



# 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, April 17, 2017

7:00 PM

---

#### A. STUDY SESSION ROLL CALL

Clerk's Note: Council Member MCLEOD arrived to the Study Session at 5:08 PM.

**Present:** 7 - Council Member Michael Belluomini, Council Member Anthony Martinez, Council Member Jill McLeod, Council Member Joshua Pedrozo, Council Member Matthew Serratto, Mayor Mike Murphy, and Mayor Pro Tempore Kevin Blake

**Absent:** 0

#### B. STUDY SESSION

Mayor MURPHY called the Study Session to order at 5:03 PM.

##### B.1. Medical Marijuana Process and Proposition 64

SCI Consultant Neil HALL gave a slide show presentation on the next step for Medical Marijuana.

Council Member BELLUOMINI asked about pricing of taxes and fees versus the price of the product.

Mr. HALL discussed the fees, taxes, product pricing, and the legalities of the business.

Council Member PEDROZO asked about distribution.

Mr. HALL discussed the process of distribution.

Mayor Pro Tempore BLAKE asked about dual location for medical and recreational facilities. He also asked about mitigating the illicit marijuana growth.

Mr. HALL explained the separation of the medical and recreational dispensaries. He also discussed the City deciding to allow a dispensary to sell both in one location and about a flexible tax ordinance.

Christopher GONZALES, Merced - offered to give Council a tour of a

---

manufacturing facility.

Dwight LARKS, Merced - spoke on the history of marijuana.

Council Member MCLEOD asked about cultivation and manufacturing, taxation on products, increase in medical marijuana cards, who prescribes medical cards, tracking of crime and cost, and timeframe to reevaluate flexibility.

Mr. HALL discussed testing and distribution, the sales and use tax, cultivation tax, taxing medical marijuana, and the process of obtaining a medical marijuana card. He stated that he has not seen a rise in crime in other cities. He also discussed the timeframe that will work best to evaluate flexibility.

Will SKAARUP, Merced - spoke on distribution and community development agreements.

Council Member SERRATTO asked about regulatory ordinances that have worked, how to eliminate the odor, cash transport, location, and security issues.

Mr. HALL discussed the City addressing the odor of dispensaries, dispensaries set up to prevent theft, panic buttons, safe money deposits, and defining licenses.

Council Member BELLUOMINI asked about developing a criteria to select qualified applicants for dispensaries, local medical community participation, planning commission participation, and the difficulties with only approving medical marijuana dispensaries and not the recreational dispensaries.

Mr. HALL discussed the timeline of the development of criteria in selecting qualified applicants, considers the medical community as stakeholders, and splitting the land use ordinance and the regulatory ordinance. He also explained writing into the regulatory ordinance to make recreational apply when the City is ready to allow it.

Council Member SERRATTO asked about issues to look into.

Mr. HALL discussed holding public outreach meetings.

**Clerk's Note:** The Study Session adjourned at 6:46 PM.

## C. CALL TO ORDER

Mayor MURPHY called the Regular Meeting to order at 7:02 PM.

### C.1. Invocation - Lamar Henderson, Human Services Agency (All Dads Matter)

The invocation was delivered by Lamar HENDERSON from the Human Services Agency (All Dads Matter).

### C.2. Pledge of Allegiance to the Flag

Mayor Pro Tempore BLAKE led the Pledge of Allegiance.

## D. ROLL CALL

**Present:** 7 - Council Member Michael Belluomini, Council Member Anthony Martinez, Council Member Jill McLeod, Council Member Joshua Pedrozo, Council Member Matthew Serratto, Mayor Mike Murphy, and Mayor Pro Tempore Kevin Blake

**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 \$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 the Public Financing and Economic Development Authority receive no compensation.

## E. REPORT OUT OF CLOSED SESSION

**Clerk's Note:** No Closed Session was agendized for this meeting.

## F. CEREMONIAL MATTERS

### F.1. **SUBJECT:** Proclamation - Denim Day

#### **REPORT IN BRIEF**

Received by Chee Yang, Valley Crisis Center

Mayor MURPHY presented Chee YANG from Valley Crisis Center with the Denim Day Proclamation.

### F.2. **SUBJECT:** Proclamation - Arbor Day

#### **REPORT IN BRIEF**

Received by George Sanchez

Mayor MURPHY presented Stan BUNCE, Merced County Master

---

Gardener, with the Arbor Day Proclamation.

## G. WRITTEN PETITIONS AND COMMUNICATIONS

The Clerk's Office did not receive any written petitions and communications.

## H. ORAL COMMUNICATIONS

Candice Adam MEDEFIND, Healthy House within a MATCH Coalition, Merced - gave an update on the abuse and later life grant.

Robert TYLER, Merced - spoke on Bicycle Month, bicycle events, and the Bicycle Advisory Commission.

## I. CONSENT CALENDAR

Items I.11. Street Closure Request #17-02 (Tsunami Collaboration Inc. and the City of Merced, for Use of W. Main and Canal Streets), I.13. Street Closure Request #17-05 (Friends of Sober Grad Nite, for Use of W. Main and Canal Street, I.14. Third Amendment to Professional Services Agreement and Third Amendment to Reimbursement Agreement for Preparation of an Environmental Impact Report for the Merced Gateway Center, I.15. Third Amendment to Professional Services Agreement with Stantec Consulting Services, Inc., for the City of Merced Sewer Master Plan Update, I.17. Maintenance Districts Assessment Ballot Proceeding - Pleasanton Park, Olivewood, Mansionette, and Hansen Park Maintenance Districts, and I.20. Second Reading: Ordinance No. 2474 Amending Section 15.24.110 of the Merced Municipal Code Regarding Specific Pollutant Limitations and Local Industrial Discharge Limitation, were pulled for separate consideration.

### Approval of the Consent Agenda

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

**Aye:** 7 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

**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:** Information Only - Planning Commission Minutes of February 22, 2017

**RECOMMENDATION**

For information only.

**This Consent Item was approved.**

- I.3.**                    **SUBJECT:** Information Only - Bicycle Advisory Commission Minutes of December 13, 2016

**RECOMMENDATION**

For information only.

**This Consent Item was approved.**

- I.4.**                    **SUBJECT:** City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of June 6, 2016, March 14, 2017, March 20, 2017, and March 29, 2017

**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 June 6, 2016, March 14, 2017, March 20, 2017, and March 29, 2017.

**This Consent Item was approved.**

- I.5.**                    **SUBJECT:** Authorization of Signing Authority for City Bank Accounts and Local Agency Investment Fund

---

**REPORT IN BRIEF**

Consider granting the City's Acting Deputy Finance Officer signing authority for City bank accounts and Local Agency Investment Fund.

**RECOMMENDATION**

**City Council/Public Financing and Economic Development  
Authority/Parking Authority** - Adopt a motion:

A. Adopting **Resolution 2017-22**, a Resolution of the City Council of the City of Merced, California, authorizing signature of City checks; and,

B. Adopting **Resolution 2017-23**, a Resolution of the City Council of the City of Merced, California, authorizing investment of City of Merced monies in Local Agency Investment Fund; and,

C. Adopting **Resolution PFA 2017-04**, a Resolution of the City of Merced Public Financing and Economic Development Authority authorizing signature of Authority checks; and,

D. Adopting **Resolution PFA 2017-05**, a Resolution of the City of Merced Public Financing and Economic Development Authority authorizing investment of City of Merced monies in Local Agency Investment Fund; and,

E. Adopting **Resolution PA 2017-05**, a Resolution of the Parking Authority of the City of Merced, California, authorizing signature of Parking Authority checks; and,

F. Adopting **Resolution PA 2017-06**, a Resolution of the Parking Authority of the City of Merced, California authorizing investment of City of Merced monies in Local Agency Investment Fund

**This Consent Item was approved.**

**I.6.**

**SUBJECT:** Approve Opposition to Assembly Bill 890

**REPORT IN BRIEF**

Approve Opposition to Assembly Bill (AB) 890, Local Land Use Initiatives: Environmental Review.

**RECOMMENDATION**

**City Council** - Adopt a motion approving staff to oppose AB 890 (Medina) Local Land Use Initiatives: Environmental Review.

This Consent Item was approved.

I.7.

**SUBJECT:** Award Bid to Rolfe Construction, Inc., for the Congestion Mitigation and Air Quality Improvement Program (CMAQ) Sidewalk Infill on Oleander Avenue Project 114050

**REPORT IN BRIEF**

Consider awarding a construction contract in the amount of \$90,444.00 for the construction of sidewalk infill along portions of Oleander Avenue.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Awarding the bid for the CMAQ Sidewalk Infill on Oleander Avenue Project 114050, to Rolfe Construction, Inc., in the amount of \$90,444.00; and,

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

This Consent Item was approved.

I.8.

**SUBJECT:** Consider Approving a Professional Services Contract with Citygate Associates, LLC and Request for a Supplemental Appropriation From the General Fund

**REPORT IN BRIEF**

Consider approving a professional services contract with Citygate Associates, LLC for completion of a Standards of Cover Assessment and approve a supplemental appropriation from the General Fund for a not to exceed amount of \$8,292 to pay for the cost of the project.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Authorizing a supplemental appropriation from the General Fund, FY 16/17 to Account 001-0901-522.17-00 (Professional Services) in the amount of \$8,292 to cover the project's cost; and,

B. Approving the professional services contract with Citygate Associates, LLC; and

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

This Consent Item was approved.

I.9.

**SUBJECT:** Street Closure for Youth Sports Parade

**REPORT IN BRIEF**

Street closure request for the Youth Sports Parade on Saturday, April 29, 2017.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the street closures of East Main Street, from "G" Street to Cedar Avenue and West Main Street, from "G" to "O" Streets, including side streets from Cedar Avenue to "O" Street, as requested by Merced Golden Lions for the Youth Sports Parade Saturday, April 29, 2017. Street closures will be from 8:00 a.m. to 1:00 p.m.; subject to the conditions outlined in the administrative report.

This Consent Item was approved.

I.10.

**SUBJECT:** City-Owned Real Property Use Request #17-03 for Bob Hart Square (The Regents of the University of California/Class of 2017 Graduation Reception)

**REPORT IN BRIEF**

Consider allowing the exclusive use of Bob Hart Square Park on Friday, May 5, 2017, from 10:00 a.m. to 10:00 p.m. (event time 6:30 p.m. to 9:30 p.m.), for the Regents of the University of California/Merced's annual graduation reception, which includes the serving of wine.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the exclusive use of Bob Hart Square Park on Friday, May 5, 2017, from 10:00 a.m. to 10:00 p.m., for a graduation reception (including the serving of wine); subject to the conditions outlined in the administrative report.

This Consent Item was approved.

I.12.

**SUBJECT:** Street Closure Request #17-03 (Merced County Hispanic Chamber of Commerce and the City of Merced, for Use of City Streets and Alleyways for the Merced Cowboy/Vaquero



---

5-Kilometer and Kids' Half-Mile Runs, in Conjunction with the  
Merced Mercy Gulch Wild West Community Event)

**REPORT IN BRIEF**

The Merced County Hispanic Chamber of Commerce and the City of Merced request the use of City streets and alleyways for a 5-kilometer and kids' half-mile running race on Saturday, May 20, 2017, from 7:00 a.m. to 9:30 a.m.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the street closures of specific portions of W. Main, Q, W. 23rd, O, W. 20th, Canal, and H Streets, and the use of Bob Hart Square, as detailed in the staff report, on Saturday, May 20, 2017, from 7:00 a.m. to 9:30 a.m., for the Merced Cowboy/Vaquero 5k and Kids' Half-Mile Runs, in conjunction with the Merced Mercy Gulch Wild West Community Event, subject to the details and conditions outlined in the administrative staff report.

**This Consent Item was approved.**

**I.16.**

**SUBJECT:** Maintenance Districts Engineer's Reports and Budgets -  
Fiscal Year 2017/2018

**REPORT IN BRIEF**

Consider setting a public meeting for Monday, June 5, 2017, to address the proposed Engineer's Reports and Budgets. The Council must then conduct a formal public hearing set for Monday, June 19, 2017, before a determination is made on the level of assessment to approve.

**RECOMMENDATION**

**City Council** - Adopt a Motion adopting **Resolution 2017-20**, a Resolution of the City Council of the City of Merced, California, approving the Engineer's Reports on Maintenance Districts and setting a public meeting and a public hearing thereon.

**This Consent Item was approved.**

**I.18.**

**SUBJECT:** Set a Public Hearing to Consider the 2015 Urban Water  
Management Plan

**REPORT IN BRIEF**

Staff requests the setting of a public hearing on May 15, 2017, to consider the 2015 Urban Water Management Plan.

**RECOMMENDATION**

**City Council** - Adopt a motion setting a Public Hearing to consider the 2015 Urban Water Management Plan on May 15, 2017.

**This Consent Item was approved.**

**I.19.**

**SUBJECT:** Set a Public Hearing to Consider the Formation of the Merced Irrigation-Urban Groundwater Sustainability Agency

**REPORT IN BRIEF**

Request setting a Public Hearing to consider the formation of the Merced Irrigation-Urban Groundwater Sustainability Agency on May 1, 2017.

**RECOMMENDATION**

**City Council** - Adopt a motion setting the Public Hearing to consider the formation of the Merced Irrigation-Urban Groundwater Sustainability Agency on May 1, 2017.

**This Consent Item was approved.**

**I.11.**

**SUBJECT:** Street Closure Request #17-02 (Tsunami Collaboration Inc. and the City of Merced, for Use of W. Main and Canal Streets)

**REPORT IN BRIEF**

Tsunami Collaboration, Inc. and the City of Merced request the use of City streets for a Merced Mercy Gulch Wild West Community event on Saturday, May 20, 2017, from 7:00 a.m. to 9:00 p.m.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the street closures of W. Main Street between K and M Streets, and Canal Street between W. Main Street and the alley between W. Main and W. 18th Streets, and the use of Bob Hart Square, on Saturday, May 20, 2017, from 7:00 a.m. to 9:00 p.m., subject to the details and conditions outlined in the administrative staff report.

Mayor MURPHY pulled this item to have a representative discuss the event.

Manuel ALVARADO, Sanger - spoke on the Mercy Gulch Event.

**A motion was made by Mayor Murphy, seconded by Council Member Pedrozo, that this agenda item be approved. The motion carried by the**

following vote:

**Aye:** 7 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

**No:** 0

**Absent:** 0

**I.13.**

**SUBJECT:** Street Closure Request #17-05 (Friends of Sober Grad Nite, for Use of W. Main and Canal Streets)

**REPORT IN BRIEF**

Friends of Sober Grad Nite request the use of City streets for a car show fundraiser on Sunday, April 30, 2017, from 11:00 a.m. to 6:00 p.m.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the street closures of W. Main Street between K and M Streets, and Canal Street between W. Main and W. 18th Streets, on Sunday, April 30, 2017, from 11:00 a.m. to 6:00 p.m., subject to the details and conditions outlined in the administrative staff report.

George HAMRICK, Merced - requested to pull this item to speak on the Friends of Sober Grad Nite Car Show Event.

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

**Aye:** 7 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

**No:** 0

**Absent:** 0

**I.14.**

**SUBJECT:** Third Amendment to Professional Services Agreement and Third Amendment to Reimbursement Agreement for Preparation of an Environmental Impact Report for the Merced Gateway Center

**REPORT IN BRIEF**

The City Council will consider approving a Third Amendment to Professional Services Agreement with FCS International, Inc., and a Third Amendment to Reimbursement Agreement with Gateway Park

Development Partners, LLC, for the preparation of an Environmental Impact Report for the Merced Gateways commercial project at the northeast and northwest corners of Campus Parkway and Coffee Street.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the Third Amendment to Agreement for Professional Services with FCS International, Inc., to prepare an Environmental Impact Report for the Merced Gateway Center in the additional amount of \$15,800 (bringing the total contract up to \$213,300); and,

B. Approving the Third Amendment to Reimbursement Agreement with Gateway Park Development Partners, LLC, regarding the Environmental Impact Report in the amount of \$17,380 (bringing the total amount up to \$234,630, with \$15,800 for the consultants and \$1,580 for City staff management of the contract); and,

C. Approving the additional appropriation of funds to Account 017-0804-512-17-00-Professional Services in the additional amount of \$15,800 for payment to FCS International, Inc., for planning services; and,

D. Approving an increase in revenue in the amount of \$15,800 to Account 017-0804-360-01-02-Other Revenue Developers and \$1,580 to Account 017-0804-331-03-25-Environmental Impact Filing EIR for staff administration of the environmental process (approval is contingent upon execution of the agreements).

Council Member MARTINEZ pulled this item to ask for more information and if future amendments were to be expected.

Planning Manager Kim ESPINOSA explained the purpose of this item.

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

**Aye:** 7 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

**No:** 0

**Absent:** 0

**I.15.**

**SUBJECT:** Third Amendment to Professional Services Agreement

---

with Stantec Consulting Services, Inc., for the City of Merced  
Sewer Master Plan Update

**REPORT IN BRIEF**

Consider approving a Third Amendment to an agreement with Stantec Consulting Services, Inc., for the preparation of a future Sewer Assessment District formation, associated financing options and for other additional tasks, such as further evaluation of the potential expansion of the wastewater treatment facility (WWTF), additional stakeholder meetings, workshops, cost estimates, satellite treatment information, for the City of Merced Sewer Master Plan Update.

**RECOMMENDATION**

**City Council** - Adopt a motion approving a Third Amendment to Professional Services Agreement with Stantec Consulting Services, Inc., in the amount of \$201,650 for the City of Merced Sewer Master Plan Update; and, authorizing the City Manager or Assistant City Manager to execute the necessary documents.

Council Member BELLUOMINI pulled this item to ask about the scope of services, and requested more Council involvement.

Director of Public Works Ken ELWIN suggested to receive public comment and stakeholder comments and then present it to the Council.

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

**Aye:** 7 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

**No:** 0

**Absent:** 0

**I.17.**

**SUBJECT:** Maintenance Districts Assessment Ballot Proceeding -  
Pleasanton Park, Olivewood, Mansionette, and Hansen Park  
Maintenance Districts

**REPORT IN BRIEF**

Consider authorizing an assessment ballot proceeding and setting a public hearing for Monday, June 19, 2017, for the Pleasanton Park, Olivewood, Mansionette, and Hansen Park Maintenance Districts, to obtain property owner approval in advance of increase in annual levy assessments.

## RECOMMENDATION

**City Council** - Adopt a motion:

- A. Adopting **Resolution 2017-21**, a Resolution of the City Council of the City of Merced, California, authorizing an assessment ballot proceeding for the Pleasanton Park, Olivewood, Mansionette, and Hansen Park Maintenance Districts, and;
- B. Setting the public hearing for Monday, June 19, 2017, to obtain property owner approval prior to increase in annual assessment levy to cover operation and maintenance costs to each identified District, and;
- C. Approving a supplemental budget appropriation from the Unreserved Fund Balance of the General Fund in the amount not to exceed \$1,900, to cover the assessment balloting proceeding noticing costs.

Council Member BELLUOMINI pulled this item to ask about public meeting and outreach.

Interim City Attorney Jolie HOUSTON encouraged sending neutral information to the residents of the maintenance districts.

Ray BORGE, Merced - asked who pays for the cost of the maintenance.

Robert TYLER, Merced - suggested the City give more details in cost projections and as to where the money goes.

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

**Aye:** 7 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

**No:** 0

**Absent:** 0

**I.20.**

**SUBJECT:** Second Reading: Ordinance No. 2474 Amending Section 15.24.110 of the Merced Municipal Code Regarding Specific Pollutant Limitations and Local Industrial Discharge Limitations

**REPORT IN BRIEF**

Staff Recommends that the City Council Approve the Adoption of Ordinance No. 2474 which will amend Municipal Code Section 15.24.110 to Lower the City's Existing Specific Pollutant Limitations and Local Industrial Discharge Limitations For Arsenic, Copper and Zinc.

#### **RECOMMENDATION**

**City Council** - Adopt a motion adopting **Ordinance No. 2474**, an Ordinance of the City Council of the City of Merced, California, amending section 15.24.110, "Specific Pollutant Limitations," of the Merced Municipal Code.

Mayor MURPHY pulled this item to request more information and to continue this item to the second meeting in May.

**A motion was made by Mayor Murphy, seconded by Council Member Belluomini, that this agenda item be continued to the May 15th Council Meeting. The motion carried by the following vote:**

**Aye:** 7 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

**No:** 0

**Absent:** 0

## **J. PUBLIC HEARINGS**

### **J.1.**

**SUBJECT:** Public Hearing - Appeal of Conditions #8 and #17 of Planning Commission Resolution #3077 for Conditional Use Permit #1216 for Merced Poker Room at 1459 Martin Luther King, Jr. Way

#### **REPORT IN BRIEF**

This is an appeal of Conditions #8 and #17 of Planning Commission Resolution #3077 regarding the number of tables allowed to be present within the card room facility.

#### **RECOMMENDATION**

**City Council** - Adopt a motion approving **Resolution 2017-18**, a Resolution of the City Council of the City of Merced, California, denying an appeal by Jarhett Blonien on behalf of Tongtoua Yang concerning Conditions #8 and #17 of Planning Commission Resolution #3077 approving Conditional Use Permit #1216.

Planning Manager Kim ESPINOSA gave a slide show presentation on the Merced Poker Room Appeal.

Council Member MCLEOD disclosed she was approached by Gary CONDIT at a social event about this item. She asked about the increase of number of tables

Ms. ESPINOSA explained that the ordinance made no distinction between operational and non-operational tables.

Interim City Attorney Jolie HOUSTON discussed the process of amending the ordinance.

Council Member MARTINEZ asked for clarification on the number of operating tables.

Ms. ESPINOSA explained what constitutes an operational card table.

Mayor Pro Tempore BLAKE asked about the need for extra tables.

Ms. ESPINOSA explained that different types of card games take different setups.

Mayor MURPHY opened the Public Hearing at 8:16 PM.

Jarrett BLONIEN, Merced Poker Room Representative - spoke on operational efficiency and the need for additional tables.

Mayor Pro Tempore BLAKE asked for clarification on operational tables.

Council Member SERRATTO asked about industry practice regarding card tables.

Mr. BLONIEN discussed the number of operational tables in other cities.

Council Members and Interim City Attorney Jolie HOUSTON discussed clarifying the language in the ordinance and the process the Council has to follow for this item.

Mayor MURPHY closed the Public Hearing at 8:32 PM.

Mayor Pro Tempore BLAKE asked who would police the cardrooms.

Interim City Attorney Jolie HOUSTON stated that the local police and the Department of Justice would police the cardrooms.



Council Members continued discussion on clarifying and amending the ordinance.

**A motion was made by Council Member BELLUOMINI, seconded by Council Member MCLEOD, to approve Resolution 2017-18 denying an appeal in regards to conditions #8 and #17 of Planning Commission Resolution #3077 and the conditional use permit #1216. The motion carried by the following vote:**

**Aye:** 7 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

**No:** 0

**Absent:** 0

**A motion was made by Council Member Pedrozo, seconded by Council Member Martinez, to send this item back to staff to amend the ordinance or to address the ordinance in regards to operational and non operational and draft the ordinance so it does not go back through the CUP process. The motion carried by the following vote:**

**Aye:** 7 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

**No:** 0

**Absent:** 0

**J.2.**

**SUBJECT: Public Hearing and Adoption of the Department of Housing and Urban Development (HUD) 2017 Annual Action Plan**

**REPORT IN BRIEF**

Public hearing for Adoption of the Federal Department of Housing and Urban Development [HUD] 2017 Annual Action Plan and approval of a Resolution for submission to HUD.

**RECOMMENDATION**

**City Council** - Adopt a Motion:

A. Approving **Resolution 2017-19**, a Resolution of the City Council of the City of Merced, California, approving the 2017-2018 HUD Annual Action Plan, certifying compliance with the requirements of the Community Development Block Grant (CDBG) Program and Home Investment

Partnership (HOME) Program, and authorizing staff to submit all approved documents to the U.S. Department of Housing and Urban Development; and

B. Authorizing the City Manager to execute the necessary documents to submit the application; and,

C. Authorizing the City Manager to execute the necessary documents on acceptance of the grant; and,

D. Authorizing the City Manager to sign the SF 424 and HUD Certificates documents required to be submitted with the 2017 HUD Annual Action Plan; and,

E. Requesting Council to recommend funding the three eligible administrative activities as submitted. The amount awarded to applicants may not exceed \$88,000 for these activities in the 2017 HUD Annual Action Plan; and,

F. Requesting Council to recommend funding the two eligible capital improvement project activities as submitted. The amount awarded to applicants may not exceed \$239,125 for these activities in the 2017 HUD Annual Action Plan; and,

G. Requesting Council to recommend allocating \$370,590 of CDBG and \$1,014,410 of HOME/CHDO funds towards the Gateway Terrace II Project agreed to per the City Letter of Commitment Agreement (CLCA) with Central Valley Coalition for Affordable Housing submitted; and,

H. Requesting Council to recommend funding four eligible public service applications. The amount awarded to applicants may not exceed \$50,000 for public service activities in the 2017 HUD Annual Action Plan.

Housing Supervisor Mark HAMILTON gave a slide show presentation on the HUD 2017 Annual Action Plan.

Council Member BELLUOMINI asked about the four applications that were denied and clarification on rental deposit and applicants services.

Mr. HAMILTON explained the process of reviewing and approving the applications and gave clarification on rental deposits and applicants services.

Council Member MARTINEZ asked for clarification on the denied applications.

Mr. HAMILTON explained the reason for the denial of applications.

Mayor MURPHY opened the Public Hearing at 8:51 PM

Candice Adam MEDEFIND, Healthy House, Merced - spoke on Healthy House's application and explained the services they provide.

Mayor MURPHY closed the Public Hearing at 8:57 PM.

Council Member MARTINEZ spoke on the process for approving or denying the applications.

Mayor Pro Tempore BLAKE asked about the calculations of partial funding given to non-profits.

Mr. HAMILTON explained the decision behind the partial funding.

Council Member BELLUOMINI asked about the funding given to the non-profits.

Mr. HAMILTON discussed how the funding is determined for the non-profits.

Council Members and Mr. HAMILTON discussed the different options to fund Healthy House's request.

Assistant City Manager Stephanie DIETZ discussed finding the funds for Healthy House.

**A motion was made by Mayor Murphy, seconded by Council Member Pedrozo, the adoption of Resolution 2017-19 and authorizing staff to submit all approved documents to the US Department of Housing and Urban Development and make minor modifications in order to fund Healthy House \$20,000. The motion carried by the following vote:**

**Aye:** 7 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Pedrozo, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

**No:** 0

**Absent:** 0

**Clerk's Note:** Council Member PEDROZO left the Regular Meeting at 9:13 PM.

## K. REPORTS

### K.1. **SUBJECT:** Request to Name the Splash Pad in Stephen Leonard Park

#### **REPORT IN BRIEF**

Request to name splash pad in Stephen Leonard Park after Marci Stenberg.

#### **RECOMMENDATION**

**City Council-** Adopt a motion approving the recommendation by the Recreation and Parks Commission/Selection Committee to name the splash pad in Stephen Leonard Park after Marci Stenberg.

Assistant to the City Manager Mike CONWAY gave a presentation on the naming of the Splash Park.

Ruben CHAVEZ, Livingston - spoke in support of naming the Splash Park after Marci Stenberg.

Gail MCCULLOUGH, Merced - spoke in support of naming the Splash Park after Marci Stenberg.

Nathan QUEVEDO, Merced - spoke on behalf of Victor Patton, Sun-Star Employee, in support of naming the Splash Park after Marci Stenberg.

Alex RUIZ, Merced - spoke in support of naming the Splash Park after Marci Stenberg.

Merced Resident - spoke in support of naming the Splash Park after Marci Stenberg.

Mayor Pro Tempore BLAKE stated his support of naming the Splash Park after Marci Stenberg.

Mayor MURPHY spoke on Marci Stenberg.

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

**Aye:** 6 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

**No:** 0

**Absent:** 1 - Council Member Pedrozo

## L. BUSINESS

### L.1. **SUBJECT: Citizens' Oversight Committee - Measure V Appointment**

#### **REPORT IN BRIEF**

Nomination for appointment to the Measure V Transportation Expenditure Plan - Citizens Oversight Committee.

#### **RECOMMENDATION**

**City Council** - Adopt a motion nominating a member to the City of Merced seat on the Citizens' Oversight - Measure V Committee.

Council Member MCLEOD stated her support for applicant Jeremy MARTINEZ.

Council Member MARTINEZ asked about the process in appointing an applicant. He also stated his support for applicants Jeremy MARTINEZ and Karla SEIJAS.

Mayor Pro Tempore BLAKE stated his support for applicant Karla SEIJAS.

**A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Martinez, to appoint Karla Seijas to the Measure V Committee. The motion carried by the following vote:**

**Aye:** 6 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

**No:** 0

**Absent:** 1 - Council Member Pedrozo

### L.2. Request to Add Item to Future Agenda

Council Member SERRATTO requested to bring back the Ethics Ordinance on May 15th or June 5th.

Council Member BELLUOMINI requested to add a discussion on the industrial annexation.

Assistant City Manager Stephanie DIETZ stated that staff was bringing back information regarding the industrial annexation for Council direction.

### L.3. City Council Comments

Council Member MCLEOD reported on attending the Fire Fighter Awards Dinner.

Council Member BELLUOMINI spoke on the Concerned Men Cook Event on April 23rd.

Mayor MURPHY spoke on the Concerned Men Cook Event, the upcoming Boys and Girls Club Annual Gala Fundraiser Event, and the Event benefiting the Healthy House. He reported on attending the Kiddieland's picnic structure area revealing.

## M. ADJOURNMENT

**Clerk's Note:** The Regular Meeting was adjourned at 9:45 PM.

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

**Aye:** 6 - Council Member Belluomini, Council Member Martinez, Council Member McLeod, Council Member Serratto, Mayor Murphy, and Mayor Pro Tempore Blake

**No:** 0

**Absent:** 1 - Council Member Pedrozo