

From: [REDACTED]
To: [cityclerk](#)
Subject: Against Cell Tower in Rahilly Park Please confirm
Date: Monday, June 30, 2025 1:15:46 PM

You don't often get email from [REDACTED]. Learn why this is important
<<https://aka.ms/LearnAboutSenderIdentification>>

Dear City Council:

With a heavy heart I am writing this email. In 2016 when I purchased my home I researched Rahilly Park and it was designated as an open space. I never thought that the city would ever develop an open space with a cell tower because I thought it was a wildlife corridor. We paid higher taxes to live so close to the park, never in my dream that I thought I would ever stare at a cell tower 180 feet from my home. Please Do Not put this tower in the heart of the park, next to the playground, at the picnic area and right next to the bike path and the Rahilly Park lagoon.

I think that this tower should be moved to a commercial area where there is already concrete to support it. I think having it there in the park is dangerous to children and wildlife. Please consider moving it.

It breaks my heart to think that the mayor that I voted for is not supporting our green spaces and protecting our parks, what a shame.

Sincerely,

Anna

[NOTICE: This message originated outside of City of Merced -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

July 18, 2025

Via Email

Mayor Serratto and City Council
City of Merced
678 West 18th Street
Merced, CA 95340

**Re: AT&T Mobility Proposal for Stealth Wireless Communication Facility
CUP Application No. 25-0006
Rahilly Park**

Dear Mayor Serratto, Mayor Pro Tempore Boyle, and Councilmembers De Anda, Harris, Smith, and Xiong:

I am writing in support of AT&T Mobility's application for Conditional Use Permit No. 25-0006, which seeks approval to construct a stealth 55-foot-tall wireless communication facility to be designed and disguised as a palm tree in Rahilly Park. This proposed facility is desperately needed to address AT&T's significant service coverage gap in this portion of the city.

In addition to providing more robust and competitive wireless services, including significant improvements to 4G LTE and 5G services, this facility will provide FirstNet services to support first responder communications. This facility represents a coordinated effort between AT&T's project team and the city to find the best available and least intrusive means by which AT&T can close this coverage gap. As this is a significant win-win solution for AT&T and the city, we urge the City Council to deny the appeal and affirm approval of this application.

AT&T's Need for the Proposed Facility

AT&T's radio frequency engineers identified this significant gap in service coverage, which includes a large area that is roughly bordered by East Donna Drive to the north, McKee Road to the east, Oregon Drive to the south, and Cherokee Avenue to the west. AT&T's radio frequency engineering propagation maps identify this gap area, AT&T's specific service objectives, and how AT&T intends to close this gap (see Council Agenda Item 4, Planning Commission Staff Report at Attachment F). This coverage gap is significant because it includes hundreds of homes in several neighborhoods, community parks, an elementary school, and local churches.

AT&T's proposed facility will improve critical wireless services to the area, which are needed now more than ever as customers increasingly use mobile phones as their primary communication devices. Data shows that more than 88% of California adults, and more than 98% of Californians under age 18, rely exclusively or primarily on wireless communications in their homes.¹ Additionally, customers rely on their mobile phones to do much more than just voice communication, including E911 service, video streaming, GPS, Internet access, and texting. In fact,

¹ See *Wireless Substitution: State-level Estimates from the National Health Interview Survey, 2019*, available at [Wireless Substitution: State-Level Estimates from National Health Interview Survey](#).

in 2023 California reported to the FCC that there were 23,315,779 wireless calls to 911 and 98,365 texts to 911.²

AT&T's proposed facility is also an important part of AT&T's commitment to supporting public safety through its partnership with FirstNet. Created by Congress in response to the 9/11 attacks, the First Responder Network Authority selected AT&T to build and manage this first-ever nationwide first responder wireless network. The Proposed Facility will provide new service on Band 14, which is the nationwide frequency set aside by the U.S. government for public safety. Deployment of FirstNet in the target gap area will improve public safety in the city by putting advanced wireless technologies into the hands of public safety agencies and first responders.

AT&T's Proposed Facility in Rahilly Park

AT&T has worked closely with City Staff to develop the proposed tower that will be disguised as a palm tree in Rahilly Park. AT&T and City Staff carefully considered various designs and locations in the park to ensure this location and design will have little to no effect on the aesthetics of the surrounding area. This "monopalm" will blend well among many mature and growing trees, including the existing palm grove in this portion of the park. The antennas will be painted green and obscured by the faux palm branches. The equipment enclosure will be fully concealed behind a soundproof wall that will be finished to match the existing park buildings and structures.

In addition to recommending approval, City Staff has prepared draft conditions of approval that will, among other things, ensure the stealth nature of AT&T's proposed facility. For example, Planning Commission approval conditions 11-14 provide details for required stealthing, including specifications for the faux palm branches and bark. Additionally, condition 19 prescribes the design for the wall and gate, and condition 20 provides landscaping requirements. AT&T stands ready to comply with these conditions and to ensure this installation will have a minimal impact on the park and surrounding neighborhoods.

The appeal raises concerns about the safety of the tower and claims property values will decrease. AT&T's proposed facility will comply with the FCC's rules regarding radio frequency emissions, so the city may not consider such claims. The property values issue, in addition to being a proxy for improper RF emissions concerns, fails to recognize the stealth nature of the proposed facility. Indeed, home buyers expect reliable wireless connectivity, so the proposed facility is more likely to improve property values.

AT&T's Analysis of Alternative Sites & History of Considering Rahilly Park

When AT&T first identified this significant coverage gap, its radio frequency engineers determined that Rahilly Park is an ideal location for a new wireless facility to close this gap. At that time, however, the city was not interested in leasing space to AT&T. AT&T thus searched for another location for its proposed facility.

After scouring the area and evaluating numerous candidate properties, AT&T was only able to identify one site that was available and feasible to close its gap: Bear Creek Community Church,

² See *Sixteenth Annual Report to Congress on State Collection and Distribution of 911 and Enhanced 911 Fees and Charges* (Dec. 30, 2024), at 14, available at [FCC's Sixteenth Annual 911 Fee Report](#).

located at 1717 East Olive Avenue in the city. AT&T filed its application to construct a faux pine tree tower at this church property. That application was converted to conditional use permit application No. 1277.

During proceedings on that earlier application, City Staff asked whether AT&T could pivot to Rahilly Park. Even though the city had already declined to lease space in Rahilly Park, AT&T again discussed a possible site in the park with city officials. The city again declined to lease space to AT&T for a site in the park. The church-site application was heard by the Planning Commission on September 18, 2024. During the Planning Commission hearing, multiple city residents expressed disappointment that the city had not been willing to lease space in Rahilly Park to AT&T. In the end, the Planning Commission denied the application. AT&T appealed that denial to City Council.

As you may recall, while the appeal to City Council was pending, city officials reached out to AT&T's project team to again request consideration of Rahilly Park as an alternative site. During that public hearing, residents questioned why the city had not entertained possible sites at Rahilly Park. After further discussions, the city yet again declined to pursue leasing space to AT&T in the park. On January 6, 2025, the City Council denied AT&T's appeal. In doing so, Councilmembers questioned why the city had not been willing to lease space in Rahilly Park.

Following denial of the earlier application by the City Council, city officials and AT&T's project team continued to discuss the possibility of an alternative site in Rahilly Park. Rather than bringing a federal lawsuit under the Telecommunications Act based on the denial, AT&T chose to continue to work with city on a solution for its significant service coverage gap. Together, the city and AT&T revisited Rahilly Park options. We dug into possible locations and stealth designs. And we identified the best available proposal for a new wireless communications facility in the park.

Approval of the Rahilly Park Monopalm is a Win-Win

The proposed monopalm in Rahilly Park is the best available and least intrusive means by which AT&T can close its significant service coverage gap. The facility will appear as a palm tree in a palm grove. The proposed design and draft conditions of approval will ensure there will be little or no aesthetic impact to the park or the surrounding neighborhoods. The proposed facility is safe – it will easily comply with the FCC's regulations. The proposed facility promotes safety – residents, businesses, and first responders will gain critical coverage. And the park location allows the city to generate revenue from the proposed facility.

On behalf of AT&T and Epic Wireless Group, I respectfully request the City Council to deny the appeal and approve application to authorize installation of this stealth facility in Rahilly Park.

Sincerely,



Carl Jones
Senior Site Acquisition Manager
Epic Wireless Group, LLC
On behalf of AT&T Mobility

Parsley, Jennifer

From: Kathryn Boren [REDACTED]
Sent: Monday, July 21, 2025 11:50 AM
To: cityclerk
Cc: John Bell
Subject: City Council Meeting 7/21 - Proposed Ordinance

We respectfully request the following be forwarded to the City Council prior to this evening's City Council meeting.

City Council Members and Mayor Serrato,

We are writing today to have our comments, via this email, included in the July 21, 2025 City Council meeting public comment and/or discussion portion of the meeting regarding the proposed ordinance titled, "City of Merced Local Ordinance on Impact Fee Reduction for Water-Efficient Development", submitted to City staff in late winter, this year. After sending the proposed ordinance, we held a call with several members of City staff to answer questions and thereafter, staff indicated they were studying the ordinance. After reaching out to staff over the following months, our last correspondence received was April 10, 2025, when it was recommended this ordinance go to the utilities subcommittee. Despite outreach, we have not heard from staff since.

We respectfully request City Council agendaize the proposed ordinance for discussion and public comment at the next City Council or subcommittee meeting.

This ordinance is for the purpose of reducing potable water consumption in new residential housing developments as well as supporting the building community in their efforts to meet increasing housing demands in the state. Many state statutes, regulations and policies have been passed recently to support the language in this ordinance as well as the city's Goals and Priorities specific to greywater. As written, it stands to satisfy much of the language in the aforementioned state statutes, regulations, policies and city goals and priorities

The draft ordinance is attached to this email for your convenience and we appreciate your time and consideration regarding this impactful and beneficial solution.

Appreciations,
Kathryn

Kathryn Boren
[REDACTED]



Merced Local Ordinance - Deliberative...

[**NOTICE:** This message originated outside of City of Merced -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

City of Merced Local Ordinance on Impact Fee Reduction for Water-Efficient Development

Overview

The City of Merced recognizes the critical need to conserve water resources and incentivize sustainable building practices. Impact fees, also known as tap fees, are one-time charges assessed on new developments to fund the infrastructure required to support growth. To encourage water-efficient construction, developers implementing advanced water-saving measures will be eligible for a reduction in impact fees proportional to the projected water savings.

This ordinance provides a framework for builders to incorporate water-efficient technologies beyond the minimum code requirements, reducing strain on the municipal water supply and wastewater treatment systems while promoting long-term sustainability.

Key Incentives for Developers

Eligible water-saving technologies include:

- **Graywater Reuse Systems** (e.g., showers to toilets)
- **Low-Flow Fixtures** (high-efficiency faucets, showers, and toilets)
- **High-Efficiency Washing Machines and Dishwashers**
- **Hot Water Recirculation Pumps** to reduce wasted water

Developers may qualify for a reduction in impact fees based on the percentage of water savings achieved through these measures, as validated by a recognized water efficiency rating system such as **HERSH2O (ANSI 850)** or another equivalent standard.

City of Merced Ordinance No. [XXXX]

AN ORDINANCE OF THE CITY OF MERCED ESTABLISHING AN IMPACT FEE REDUCTION PROGRAM FOR WATER-EFFICIENT DEVELOPMENT

Section 1. Purpose and Findings

WHEREAS, the City of Merced is committed to water conservation and the efficient use of its water resources; and

WHEREAS, impact fees are imposed on new development to ensure adequate infrastructure, including water and wastewater facilities; and

WHEREAS, developments that incorporate advanced water-saving technologies reduce demand on the municipal water supply and wastewater treatment facilities; and

WHEREAS, incentivizing water-efficient development benefits the City by enhancing water security, reducing infrastructure costs, and supporting long-term sustainability goals.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN AS FOLLOWS:

Section 2. Definitions

For the purposes of this ordinance, the following definitions shall apply:

- **"Impact Fee"**: A one-time charge assessed on new developments to fund public infrastructure, including water and wastewater services.
- **"Water-Efficient Development"**: A new residential or commercial development that incorporates water-saving measures beyond the California Plumbing Code's minimum requirements.
- **"Certified Water Efficiency Rating"**: A validated assessment of a development's water use reduction as compared to a standard reference home, conducted by an approved rating system such as HERSH2O (ANSI 850) or equivalent.
- **"Graywater Reuse System"**: A system that captures wastewater from non-toilet sources (e.g., showers, sinks) and repurposes it for non-potable uses such as toilet flushing.

Section 3. Impact Fee Reduction Criteria

1. **Eligibility:**
 - a. Developers may apply for a reduction in impact fees if their project integrates one or more water-saving technologies listed in this ordinance.
 - b. The development must meet or exceed California Plumbing Code standards for water efficiency.
 - c. The projected water savings must be verified through an approved water efficiency rating system.
2. **Calculation of Impact Fee Reduction:**
 - a. The percentage reduction in impact fees shall correspond to the percentage reduction

in water use, as verified by the rating system.

b. Example: A development achieving a 20% reduction in water use will receive a 20% reduction in impact fees.

c. The total impact fee reduction shall not exceed 50% of the applicable fees.

3. Application Process:

a. Developers must submit a **Water Efficiency Impact Fee Reduction Application** to the City of Merced's Planning and Public Works Department.

b. The application must include:

i. A detailed list of water-saving technologies incorporated into the development.

ii. Certification of projected water savings from an approved rating system.

iii. A site plan and water-use calculations demonstrating compliance.

c. Applications will be reviewed within 60 days, and approvals will be granted based on verification of compliance with this ordinance.

Section 4. Compliance and Verification

1. Prior to the issuance of a Certificate of Occupancy, a post-construction audit must confirm that all water-saving measures have been installed as proposed.
2. Failure to comply with the verified water efficiency measures may result in revocation of the impact fee reduction and assessment of the full impact fee amount.

Section 5. Benefits of the Program

- Supports long-term water conservation efforts in Merced.
- Reduces demand on municipal water and wastewater infrastructure.
- Encourages sustainable development without compromising growth.
- Aligns with state and local water conservation policies.

Section 6. Implementation and Effective Date

This ordinance shall take effect [XX] days after its passage and approval. The City of Merced's Planning and Public Works Department shall oversee implementation and provide annual reports on program effectiveness to the City Council.

Section 7. Severability


If any section, subsection, clause, or provision of this ordinance is found to be invalid, the remainder of the ordinance shall remain in full force and effect.

PASSED AND ADOPTED by the City Council of the City of Merced this [XX] day of [Month], [Year].

From: [LYNN MALLOY](#)
To: [cityclerk](#)
Subject: Cell tower at Rahilly Park
Date: Monday, July 14, 2025 11:08:01 AM

We are opposed to cell towers in public parks (Rahilly Park).

Besides health issues these present, this will encourage homeless and make our property values decline. We moved here for the neighborhood, only to have this impact our property value and our environment.

Thank You
Lynn and Joe Malloy


Sent from my iPad

[NOTICE: This message originated outside of City of Merced -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]