



# CITY OF MERCED

City Council Chamber  
Merced Civic Center  
2nd Floor  
678 W. 18th Street  
Merced, CA 95340

## Minutes

### City Council/Public Finance and Economic Development Authority/Parking Authority

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Monday, October 19, 2020

6:00 PM

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#### A. CLOSED SESSION ROLL CALL

**Present:** 5 - Mayor Mike Murphy, Mayor Pro Tempore Matthew Serratto, Council Member Anthony Martinez, Council Member Jill McLeod, and Council Member Delray Shelton

**Absent:** 2 - Council Member Kevin Blake, and Council Member Fernando Echevarria

#### B. CLOSED SESSION

Mayor MURPHY called the Closed Session to order at 5:02 PM.

**Clerk's Note:** Council Member MCLEOD arrived to the Closed Session at 5:03 PM.

**B.1.** **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant Exposure to Litigation pursuant to Government Code section 54956.9(d)(2): (3) cases

**B.2.** **SUBJECT:** PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Interim City Manager; Authority: Government Code Section 54957

**B.3.** **SUBJECT:** PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT - Title: City Manager; AUTHORITY: Government Code 54957.

**Clerk's Note:** Council adjourned from Closed Session at 5:57 PM.

#### C. CALL TO ORDER

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

C.1. Invocation - Monika Grasley, Lifeline Community Development

The invocation was delivered by Monika GRASLEY from Lifeline Community Development.

C.2. Pledge of Allegiance to the Flag

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Council Member SHELTON led the Pledge of Allegiance to the Flag.

## D. ROLL CALL

**Present:** 5 - Mayor Mike Murphy, Mayor Pro Tempore Matthew Serratto, Council Member Anthony Martinez, Council Member Jill McLeod, and Council Member Delray Shelton

**Absent:** 2 - Council Member Kevin Blake, and Council Member Fernando Echevarria

## E. REPORT OUT OF CLOSED SESSION

Mayor MURPHY announced that there was no report but that Council would return to Closed Session at the end of the Regular Meeting.

## F. CEREMONIAL MATTERS

### F.1. **SUBJECT:** Proclamation - Fire Prevention Month

#### **REPORT IN BRIEF**

Accepted by a representative of the Merced Fire Department.

Mayor MURPHY presented the Fire Prevention Month Proclamation to Deputy Fire Chief Casey WILSON.

### F.2. **SUBJECT:** Proclamation - Breast Cancer Awareness Month

#### **REPORT IN BRIEF**

Accepted by a representative from the Merced Fire IAFF Local 1479.

Mayor MURPHY presented the Breast Cancer Awareness Month Proclamation to Chad ENGLERT and Richard RAMIREZ from the Merced Fire IAFF Local 1479.

## G. SPECIAL PRESENTATIONS

### G.1. **SUBJECT:** Presentation - the Gateway Marketplace Progress Update

#### **REPORT IN BRIEF**

A presentation given by Project Manager Eric Pluim.

#### **RECOMMENDATION**

For information-Only.

A video presentation was given by Gateway project manager Eric PLUIM, which described the project phases, uses, and location.

## H. WRITTEN PETITIONS AND COMMUNICATIONS

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

Agenda item K.2. - Alejandro WARDO and Sheng XIONG.

## I. ORAL COMMUNICATIONS

There were no speakers.

## J. CONSENT CALENDAR

Items J.2 Authorization to Accept a \$16,000 Monetary Donation from Merced Sunrise Rotary and Appropriating the Same to Purchase a LUCAS 3, v3.1 Chest Compression System and Accessories and J.8. Approving the First Amendment to the Agreement for Professional Services with LSA Associates, Inc., in the Amount of \$11,555.06, for Environmental Compliance Services, Including the Preparation of a Mitigated Negative Declaration, for the Proposed Well Site No. 22, Project No. 116020; were pulled for separate consideration.

### Approval of the Consent Agenda

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

**Aye:** 5 - Mayor Murphy, Mayor Pro Tempore Serratto, Council Member Martinez, Council Member McLeod, and Council Member Shelton

**No:** 0

**Absent:** 2 - Council Member Blake, and Council Member Echevarria

### J.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.**

J.3.

**SUBJECT:** Consideration of a Third Amendment to the Purchase and Sales Agreement Between the City of Merced and Valley Children's Healthcare for the 4.54 Acre Parcel Located at 301 W. Yosemite Ave, Merced, CA

**REPORT IN BRIEF**

Considers modifying the terms of the purchase and sale agreement for 301 W. Yosemite Avenue to Valley Children's Healthcare with the escrow date changing to October 30, 2020 and allowing for 24-months for construction to start.

**RECOMMENDATION**

**City Council** - Adopt a Motion:

A. Approving the third amendment to purchase and sale agreement between the City of Merced and Valley Children's Healthcare for 301 W. Yosemite Avenue (Assessor's Parcel Number 231-040-021); and,

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

**This Consent Item was approved.**

J.4.

**SUBJECT:** Authorization to Donate the Reinero's Sign to the Merced County Historical Society

**REPORT IN BRIEF**

Considers providing staff authorization to donate the Reinero's Sign to the Merced County Historical Society.

**RECOMMENDATION**

**City Council** - Adopt a motion authorizing the donation of the Reinero's Sign to the Merced County Historical Society and authorizing the Interim City Manager to sign the temporary receipt for the donation.

**This Consent Item was approved.**

J.5.

**SUBJECT:** Adoption of Resolution Approving Contract Number S2080016 with the State of California Department of Fish and Wildlife for the Shared Habitat Alliance for Recreational Enhancement (SHARE) Program in Order to Provide Hunting and Bird Watching Opportunities at the City's Wastewater Treatment Plant and Accept \$7,053.67 into Account 024-1216-360.01-01 to Administer the

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Program

**REPORT IN BRIEF**

Considers adopting a Resolution and agreement with the Department of Fish and Wildlife to provide hunting and bird watching opportunities at the City's Wastewater Treatment Plant property through the SHARE program.

**RECOMMENDATION**

**City Council-** Adopt a motion adopting **Resolution 2020-66**, a Resolution of the City of Merced, California, approving contract number S2080016 with the State of California Department of Fish and Wildlife for the Shared Habitat Alliance for Recreational Enhancement (SHARE) Program and authorizing the Interim City Manager to execute the necessary documents.

**This Consent Item was approved.**

**J.6.**

**SUBJECT:** First Amendment to the Professional Services Agreement with TDA Consulting, Inc. to Assist with the Preparation and Submittal of the HUD Consolidated Plan, First Year Annual Action Plan, and Analysis of Impediments to Fair Housing Choice

**REPORT IN BRIEF**

Considers extending the term of the agreement for professional services with TDA Consulting, Inc. to April 15, 2021; and, considers restructuring the last payment of the contract to adjust for the time extension and contracted work remaining.

**RECOMMENDATION**

**City Council -** Adopt a motion:

A. Approving the first amendment to agreement for professional services with TDA Consulting, Inc. to extend the term of the agreement to April 15, 2021, and approving the restructured compensation schedule, to adjust for the time extension and contracted work remaining; and,

B. Authorizing the Interim City Manager to sign the necessary documents.

**This Consent Item was approved.**

**J.7.**

**SUBJECT:** Adoption of a Resolution Authorizing Application for and

Receipt of First-Time Homebuyer Program Grant Funding Through  
the California State Department of Housing and Community  
Development 2020 CalHOME Program

**REPORT IN BRIEF**

Authorizes Housing Division staff to apply for grant funding in association with a CalHome Program Notice of Funding Availability issued by the California State Department of Housing and Community Development, and authorizes the receipt of grant funds, if awarded.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Adopting **Resolution 2020-67**, a Resolution of the City Council of the City of Merced, California, hereby authorizes the submittal of an application to the California State Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program; and,

B. Authorizing the Interim City Manager to execute the standard agreement and other necessary documents associated with the grant application and award process.

**This Consent Item was approved.**

**J.9.**

**SUBJECT:** Approval of Supplemental Appropriation in Fund 101 - West Creek Homes Maintenance District in the Amount of \$28,027, Fund 102 - Silverado Maintenance District in the Amount of \$63,477, Fund 108 - Sunset West Maintenance District in the Amount of \$34,869, Fund 119 - Landscape Maintenance District No.1 in the Amount of \$27,027, Fund 136 - Las Brisas Maintenance District in the Amount of \$46,377, Fund 141 - Fahrens Park II Maintenance District in the Amount of \$84,103, Fund 142 - La Bella Vista Maintenance District in the Amount of \$27,611, Fund 143 - Davenport Ranch Maintenance District in the Amount of \$42,809, and Fund 167 - Bright Development Community Facilities District in the Amount of \$44,625; and Approval of a One-Year Agreement for Professional Services with West Coast Arborists, Inc., for Tree Pruning and Removal Services in Bellevue Ranch West and Bright Development Community Facilities Districts and Davenport, Fahrens Park II, La Bella Vista, Landscape Maintenance District 1,

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Las Brisas, Sequoia Hill, Silverado, Sunset West, and West Creek  
Maintenance Districts, for a Total Amount not to Exceed \$434,938

**REPORT IN BRIEF**

Considers approving supplemental appropriations in Funds 101, 102, 108, 119, 136, 141, 142, 143, and 167, and approving a one-year agreement for professional services with West Coast Arborists, Inc., for tree pruning and removal services in various Community Facilities Districts and Maintenance Districts in a total amount not to exceed \$434,938.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance for Fund 101 - West Creek Homes Maintenance District in the amount of \$28,027; and,
- B. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance for Fund 102 - Silverado Maintenance District in the amount of \$63,477; and,
- C. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance for Fund 108 - Sunset West Maintenance District in the amount of \$34,869; and,
- D. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance for Fund 119 - Landscape Maintenance District No.1 in the amount of \$27,027; and,
- E. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance for Fund 136 - Las Brisas Maintenance District in the amount of \$46,377; and,
- F. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance for Fund 141 - Fahrens Park II Maintenance District in the amount of \$84,103; and,
- G. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance for Fund 142 - La Bella Vista Maintenance District in the amount of \$27,611; and,
- H. Approving a Supplemental Appropriation from the unreserved,

unencumbered fund balance for Fund 143 - Davenport Ranch Maintenance District in the amount of \$42,809; and,

I. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance for Fund 167 - Bright Development Community Facilities District in the amount of \$44,625; and,

J. Approving an agreement for professional services with West Coast Arborists, Inc., in the amount not to exceed \$434,938 for Tree Pruning and Removal Services; and,

K. Authorizing contract amendments not to exceed 5% of the total contract amount; and,

L. Authorizing the Interim City Manager to execute the necessary documents.

**This Consent Item was approved.**

**J.10.**

**SUBJECT:** Award of Bid and Approval of Construction Contract with United Pavement Maintenance, Inc., in the Amount of \$1,025,968.00, for a Measure V, RSTP, SB1, and Sewer Enterprise Funded Project for the R Street Improvements from Loughborough Drive to Buena Vista Drive, Project No. 119003

**REPORT IN BRIEF**

Considers awarding a construction contract in the amount of \$1,025,968.00 funded by Measure V, RSTP, SB1, and Sewer for City Project No. 119003 - R Street Improvements from Loughborough Drive to Buena Vista Drive.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Awarding the R Street Improvements from Loughborough Drive to Buena Vista Drive, Project 119003, to United Pavement Maintenance Inc., in the amount of \$1,025,968.00 and,

B. Authorizing the Interim 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.**



J.11.

**SUBJECT:** Award of Bid and Approval of Construction Contract with Rolfe Construction Company, Inc., in the Amount of \$1,839,263.00, for a Sewer Funded Project for the Gerard Avenue Sewer from Highway 99 to Water Well 10-R2 (Kibby Road), Project No. 117020

**REPORT IN BRIEF**

Considers awarding a construction contract in the amount of \$1,839,263.00 funded by Sewer Enterprise funds for City Project No. 117020 - Gerard Avenue Sewer from Highway 99 to Water Well 10-R2 (Kibby Road).

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Awarding the Gerard Avenue sewer from Highway 99 to Water Well 10-R2 (Kibby Road), Project 117020, to Rolfe Construction Company, Inc., in the amount of \$1,839,263.00 and,

B. Authorizing the Interim 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.**

J.12.

**SUBJECT:** Award of Bid and Approval of Construction Contract with TBS Contractors, in the Amount of \$611,480.27 for a Measure V and a Water Enterprise Funded Project for Alpine Drive Improvements from G Street to Wainwright Avenue, Project No. 119006

**REPORT IN BRIEF**

Considers awarding a construction contract in the amount of \$611,480.27 funded by Measure V and Water Enterprise funds for City Project No. 119006 - Alpine Drive Improvements from G Street to Wainwright Avenue.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Awarding the Alpine Drive Improvements from G Street to Wainwright Avenue, Project 119006, to TBS Contractors, in the amount of \$611,480.27 and,

B. Authorizing the Interim 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.**

**J.13.**

**SUBJECT:** Second Reading and Final Adoption of Ordinance Amending Sections 10.28.335 "Thirty-Minute Parking Zones - All-Day", 10.28.341 "Thirty-Minute Parking Zones -Eight-Thirty a.m. to One-Thirty p.m.", 10.28.350, "Ten-Minute Parking Zones", 10.32.057 "Passenger Loading Zones - Seven a.m. to Four p.m.", 10.32.058, "Passenger Loading Zones - Locations -Seven a.m. to Eight-Thirty a.m. and One-Thirty p.m. to Three-Thirty p.m.", 10.32.100, "Bus Zones - Location", 10.32.105, and "School Bus Loading Zones"

**REPORT IN BRIEF**

Second reading to amend sections 10.28.335, 10.28.341, 10.28.350, 10.32.057, 10.32.058, 10.32.100, and 10.32.105 of the Merced Municipal Code.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Ordinance 2517**, an Ordinance of the City Council of the City of Merced, California, Sections 10.28.335 "Thirty-Minute Parking Zones - All-Day", 10.28.341 "Thirty-Minute Parking Zones -Eight-Thirty a.m. to One-Thirty p.m.", 10.28.350, "Ten-Minute Parking Zones", 10.32.057 "Passenger Loading Zones - Seven a.m. to Four p.m.", 10.32.058, "Passenger Loading Zones - Seven a.m. to Eight-Thirty a.m. and One-Thirty p.m. To Three-Thirty p.m.", 10.32.100, "Bus Zones", and 10.32.105, "School Bus Loading Zones" of the Merced Municipal Code.

**This Consent Item was approved.**

**J.2.**

**SUBJECT:** Authorization to Accept a \$16,000 Monetary Donation from Merced Sunrise Rotary and Appropriating the Same to Purchase a LUCAS 3, v3.1 Chest Compression System and Accessories

**REPORT IN BRIEF**

Considers accepting a \$16,000 monetary donation from Merced Sunrise Rotary and appropriating the same to purchase a LUCAS 3, v3.1 Chest Compression System and accessories.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Accepting \$16,000 donation, increasing Contributions and Donations account 001-0901-360.02-01 and appropriating the same in Other Equipment Operation & Maintenance account 001-0901-522.26-00; and,

B. Authorizing the Interim City Manager to execute the Donation Acceptance form; and,

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

Council Member MCLEOD pulled this item to thank the Merced Sunrise Rotary for their generous donation.

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

**Aye:** 5 - Mayor Murphy, Mayor Pro Tempore Serratto, Council Member Martinez, Council Member McLeod, and Council Member Shelton

**No:** 0

**Absent:** 2 - Council Member Blake, and Council Member Echevarria

**J.8.**

**SUBJECT:** Approving the First Amendment to the Agreement for Professional Services with LSA Associates, Inc., in the Amount of \$11,555.06, for Environmental Compliance Services, Including the Preparation of a Mitigated Negative Declaration, for the Proposed Well Site No. 22, Project No. 116020

**REPORT IN BRIEF**

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

**RECOMMENDATION**

**City Council** - Adopt a motion approving the first amendment to an agreement for professional services with LSA Associates, Inc., in the amount of \$11,555.06 and authorizing the Interim City Manager to execute the necessary documents.

Mayor MURPHY pulled this item to vote in opposition.

Council Member SHELTON stated his opposition.

Director of Public Works Ken ELWIN gave a brief report on this well site location.

Council and Mr. ELWIN discussed the location of the well, other potential sites, the effect of a new well on existing wells near the location, and the needs due to growth of the City.

Interim City Manager Stephanie DIETZ stated that other locations could be evaluated and be brought to a future meeting for Council discussion.

**Clerk's Note:** No formal action was taken on this item.

## K. PUBLIC HEARINGS

### K.1.

**SUBJECT:** Public Hearing to Consider Adoption of a Resolution Approving the First Amended and Restated Legislative Action Agreement with Yosemite & G, LLC.

#### REPORT IN BRIEF

In order to proceed with the commercial development at the northeast corner of Yosemite Avenue and G Street, the developers and City staff have proposed modifications to the Legislative Action Agreement made in January 2020; this new agreement is proposed to supersede all previous agreements.

#### RECOMMENDATION

**City Council** - Adopt a motion approving **Resolution 2020-68**, a Resolution of the City Council of the City of Merced, California, approving an amendment to an existing legislative action agreement with Yosemite & G., LLC and authorizing the Interim City Manager to execute the necessary documents.

Principal Planner Michael HREN gave a slideshow presentation on the First Amended and Restated Legislative Action Agreement with Yosemite & G, LLC.

Mayor MURPHY opened the Public Hearing at 6:52 PM.

Neil ANGELILLO, representing Yosemite & G, LLC - spoke in support of the amended agreement.

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Mayor MURPHY closed the Public Hearing at 6:53 PM.

**A motion was made by Mayor Pro Tempore Serratto, seconded by Council Member McLeod, that Resolution 2020-68 be adopted. The motion carried by the following vote:**

**Aye:** 5 - Mayor Murphy, Mayor Pro Tempore Serratto, Council Member Martinez, Council Member McLeod, and Council Member Shelton

**No:** 0

**Absent:** 2 - Council Member Blake, and Council Member Echevarria

**K.2.**

**SUBJECT: Public Hearing - Reintroduction and Review of the Draft U.S. Department of Housing and Urban Development (HUD) 2020-2024 Five-Year Consolidated Plan, 2020 First-Year Annual Action Plan, and 2020 Analysis of Impediments to Fair Housing Choice; Proposed Expenditure of CDBG and HOME Funds for FY 2020-2021; and, Opportunity for Public Comment and Participation**

**REPORT IN BRIEF**

Presentation and discussion of the goals, priorities, and projects included in the Draft HUD 2020-2024 Consolidated Plan, 2020 First-Year Annual Action Plan, and 2020 Analysis of Impediments to Fair Housing Choice; and, provide the public with an opportunity to provide their input to the draft plans during the public hearing.

**RECOMMENDATION**

**City Council -**

A. Conduct a public hearing to receive the public's input regarding the Draft 2020-2024 Five-Year Consolidated Plan, 2020 Annual Action Plan, and 2020 Analysis of Impediments to Fair Housing Choice; and,

B. Provide Council comment, if any, regarding the Draft Consolidated Plan, Draft Annual Plan, and Draft Analysis of Impediments to Fair Housing Choice; and,

C. Continue the Public Hearing to the November 16, 2020, City Council meeting.

Development Services Director Scott MCBRIDE gave a slideshow presentation on the plans, the public outreach, current funding commitments, an overview of the 2020 Analysis of Impediments to Fair Housing, Inclusionary Zoning, and future programs.

Housing Program Specialist Kim NUTT spoke on the CDBG and HOME

grant applications.

Mayor MURPHY opened the Public Hearing at 7:18 PM.

Sheng XIONG, Leadership Council Merced - suggested review of some of the existing housing policies for future planning.

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

Graham LARUE, Merced - stated the need for affordable housing and new policies.

Mel ANDERSON, Merced - suggested the need for policy changes regarding affordable housing.

Veronica JONES, Merced - spoke on an Inclusionary Zoning Ordinance.

Kaitlyn BISHOP, Merced - suggested Council address an Inclusionary Zoning Ordinance.

Marilyn MOCHEL, Merced - spoke on the need for affordable housing.

Mayor MURPHY noted that this Public Hearing would be continued to the November 16, 2020 Council Meeting.

Council and Mr. MCBRIDE further discussed housing policies that could be discussed in the future.

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

**Aye:** 4 - Mayor Murphy, Mayor Pro Tempore Serratto, Council Member McLeod, and Council Member Shelton

**No:** 1 - Council Member Martinez

**Absent:** 2 - Council Member Blake, and Council Member Echevarria

**K.3.**

**SUBJECT:** Continued Public Hearing to Consider Amendments Requested by Rick Telegan on Behalf of Exposition Properties, LLC to the Pre-Annexation Development Agreement for the Absolute-Bright Annexation Which Includes Approximately 100 Acres Located on the East Side of G Street, North of Cardella Road

**REPORT IN BRIEF**

Considers modifications to the Pre-Annexation Development Agreement

for the Absolute-Bright Annexation.

#### **RECOMMENDATION**

**City Council** - Adopt a motion:

A. Open the Public Hearing and hear all testimony regarding the proposed amendments to the Pre-Annexation Development Agreement for the Absolute-Bright Annexation; and,

B. Provide direction to staff regarding approval or denial of the proposed amendments to the Pre-Annexation Development Agreement; or,

C. Continue the matter to a future City Council meeting.

Planning Manager Kim ESPINOSA stated that the applicant requested that this item be continued to the November 2, 2020 City Council Meeting.

Mayor MURPHY reopened the continued Public Hearing at 7:46 PM.

Sheng XIONG, Merced - spoke on the development and the need for affordable housing.

**A motion was made by Council Member Shelton, seconded by Mayor Pro Tempore Serratto, that this agenda item be continued to the November 2, 2020 City Council Meeting. The motion carried by the following vote:**

**Aye:** 5 - Mayor Murphy, Mayor Pro Tempore Serratto, Council Member Martinez, Council Member McLeod, and Council Member Shelton

**No:** 0

**Absent:** 2 - Council Member Blake, and Council Member Echevarria

## **L. REPORTS**

### **L.1.**

**SUBJECT:** Adoption of Resolution of Intent Regarding Annexation into Community Facilities District (CFD) No. 2003-2 (Services) for the Moraga, Phase 2 Subdivision and Setting a Public Hearing for November 2, 2020, and Acceptance of a Petition, Consent and Waiver from Lennar Homes for Annexation in the CFD No. 2003-2 (Services)

#### **REPORT IN BRIEF**

Requests the City Council to adopt a Resolution of intent to annex the Moraga Phase 2 Subdivision into Community Facilities District (CFD) No. 2003-2; and set a Public Hearing for November 2, 2020.

#### **RECOMMENDATION**

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**City Council - Adopt a motion:**

A. Adopting **Resolution 2020-69**, 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. 2003-2 (Services), declaring its intention to annex area to said district and authorize the levy of a special tax within said annexation; and,

B. Setting the Public Hearing for November 2, 2020.

C. Accepting the petition, consent and waiver from Lennar Homes of California, Inc. and certain homeowners.

Development Services Director Scott MCBRIDE gave a brief presentation.

**A motion was made by Council Member McLeod, seconded by Council Member Martinez, to adopt updated Resolution 2020-69. The motion carried by the following vote:**

**Aye:** 5 - Mayor Murphy, Mayor Pro Tempore Serratto, Council Member Martinez, Council Member McLeod, and Council Member Shelton

**No:** 0

**Absent:** 2 - Council Member Blake, and Council Member Echevarria

**L.2.**

**SUBJECT:** Update on North Merced Annexation Feasibility Study-Annexation Policies and Procedures, Current Annexations, and Performance Standards for Interim Sewer Capacity

**REPORT IN BRIEF**

As a follow-up to the August 17, 2020, City Council meeting on the North Merced Annexation Feasibility Study, staff will provide further information on proposed Annexation policies and procedures, current annexation applications being processed, and proposed performance standards for allocating interim sewer capacity. Staff is seeking Council direction for all three areas.

**RECOMMENDATION**

Accept information and provide direction to staff.

Development Services Director Scott MCBRIDE gave a slideshow presentation updating the North Merced Annexation Feasibility Study.

Planning Manager Kim ESPINOSA continued the presentation on various annexations that are in process currently, annexation pre-applications, and General Plan polices and amendments.



Ron SISSEM, EMC Planning Group - spoke about the feasibility study and the process that may be used by the City to address annexations.

Ms. ESPINOSA discussed a merit based process and criteria for selecting projects requesting annexation.

Sheng XIONG, Merced - spoke about infill before growth outside of the City Limits and a plan for affordable housing and infrastructure.

Michael BELLUOMINI, Merced - spoke in support of the proposed process and merit based criteria.

Assemblyman Adam GRAY, Merced - spoke about legislation focused on the annexation of UC Merced.

Council discussed the merit criteria, different areas to annex, the annexation of UC Merced, and sewer capacity.

Council agreed that the existing applications for annexation should be moved forward and that a future discussion on the annexation of the UC Merced campus was warranted.

**Clerk's Note:** No formal action was taken on this item. Council took a brief recess at 9:25 PM and reconvened at 9:36 PM.

## **M. BUSINESS**

### **M.1.**

**SUBJECT:** Mayor Pro Tempore Serratto's Request to Discuss Rental Registration

#### **REPORT IN BRIEF**

Mayor Pro Tempore Serratto request to discuss rental registration pursuant to City Council Administrative Policies and Procedures C-1.

#### **RECOMMENDATION**

Direct staff to explore the creation of a rental registration ordinance.

Mayor Pro Tempore SERRATTO requested staff work on a program for rental registrations to address substandard properties within the City of Merced.

Sheng XIONG, Merced - stated support for a rental registration.

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

Marylin MOCHEL, Merced - stated support for regular rental inspections.

**Clerk's Note:** Council directed staff to work on this item with no formal vote taken.

**M.2.**

**SUBJECT:** Council Member Martinez's Request to Discuss Proposition 15

**REPORT IN BRIEF**

Council Member Martinez's request to discuss Proposition 15 pursuant to City Council Administrative Policies and Procedures C-1.

**RECOMMENDATION**

Provide direction to staff.

Council Member MARTINEZ spoke on Proposition 15 and requested support from the Council.

Brianne RAMOS, Merced County Farm Bureau - stated opposition to Proposition 15.

Debbie MACIAS, AFSCME Labor Union - stated support for Proposition 15.

**Clerk's Note:** Council consensus was to not take a position on this item.

**M.3.**

**SUBJECT:** Discussion on the Format of Future City Council Meetings During COVID-19

**REPORT IN BRIEF**

Discuss the format of City Council Meetings.

**RECOMMENDATION**

Provide staff direction on the format of future City Council Meetings.

Council consensus was to stay with in person meetings.

**M.4.**

**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.

There were none.

**M.5.**

**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 MARTINEZ expressed support for the newly opened Ashley Home Furnishings.

Mayor MURPHY reported meeting with new UC President Michael DRAKE and attending the ribbon cutting for Ashley Home Furnishings.

**Clerk's Note:** Council adjourned back into Closed Session at 10:06 PM.

**N. ADJOURNMENT**

**Clerk's Note:** Council adjourned from Closed Session and adjourned the Regular Meeting at 10:45 PM.

**A motion was made by Council Member McLeod, seconded by Council Member Martinez, to adjourn the Regular Meeting. The motion carried by the following vote:**

**Aye:** 5 - Mayor Murphy, Mayor Pro Tempore Serratto, Council Member Martinez, Council Member McLeod, and Council Member Shelton

**No:** 0

**Absent:** 2 - Council Member Blake, and Council Member Echevarria