approved.

J.3. **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.

J.6.

SUBJECT: Street Closure #16-10, Use of City Streets and Bike Paths for the Merco Credit Union Half Marathon and 5K Run.

REPORT IN BRIEF

The Merced Athletic Corporation is requesting approval for the closure of City streets (Bellevue Road, Barclay Way, Mandeville Lane, M Street, McKee Road, Silverstone Drive, and Creekview Drive) and sections of City bike paths (Rascal Creek and unnamed bike paths) for the Merco Credit Union Half Marathon and 5K Run on October 16, 2016.

RECOMMENDATION

City Council - Adopt a motion approving the closure of portions of City streets and City bike paths, as outlined in the Administrative Report, beginning at 4:00 a.m. on Sunday, October 16, 2016, as requested by the Merced Athletic Corporation for the Merco Credit Union Half Marathon and 5K run. All roadways and bike paths shall re-open by 11:00 a.m., with the exception of shoulder lanes containing aid stations re-opening no later than 5:00 p.m.

This Consent Item was approved.

J.7.

SUBJECT: City-Owned Real Property Request #16-06 for Bob Hart Square (Mercy Medical Center Merced Foundation Dinner Fundraiser)

REPORT IN BRIEF

Consider allowing the exclusive use of Bob Hart Square for the Mercy Medical Center Merced Foundation Dinner Fundraiser (includes the sale of alcohol) on Friday, September 23, 2016, from 2:00 p.m. to 10:00 p.m.

RECOMMENDATION

City Council - Adopt a motion approving the use of Bob Hart Square on Friday, September 23, 2016, from 2:00 p.m. to 10:00 p.m., as requested by the Mercy Medical Center Merced Foundation for a dinner

fundraiser (includes the sale of alcohol); subject to the conditions outlined in the administrative staff report.

This Consent Item was approved.

J.8.

SUBJECT: Acceptance of \$100,000 from the Merced County Remote Access Network Board as Reimbursement Funding for the Purchase of In-Car Mobile Computers.

REPORT IN BRIEF

Consider the Acceptance of \$100,000 in Remote Access Network (RAN) funding from the Merced County Remote Access Network for the purchase of twenty one (21) in car computer systems for police patrol vehicles.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting and appropriating \$100,000.00 in reimbursable funds from the Merced County RAN Board for the purchase of computer equipment for police patrol vehicles. Increase Revenue account 001-1002-324-02-00 by \$100,000.00 and appropriate the same for expenditures to account 001-1002-523-43-00.

B. Authorizing the City Manager to execute all necessary documents for this purpose.

C. Authorizing the use of pooled cash for the purchase until the reimbursed RAN funds are received.

This Consent Item was approved.

J.10.

SUBJECT: Merced County Office of Education Contract for Police Services

REPORT IN BRIEF:

Consider approving Memorandum of Understanding (MOU) between the City of Merced Police Department and the Merced County Office of Education (MCOE) for police services at Valley Community School.

RECOMMENDATION:

City Council - Adopt a motion:

A. Approving a contract between the City of Merced Police Department and the Merced County Office of Education for police

services of one police officer at Valley Community School; and,

B. Authorizing the City Manager to execute the agreement; and,

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

This Consent Item was approved.

J.11.

SUBJECT: Merced City School District Contract for Police Services

REPORT IN BRIEF

Memorandum of Understanding (MOU) between the City of Merced Police Department and the Merced City School District (MCSD) for police services in the District's four middle schools.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a Memorandum of Understanding between the City of Merced and the Merced City School District to provide police services in the District's four middle schools; and,

B. Authorizing the City Manager to execute the agreement; and,

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

This Consent Item was approved.

J.12.

SUBJECT: 2016/2017 Local Transportation Fund (LTF) Claim

REPORT IN BRIEF

Accepts \$831,156 in Local Transportation Funds (LTF) from Merced County Association of Governments (MCAG) for street and road maintenance.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution No.2016-36**, a Resolution of the City Council of the City of Merced, California, approving the Local Transportation Fund (LTF) Claim to be filed with the Merced County Association of Governments (MCAG) for Fiscal Year 2016/2017; and,

B. Accepting Local Transportation Funds (LTF) from the Merced County Association of Governments (MCAG), increasing revenue account 007-0701-324.05-00 in the amount of \$831,156; transferring to Fund 450 and Appropriating the same to account 450-1104-637.65-00-Projects to be Determined.

This Consent Item was approved.

J.4.

SUBJECT: Acceptance of the Petition for Annexation of a 5.92-Acre Parcel Located at the Southeast Corner of Mercy Avenue and Mansionette Drive into Community Facilities District (CFD) No. 2003-2 (Services) (Annexation #9).

REPORT IN BRIEF

This report is a request to accept the Petition to Annex into CFD No. 2003-2 (Services) from ME-5 Merced, Inc., for 5.92 acres of land located at the southeast corner of Mercy Avenue and Mansionette Drive (Mansionette Estates No. 5).

RECOMMENDATION

City Council - Adopt a motion accepting the Petition for the Initiation of Proceedings for Annexation into Community Facilities District (CFD) No. 2003-2 (Services) from ME-5 Merced, Inc.

Council Member MURPHY pulled this item to ask for an explanation on the bigger plan for Community Facilities Districts (CFD) and the Mansionette Maintenance District.

Director of Development Services Dave GONZALVES briefly discussed Community Facilities Districts and the petition of annexation and detachment for this project.

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

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

J.5.

**SUBJECT: Professional Services Agreement with Interwest
Consulting Group for Engineering Services**

REPORT IN BRIEF

The City Council will consider approving a Professional Services Agreement with Interwest Consulting Group for engineering services, including an acting City Engineer.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Agreement for Professional Services with Interwest Consulting Group, Inc., to provide as needed engineering services for one year in an amount not to exceed \$200,000; and,

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

C. Authorizing the City Manager to execute the above agreement.

Council Member BELLUOMINI pulled this item to ask about the length of the term of the agreement.

City Manager CARRIGAN explained why the term is a year and the process to recruit a City Engineer.

Director of Development Services Dave GONZALVES discussed the difficulties in recruiting and the advantages of using Interwest, the consulting firm.

Mayor Pro Tempore PEDROZO asked if Interwest has worked with the City before.

Mr. GONZALVES discussed the experience Interwest has with working for the City.

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

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

J.9.

SUBJECT: Authorization for the Purchase of Twenty one (21) New Panasonic Toughbook Laptop Computer Systems for Police Patrol Vehicles and Waiving the Competitive Bidding Requirement.

REPORT IN BRIEF:

Consider authorizing the purchase of twenty one (21) New Panasonic Toughbook Laptop Computer Systems for police patrol vehicles by using pooled cash until RAN reimbursement funds are received.

RECOMMENDATION

City Council - Adopt a motion waiving competitive bid requirements as stated in Section 3.04.210 of the Merced Municipal Code, and authorizing the City to enter into a contract with LEHR Auto Electric to “piggyback” on an existing contract with the County of Sacramento for the purchase of the Panasonic Toughbook computer equipment at a cost not to exceed \$92,492.00 which includes sales tax.

Mayor Pro Tempore PEDROZO pulled for a brief report from staff.

Marvin DILLSAVER explained that 21 patrol vehicles will be receiving the new computers and the technological advances of the new computers.

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

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

J.13.

SUBJECT: Second Reading of Ordinance - 2-Year Suspension of Collection of the Regional Transportation Impact Fees

REPORT IN BRIEF

Second reading of previously introduced Ordinance.

RECOMMENDATION

City Council - Adopt **Ordinance 2461**, “An Ordinance of the City Council of the City of Merced, California, Amending Section 17.64.150, ‘Repeal,’ of the Merced Municipal Code Relating to the Regional

Transportation Impact Fees.”

Council Member BELLUOMINI pulled this item and expressed his disapproval of suspending the fees.

Mayor THURSTON discussed the impact of suspending the impact fees and said he disagreed with suspending the funds.

Council Member LOR asked about the money that was borrowed for the Atwater Merced Expressway (AME) and if the Regional Transportation Impact Fees (RTIF) was to pay this back. He also stated his disapproval for this item.

Mayor THURSTON explained how the AME was funded and the role the RTIF had.

Council Member MURPHY emphasized that developers do pay other fees.

Mayor Pro Tempore PEDROZO discussed other regional projects the funds could be allocated to.

Mayor THURSTON asked about the lost projects due to RTIF.

Director of Development Services Dave GONZALVES explained that the fees were too high for developers to bring projects to Merced.

Economic Development Director Frank QUINTERO discussed his meeting with three teams of developers and the potential of suspending the impact fees.

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

Aye: 4 - Mayor Pro Tempore Pedrozo, Council Member Blake, Council Member Dossetti, and Council Member Murphy

No: 3 - Mayor Thurston, Council Member Belluomini, and Council Member Lor

Absent: 0

K. PUBLIC HEARINGS

K.1. **SUBJECT: General Plan Amendment #16-03 - Adoption of Revised Housing Element**

REPORT IN BRIEF

This General Plan Amendment involves the review and adoption of the Revised Housing Element. If adopted, the Housing Element would be forwarded to the California Department of Housing and Community Development (HCD) for final review.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution No. 2016-34**, a Resolution of the City Council of the City of Merced, California Adopting a Negative Declaration and Amending the Housing Element of the General Plan, with any required changes per HCD.

Associate Planner Julie NELSON gave a slide show presentation on the Housing Element.

Mayor THURSTON asked about integrating neighborhoods, if the City is expanding financial opportunities to lower-income families, and clarification on building power and leadership in marginalized communities.

Ms. NELSON explained what their strategies are for their future integrated plans. She stated the City offers housing programs for lower-income families.

Council Member MURPHY asked about the population assumptions and what the consequence was in overstating populations and number of units.

Ms. NELSON explained the Merced County Association of Governments (MCAG) used the population projections. She stated she didn't know if there were any consequences.

Council and Ms. NELSON discussed the population numbers and the General Plan.

Council Member LOR stated that he wanted a low income housing element in all projects.

Council Member BELLUOMINI asked about the UC Merced Student Housing Plan and if developers are required to include affordable housing as part of their development.

Ms. NELSON explained that UC does not have a developed plan in place. She also explained that it was not feasible for developers to include affordable housing in all projects.

Mayor THURSTON opened the Public Hearing at 8:32 PM and subsequently closed the Public Hearing with no members of the audience

wishing to speak.

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

Aye: 6 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, and Council Member Murphy

No: 1 - Council Member Lor

Absent: 0

Mayor THURSTON called for a recess at 8:44 PM.

Mayor THURSTON called the Regular Meeting back to order at 8:55 PM.

K.2.

SUBJECT: Zoning Ordinance Amendment #16-02 Regarding Medical Marijuana Dispensaries, Deliveries, and Cultivation for Qualified Patients

REPORT IN BRIEF

Consider adoption of an ordinance to establish regulations for medical marijuana dispensaries, deliveries, and cultivation for qualified patients.

RECOMMENDATION

City Council - Adopt a motion approving one of the following options:

A. Adopt a Negative Declaration and Introduce **Ordinance 2463** (as recommended by the Planning Commission) that would allow medical marijuana dispensaries in the Professional/Commercial Office (C-O), Light Industrial (I-L), and Heavy Industrial (I-H) zones with a conditional use permit; allow delivery of medical marijuana under specific circumstances; and allow limited growth, indoors only, of medical marijuana (6 plants or less per lot) for a qualified patient:

“An Ordinance of the City Council of the City of Merced, California, Amending Chapter 20.84, “Medical Marijuana and Cultivation” and amending Sections 20.20.040 “Conditional Uses,” 20.34.040 “Conditional Uses,” and 20.36.040 “Conditional Uses,” of the Merced Municipal Code regarding the zoning of medical marijuana dispensaries as conditional uses”.

OR

B. Adopt a Negative Declaration and Introduce **Ordinance 2464** (as directed by the City Council on April 20, 2016, and originally presented to the Planning Commission on May 18, 2016) that would allow medical marijuana dispensaries in the Professional/Commercial Office (C-O) zone with a conditional use permit; allow delivery of medical marijuana under specific circumstances; and allow limited growth of medical marijuana (12 immature or 6 mature plants or less per lot) for a qualified patient under specific circumstances:

“An Ordinance of the City Council of the City of Merced, California, Amending Chapter 20.84, “Medical Marijuana and Cultivation” and amending Sections 20.20.040 “Conditional Uses,” of the Merced Municipal Code regarding the zoning of medical marijuana dispensaries as conditional uses”.

AND

C. Approving a supplemental appropriation in Fund 017 in the amount of \$2,260 to pay for State filing fees for the Negative Declaration and allowing the Finance officer to make the necessary budget adjustments.

Senior Deputy City Attorney Ken ROZELL gave a slide show presentation to review the Medical Marijuana Ordinance.

David MCPHERSON, professional consultant - discussed his knowledge and background on Medical Marijuana Management and his experience working with cities in California.

Council asked about the process of reviewing applications and appeals of applications, regulations on dispensaries, products, and deliveries.

Mr. MCPHERSON explained the criteria to accept an application. He briefly went over the process of appealing applications. He stated the State regulates the quality of the product, then further explained the process of the quality control. He said that if deliveries are allowed, any licensed dispensary from out of the area could deliver in the city.

Council Member BLAKE asked if Mr. MCPHERSON has done comprehensive regulations on a City similar to Merced and how long it took.

Mr. MCPHERSON gave an example of the City of Salinas and that it took 120 days to construct city regulations.

Council asked about the cost for the City to review applications and regulations and the cost to hire a consultant to set up the procedures and regulation policies.

Mr. MCPHERSON stated that applicants would pay fees, and that this would allow the City to recoup the cost. He discussed the cost of hiring a consultant to develop regulations and policies.

Council Member MURPHY asked if having a consultant would help City staff facilitate the process.

Director of Development Services GONZALVES stated that having a resource to help the process would be of great assistance.

Council Member BELLUOMINI stated that he would like to move forward and have staff draft an ordinance to go in effect in 180 days and have the consultant give the Council a proposal on how to go about the process.

Council discussed opening a bid process to hire a consultant.

Mayor THURSTON opened the continued Public Hearing at 9:47 PM.

Eric MOORE, Merced - stated his support for Medical Marijuana.

Dennis NEBEKAR - stated his support for Medical Marijuana.

Mayor THURSTON closed the Public Hearing at 9:55 PM.

Council Member DOSSETTI motioned to approve the Planning Commission's recommendation allowing the growth of six plants indoors, four dispensaries, with the exclusion of industrial zones. Once the State licensing and the City of Merced regulatory process is in place, then to open the application process for dispensaries.

Council Members discussed the clarification of Council Member DOSSETTI's motion.

Council Member BELLUOMINI seconded the motion.

Council Member MURPHY objected the motion and stated the process was unusual and irregular.

Council Members continued discussion of the ordinance, the criteria, and

regulations of dispensaries.

Mayor Pro Tempore PEDROZO stated his support for the motion.

Council Member LOR stated his concerns for childrens' safety and crime. He stated he would compromise with allowing growth indoors and outdoors, and start with four dispensaries but add more based on applications.

Interim City Attorney Kelly FINCHER stated that the implementation of an ordinance cannot be delayed, but suggested as an alternative that the ordinance state that applications for dispensaries not be accepted until after regulations are approved by the city.

Council Member DOSSETTI withdrew his motion after further discussion with Council.

Clerk's Note: The ordinance is to be amended based upon Council Member BELLUOMINI's motion and returned to the next meeting for a first reading.

A motion was made by Council Member Belluomini, seconded by Council Member Blake, approving staff recommendation but excuding the industrial zones, allowing the growth of six plants indoors, allowing for four dispensaries to operate in the City with deliveries after the regulations governing the dispensaries are approved by the City Council. The motion carried by the following vote:

Aye: 4 - Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, and Council Member Dossetti

No: 3 - Mayor Thurston, Council Member Lor, and Council Member Murphy

Absent: 0

L. REPORTS

L.1. **SUBJECT:** Code Enforcement/Animal Control Update

REPORT IN BRIEF

Provides an update to the Code Enforcement/Animal Control Division of the Police Department as requested by Council Member Murphy.

RECOMMENDATION

For Information Only.

Police Chief ANDRADE, Lieutenant Don KING, and Sergeant Alan WARD gave a slide show presentation on Code Enforcement and Animal Control.

Sergeant WARD discussed the challenges having to relearn and recreate procedures. They are working to create better communication. They are looking at the licensing process and educating residents about pet licensing.

Council Member MURPHY stated he was encouraged that DART and Code Enforcement are working together and the higher case load is a positive sign that more violations were being rectified. He asked if process servers were used to find owners and if transferring weed abatement issues to the Fire Department would help alleviate the workload.

Sergeant WARD explained that they do not use process servers and finds that most owners refuse to correct violations. He explained that from April 25th to June 1st, the Fire Department takes over weed abatement; but outside of that, it is Code Enforcement's responsibility. He discussed the weed abatement process Code Enforcement goes through.

Fire Chief HENRY discussed the Fire Department's role in weed abatement and the processes they go through.

Police Chief ANDRADE addressed the issues of weed abatement and suggested the Council look into who should be responsible for it.

Council Member MURPHY suggested that Staff come back with recommendations on how to improve Code Enforcement.

Council Member BELLUOMINI asked about the process of handling unpaid citations.

Sergeant WARD explained the process of fining and eventually placing liens on the properties.

Interim City Attorney FINCHER explained the process the City Attorney goes through to have cited owners comply and discussed the lien process.

L.3.

SUBJECT: Donation of Art Work in Bob Hart Square

REPORT IN BRIEF

Accept donation of art work from Monica Modest to be placed in Bob Hart Square.

RECOMMENDATION

City Council - Adopt a motion accepting the donation of the mosaic art work from Monica Modest, to be placed in Bob Hart Square; and, authorizing the City Manager to execute the necessary documents.

Monica MODEST explained her community art project for Bob Hart Square and encouraged Council to approve her project.

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

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

L.2.

SUBJECT: Adopt a Resolution of Intent to Annex Property Located at the Southeast Corner of Mercy Avenue and Mansionette Drive into Community Facilities District (CFD) No. 2003-2 (Services) and Set a Public Hearing for August 1, 2016, for the Annexation.

REPORT IN BRIEF

This report requests that the City Council adopt a Resolution of Intent to annex property located at the southeast corner of Mercy Avenue and Mansionette Drive into Community Facilities District (CFD) No. 2003-2 (Services) and set a public hearing for August 1, 2016, for the annexation.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2016-35**, a Resolution of Intention of the City Council of the City of Merced, acting as the legislative body of the City of Merced Community Facilities District No. 2003-02 (Services), declaring its intention to annex area to said District and authorize the levy of a special tax within said annexation, and approving a certain agreement related thereto; and,

B. Approving the Deposit and Reimbursement Agreements submitted and appropriate the funds from the deposits to Fund 150 to reimburse the City for Community Facilities District formation and related expenditures; and,

C. Setting the public hearing for August 1, 2016.

Director of Development Services Dave GONZALVES gave a slide show presentation on the Annexation of Mansionette Estates.

Council Member BELLUOMINI asked about the fees the houses in the Mansionette area pay and when it goes into effect.

Mr. GONZALVES cited a section of the staff report for the fees.

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

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0

M. BUSINESS

M.1. Request to Add Item to Future Agenda

Council Member MURPHY requested to add an item to discuss using Park and Recreation salary savings towards the Boys and Girls Club.

A motion was made by Council Member MURPHY and a second by Mayor THURSTON to add this item to the August 1st meeting. The motion unanimously carried.

Mayor THURSTON requested to add an item to discuss and clarify the application for the false alarm permit.

A motion was made by Mayor THURSTON and a second by Council Member BLAKE to add this item to the August 1st meeting. The motion unanimously carried.

Council Member BELLUOMINI requested to add an item for the September 6th meeting for the replacement of street trees and trees in parks.

M.2. City Council Comments

Mayor Pro Tempore PEDROZO reported attending the Chamber of

Commerce awards dinner and mentioned the health fair.

Council Member BELLUOMINI reported attending the Police Officers' swearing in ceremony and mentioned the vacancies for Police Officers. He discussed Laura's Fountain and the rose garden vandalism.

N. ADJOURNMENT

Clerk's Note: The meeting adjourned at 11:35 PM.

A motion was made by Mayor Thurston, seconded by Mayor Pro Tempore Pedrozo, that the meeting be adjourned. The motion carried by the following vote:

Aye: 7 - Mayor Thurston, Mayor Pro Tempore Pedrozo, Council Member Belluomini, Council Member Blake, Council Member Dossetti, Council Member Lor, and Council Member Murphy

No: 0

Absent: 0