



CITY OF MERCED

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

Minutes

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

Tuesday, June 21, 2022

6:00 PM

A. CLOSED SESSION ROLL CALL

Present: 7 - Mayor Matthew Serratto, Mayor Pro Tempore Kevin Blake, Council Member Fernando Echevarria, Council Member Delray Shelton, Council Member Bertha Perez, Council Member Jesse Ornelas, and Council Member Sarah Boyle

Absent: 0

B. CLOSED SESSION

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

B.1.

SUBJECT: CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4): (1) Case.

Clerk's Note: Council adjourned from Closed Session at 5:43 PM.

C. CALL TO ORDER

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

C.1. Invocation - Pastor Fernando Lopez, Living Word Harvest

There was no invocation delivered.

C.2. Pledge of Allegiance to the Flag

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

D. ROLL CALL

Present: 7 - Mayor Matthew Serratto, Mayor Pro Tempore Kevin Blake, Council Member Fernando Echevarria, Council Member Delray Shelton, Council Member Bertha Perez, Council Member Jesse Ornelas, and Council Member Sarah Boyle

Absent: 0

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

E. REPORT OUT OF CLOSED SESSION

There was no report.

F. CEREMONIAL MATTERS

F.1. **SUBJECT:** Proclamation - National Boys and Girls Club Week

REPORT IN BRIEF

Received by a representative from the Merced Boys and Girls Club.

Mayor SERRATTO presented the proclamation to a member of the Boys and Girls Club.

F.2. **SUBJECT:** Proclamation - Jesus "Chiquito" Haro

REPORT IN BRIEF

Received by Jesus "Chiquito" Haro.

Mayor SERRATTO and Council Member ORNELAS presented Jesus "Chiquito" HARO a proclamation.

G. WRITTEN PETITIONS AND COMMUNICATIONS

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

Oral Communications: Monika GRASELY and Alan CLAUNCH.

Agenda Item J.4.: Jessica BLOIS.

H. ORAL COMMUNICATIONS

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

Lynn BARRERA, Merced - praised Officer SULLIVAN from Animal Control, New Beginnings, and the SPCA.

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

Rick WENDLING, Merced - spoke on affordable housing.

Jermaine PASTER, Merced - spoke on an upcoming Sports event.

Christine CHAVEZ, Merced - spoke on the updates on Merced County transit.

Adela FLORES FUENTES, Merced - spoke on the homeless issue in Merced.

Rick SANDFORD, Merced - spoke on UC Merced and the housing issue it created.

Joy WIDMARK, Merced - spoke on new businesses coming in, Downtown Merced, and the Downtown slogan.

Rhonda BATSON, Merced - spoke on the Juneteenth celebration.

Juan SANDOVAL, Merced - spoke on affordable housing.

Gloria SANDOVAL, Merced - spoke on the Housing Authority meeting.

I. CONSENT CALENDAR

Agenda Item I.11. Approval of Affordable Housing Funding Commitments and Authorization of Conditional Letters of Commitment Subject to Review by the City Attorney was pulled for separate consideration.

Approval of the Consent Agenda

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

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 April 20, 2022.

RECOMMENDATION

For information only.

This Consent Item was approved.

I.3.

SUBJECT: Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of April 18, 2022(Amended) and June 6, 2022

REPORT IN BRIEF

Official adoption of previously held meeting minutes.

RECOMMENDATION

City Council/Public Financing and Economic Development/Parking Authority - Adopt a motion approving the meeting minutes of April 18, 2022(amended) and June 6, 2022.

This Consent Item was approved.

I.4.

SUBJECT: Approval of Request to Begin Initial Review of the City's Conflict of Interest Code in Advance of the Biennial Notice to be Filed no Later Than October 3, 2022

REPORT IN BRIEF

The Political Reform Act requires every local government agency review its conflict of interest code biennially with the code reviewing body (City Council) notifying agencies and special districts within its jurisdiction to review their conflict of interest codes.

RECOMMENDATION

City Council - Adopt a motion directing staff to begin an initial review of the City's conflict of interest codes and to file the Biennial Notice with the City Council no later than October 3, 2022.

This Consent Item was approved.

- I.5. **SUBJECT:** Approval of 3 Year Agreement With Merced County Times (Mid Valley Publications) to Provide the City of Merced Legal Advertising Services

REPORT IN BRIEF

Awards an agreement for publishing legal notices to the Merced County Times (Mid Valley Publications).

RECOMMENDATION

City Council - Adopt a motion approving an agreement with the Merced County Times (Mid Valley Publications) to provide the City of Merced legal advertising services.

This Consent Item was approved.

- I.6. **SUBJECT:** Approval to Waive the Competitive Bidding Requirements and Approval of an Agreement for Supplies and Services with Cook's Communication for Outfitting of Fire Department Command Vehicles in the amount of \$68,096.85

REPORT IN BRIEF

Considers authorizing to waive competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 to outfit already purchased replacement command vehicles for the Fire Department in the amount of \$68,096.85.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code section 3.04.210 for equipment standardization; and,

B. Approving the Agreement for Supplies and Services with Cook's Communication in the amount of \$68,096.85; and,

C. Authorizing the City Manager or the Deputy City Manager to execute any necessary documents for the purchases specified above, the Finance Officer to make the appropriate budget adjustments and City Buyer to issue the Purchase Orders, and the approval of change orders

not to exceed 10% of the total purchase price.

This Consent Item was approved.

I.7.

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Authorization to Purchase One (1) Replacement Chevrolet 2500 Crew Cab, Four Door Pick-up from Merced Chevrolet, for a Total Purchase Price of \$42,377.80

REPORT IN BRIEF

Approval to consider waiving the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 and approving the purchase of one (1) replacement Chevrolet 2500 Crew Cab, four door pick-up from Merced Chevrolet for a total purchase price of \$42,377.80.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210, due to insufficient time and for standardization; and,

B. Approving the purchase of one (1) Chevrolet 2500 Crew Cab, four door pick-up from Merced Chevrolet for a total cost not to exceed \$42,377.80; and,

C. Authorizing the City Manager or the Deputy City Manager to execute the necessary documents, the City Purchasing Supervisor to issue the Purchase Order.

This Consent Item was approved.

I.8.

SUBJECT: Approval to Waive the Competitive Bidding Requirement to Allow for the Purchase of Standardized Equipment and Approval of an Additional Agreement with Axon Enterprises Inc. for the Purchase and Installation of Two (2) Audio/Video Interview Rooms and a Five (5) Year Licensing and Data Storage Plan not to Exceed the Total Amount of \$31,973.85

REPORT IN BRIEF

Considers waiving the competitive bidding requirement pursuant to Merced Municipal Code section 3.04.210 for purchases necessary for standardization of particular types of equipment. Also, the approval of

an additional agreement with Axon Enterprises Inc. for the purchase and installation of two (2) audio/video interview rooms.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving to waive the competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code for standardization of equipment; and,

B. Approving a 5-year agreement with Axon Enterprises Inc for the purchase and installation of two (2) audio/video interview rooms and a five (5) year licensing and data storage plan not to exceed the total amount of \$31,973.85; and,

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

This Consent Item was approved.

I.9.

SUBJECT: Acceptance of Grant Funding From the San Joaquin Valley Air Pollution Control District Incentive Program

REPORT IN BRIEF

Consider the acceptance of grant funding in the amount of \$95,226.98 from the San Joaquin Valley Air Pollution Control District (SJVAPCD) to reimburse the City for the purchase of electric vehicles.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting the grant award and increasing the revenue budget in account 001-1002-324.02-00-Project 243027 by \$95,226.98; and,

B. Appropriating the same to 001-1002-523.43-00-Project 243027; and,

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

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

This Consent Item was approved.

- I.10.** **SUBJECT:** Award of Bid and Approval of Agreement for Supplies and Services with SNF Polydyne for the Supply and Delivery of Cationic Polymer Emulsion in the Amount of \$400,000 for the Contract Term Ending June 30, 2023

REPORT IN BRIEF

Considers awarding the bid and approving an agreement with SNF Polydyne for the supply and delivery of cationic polymer emulsion.

RECOMMENDATION

City Council - Adopt a motion awarding the bid and approving the agreement with SNF Polydyne for the supply and delivery of cationic polymer emulsion in the amount of \$400,000 for the contract term ending June 30, 2023; and authorizing the City Manager or Deputy City Manager to execute the necessary documents.

This Consent Item was approved.

- I.12.** **SUBJECT:** Adoption of a Resolution Authorizing Fiscal Year 2022-23 Annual Special Tax Rates for Community Facilities District (CFD) No. 2003-2 (Services)

REPORT IN BRIEF

Considers setting the Annual Special Tax Rates for Fiscal Year 2022-23 for Community Facilities District (CFD) No. 2003-2 (Services) for the City of Merced.

RECOMMENDATION

City Council - Adopt a motion approving **Resolution 2022-34**, a Resolution of the City Council of the City of Merced, California, acting as the legislative body of the Community Facilities District No. 2003-2 (Services) of the City of Merced, authorizing the establishment of an annual special tax for said district for Fiscal Year 2022-2023.

This Consent Item was approved.

- I.13.** **SUBJECT:** Approval of Property, Boiler and Machinery Insurance Renewal Through Alliant Property Insurance Program in the Amount of \$672,997.85 for Program Year 2022/2023

REPORT IN BRIEF

Considers approving the renewal of the City's policy through Alliant

Property Insurance Programs (APIP) at 22.11% premium increase, amounting to \$672,997.85 for program year 2022/2023.

RECOMMENDATION

City Council - Adopt a motion ratifying the renewal of the property and boiler and machinery insurance through the Alliant Property Insurance Programs (APIP), administered by Alliant Insurance Services for the period of July 1, 2022 through June 30, 2023; and authorizing the City Manager or Deputy City Manager to execute the necessary documents.

This Consent Item was approved.

I.14.

SUBJECT: Authorization to Accept an In-Kind Donation of Nine Thousand Dollars (\$9,000) from Centurion Boats Fineline Industries, LLC. to be Used to Remove and Replace the Gazebo at McNamara Park

REPORT IN BRIEF

Considers accepting an in-kind donation of nine thousand dollars (\$9,000) from Centurion Boats Fineline Industries, LLC. To remove and replace the gazebo at McNamara Park.

RECOMMENDATION

City Council - Adopt a motion accepting an in-kind donation of \$9,000 from Centurion Boats Fineline Industries, LLC. to remove and replace the gazebo at McNamara Park and bringing an agreement back to Council at a later date.

This Consent Item was approved.

I.11.

SUBJECT: Approval of Affordable Housing Funding Commitments and Authorization of Conditional Letters of Commitment Subject to Review by the City Attorney

REPORT IN BRIEF

Approval of Affordable Housing Funding Commitments, authorizing Conditional Letters of Commitment consistent with the Council Direction in a form subject to review by the City Attorney, and authorizing the City Manager or Deputy City Manager to execute all related documents to implement these Affordable Housing projects.

RECOMMENDATION

City Council - Adopt a motion:

A. Authorizing Conditional Letters of Commitment in a form subject to review by the City Attorney; and,

B. Authorizing the City Manager or Deputy City Manager to execute all related documents to implement these Affordable Housing projects.

Mayor SERRATTO pulled this item at the request of Sheng XIONG.

Sheng XIONG, Merced - spoke on the funding for affordable housing and the time it takes to build.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 0

J. PUBLIC HEARINGS

J.1.

SUBJECT: Public Hearing on the Various Maintenance Districts' Engineer's Reports and Budgets for Fiscal Year 2022/2023 with Adoption of Resolution for Approval, Confirmation, and Adoption of the Engineer's Reports for the Various Maintenance Districts as Originally Submitted or as Modified

REPORT IN BRIEF

Consider adopting a Resolution approving, confirming, and adopting Engineer's Reports and Budgets for Maintenance Districts after the close of the Public Hearing.

RECOMMENDATION

City Council - Adopt a Motion adopting Resolution 2022-35, a Resolution of the City Council of the City of Merced, California, approving, confirming, and adopting Engineer's Reports on Maintenance Districts.

Public Works Deputy Director Joe ANGULO gave a slide show presentation on the Various Maintenance Districts' Engineer's Reports and Budgets for Fiscal Year 2022/2023.

Mayor SERRATTO opened and subsequently closed the Public Hearing at

6:48 PM due to lack of public comment.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 0

J.2.

SUBJECT: Continued Public Hearing to Allow Interested Persons to be Heard Regarding the City Council, Public Financing and Economic Development Authority, and Parking Authority Fiscal Year 2022-23 Budget, Adoption of the Budget with Revision(s), and Appropriation of the Revenue and Approval of the Capital Projects for Each Respective Budget

REPORT IN BRIEF

Continued Public Hearing and adoption of the Fiscal Year 2022-23 City Council, Public Financing and Economic Development Authority, and Parking Authority Budget.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2022-37**, Resolution of the City Council of the City of Merced, California, adopting the Budget and Appropriating Revenue for Fiscal Year 2022-2023; and,

B. Adopting **Resolution 2022-38**, Resolution of the City Council of the City of Merced, California, Adopting the Salary Range for the City Manager; and,

C. Adopting **Resolution 2022-39**, Resolution of the City Council of the City of Merced, California, Adopting the Salary Range for the Finance Officer; and,

D. Approving capital projects based upon the Planning Commission's May 18, 2022 finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to

reflect actual balances as of June 30, 2022; and,

E. Provide direction to staff to explore the implementation of a Biennial Budget; and,

Public Financing and Economic Development Authority - Adopt a motion:

A. Adopting **Resolution PFA 2022-03**, Resolution of the City of Merced Public Financing and Economic Development Authority, adopting the Budget and Appropriating Revenue for Fiscal Year 2022-2023; and,

B. Approving capital projects based upon the Planning Commission's May 18, 2022 finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2022; and,

C. Provide direction to staff to explore the implementation of a Biennial Budget; and

Parking Authority - Adopt a motion:

A. Adopting **Resolution PA 2022-03**, Resolution of the City of Merced Parking Authority, adopting the Budget and Appropriating Revenue for Fiscal Year 2022-2023; and,

B. Approving capital projects based upon the Planning Commission's May 18, 2022 finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2022; and,

C. Provide direction to staff to explore the implementation of a Biennial Budget.

Finance Officer Venus RODRIGUEZ and City Manager Stephanie DIETZ gave a slide show presentation on the City Council, Public Financing and Economic Development Authority, and Parking Authority Fiscal Year 2022-23 Budget.

Council and Ms. RODRIGUEZ discussed a biennial budget.

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

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

Noelle ANDERSON, Merced - spoke on a youth wellness center and adding general fund money in an affordable housing trust fund.

Julissa, Merced - spoke on investing money in an affordable housing trust fund and a youth wellness center.

Gregorio TABERA, Merced - spoke on investing money in an affordable housing trust fund and a youth wellness center.

Jazz DIAZ, Merced - spoke on funding affordable housing.

Adam SHANE, Merced - spoke in support of funding affordable housing.

Madaline, Merced - spoke on investing money in an affordable housing trust fund and a youth wellness center.

Jessica, Merced - spoke on investing money in an affordable housing trust fund and a youth wellness center.

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

Jen RAMOS EISEN, Merced - spoke on funding a local affordable housing trust fund.

Levonne PHILLIPS, Merced - spoke on affordable housing and helping others in need.

Donna YANCEY, Merced - spoke on affordable housing and other concerns in the city.

Gloria SANDOVAL, Merced - spoke in support of funding affordable housing.

Abigail DELEON-BACILIO, Merced - spoke on investing money in an affordable housing trust fund, a youth wellness center, and a youth housing trust fund.

Ashley, Merced - spoke on affordable housing.

Ethan PEREZ, Merced - spoke on affordable housing.

Callie FLORES, Merced - spoke on youth safe housing.

Jeremy VERAMENDI, Merced - spoke on affordable housing.

Kyra JOHNSON, Merced - spoke on a youth wellness center.

Tyla WILLIAMS, Merced - spoke on an affordable housing trust fund.

Astrid MORALES, Merced - spoke on affordable housing.

Juan Marcos ZAVALA, Merced - spoke on his struggles to afford rent.

Myiesha BRIGGS, Merced - spoke on being evicted and not affording rent.

Pangcha VANG, Merced - spoke against the proposed bi-annual budget.

Fue XIONG, Merced - spoke on an affordable housing trust, investing in the youth, and affordable housing.

Gabby LEGASPI, Merced - spoke in favor of a youth wellness center and affordable housing.

Crissy G, Merced - spoke in favor of an affordable housing trust fund and youth investment.

Natalie M, Merced - spoke in favor of an affordable housing trust fund and a youth wellness center.

Citlali, Merced - spoke in favor of an affordable housing trust fund, a youth wellness center and youth housing programs.

Sheng XIONG, Merced - spoke on the cost of rent, an affordable housing trust fund, and the need for affordable housing.

Blanca OJEDA, Merced - spoke on needing a five million dollar investment in affordable housing and other solutions regarding affordable housing.

Josué HERRERA, Merced - spoke in favor of an affordable housing trust fund and youth wellness programs.

Robert DYLINE, Merced, spoke on housing and the agreement with UC Merced regarding housing.

Jermaine PASTOR, Merced - spoke on making positive impacts in the community.

Will KELLY, Merced - spoke on money already allocated for affordable

housing and investing in workforce development.

Malikeye SERNA, Merced - spoke on the need for affordable housing.

Joy WIDMARK, Merced - spoke on community needs.

Ale, Merced - spoke in favor for five million dollars towards housing, youth housing program, and a housing trust fund.

Daniel, Merced - spoke on violence in the community and investing in the community.

Arturo MARTINEZ, Merced - spoke on change and community needs.

X YAP, Merced - spoke in favor for an affordable housing trust fund, a youth wellness center, and youth housing programs.

Robbie DEEN, Merced - encouraged Council to listen to their community members.

Mayor SERRATTO closed the Public Hearing at 8:33 PM.

Council discussed a two-year budget.

A motion was made by Council Member Perez, seconded by Council Member Echevarria, to not explore a two-year budget. The motion failed by the following vote:

Aye: 3 - Council Member Echevarria, Council Member Perez, and Council Member Ornelas

No: 4 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, and Council Member Boyle

Absent: 0

A motion was made by Council Member Shelton, seconded by Mayor Pro Tempore Blake, to direct staff to explore a two-year budget for information only. The motion carried by the following vote:

Aye: 4 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, and Council Member Boyle

No: 3 - Council Member Echevarria, Council Member Perez, and Council Member Ornelas

Absent: 0

Council discussed an affordable housing trust fund, youth wellness center, housing crisis, and the City budget.

Clerk's Note: Mayor Pro Tempore BLAKE made a motion to approve the budget as is and removing the \$500,000 allocation to housing. The motion failed for a lack of second.

Clerk's Note: Council Member BOYLE made a motion to approve the budget as is and to include \$500,000 towards affordable housing, Council Member SHELTON seconded the motion.

Clerk's Note: Council Member PEREZ made a substitute motion after there was a motion on the table.

Clerk's Note: City Attorney Travis COCHRAN explained the process of a substitute motion.

A substitute motion was made by Council Member Perez, seconded by Council Member Echevarria, to allow a substitute motion made by Council Member Perez. The motion carried by the following vote:

Aye: 4 - Mayor Serratto, Council Member Echevarria, Council Member Perez, and Council Member Ornelas

No: 3 - Mayor Pro Tempore Blake, Council Member Shelton, and Council Member Boyle

Absent: 0

A substitute motion was made by Council Member Perez, seconded by Council Member Echevarria, to increase the \$500,000 to one million dollars towards affordable housing. The motion failed by the following vote:

Aye: 3 - Council Member Echevarria, Council Member Perez, and Council Member Ornelas

No: 4 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Shelton, and Council Member Boyle

Absent: 0

A motion was made by Council Member Boyle, seconded by Council Member Shelton, to approve the budget as is and to include \$500,000 towards affordable housing. The motion carried by the following vote:

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

No: 2 - Mayor Pro Tempore Blake, and Council Member Ornelas

Absent: 0

J.3.

SUBJECT: Continued Public Hearing for Receipt of Public Comment Regarding the U.S. Department of Housing and Urban Development (HUD) 2022 Annual Action Plan; and Request to Further Continue the Public Hearing and Anticipated Approval of the Annual Plan to the July 5, 2022, City Council Meeting

REPORT IN BRIEF

Provides a brief update on the final readiness of the Draft 2022 Annual Action Plan and public comments received during the extended Public Review and Comment Period; and, re-open the Public Hearing that was continued from the meeting of May 16, 2022, to receive any new public comment; and, further continue the Public Hearing and postpone anticipated approval of the Draft Plan to July 5, 2022, after receiving all comments.

RECOMMENDATION

City Council -

A. Re-open the Public Hearing to receive any new public comment regarding the Draft 2022 Annual Action Plan; and,

B. Adopt a motion continuing the Public Hearing and Postponing Approval of the Draft 2022 Annual Action Plan to the July 5, 2022, Council meeting.

Housing Program Supervisor Kim NUTT gave a brief presentation on the 2022 HUD Annual Action Plan and explained the reopening of the Public Hearing to receive public comment and to continue the Public Hearing to July 5, 2022.

Mayor SERRATTO opened the Public Hearing and subsequently closed the Public Hearing at 9:02 PM due to lack of public comment.

A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Boyle, to continue the Public Hearing to July 5, 2022. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 0

Clerk's Note: Council took a recess at 9:03 PM and returned at 9:15 PM.

J.4.

SUBJECT: Public Hearing to Consider General Plan Amendment #21-02 and Site Utilization Plan Revision #12 to Planned Development (P-D) #8, Initiated by Ashley Investments, LLC, for Approximately 6.93 Acres of Land, Generally Located at the Southeast Corner of Loughborough Drive and Meadows Avenue to Allow the Construction of 161 Residential Units and to Allow the Construction of a Medical/Dental Clinic

REPORT IN BRIEF

Request for City Council approval of a General Plan Amendment and Site Utilization Plan Revision for 6.93 acres of land generally located at the southeast corner of Loughborough Drive and Meadows Avenue.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2022-32**, A Resolution of the City Council of the City of Merced, California, Approving a Mitigated Negative Declaration (Environmental Review #21-23) for General Plan Amendment #21-02 and Site Utilization Plan Revision #12 to Planned Development (P-D) #8 for approximately 6.93 acres of land generally located at the southeast corner of Loughborough Drive and Meadows Avenue and approving General Plan Amendment #21-02 changing the General Plan land use designation for approximately 5.59 acres of the property from Regional/Community (RC) Commercial to High Density (HD) Residential and changing the land use designation for approximately 1.34 Acres of the property from Regional/Community (RC) Commercial to Commercial Office (CO) and approving a Legislative Action Agreement for General Plan Amendment #21-02 and Site Utilization Plan Revision #12 to Planned Development (P-D) #8; and,

B. Introducing **Ordinance 2541**, An Ordinance of the City Council of the City of Merced, California, approving Site Utilization Plan Revision #12 to Planned Development (P-D) #8 changing the land use designation for 5.59 acres of land generally located at the southeast corner of Loughborough Drive and Meadows Avenue from "High-Medium Density Residential" to "High Density Residential" and changing the land use designation for 1.34 acres of land located near the southeast corner of Loughborough Drive

from “High-Medium Density” (HMD) Residential to “Commercial Office” (CO); and,

C. Authorizing the City Manager or Deputy City Manager to execute the Legislative Action Agreement.

Senior Planner Julie NELSON gave a slide show presentation on the Loughborough Drive and Meadows Avenue General Plan Amendment, Site Utilization Plan and Planned Development.

Council and Ms. NELSON spoke on the proposed medical clinic.

Mayor SERRATTO opened the Public Hearing at 9:24 PM.

Sheng XIONG, Merced - asked about rezoning the high density housing.

Mayor SERRATTO closed the Public Hearing at 9:25 PM.

Council, Ms. NELSON, and City Manager Stephanie DIETZ spoke on residential zoning.

A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Boyle, adopting Resolution 2022-32 and Introducing Ordinance 2541. The motion carried by the following vote:

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 0

K. REPORTS

K.1.

SUBJECT: Report on and Provide Staff Direction Regarding the Recent Independent Polling Efforts Related to a Potential Ballot Measure Being Placed on the Ballot of the November 2022 Election

REPORT IN BRIEF

Staff will be providing a report on and seeking direction regarding the recent independent polling efforts as directed related to a potential ballot measure being placed on the ballot of the November 2022 Election.

RECOMMENDATION

City Council - Adopt a motion providing Staff direction on what, if any, ballot measures should accompany the calling of and consolidation of the

November 2022 Election.

City Manager Stephanie DIETZ gave a brief presentation on the recent independent polling efforts related to the potential ballot measure being placed on the ballot of the November 2022 Election.

Council and Ms. DIETZ discussed the number of people polled and outcome accuracy.

Pangcha VANG, Merced - spoke on the availability of the presentation.

Will KELLY, Merced - spoke on the polling and passing Measure C.

Sheng XIONG, Merced - spoke on a specific measure for affordable housing.

Ms. DIETZ clarified that the presentation was accessible to the public prior to the meeting.

Council and Ms. DIETZ discussed polling methods, affordable housing polling, importance of passing Measure C, timeline for placement of the ballot measure, eliminating the sunset date, and holding off on placing an affordable housing ballot measure.

A motion was made by Mayor Pro Tempore Blake, seconded by Council Member Shelton, to place Measure C on the November Ballot as a stand alone tax measure item as tested in the survey. The motion carried by the following vote:

Aye: 6 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Echevarria, Council Member Shelton, Council Member Perez, and Council Member Boyle

No: 1 - Council Member Ornelas

Absent: 0

L. BUSINESS

L.1. SUBJECT: Request to Add Item to Future Agenda

REPORT IN BRIEF

Provides members of the City Council to request that an item be placed on a future City Council agenda for initial consideration by the City Council.

Clerk's Note: No items were added to a future agenda.

L.2. SUBJECT: City Council Comments

REPORT IN BRIEF

Provides an opportunity for the Mayor and/or Council Member(s) to make a brief announcement on any activity(ies) she/he has attended on behalf of the City and to make a brief announcement on future community events and/or activities. The Brown Act does not allow discussion or action by the legislative body under this section.

Council Member SHELTON reported on attending the Juneteenth Event.

Council Member BOYLE reported on attending a fundraiser event.

Council Member ECHEVARRIA reported on attending the County Fair and spoke on SPCA membership.

Council Member ORNELAS reported on attending the Juneteenth event.

Council Member PEREZ thanked the Fire Department for letting her ride a fire truck during the Juneteenth event.

M. ADJOURNMENT

Clerk's Note: The Regular Meeting was adjourned at 10:11 PM.

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

Aye: 7 - Mayor Serratto, Mayor Pro Tempore Blake, Council Member Echevarria, Council Member Shelton, Council Member Perez, Council Member Ornelas, and Council Member Boyle

No: 0

Absent: 0