From: <u>Clarence Chance</u>
To: <u>Boyle, Sarah; cityclerk</u>

Cc: Serratto, Matthew; Dupont, Darin; De Anda, Ronnie; Harris, Michael; Smith, Shane; Xiong, Fue

Subject: Destroyed pavement on Neva Ct. in District 5- Public Comment- City Council Meeting August 18, 2025

Date: Wednesday, August 13, 2025 7:32:03 PM

Attachments: <u>image001.png</u>

ST-1,ST-4, T-3,T-1, SCG-4.pdf

Hello Ms. Boyle,

Thank you for returning my call on the 4th of August. I understand that you are very busy but I kind of expected you to stop by after that on the 5th like we discussed, so I could show you physically what issues I had with the construction of the fiber network RACE communications is installing. I decided to send you an email to continue our conversation.

As I told you on the phone, I was responsible for inspections on projects like this for many years as a City Inspector. I know what is expected of contractors working in the City right of way in order to insure that the City owned infrastructure is not compromised while these types of projects are implemented.

First, there is a dedicated Public Utility Easement that all of the lots in our neighborhood are required to dedicate for the installation of utilities such as this. See attached City Standard Drawings ST-1 and ST-4. This project was allowed to install the utility outside the dedicated PUE in our streets that were in excellent condition.

We all know failing streets are a major issue in Merced yet we allow deviation from our own standard and seriously shorten the life of our streets. I can already hear the City's response when these streets fail and we request repairs. "We do not have money for that" Am I correct? Then why would we allow our roads to be compromised in this manner? I would really like to know the who and why on this. See attached before and after photos.

Secondly, see the photo 6574 and undermining curb and sidewalk and

City Standard T-1,T-3 and SCG-4. This contractor or project is using a pressure washing system to undermine the curb and gutter and sidewalk creating 18" diameter void under it to install a 1" pipe. This was done at every house in the neighborhood. My experience tells me that this curb and gutter and sidewalk will fail over time requiring repairs the City will not make, again "because we don't have money for that" Am I correct? Then why would we allow our infrastructure to be compromised in this manner? I would really like to know the who and why on this also.

This project should have been required to install their product in the dedicated PUE or re-pave the streets and remove and replace the curb and gutter and sidewalk as dictated by our own standards. Instead, it was sold to someone as a way for citizens can save 50 cents a month on their internet bill which is absurd. Again, I would like to know who is so gullible and why.

I have been retired for almost 9 years now but am still in touch with the construction industry and players in the area. I suspect that the "managers" (PW, IT, Engineering) involved were all directed to turn a blind eye to the issues I am raising and the directive came from top level management. I know all these guys and do not believe they would exhibit such a lack of professional ethics. I do not believe the lower level Managers or the upper level Managers have the authority to waive the provisions in the City Standards for a preferred provider without first changing the city standard for all.

I am not interested in a 30 minute lecture from the Mayor on how compromising our standards is "for the good of the whole". I want to know how promoting a <u>private for profit utility company's</u> interests are more important than maintaining our existing infrastructure that our own standards mandate.

If possible, could you look into this and let me and the public know what plans the City has to resurface (re-pave not slurry seal) our streets and replace our undermined curb, gutter and sidewalk after this disaster of a

project, and again and most important, who allowed this and why?

Sincerely,

Clarence Chance CPII QSP
Chance Consulting



[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.]

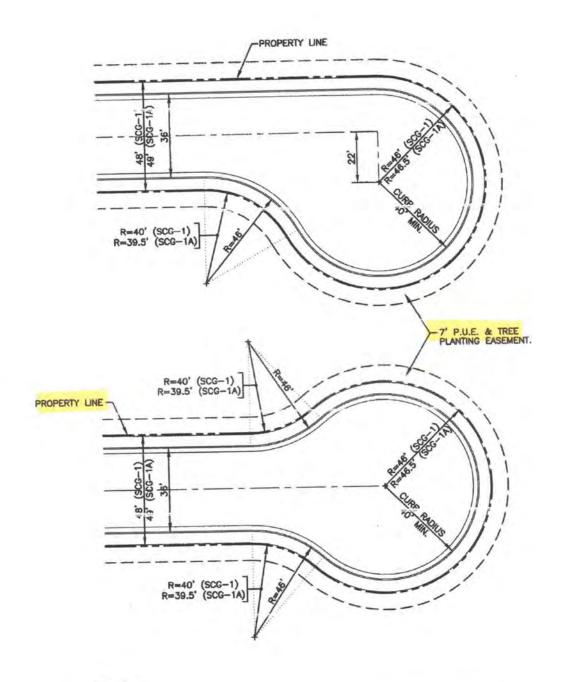




MIN. DESIGN SPEED 15 M.P.H. MIN. C RADIUS 100 FT. T.I. = 3.5 SERVING 12 UNITS OR LESS (100 A.D.T. OR LESS) T.I. = 4 A.D.T. OVER 100 C/L P/L 24'-6" 24 18' 18' R'-R" P.U.E. P.U.E. MIN. 2 1/2" TYPE "B" A.C. PAVEMENT T.P.E. T.P.E. SLOPE=1/4°/FT. P.C.C. SIDEWALK 6" MINIMUM AGG. BASE COURSE COMPACTED SUBGRADE DRIVE OVER CURB (SCG-1A) **VERTICAL CURB (SCG-1)** 49' RIGHT OF WAY 48' RIGHT OF WAY FOR CUL-DE-SAC FOR CUL-DE-SAC MIN. DESIGN SPEED 25 M.P.H. MIN. C RADIUS 200 FT. T.I. = 4 A.D.T. TO 300 T.I. = 4.5 A.D.T. 300 TO 500 T.I. = 5 A.D.T. 500 UP C/L 32 24'-6" 18' 5-0 P.U.E. P.U.E. MIN. 2 1/2" TYPE "B" T.P.E. SLOPE = 2% P.C.C. SIDEWALK 6" MINIMUM AGG. BASE COURSE COMPACTED SUBGRADE DRIVE OVER CURB (SCG-1A) VERTICAL CURB (SCG-1) 64' RIGHT OF WAY 49' RIGHT OF WAY NOTES: WHERE 60' R/W EXISTS, PARKWAY WIDTHS MAY BE REDUCED ACCORDINGLY. NEWLY CONSTRUCTED OR RECONSTRUCTED STREETS AND ALLEYS SHALL NOT BE TRENCHED DURING THE TWO-YEAR PERIOD AFTER PAVING UNLESS APPROVED BY THE CITY ENGINEER. PARK STRIPS ARE REQUIRED ON LOCAL STREETS (EXCEPT FOR CUL-DE-SACS). PAVEMENT SECTIONS GREATER THAN 2 1/2-INCHES SHALL BE PLACED IN A MINIMUM OF TWO LIFTS.

5. INCREASE T.I. AND MINIMUM PAVING SECTION TO ACCOUNT FOR 3 REFUSE TRUCK TRIPS PER WEEK.

ENGINEERING DEPARTMENT	CITY OF MERCED, CA.
LOCAL STREETS	CT 4
DRAWN: KGE APPROVED BY: 7 1 DATE DATE 3/17/09	٦ ٥١-١
DATE: 2/01 1/2/2 3/17/08 CITY ENGINEER 3/17/08	SHEET OF



NOTES:

- 1. SIDEWALK PATTERN TO BE DETERMINED BY THE CITY ENGINEER.
- FOR SIDEWALK ADJACENT TO CURB, MONOLITHIC POUR OF SIDEWALK, CURB AND GUTTER IS NOT ALLOWED.

SCALE 1"=40"

ENGINEERING DE	PARTMENT		CITY OF MI	ERCED, CA.
	STANDARD CUL-DE-SAC		57	T A
DRAWN: KGE	APPROVED BY: / 1	DATE	31	-4
DATE: 12/01 REVISED: 12/05	CITY ENGINEER	4/1/06	SHEET	OF

All excavations shall be made in accordance with the Trench Construction Safety Orders issued by the Division of Industrial Safety of the Department of Industrial Relations of the State of California. Adequate provisions shall be made for protection of traveling public on all public roads affected by said excavation.

The contractor shall perform all excavations necessary or required to construct all manholes and all pipelines as specified by the City Engineer and as approved on the plane. Excavation shall include the removal of all materials of whatever nature encountered. Excavation shall be by open trench unless otherwise specified, following neat, parallel lines equi—distance from the centerline. The maximum width of trench at the level of the springline of the pipe to be laid therein shall not exceed the width of the outside diameter of the barrel of the pipe plus 24 inches. Such width of trench shall be kept as small as practical while providing sufficient working space for joining the pipe and for placing backfill material.

Where trenching necessitates removing portions of paved streets, the pavement at the edge of the proposed trench shall be cut in neat straight lines by sawing to 1 1/2 inch minimum depth and 6 inches wider than each side of the trench walls (City Standard Drawing T-1).

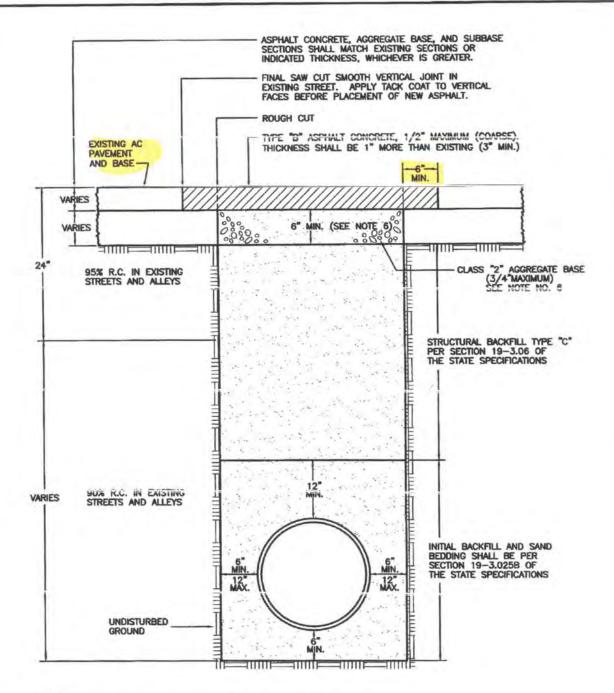
Sawing shall be done with an approved saw capable of cutting a minimum of 1 1/2 inches in depth. The sawing shall be done to the exact lines snapped with a chalk line. (Should the saw line be broken or damaged in any way after the required cut, any additional sawing required shall be done at the contractor's sole expense.)

When utilities are to be placed under existing curb and gutter or sidewalk, the following requirements apply: Remove a section of existing concrete; then install the conduit or pipe. After compacting the backfill, make saw cuts (minimum 1-1/2 inches deep) at least 6 inches wider than each side of the trench walls (City Standard Drawing T-1. Curb and gutters shall have 1/2-inch dowels installed at least 3 inches into existing concrete. One dowel shall be placed in the curb and two in the gutter section at each saw cut joint.

After pipe has been properly laid and inspected, said backfill material shall be placed around pipe at a depth of 12 inches above top of pipe and shall be thoroughly compacted to final density of at least 90 percent maximum density, in such a manner as not to injure or disturb pipe, before any further backfill will be allowed. All executation within the existing street roadbed shall be backfilled and compacted until the relative compaction is not less than 95 percent within the top 2 feet and 90 percent below the top 2 feet. Backfill material shall be placed in layers not to exceed 8 inches in depth and moistened as necessary before compaction. Each layer shall be thoroughly tamped, rolled, or otherwise compacted and brought to grade. Backfill in trenches between back of curb and property line shall be thoroughly consolidated to final density of at least 90 percent of maximum density. Compaction of backfill material by ponding or jetting will not be permitted. Field density may be determined by any method accepted by the City Engineer.

Excess native excavated material and broken pavement shall become the property of the contractor and shall be disposed of off limits of the work at a location to be provided by the contractor and approved by the Engineer.

ENGINEERING	DEPARTMENT	CITY O	F MERCED, CA.
TRE	NCHING AND BACKFILL REQU	IREMENTS	
DRAWN: MP	APPROVED BY:	DATE	T-3
ENG.	Alten Methous	12-12-94	
REVISED:	CITY ENGINEER	SHEET	OF



NOTES:

- COMPACTION BY PONDING OR JETTING SHALL NOT BE ALLOWED.
 MINIMUM REQUIREMENTS ARE SHOWN, SEE PROJECT SPECIFICATIONS FOR FURTHER REQUIREMENTS.
 TRENCHES 5 FEET OR MORE IN DEPTH SHALL BE SHORED AS REQUIRED BY ARTICLE 6 DIVISION OF
- 3.
- 5.
- INDUSTRIAL SAFETY CONSTRUCTION SAFETY ORDERS (SEC. 6424 CALIF. LABOR CODE).

 SEE CITY STANDARD T-2 FOR PORTLAND CEMENT CONCRETE PAVEMENT.

 MAXIMUM LIFT THICKNESS FOR INITIAL AND STRUCTURAL BACKFILL SHALL BE .67 FEET BEFORE COMPACTION.

 AGGREGATE BASE SHALL BE A MINIMUM OF 13-INCHES THICK FOR ALL ARTERIAL STREETS, EXPRESSWAYS, AND TRANSITWAYS.

ENGINEERING DEPARTMENT	CITY OF MERCED, CA
TRENCH EXCAVATION DRAWN: MP APPROVED BY: / 1	T-1
DATE: YAND A. JUL REVISED: 3/17/08 CITY ENGINEER	SHEET OF

NOTES TO CONTRACTOR

- 1. CONCRETE SHALL BE 5-SACK MIX (CLASS B), SECTION 90, STATE OF CALIFORNIA SPECIFICATIONS.
- 2. CONCRETE SHALL HAVE A MINIMUM SLUMP OF 4 INCHES.
- ONE-HALF-INCH FELT EXPANSION JOINTS TO BE INSTALLED AT 60-FOOT MAXIMUM INTERVALS AND CONTROL JOINTS AT 10-FEET O.C.; JOINTS IN SIDEWALK TO BE IN ALIGNMENT WITH THOSE IN THE CURB AND GUITER WHEN THE TWO ARE ADJACENT.
- 4. NATIVE SUBGRADE UNDER ALL CURBS, GUTTERS, SIDEWALKS, AND DRIVEWAY APPROACHES SHALL BE COMPACTED TO 90 PERCENT RELATIVE COMPACTION TO A DEPTH OF 6 INCHES. MOISTURE CONTENT OF THE SUBGRADE, AGGREGATE SUBBASE, AND AGGREGATE BASE SHALL BE OPTIMUM BEFORE SURFACE IS PLACED. AGGREGATE SUBBASE AND AGGREGATE BASE ROCK SHALL BE COMPACTED TO 90 PERCENT RELATIVE COMPACTION
- 5. SIDEWALK SHALL BE SCORED AT 5-FOOT INTERVALS OR AS DIRECTED.
- 6. CONCRETE SHALL BE TREATED WITH WHITE PIGMENTED CURING COMPOUND PER SECTION 90-7.01B.
- ONE—HALF—INCH FELT EXPANSION JOINT TO BE USED AT END OF CURB RETURN AT CURB AND SIDEWALK.
- GUTTERS SHALL HAVE A MINIMUM GRADE 0.25 PERCENT WHERE FALL OF NATURAL GROUND IS GREATER THAN 0.25 PERCENT, AND NOT LESS THAN 0.20 PERCENT FOR TANGENTIAL SECTIONS AND 0.25 PERCENT FOR CURVILINEAR SECTIONS WHERE FALL OF GROUND IS LESS THAN 0.25 PERCENT.
- 9. CURB RETURNS SHALL HAVE 0.50 PERCENT FALL MINIMUM.
- MINIMUM CURB RETURN RADIUS SHALL BE 25 FEET. WHERE ONE OR MORE COLLECTOR OR ARTERIALS INTERSECT OR ON LOCAL STREETS SERVING A TRUCK FACILITY OR SCHOOL, THE RADIUS SHALL BE A MINIMUM OF 40 FEET.
- 11. CROSS GUTTERS SHALL HAVE 0.40 FEET FALL MINIMUM BETWEEN ENDS OF RETURNS.
- SIDEWALKS ARE TO BE CONSTRUCTED IN NEW SUBDIVISIONS AFTER UNDERGROUND UTILITIES ARE IN PLACE AND TRENCH COMPACTION HAS BEEN APPROVED.
- 13. WHEN UTILITIES ARE TO BE PLACED UNDER EXISTING CURB AND GUTTER OR SIDEWALK, THE FOLLOWING REQUIREMENTS APPLY: REMOVE A SECTION OF EXISTING CONCRETE; THEN INSTALL THE CONDUIT OR PIPE. AFTER COMPACTING THE BACKFILL, MAKE SAW CUTS (MINIMUM 1-1/2 INCHES DEEP) AT LEAST 6-INCHES WIDER THAN EACH SIDE OF THE TRENCH WALLS (CITY STANDARD DRAWING T-1). CURB AND GUTTER SHALL HAVE 1/2-INCH DOWELS INSTALLED A MINIMUM OF 3 INCHES INTO EXISTING CONCRETE. ONE DOWEL SHALL BE PLACED IN THE CURB AND TWO IN THE GUTTER SECTION AT EACH SAW CUT JOINT.
- WHEN ROLLED CURB IS CONSTRUCTED, THE ADJACENT SIDEWALK SHALL BE 6 INCHES THICK OVER 4
 INCHES OF AGGREGATE BASE ROCK.
- TRANSITION FROM VERTICAL CURB TO ROLLED CURB SHALL BE 10 FEET LONG, OTHER CURB HEIGHT TRANSITIONS SHALL BE A MINIMUM OF 5 FEET IN LENGTH.
- 16. SIDEWALK ADJACENT TO CURB/GUTTER SHALL NOT BE CONSTRUCTED MONOLITHIC. HOWEVER, WHERE REPAIRING NO MORE 10 I.F. OF EXISTING ADJACENT SIDEWALK AND CURB/GUTTER, IT MAY BE BUILT MONOLITHIC. A 1 1/2" DEEP JOINT SHALL BE PROVIDED AT BACK OF CURB LINE.

ENGINEERING DE	PARTMENT		CITY OF ME	ERCED, CA.
GENERAL F	REQUIREMENTS - SIDEWALK, CU	RB AND GUTTER	000	0.4
DRAWN: KGE DATE: 1/93	APPROVED BY:	3/17/100	500	J-4
REVISED: 3/17/08	CITY ENGINEER	411/00	SHEET	OF









From: Michael Morin
To: cityclerk

Cc: McBride, Scott; serratto@cityofmerced.org; Xiong, Fue; Dupont, Darin; De Anda, Ronnie; Harris, Michael; Smith.

Shane; Boyle, Sarah; Cornwell, Craig

Subject: Written Petition – Request for Inclusion in Record (August 4, 2025 Council Meeting)

 Date:
 Monday, August 4, 2025 7:20:29 PM

 Attachments:
 Work Order No WF0437651.pdf

Estimate #6515.pdf

COM Work Order Field Sheet - 28673.pdf Backflow and Other follow-ups.pdf COM Work Order Field Sheet - 18997.pdf

Work Order 6563.pdf

300 Q st work order public works.pdf

Public Comment into Record - August 4, 2025 Council Meeting.docx

Dear City Clerk,

My name is Michael Morin, owner of MCM Plumbing. I had intended to speak during public comment at the August 4, 2025 City Council meeting, but I was unable to attend due to work running late.

I am submitting this letter as a written petition to the City Council, along with supporting documentation, regarding the unauthorized installation of private backflow devices by City personnel, and the continued lack of transparency, communication, or accountability from City leadership.

I respectfully request that this letter and attachments be entered into the official record under "Written Petitions and Communications" for the August 4, 2025 meeting.

For the record:

- I raised this issue months ago in meetings and emails with the City.
- I received brief responses early on from the City Manager, but no official written response or resolution has ever been provided.
- I was told that an outside investigator had been hired and that I would be interviewed. Later, I found out that investigator was no longer under contract, without notice or follow-up.
- I emailed both the City Manager and City Attorney requesting clarification neither has responded.

Most importantly:

The City's own work orders clearly show that City crews performed private backflow installations, despite previous claims or silence on the matter. These work orders confirm what I've been saying from the beginning — that City labor was used on private property without public bid, permit process, or accountability.

I've also included my estimate (Estimate #6515) for one of these jobs, which I now realize I had

not previously submitted to the City. That job alone was valued at over \$15,000 — and was taken from me when the City stepped in and performed the work for free.

This is not a personnel issue. It's a public trust issue. This involves the use of taxpayer-funded labor, selective enforcement, and competitive harm to licensed businesses. It deserves more than silence.

I've already submitted formal complaints to the CSLB and Merced County Grand Jury. I'm now requesting that this matter be formally acknowledged by this Council and investigated through a transparent, public process.

Please confirm receipt of this submission, and let me know if additional steps are needed to ensure it is entered into the record.

Sincerely,

Michael C. Morin

Owner and Operator

MCM Plumbing

CSLB #1002279 | AWWA #13829 DIR #2000001445 | DUNS #06-168-5063 PO Box 2011

Merced, CA 95344

https://mcmplumbing209.com

"If water runs through it... we do it."

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WFJIJJR CITY OF MERCED 5/21/25
Display Work Request 9:00:57

Request number . . . : WF0441978 Open

EXCAVATE TO INSTALL BACKFLOW

Facility ID :

Node Range : 0 to 0

Customer ID : 0

LM location ID . . . : 10511 300 Q ST

General location . . . :

Requestor : SANTILLAN JESS

Requesting department : PWMT PW - WATER

Request date/time . . : November 06 2024 / 5:27:53

Scheduled start date . : November 06 2024

Actual :

Requested completion . : November 06 2024

Scheduled :

Actual :

Close date :

More...

F3=Exit F5=More detail F7=AR customer F8=Contact F9=Charges F10=Comments F12=Cancel F20=Customer functions F24=More keys Work request has comments.

WFJKJLR CITY OF MERCED 5/21/25
Display Work Request Comments 9:01:20

Request number . . . : WF0441978

EXCAVATE TO INSTALL BACKFLOW

Request status . . . : OP Open

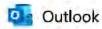
Detail Description

WATER CREW TO EXCAVATE FOR THE INSTALLATION OF NEW BACKFLOW DEVICE. CONTRACTOR TO PERFORM INSTALL. WATER CREW TO REPLACE METER IN VAULT WITH SPOOL AND REMOVE VAULT.

Bottom

Press Enter to continue.

F3=Exit F12=Cancel



Backflows and other follow-ups

From McBride, Scott <McBrideS@cityofmerced.org>
Date Tue 3/11/2025 7:01 PM

To

Mr. Morin,

I wanted to let you know I received the emails that came into our City Manager email address. I've reach out for some explanation from PW and the Water Division on the photo you shared.

I also received the email with the additional concerns you had. I am discussing with the City Attorney's Office about best options for reviewing and addressing the claims. Given the scale of everything it's going to take time to work through the issues.

I wanted to thank you and acknowledge that what you are sharing is being reviewed and considered.

Take care,

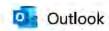


Scott McBride

City Manager

City of Merced | 678 W. 18th Street | Merced, CA 95340 (209) 385-6818 | (209) 564-0613 cell mcbrides@cityofmerced.org | www.cityofmerced.org

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Re: Backflows and other follow-ups

From Michael Morin

Date Tue 3/11/2025 8:00 PM

To McBride, Scott <McBrideS@cityofmerced.org>

Dear Mr. McBride,

I appreciate your response and acknowledgment of my concerns. My goal is to help the city find a fair and reasonable solution, but there is only so much I can do on my end. I do not wish to escalate this into a lawsuit, but I firmly believe that the citizens and businesses affected by these actions deserve fairness and accountability.

City Public Works employees are trained professionals who understand the regulations they are required to follow. When violations occur, responsibility ultimately falls on the managers and supervisors who make the decisions. The public deserves clear answers and a resolution to these ongoing issues.

The actions taken have created an unfair balance, revealing a concerning pattern of financial misconduct, selective enforcement, and retaliation. The businesses and taxpayers of Merced deserve governance that is transparent, accountable, and just. These issues are widely known within the departments, and perhaps you, too, are already aware of their full scope. The critical question now is: who will step up and take responsibility to do the right thing?

I appreciate your efforts in reviewing these matters and look forward to seeing meaningful steps toward resolution. If you need clarification on any specific matter to narrow things down, please feel free to reach out. The quickest way to reach me is via cell phone at

Best regards,

Michael C. Morin Owner and Operator MCM Plumbing CSLB #1002279 AWWA #13829 DIR #2000001445 DUNS #06-168-5063 PO Box 2011 Merced, CA 95344

https://mcmplumbing209.com

[&]quot;If water runs through it...we do it"



City of Merced Public Works 1776 Grogan Ave Merced, CA 95341

Work Order Field Sheet

Work Order # 18997

Assigned To: VALENCIA JR, RICARDO

Priority

Date Submitted

07/08/2024 04:21

Date Scheduled

Date Requested

07/08/2024



LOCATION CONTACT CONTACT PHONE REQUESTING DEPARTMENT

WATER SYSTEM

CITIZEN ADDRESS CITIZEN CONTACT CITIZEN PHONE

ACTIVITIES

ASK ACTIVITY

DESCRIPTION

W/27/27

4

BCRP - BACKFLOW REPAIRS

BACKFLOW REPAIRS - Water crew to prep for swing check removal and new fire service backflow install at In-Shape gym

located at 2951 G St.

COMMENTS

COMMENT DATE

COMMENT BY COMMENT DESCRIPTION

07/31/2024

6081ValenciaR

Prepped parts for swing check removal.

07/08/2024 6081ValenciaR

Excavated and prepped for swing check removal.

COST DETAIL

TASK

DATE DETAIL TYPE

DESCRIPTION

QUANTI

Total:

\$68.00

CUSTOM FIELDS

FIGLD NAME TYPE DESCRIPTION REQUIRED DEFAULT ACTUAL VALUE

ADDITIONAL NOTES



City of Merced Public Works 1776 Grogan Ave Merced, CA 95341

Work Order Field Sheet

Work Order # 28673 Assigned To: ABLES, DEVEN C

02/06/2025

Priority Date Submitted 02/06/2025 05:30 Date Scheduled

Date Requested

CONTACT PHONE LOCATION CONTACT REQUESTING DEPARTMENT WATER SYSTEM

CITIZEN ADDRESS CITIZEN CONTACT CITIZEN PHONE

ACTIVITIES ACTIVITY

BCRP - BACKFLOW REPAIRS BACKFLOW REPAIRS - Water crew to remove fire swing check located on the Olivewood side of 900 W. Olive Ave.

COMMENTS COMMENT DATE COMMENT BY COMMENT DESCRIPTION 03/19/2025 6081AblesD Formed and poured concrete, covered with plywood when finished. 03/04/2025 6081AblesD Cut out swing check and installed new fire, backflow, backfield sidewalk area, and caution taped off area that contractors need to pour kickers and backfill 02/06/2025 6081AblesD

Excavated to bottom of 45, removed vault, and plated. Contractor saw job for parts list.

COST DETAIL DUANTITY

> \$1160.96 Total:

CUSTOM FIELDS

ADDITIONAL NOTES

Generated: 04/28/2025 05:46 PM

Estimate

PO Box 2011 335 Grogan Ave #G Merced, CA 95344

Date	Estimate #
8/20/2024	6515

Name / Address	:		Ship To		
Safti First 1880 Grogan Ave Merced, CA 95341			Safti First (2001 Grogs Merced, CA		ng)
	P.O. No.	Terms	Rep	Project	Other

		DUE ON JOB CO	MM				
Description						Rate	Total
ESTIMATE TO INSTALL TO ACCOMMODATE TH 3" WILKINS 375A							
LABOR MATERIAL VIO25 EXCAVATOR FLA THIS PROPOSAL IS VAL		ROM THE DATE OF 1	THE PROPOSAL		3 2	2,640.00 6,075.97 600.00	7,920.00 6,075.97 1,200.00 0.00
FULL REMANDING BALANCE OF \$15,195.97 DUE UPON JOB COMPLETION WITH A NET 15 TERM OF THE INVOICE DATE. ALL PAST DUE ACCOUNTS ARE SUBJECT TO MAXIMUM INTEREST ALLOWABLE BY LAW AND COLLECTION CHARGES INCURRED.							
PRINT AND SIGN BELOV X printed name of responsible		OU ACCEPT THESE T	ERMS:				
X signature of responsible pa		D	ATE				

Total

\$15,195.97

August 5, 2025 Page **1** of **2**

"Please include this letter and documentation in the public record for today's City Council meeting. Delivered by Michael Morin regarding improper backflow installations by the City of Merced."

Topic: City Backflow Installations, Use of Public Labor, and Accountability

Submitted by: Michael C. Morin – Owner, MCM Plumbing

For: Merced City Council Meeting – August 4, 2025

Good evening, Councilmembers and community members.

My name is Michael Morin, and I'm the owner of MCM Plumbing — a licensed contractor and certified backflow tester here in Merced.

I'm speaking out because I've been directly affected by something that should never happen in this City — and it's time the public knows about it.

The City of Merced installed a backflow device on **private property**, using **City labor** and **taxpayer-funded resources**. The job was done **for free**, **without a permit**, and **without a bidding process**. I submitted a professional estimate for that exact project — over **\$15,000** — and the City took that work from me.

This wasn't emergency work. It wasn't public infrastructure. This was a private installation that should have gone to a licensed contractor — and it's not the only time this has happened. I have documentation of **multiple cases** like this.

The worst part? No one has been held accountable.

Let me be clear: this doesn't just affect me.

Every contractor, business owner, and commercial property owner in Merced should be aware of this — and they should be outraged.

Some businesses are forced to spend thousands of dollars to meet state backflow requirements, while others are quietly getting free installations from the City. That's not fair. That's not legal. And that's not how a city should treat its business community.

If you're a contractor, you're being outbid by your own local government.

If you're a property owner, you're paying out of pocket — while someone else gets the same work done with your tax dollars.

This violates the City's own 2024–2025 Council Goals, which promise:

- "Ethical leadership and transparency"
- "Support for local businesses"

• And "clear policies and fair enforcement"

And **Resolution 2024-65** requires City officials to follow both the **letter and spirit of the law**, and to act with **integrity and accountability**.

Yet here we are. I followed the rules. I pulled the permits. I submitted the estimates. The City ignored its own process, undercut my business, and gave away public labor — all while staying silent.

I've submitted documentation. I've raised it with staff. I've reported it to the **CSLB** and the **Merced County Grand Jury**.

And I've never received a formal update or explanation from the City.

So I'm saying this clearly:

The individuals responsible for authorizing and carrying out this work should be terminated.

This isn't a policy disagreement — it's a violation of state law, City policy, and public trust. Someone made the decision to misuse public labor for private work. That person — or persons — should be held accountable, and they should not remain in a position of public authority.

I'm asking this Council:

- Who approved this?
- Why was it done in secret, without permits, without bidding, and without fairness?
- And what disciplinary action including termination will you take to ensure this never happens again?

This is not going away. And I'm not the only one watching.

Thank you.

Michael C. Morin Owner MCM Plumbing CSLB#1002279



City of Merced Public Works 1776 Grogan Ave Merced, CA 95341

Work Order Field Sheet

Work Order # 6563
Assigned To: ABLES, DEVEN C

Priority

Date Submitted

08/22/2023 05:20

Date Scheduled

Date Requested

08/22/2023



 LOCATION
 CONTACT
 CONTACT PHONE
 REQUESTING DEPARTMENT

 808 W 16TH ST
 WATER SYSTEM

CITIZEN ADDRESS CITIZEN CONTACT CITIZEN PHONE

ACTIVITIES			
TASK	ACTIVITY	DESCRIPTION	ASSET
1	BCIN - INSTALL BACKFLOW	REMOVE EXISTING SWING CHECK AND INSTALL NEW 4" FIRE DOUBLE CHECK BACKFLOW	-
2	BCIN - INSTALL BACKFLOW	INSTALL BACKFLOW	-
3	BCIN - INSTALL BACKFLOW	INSTALL BACKFLOW	

COMMENTS	COMMENTS				
COMMENT DATE	COMMENT BY	COMMENT DESCRIPTION			
06/26/2024	6081SantillanJ	Removed swing check and installed new 4" backflow. Work complete 9/1/2023 DA			
09/06/2023	6081AblesD	inventory listed in comments that were not found in system			
09/06/2023	6081AblesD	1- 4" mj/fl elbow 2-4" fl/fl elbow			
08/22/2023	6081OpinskiG	Hydro excavated down to investigate the backside and get parts ordered for new backflow.			
08/22/2023	6081OpinskiG	Hydro excavated down to investigate the backside and get parts ordered for new backflow.			

COST DET	AIL					
TASK	DATE	DETAIL TYPE	DESCRIPTION	GUANTITY	RATE	TOTAL
					Total:	\$1126.51

CUSTOM FIELDS					
FIELD NAME	Type	DESCRIPTION	REQUIRED	DEFAULT	ACTUAL VALUE

ADDITIONAL NOTES

WFJIJJR CITY OF MERCED 4/28/25
Display Work Request 14:21:31

Request number . . . : WF0437651 Closed

INVESTIGATE WATER SERVICE

Facility ID :

Node Range : 0 to 0

Customer ID : 0

LM location ID . . . : 16906 2001 GROGAN AV

General location . . :

Requestor : SANTILLAN JESS

Requesting department : PWMT PW - WATER

Request date/time . .: August 15 2024 / 5:56:07

Scheduled start date . : August 15 2024

Actual :

Requested completion . : August 15 2024

Scheduled :

Actual : October 04 2024 Close date : October 04 2024

More...

F3=Exit F5=More detail F7=AR customer F8=Contact F9=Charges F10=Comments F12=Cancel F20=Customer functions F24=More keys

WFJKJLR CITY OF MERCED 4/28/25
Display Work Request Comments 14:22:47

Request number . . . : WF0437651

INVESTIGATE WATER SERVICE

Request status . . . : CL Closed

Detail Description

WATER CREW TO POTHOLE FROM FIRE SERVICE TO DOMESTIC AND DETERMINE WHERE SERVICES ARE TIED TO EACH OTHER.

FOUND DOMESTIC SERVICE TIED TO FIRE SERVICE.

INSTALLED NEW 4" SERVICE LINE AND TIED INTO

CUSTOMERS 3" DOMESTIC LINE WITH NEW 3" BACKFLOW.

FOUND FIRE HYDRANT ON SITE TO BE INTERNAL OFF OF

CUSTOMERS FIRE SERVICE. JS

Bottom

Press Enter to continue.

F3=Exit F12=Cancel

From: Michael Morin

To: <u>cityclerk; Cornwell, Craig</u>

Cc: McBride, Scott; Serratto, Matthew; Xiong, Fue; Dupont, Darin; De Anda, Ronnie; Harris, Michael; Smith, Shane;

Boyle, Sarah; MCM Plumbing

Subject: Request for Confirmation of August 4 Petition Entry and Public Transparency Regarding Ongoing Investigation

Date: Tuesday, August 5, 2025 10:15:03 AM

Dear City Clerk and City Attorney,

This message is a formal follow-up to my **August 4, 2025 written petition** submitted for inclusion in the official record of the City Council meeting that evening.

I respectfully request written confirmation that my petition and all accompanying documentation have been **entered into the public record under "Written Petitions and Communications."** If, for any reason, the petition was not added to the August 4 agenda record, I request that it be officially included in the **next regularly scheduled City Council meeting**.

I appreciate City Manager Scott McBride's brief response acknowledging that the City Attorney has re-engaged with the outside investigator. However, I have still not received any direct communication regarding the scope, timeline, or my role in that process despite being the complainant and having submitted documentation months ago.

This continued lack of transparency is unacceptable. I am formally requesting to be **included in all future updates, timelines, and correspondence** related to the investigation. The issues raised involve:

- Unauthorized work by City of Merced Public Works employees on private property;
- Work performed without permits or inspections;
- Misuse of taxpayer-funded labor;
- Economic harm to my licensed business.

These are not internal personnel matters they are public concerns involving compliance with state and local law, city policy, and competitive fairness.

Because prior communications and complaints were met with silence or minimal acknowledgment, I am now requesting that this entire matter be handled with full **public transparency**. The investigation, its process, and its outcome should be visible to the community. The public deserves to know how the City handles complaints involving its own departments.

Please confirm:

• That my petition has been entered into the record, or will be added to the next Council meeting;

- That I will be informed and involved in the investigative process going forward;
- Who is conducting the jinvestigation and what the scope entails.

Thank you for your attention to this matter. I look forward to your response.

Sincerely,

Outlook for iOS

Michael C. Morin
Owner and Operator
MCM Plumbing
CSLB #1002279 | AWWA #13829
DIR #2000001445 | DUNS #06-168-5063
PO Box 2011
Merced, CA 95344

https://mcmplumbing209.com

"If water runs through it... we do it."

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From: Michael Morin
To: cityclerk

Subject: Public Comment Submission for City Council Meeting – General Public Comment

Date: Thursday, August 7, 2025 7:15:04 PM

Attachments: Public Comment – Broader Pattern of Issues in City Operations.pdf

Hello City Clerk,

Please accept the attached public comment and handout for inclusion in the official record for the upcoming Merced City Council meeting under *General Public Comment*.

I will also be speaking in person during the meeting.

The handout contains supporting information and examples related to my comment and is intended for distribution to Councilmembers and posting with the meeting materials.

Attachments:

1. Public Comment - Broader Pattern of Issues in City Operations (PDF)

Thank you for your assistance. Please let me know if you require any additional information or a different file format.

Sincerely,

Michael C. Morin

Owner and Operator

MCM Plumbing

CSLB #1002279 | AWWA #13829 DIR #2000001445 | DUNS #06-168-5063

PO Box 2011

Merced, CA 95344



"If water runs through it... we do it."

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Public Comment – Broader Pattern of Issues in City Operations

This handout is a follow-up to my recent petition regarding the City's handling of private backflow installations.

That petition was designed to get attention — and it focuses on one clear, documented problem.

But the reality is that the backflow issue is only **one piece of a larger, systemic problem** affecting multiple departments, projects, and years of City operations.

These broader concerns must be addressed if we want permanent solutions, not just temporary fixes.

Broader Concerns Beyond the Petition

- Mismanagement and lack of oversight on City projects and enforcement responsibilities.
- Breakdowns in communication and transparency between City departments, leading to delays and confusion.
- Inconsistent enforcement of laws and codes strict for some, overlooked for others.
- City involvement in work on private property without permits, inspections, or licensed contractors.
- Use of former and current employees in ways that skirt licensing and permitting rules.
- Decisions and actions that harm local businesses, delay projects, and increase costs for property owners.
- A pattern of internal handling of complaints without lasting solutions or public accountability.

Why This Matters to the Community

- Local contractors are being placed at a competitive disadvantage by City actions and selective enforcement.
- Property owners face unnecessary costs, delays, or inconsistent requirements depending on how the City handles their projects.
- Taxpayer-funded resources are being used in ways that may not comply with state law or City policy.

• Trust in local government is eroded when the same problems repeat without clear, public resolutions.

Requested Council Actions

- 1. Authorize a comprehensive, independent investigation into all related issues not just backflow installations.
- 2. Make the investigation's findings fully public.
- 3. Implement permanent policy and oversight changes to ensure fairness, compliance, and transparency across all City operations.

AND PROTECT LOCAL BUSINESSES





Follow-Up on Unpermitted Work and Alley Obstruction at 1627 G Street

From Michael Morin <m.morin@mcmp209.com>

Date Fri 4/18/2025 12:28 PM

To encroachmentpermit <encroachmentpermit@cityofmerced.org>; McBride, Scott <McBrideS@cityofmerced.org>; Frazier, Denise <FrazierD@cityofmerced.org>; swiftcentral@cslb.ca.gov <swiftcentral@cslb.ca.gov>

1 attachment (2 MB)
processed-DBE95C56-A47A-4E19-A0F3-AA2ACF261C65.jpeg;

To who it may concern,

I am writing to follow up on my recent report to the **City of Merced Building Department** regarding unlicensed and unpermitted construction activity taking place at **1627 G Street**. I also notified the Engineering Department, as the ongoing work is obstructing the alleyway behind the property.

Despite raising these concerns, I was informed that the City would not be enforcing the matter, and no corrective action has been taken. The alley remains blocked, and unpermitted work appears to be continuing without oversight.

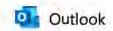
As a licensed contractor, I find this deeply concerning. Unpermitted activity not only poses safety and liability risks—it also undermines the fairness of the permitting process and harms businesses that follow the law. I respectfully request a formal response regarding the City's position on this issue and what steps will be taken to investigate and enforce applicable codes.

Thank you for your time and attention.

Outlook for iOS

Michael C. Morin
Owner and Operator
MCM Plumbing
CSLB #1002279 | AWWA #13829
DIR #2000001445 | DUNS #06-168-5063
PO Box 2011
Merced, CA 95344
(209) 261-2740
m.morin@mcmp209.com
https://mcmplumbing209.com





Backflow install picture

From Michael Morin <m.morin@mcmp209.com>
Date Tue 3/11/2025 9:58 AM

To citymanager@cityofmerced.org <citymanager@cityofmerced.org>; Frazier, Denise <FrazierD@cityofmerced.org>; ElwinK@cityofmerced.org <ElwinK@cityofmerced.org>

1 attachment (6 MB) processed-3E1E7CF8-E330-426E-BEA1-987414889FD5.jpeg;

Dear Scott,

Can someone clarify what's going on here? I thought we had a meeting regarding Public Works assisting contractors, yet this issue is still occurring. This incident is from last week—not only is the city providing assistance, but there is also a lack of proper sidewalk signage.

Please let me know why this is continuing to happen and what steps are being taken to address it.

Looking forward to your response.

Outlook for iOS

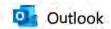
Cheers,

Michael C. Morin
Owner and Operator
MCM Plumbing
CSLB #1002279
AWWA #13829
DIR #PW-LR-1000735132
DUNS #06-168-5063
PO Box 2011
Merced, CA 95344
(209) 261-2740
m.morin@mcmp209.com
Check out our website!

"If water runs through it...we do it"

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Follow-Up on Field Visit to 2800 St. Bonaventure Drive and Request for Site Access

From Michael Morin <m.morin@mcmp209.com>

Date Thu 4/3/2025 8:22 PM

To McBride, Scott <mcbrides@cityofmerced.org>

Cc Baptistal@cityofmerced.org <Baptistal@cityofmerced.org>

5 attachments (29 MB)

Follow-Up on Field Visit to 2800 St. Bonaventure Drive and Request for Site Access 04-03-25.pdf; Angle type FDC.pdf; 1000DCV.pdf; 825 YD.pdf; PIV Fire Valve.pdf;

Dear Scott,

Thank you again for coordinating the field trip to 2800 St. Bonaventure Drive. I want to formally follow up with several key concerns and request a second opportunity to fully inspect the site.

At the start of our meeting, you mentioned that we could not access the site because Public Works staff were no longer available. However, Public Works Manager Johnnie Baptista was present during the meeting, and the City has on-call personnel available after hours with a 30 min response requirement. This contradiction raises concerns about the City's transparency and accountability. It also leads me to question whether the City is taking this matter seriously—or if efforts are being made to obscure the facts.

Additionally, in your original correspondence you indicated that the **Public Works Director** and **City Engineer** would be present. However, only **Johnnie Baptista** and **Frank Quintero** attended the meeting. Their presence did not align with the roles you initially communicated, and as such, the intended transparency and oversight were lacking. This further contributes to concerns that the City may not be approaching this matter with the seriousness and impartiality it requires.

During our conversation, Mr. Baptista openly stated that City Public Works installed the backflow device for **SAFTI First**. He further mentioned that the City installs backflows "all the time." This is extremely concerning, as it suggests an ongoing pattern of Public Works performing regulated, licensed plumbing work without the required credentials or oversight.

According to **Title 16**, **California Code of Regulations § 832.18**, the installation or repair of backflow prevention devices is classified as plumbing work, which legally requires a **C-36 Plumbing Contractor license**. Under **Business and Professions Code § 7028**, performing or authorizing such work without the appropriate license is unlawful and may constitute a misdemeanor.

In addition, Labor Code § 1720 defines this type of installation as public works, which is subject to strict compliance with prevailing wage requirements, contractor licensing, and public bidding laws. When City labor and resources are used to perform work for a private commercial entity—such as SAFTI First—it raises serious legal and ethical concerns about misuse of public funds and improper competition.

This situation also implicates California's **Unfair Competition Law (Business and Professions Code § 17500 et seq.)**, which prohibits unlawful or unfair business practices. When a public agency bypasses licensed contractors and performs regulated work with taxpayer-funded labor, it directly undermines

local, law-abiding businesses like mine—MCM Plumbing, which operates under full compliance with State licensing requirements.

California courts have consistently held that public entities may not displace the private sector without clear legal authority and a compelling public interest. In Domar Electric, Inc. v. City of Los Angeles (1994), the California Supreme Court reaffirmed that public agencies cannot avoid competitive bidding or legal contracting procedures simply by asserting the work can be done in-house.

As I mentioned during the visit, I may contact the State—meaning the California Contractors State License Board (CSLB), the Department of Industrial Relations (DIR), or other relevant agencies—to formally report this situation and request enforcement guidance. These agencies are best positioned to clarify the legal limits of what Public Works staff may do and provide necessary education if needed. I am also considering raising this issue publicly, as transparency and accountability are critical when taxpayer-funded departments appear to be operating outside the law.

Please see the attached picture, which further supports my concerns about what lies behind the walls at Well Site 1.

Also discussed during the meeting was what exists behind the walls at Well Site 1—including fire check valves, Fire Department Connection (FDC) components, and (PIV) shutoff valves that are only found on private property. These devices and apparatuses do not belong to or exist within the City's public water system and should **never be installed or removed** by a municipal Public Works department, especially when acting outside the scope of their legal authority. These components are part of a private fire suppression system and water supply, both of which fall under licensed plumbing and fire protection contracting work. Public Works is neither licensed nor authorized to perform installations, removals, or modifications of these systems.

I also want to note that I explicitly told the City during the meeting to stop performing this type of work, as it directly affects my business. MCM Plumbing is regularly hired to install these backflow prevention systems, and these projects can cost thousands of dollars for property owners when done properly through licensed contractors. For Public Works to do the same work—without a license, without proper permitting, and without competitive bidding—creates a completely unfair marketplace and leaves private owners and local businesses at a financial disadvantage. This is not just a regulatory violation; it is actively harmful to fair competition and small business livelihood in the community.

In the meantime, I respectfully request a second opportunity to access the site and fully document the conditions, with the cooperation of Public Works staff. Please let me know your availability to schedule this follow-up.

Sincerely,

Michael C. Morin Owner and Operator MCM Plumbing CSLB #1002279 AWWA #13829 DIR #2000001445 DUNS #06-168-5063 PO Box 2011 Merced, CA 95344 (209) 261-2740 m.morin@mcmp209.com https://mcmplumbing209.com



 From:
 Michael Morin

 To:
 cityclerk

 Cc:
 MCM Plumbing

Subject: Update to public comment handout

Date: Saturday, August 9, 2025 1:36:56 PM

Attachments: Public Comment - Broader Pattern of Issues in City Operations UPDATED.pdf

Dear City Clerk,

I'm following up on the public comment handout I sent earlier this week for the upcoming Merced City Council meeting.

Attached is an updated and expanded version of:

"Public Comment - Broader Pattern of Issues in City Operations UPDATED"

This version includes **additional examples**, **evidence**, **and clarifications** not in the original file. Please replace the previous version in the meeting materials and distribute this updated one to Councilmembers.

This handout is still directly tied to my planned in-person remarks and should be included in the official record under General Public Comment.

Thank you for ensuring the Council and public have the most complete and accurate version.

Sincerely,

Michael C. Morin

Owner and Operator

MCM Plumbing

CSLB #1002279 | AWWA #13829 DIR #2000001445 | DUNS #06-168-5063

PO Box 2011

Merced, CA 95344

https://mcmplumbing209.com

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This handout is a follow-up to my recent petition on private backflow installations. That petition was designed to spotlight one clear, documented problem — but it's part of a much larger, long-standing pattern of misconduct and mismanagement by multiple City departments. This pattern harms businesses, misuses taxpayer resources, and erodes public trust. I am calling for a full, independent investigation and lasting policy changes — not just quick fixes.

The city names and job locations were redacted to protect the privacy of individuals and sensitive business information. This was done in accordance with legal and ethical guidelines to prevent the disclosure of confidential or identifying details while still addressing the key concerns related to the work and practices involved.

PUBLIC COMMENT – BROADER PATTERN OF ISSUES IN CITY OPERATIONS

(Follow-Up to Petition on Private Backflow Installations)

Michael C. Morin – Owner & Operator, MCM Plumbing
PO Box 2011, Merced, CA 95344 | CSLB #1002279 | AWWA #13829

WHY I'M HERE

My recent petition focused on one clear problem — City crews performing private backflow installations without permits, inspections, or licensed contractors. But this is only part of a larger, long-standing pattern across multiple City departments that harms local businesses, wastes taxpayer resources, and undermines public trust. I'm calling for a full, independent investigation and lasting policy reforms — not temporary fixes.

THE PATTERN OF PROBLEMS

- Mismanagement & Lack of Oversight City crews performing work on private property without permits or inspections; use of current or former employees to skirt licensing and permitting rules; poor oversight of projects and enforcement responsibilities.
- Inconsistent & Selective Enforcement Strict enforcement on some businesses, leniency for others
 — including favored contractors; code requirements applied unevenly.
- Harm to Local Businesses & Property Owners Licensed contractors lose work to unpermitted, taxpayer-funded labor; property owners face inconsistent requirements, delays, and higher costs.
- Lack of Transparency & Accountability Complaints handled internally with no public resolution; contradictory City communications about permits.

WHY THIS MATTERS TO EVERYONE

When the City breaks the rules it enforces on others:

- It's unlawful and violates state contractor licensing laws.
- It's costly taxpayer funds and equipment are used for private benefit.
- It's unfair creating a two-tier system where some play by the rules and others don't.
- It erodes trust repeating problems without public accountability damages confidence in local government.

DOCUMENTED EXAMPLES (SUMMARY)

- Multiple City-assisted private installations where my licensed business submitted bids, only to be undercut by taxpayer-funded work.
- Former City employee performing unlicensed work without permits; no enforcement action taken.
- City crews modifying private fire protection systems (PIVs, FDCs, check valves) without building permits or licensed contractor oversight.
- Public Works not following same restoration and code standards imposed on private contractors.

REQUESTED COUNCIL ACTIONS

- **Independent Investigation** Commission a third-party investigation with subpoena power into all related issues not just backflow installations.
- **Full Public Disclosure** Publish the complete findings, including internal records reviewed, within 60 days of completion.
- **Policy Reform** Prohibit City crews from performing or assisting with private construction work except in genuine emergencies, with written justification and public reporting.
- Oversight & Transparency Require annual public reports on enforcement actions, permitting activity, and code compliance to ensure fairness and prevent favoritism.

BOTTOM LINE: This is not about one project, one department, or one complaint. It's about a **culture of selective enforcement, misuse of public resources, and lack of accountability** that hurts businesses, property owners, and the public trust. The Council must act decisively to fix it — and to prove that **the rules apply to everyone**.

STOP MISUSE OF PUBLIC LABOR AND PROTECT LOCAL BUSINESSES

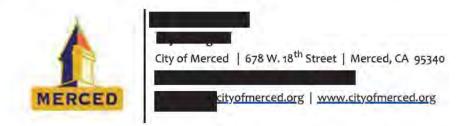


change.org

I'll review the document you attached and share with other departments.

We look forward to seeing you next week. Best of luck with your testing this weekend.

Respectfully,



From: Michael Morin

Sent: Thursday, February 27, 2025 7:08 PM

To: cityofmerced.org>
Cc: cityofmerced.org>

Subject: Formal Complaint Against City of Merced Public Works & Building Departments

Importance: High

Dear

I hope this email finds you well, I have not heard back from you. Please find attached a formal complaint regarding serious concerns with the City of Merced's Public Works, Building, and Engineering Departments.

The issues outlined in my complaint are not isolated incidents but rather the result of an accumulation of ongoing problems that have negatively impacted my business, MCM Plumbing, over time. Unfortunately, these repeated issues have left me with no choice but to formally address them in an effort to seek fair treatment, accountability, and proper enforcement of regulations. I trust that the city will take these concerns seriously and act in good faith to resolve them.

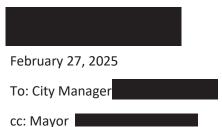
I am requesting a formal response within 30 days detailing the steps being taken to address these matters. Please confirm receipt of this email and the attached document at your earliest convenience.

Additionally, I still look forward to the meeting on Wednesday, if it is still available. I would appreciate the opportunity for an **open discussion to come to a resolution** and am happy to assist in addressing any questions or concerns you may have. My goal is to work collaboratively toward a fair outcome that benefits both the city and local businesses.

Thank you for your time and attention to this urgent issue. I look forward to your prompt response.

Best regards,

Michael C. Morin Owner & Operator, MCM Plumbing PO Box 2011 Merced, CA 95344



Subject: Formal Complaint Against City of Merced Public Works & Building Departments – Demand for Immediate Action & Accountability

Dear

I am formally submitting this complaint against the City of Merced's Public Works, Building, and Engineering Departments regarding misconduct, anti-competitive practices, misuse of public resources, inconsistent enforcement, permitting mismanagement, and lack of accountability. These actions have directly impacted my business, MCM Plumbing, and raise serious concerns about ethics, transparency, and the proper enforcement of regulations. Furthermore, these issues are not just affecting my business but are creating an unfair and unpredictable environment for other local businesses as well.

While this complaint highlights some of the most pressing issues, I want to be clear that I have had multiple additional interactions with Public Works and city officials that I am choosing not to provide at this time. However, I am fully prepared to escalate further if necessary.

1. Misuse of Public Works Labor & Equipment for Private Gain

City of Merced Public Works employees have provided unauthorized, taxpayer-funded labor for backflow installations on private properties. This directly violates fair competition and undercuts licensed contractors who must charge for such services.

Case Examples:

- Public Works installed a backflow device for free on private business property, despite my company providing a legitimate estimate for the work at \$15,195.97. This is a blatant misuse of taxpayer-funded resources, and this is not an isolated case.
- Public Works installed a backflow device for free on a private business property, another clear example of taxpayer-funded resources being misused.

Demands:

- A full audit of all backflow installations performed by Public Works over the last five years.
- Immediate termination of any officials who authorized these actions.

2. Public Works Employee Misconduct

- False Identification & Reckless Behavior
On, City employee falsely identified himself as a city inspector while engaging in reckless and dangerous behavior at a job site located at
He drove erratically through an active work zone, nearly hitting a employee.
He refused to provide identification but claimed to be on an official inspection.
He used city resources to track down private addresses—an abuse of authority.
Although his misconduct was never properly addressed. His actions endangered public safety and undermined the integrity of city inspections.
Request: A formal investigation into his misconduct and a public explanation for why no disciplinary action was taken
- Harassment & Misuse of Public Resources
repeatedly harassed my business, visiting job sites without proper authority and falsely informing customers that I was unlicensed—an outright lie. Additionally, used Public Works—a clear misuse of taxpayer resources.
During a meeting with the presence of my attorney, unintentionally incriminated himself, forcing city officials to abruptly halt the discussion.

Key Concerns:

- Why was no disciplinary action taken against him?
- Why was his misuse of city equipment ignored?
- Why was my business unfairly targeted by a city employee?

3. Permitting Delays & Lack of Transparency

The Building Department has consistently failed to provide clear, consistent guidance on permitting, causing unnecessary financial losses for businesses.

Examples of Mismanagement:

- Initially told a permit was not required, later forced to apply for one after conflicting guidance, causing delays.
- Conflicting instructions about required hydrostatic testing led to unnecessary delays.

Demands:

1. Overhaul the permitting process to ensure clear, standardized guidance without delays or conflicting instructions.

2. Accountability for mismanaged permits that have caused financial harm to businesses.

4. Inconsistent Enforcement of Code Requirements

The Building and Engineering Departments have failed to consistently enforce regulations, creating an unfair environment for businesses that follow the rules while others bypass them without consequence.

Case Examples:

- Code Enforcement Discrepancies Strict enforcement of a ten-foot separation between sewer and water lines on my projects, while other contractors were allowed to bypass them.
- Merced, CA) My estimate included required trenching and asphalt/concrete restoration, while other contractors were not held to the same standard.
- , Merced, CA) The awarded contractor did not meet the 10-ft separation requirement, raising concerns about favoritism.

Requested Actions:

- 1. Standardized, transparent enforcement of City regulations.
- 2. Clear, written policies for code enforcement that prevent arbitrary enforcement.
- 3. A formal review of past approvals to determine whether similar violations of the 10-foot separation rule were ignored for select contractors.

5. Immediate Demands for Action

I expect the City of Merced to take the following immediate actions:

- 1. Terminate any Public Works employees responsible for authorizing free backflow installations on private properties.
- 2. Publicly disclose all taxpayer-funded backflow installations over the past five years.
- 3. Discipline Public Works employee for past misconduct.
- 4. Conduct a post-employment investigation into misconduct.
- 5. Reform the permitting and code enforcement processes.
- 6. Investigate whether inconsistent enforcement has given certain contractors an unfair advantage.

I trust the City of Merced will act in good faith to resolve these matters. However, I am prepared to explore all available options should this misconduct persist.

I expect a formal response within 30 days outlining the steps being taken to resolve these issues. Please confirm receipt of this letter.

Sincerely,
Michael C. Morin
Owner & Operator, MCM Plumbing



Additional Discussion Points from Meeting

From Michael Morin

Date Thu 3/6/2025 9:30 AM

To @cityofmerced.org @cityofmerced.org>

I am following up to formally document the information I shared during our recent meeting regarding additional job locations and other concerns.

Additional Job Locations



MCM Plumbing provided with an estimate of \$32,227.50; however, the customer selected a different contractor. The City assisted that contractor by removing the swing check valve and vault and installing a shutoff on private property, allowing the contractor to install the device inside the building. MCM Plumbing was not given the same option by the City.

Address: Merced, CA

MCM Plumbing provided an estimate of \$27,181.29 to install the backflow device without requiring City assistance. However, the City assisted the selected contractor with installation using public works equipment.

Additional Concern Regarding Contractor Payments

During our meeting, I also brought up concerns regarding contractors providing money to Public Works officials. This is a serious matter that I did not initially intend to escalate, but since it was mentioned in our discussion, I want to ensure it is documented for the record. I have personally witnessed such occurrences and also have a recorded confession from an individual confirming these facts.

Public Works Not Following the Same Codes & Requirements

Another concern I raised during our meeting is that Public Works does not follow the same codes and requirements that contractors working on public property are required to adhere to. One specific example is the requirement for contractors to remove concrete from expansion

joint to expansion joint, while Public Works does not follow this same standard. This creates an unfair discrepancy in work process and compliance expectations.

Observation of Police Presence at Public Works

I also want to document that I observed police officers at the Public Works department. While I do not know the reason for their presence, given the concerns raised in our meeting, it seemed unusual. Considering everything else going on,

While I am not making any direct allegations, I felt this was worth noting as part of the broader concerns surrounding fairness, transparency, and adherence to proper procedures.

Public Works Director's Response & Growing Frustration

During our meeting, the excuses provided by the Public Works Director only added to the frustration regarding the ongoing issues with the department. Instead of addressing concerns transparently and fairly, the responses seemed to justify actions without accountability. This further proves that Public Works officials believe they can make up any excuse for their actions without consequence. The lack of a clear, consistent, and fair approach only reinforces the concerns that I, and others in the industry, continue to have.

Regarding Request for Backflow Installation Pictures

I understand there was a request for me to provide pictures of backflow installations. While I have gathered the images, I am choosing not to provide them at this time. My primary concern is ensuring that Public Works ceases performing work that directly affects my business and creates an unfair competitive advantage for other contractors.

Since this information was presented during our meeting, I want to ensure it is officially recorded for future reference. Please confirm receipt of this email for documentation purposes.

Thank you,

Michael C. Morin Owner and Operator MCM Plumbing CSLB #1002279 AWWA #13829



MERCED

Notice of Required Backflow Prevention Compliance

This is the letter sent by the City to property owners requiring backflow installations. The letter contains contradictory information: page one states that no permit is required, while page two specifies that permits are, in fact, required. This contradiction was raised during the first meeting, and it is concerning because it essentially creates a loophole for unlicensed activity. Additionally, even though page two states that permits are required, contractors are sometimes turned away when attempting to obtain a permit from the City.

Re: Acct#

Dear OWNER:

The City of Merced's Cross Connection Control Specialist recently conducted a water system audit and has determined the the

1	New Installation of backflow(s	(s) is required. Reason checked below.
	Structure Height	s) is required. Reason checked below.
	Alternative source possible	
	Outside of City Limits	5 7
	Lot Zoning	
	Lot Utilization	
	Plumbing Modification of exis	sting backflow(s). Call for details.
	Location or Access issue	to the activity and administration of the second
		And the second of the second o
	 Must have 12" clearance under t 	the unit
	7	
1		packflow(s) is necessary. Call for details.
	Brand Wilkins	must replace with
- 2	Style 975 XL2 or XL3 Size 1.5"	must replace with
		Irrigation Permit
	• Age • Damage	Domestic No Permit
	Vandalism	Fire Backflow
	Othor	
	This letter is to inform you	u that he building at above address does not meet
	the minimum standards for	or protecting backflow into our city water main. We recommend low and have it installed. Once the backflow is installed the city
	will test yearly as required	t by law. When the backflow is ready to be installed please call
		before water is restored. If you have any questions please call
	or email	
	Thoule Von	
	Thank You	
	The second secon	STREET, MERCED, CA 95340

These audits are carried out in accordance with the City of Merced Cross Connection Compliance Program, as mandated by the State of California Code of Regulation, Titles 17 and 22. These audits support ongoing efforts to ensure the safety and quality of the City's drinking water. See City of Merced Municipal Code (MMC), Chapter 15.32.080, for further information.

Backflow Prevention Assemblies (Backflows) are owned by the property owner. As such, California State law, as well as the City of Merced Municipal Code, stipulates that the property owner is responsible for all costs associated with the installation and maintenance of a backflow. Backflow installation or modification requires a plumbing permit and the services of a licensed plumbing contractor with a City of Merced Business license. The City of Merced Inspection Services Department, located at 678 W. 18th Street, issues permits for plumbing repair / backflow installation, per the City of Merced Municipal Code, Chapter 17.28.040.

Visit www.cityofmerced.org/Engineering/StandardDesigns. for a list of approved backflow units, or contact the City of Merced Engineering Dept. at (209) 388-7000

At this time, City of Merced water customers that need or have a backflow unit are charged an additional monthly fee, included on the water bill, to cover specific costs associated with cross-connection compliance. This includes testing, maintenance, and official documentation conducted by a certified professional backflow technician. All labor and "consumable" parts associated with testing and periodical maintenance are also covered by the backflow monthly fee. The property owner remains responsible for their backflow unit. Please call the City of Merced Finance Department at (209) 385-6841 for a detailed explanation of the fees associated with backflows.

The property owner is expected to have their water service connection in compliance no later than 60 days from date of this letter. Please be advised that failure to respond and comply with State law and City Municipal Codes could result in discontinuance of the water service until such time the work is completed, inspected, and the service is considered to be in compliance.

If you have any questions or would like to set up an on-site meeting, please call City of Merced - Water Division Supervisor, or email at June 1985 of City of Merced or Grant City or Grant C

Public Works Supervisor – Water Division (209) 385-6800

ce: Inspection Services/Engineering/Finance/CrossConnectionSpecialist/WaterTeam

This email was sent following my formal complaint and meeting with the City Manager, Public Works Director, City Engineer, and Building Official. Part of my complaint addressed the ongoing backflow installations being carried out by the city,

Backflow install picture



Can someone clarify what's going on here? I thought we had a meeting regarding Public Works assisting contractors, yet this issue is still occurring. This incident is from last week—not only is the city providing assistance, but there is also a lack of proper sidewalk signage.

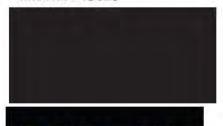
Please let me know why this is continuing to happen and what steps are being taken to address it.

Looking forward to your response.

Outlook for iOS

Cheers,

Michael C. Morin Owner and Operator MCM Plumbing CSLB #1002279 AWWA #13829



Check out our website!

"If water runs through it...we do it"

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City of Merced Public Works 1776 Grogan Ave Merced, CA 95341

Work Order Field Sheet

Work Order #

Assigned

Priority

Date Submitted

Date Scheduled

Date Requested

LOCATION CONTACT CONTACT PHONE REQUESTING DEPARTMENT
WATER SYSTEM

CITIZEN ADDRESS CITIZEN CONTACT CITIZEN PHONE

ACTIVITIES

ASSET ACTIVITY DESCRIPTION ASSET

BCRP - BACKFLOW REPAIRS BACKFLOW REPAIRS - Water crew to remove fire swing check located on the Olivewood side of

COMMENT DESCRIPTION

Formed and poured concrete, covered with plywood when finished.

Cut out swing check and installed new fire, backflow, backfield sidewalk area, and caution taped off area that contractors need to pour kickers and backfill

Excavated to bottom of 45, removed vault, and plated.

Contractor saw job for parts list.

TASK DATE DETAILTYPE DESCRIPTION QUANTITY RATE TOTAL

Total: \$1160.96

CUSTOM FIELDS

FIELD NAME TYPE DESCRIPTION REQUIRED DEFAULT ACTUAL VALUE

ADDITIONAL NOTES



This email was sent to the city after I made a complaint over the phone to the Building Department regarding an active unpermitted job site. I also contacted the engineering inspector, who visited the site but did not stop the work or require permits.

Follow-Up on Unpermitted Work and Alley Obstruction at			
From Michael Morin			
Date Fri 4/18/2025 12:28 PM			
encroachmentpermit <encroachment cityofmerced.org>; <swiftcentral@cslb.ca.gov></swiftcentral@cslb.ca.gov></encroachment 	entpermit@citvofmerced.org>; Decityofmerced.org>; swiftcentral@cslb.ca.gov		
1 attachment (2 MB)			
processed-DBE95C56-A47A-4E19-A0F3-AA2/	ACF261C65.jpeg;		

To who it may concern,

I am writing to follow up on my recent report to the **City of Merced Building Department** regarding unlicensed and unpermitted construction activity taking place at a line. I also notified the Engineering Department, as the ongoing work is obstructing the alleyway behind the property.

Despite raising these concerns, I was informed that the City would not be enforcing the matter, and no corrective action has been taken. The alley remains blocked, and unpermitted work appears to be continuing without oversight.

As a licensed contractor, I find this deeply concerning. Unpermitted activity not only poses safety and liability risks—it also undermines the fairness of the permitting process and harms businesses that follow the law. I respectfully request a formal response regarding the City's position on this issue and what steps will be taken to investigate and enforce applicable codes.

Thank you for your time and attention.

Outlook for iOS

Michael C. Morin
Owner and Operator
MCM Plumbing
CSLB #1002279 | AWWA #13829
DIR #2000001445 | DUNS #06-168-5063
PO Box 2011
Merced, CA 95344
(209) 261-2740



This email was sent following my second in-person meeting with the City Manager. During our first meeting, the Public Works Director downplayed my complaint, and the City Manager requested photos. In response, I requested a field trip to an undisclosed location, which took place on the day of the meeting. The email outlines what occurred during the visit and provides context.

Follow-Up on Field Visit to	and Request for Site Access
From Michael Morin	
Date Thu 4/3/2025 8:22 PM	
Tocityofmerced.o	
Cc ci	tyofmerced.org>
Follow-Up on Field Visit to 1000DCV.pdf; 825 YD.pdf; PIV Fire Valve.pdf;	and Request for Site Access 04-03-25.pdf; Angle type FDC.pdf;
Thank you again for coordinating the field to up with several key concerns and request a	rip to I want to formally follow second opportunity to fully inspect the site.
were no longer available. However, Public V meeting, and the City has on-call personnel This contradiction raises concerns about the	that we could not access the site because Public Works staff Vorks Manager was present during the available after hours with a 30 min response requirement. E City's transparency and accountability. It also leads me to ter seriously—or if efforts are being made to obscure the
Engineer would be present. However, only Their presence did not align with the roles y	re you indicated that the Public Works Director and City attended the meeting. You initially communicated, and as such, the intended his further contributes to concerns that the City may not be seen and impartiality it requires.
for He further mentioned that t	y stated that City Public Works installed the backflow device he City installs backflows "all the time." This is extremely on of Public Works performing regulated, licensed plumbing versight.
prevention devices is classified as plumbing	gulations § 832.18, the installation or repair of backflow work, which legally requires a C-36 Plumbing Contractor ode § 7028, performing or authorizing such work without the astitute a misdemeanor.
compliance with prevailing wage requirement labor and resources are used to perform wo	type of installation as public works, which is subject to strict ents, contractor licensing, and public bidding laws. When City ork for a private commercial entity —such as the bout misuse of public funds and improper competition.
This situation also implicates California's Un	fair Competition Law (Business and Professions Code §

17500 et seq.), which prohibits unlawful or unfair business practices. When a public agency bypasses licensed contractors and performs regulated work with taxpayer-funded labor, it directly undermines

local, law-abiding businesses like mine—**MCM Plumbing**, which operates under full compliance with State licensing requirements.

California courts have consistently held that public entities may not displace the private sector without clear legal authority and a compelling public interest. In *Domar Electric, Inc. v. City of Los Angeles* (1994), the California Supreme Court reaffirmed that public agencies cannot avoid competitive bidding or legal contracting procedures simply by asserting the work can be done in-house.

As I mentioned during the visit, I may contact the **State**—meaning the **California Contractors State License Board (CSLB)**, the **Department of Industrial Relations (DIR)**, or other relevant agencies—to formally report this situation and request enforcement guidance. These agencies are best positioned to clarify the legal limits of what Public Works staff may do and provide necessary education if needed. I am also considering raising this issue publicly, as transparency and accountability are critical when taxpayer-funded departments appear to be operating outside the law.

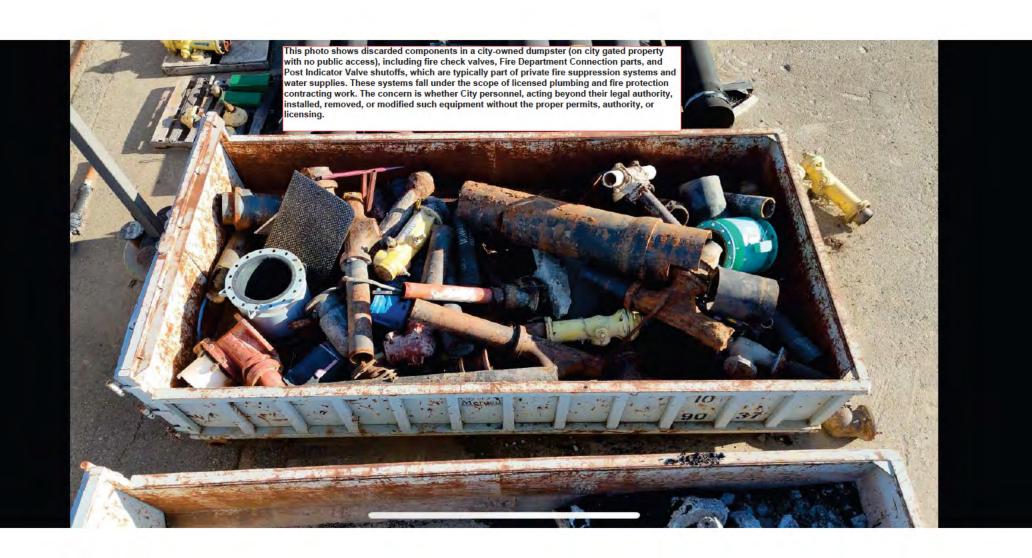
Please see the attached picture, which further supports my concerns about what lies behind the walls at

I also want to note that I explicitly told the City during the meeting to **stop performing this type of work**, as it directly affects my business. MCM Plumbing is regularly hired to install these backflow prevention systems, and these projects can cost **thousands of dollars** for property owners when done properly through licensed contractors. For Public Works to do the same work—without a license, without proper permitting, and without competitive bidding—creates a **completely unfair marketplace** and leaves private owners and local businesses at a financial disadvantage. This is not just a regulatory violation; it is actively harmful to fair competition and small business livelihood in the community.

In the meantime, I respectfully request a second opportunity to access the site and fully document the conditions, with the cooperation of Public Works staff. Please let me know your availability to schedule this follow-up.

Sincerely,

Michael C. Morin Owner and Operator MCM Plumbing CSLB #1002279 AWWA #13829



 From:
 Michael Morin

 To:
 cityclerk

 Cc:
 MCM Plumbing

Subject: Re: Update to public comment handout Date: Thursday, August 14, 2025 4:28:46 PM

Attachments: Backflow letters Redacted.pdf

<u>City building dept will not inspect Redacted.pdf</u>
<u>Example of Inspection Oversight Failure Redacted.pdf</u>
<u>PRR Does the city install backflow devices - Redacted2.pdf</u>

Dear City Clerk,

Please include the attached documents in the record for the August 18, 2025 Merced City Council meeting under **Written Petitions and Communications**. These materials supplement my prior public comment submission and provide additional documented evidence of:

- Inconsistent and selective permit enforcement for backflow installations.
- Unclear or unauthorized inspection authority on private property.
- Inspection oversight failures and conflicts of interest.
- Public Works performing private backflow installations despite prior denials.

The attached files are:

- Backflow Letters Permit Requirement Analysis (11 examples showing inconsistencies)
- 2. City Building Dept Will Not Inspect Inspection Authority Confusion
- 3. Example of Inspection Oversight Failure
- 4. PRR Public Works Denial vs. Documented Backflow Installations

Please distribute these documents to all Councilmembers so they have the complete and most up-to-date evidence in front of them before deliberations. These records are directly relevant to ongoing concerns about City practices, enforcement consistency, and potential liability.

Thank you for ensuring these attachments are entered into the official record and made available to the public.

Sincerely,

Michael C. Morin
Owner and Operator
MCM Plumbing
CSLB #1002279 | AWWA #13829

DIR #2000001445 | DUNS #06-168-5063 PO Box 2011 Merced, CA 95344



"If water runs through it... we do it."

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From: cityclerk <cityclerk@cityofmerced.gov> Sent: Monday, August 11, 2025 12:15 PM

To: Michael Morin <m.morin@mcmp209.com>; cityclerk <cityclerk@cityofmerced.gov>

Cc: MCM Plumbing <office@mcmp209.com> **Subject:** RE: Update to public comment handout

Good Afternoon,

Your email has been received and will be mentioned as part of the Written Petitions and Communications portion of the agenda along with the other emails you have submitted.

Thank you,



Jennifer Parsley Assistant City Clerk

City of Merced | 678 W. 18th Street | Merced, CA 95340 (209) 385-6231 | parsleyj@cityofmerced.gov | www.cityofmerced.gov

From: Michael Morin <m.morin@mcmp209.com>

Sent: Saturday, August 9, 2025 1:36 PMTo: cityclerk <cityclerk@cityofmerced.gov>Cc: MCM Plumbing <office@mcmp209.com>Subject: Update to public comment handout

Dear City Clerk,

I'm following up on the public comment handout I sent earlier this week for the upcoming Merced City Council meeting.

Attached is an updated and expanded version of:

"Public Comment - Broader Pattern of Issues in City Operations UPDATED"

This version includes **additional examples**, **evidence**, **and clarifications** not in the original file. Please replace the previous version in the meeting materials and distribute this updated one to Councilmembers.

This handout is still directly tied to my planned in-person remarks and should be included in the official record under General Public Comment.

Thank you for ensuring the Council and public have the most complete and accurate version.

Sincerely,

Michael C. Morin

Owner and Operator

MCM Plumbing

CSLB #1002279 | AWWA #13829
DIR #2000001445 | DUNS #06-168-5063
PO Box 2011
Merced, CA 95344
(209) 261-2740
m.morin@mcmp209.com

https://mcmplumbing209.com

"If water runs through it... we do it."

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[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.]

The City of Merced domain name has changed to cityofmerced.gov effective 7/23/2025. Please update your contact information.

City of Merced records, including emails, are subject to the California Public Records Act. Unless exemptions apply, this email, any attachments and any replies are subject to disclosure on request, and neither the sender nor any recipients should have any expectation of privacy regarding the contents of such communications. The City of Merced shall not be responsible for any claims, losses or damages resulting from the use of digital data that may be contained in this email.

[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.]

Permit Requirement Status – Backflow Letters (City of Merced Public Works)

The following summarizes the "Permit" section status for each of the 11 attached backflow compliance letters chronologically:

- 1. Letter #1 Permit section missing entirely.
- 2. Letter #2 Permit section missing entirely.
- 3. Letter #3 Permit Not Required box checked.
- 4. Letter #4 Permit section missing entirely.
- 5. Letter #5 Permit Required box checked.
- 6. Letter #6 Permit Not Required box checked.
- 7. Letter #7 Permit Not Required box checked.
- 8. Letter #8 Permit section missing entirely.
- 9. Letter #9 Permit Not Required box checked.
- 10. Letter #10 Permit Required box checked.
- 11. Letter #11 Permit Required box checked.

Key Observations:

- Out of 11 letters, Permit Required is checked in 3 cases, Permit Not Required is checked in 4 cases, and in 4 cases the permit section is missing entirely.
- These letters are issued for similar backflow compliance situations, yet the City provides conflicting — and sometimes absent — permit instructions.
- The inconsistent marking of Permit Required vs. Permit Not Required, along with missing permit sections, demonstrates a lack of uniform enforcement and raises concerns about selective or arbitrary application of permit requirements.



Notice of Required Backflow Prevention Compliance

1/19/24						
Re: Acct	#					
		and the second s				
Dear OW	NER:					
The City water serv	rice connection located at this address has de	cialist recently conducted a water system audit and has determined the ficiencies concerning proper Backflow Prevention. The audit identified				
1)	New Installation of backflow(s) is	required. Reason checked below.				
1)	Structure Height	required. Readon encoured below.				
	Alternative source possible					
	Outside of City Limits					
	 Lot Zoning 					
	Lot Utilization					
2)	Plumbing Modification of existin Location or Access issue	g backflow(s). Call for details.				
	Must have 12" clearance under the					
1 2 1	D. B. J. S. J. S. J. S. J. S.	flands) is massage. Call for details				
3)		flow(s) is necessary. Call for details. must replace with				
	Brand Wilkins Style 975 XL2					
	• Size 1"	mast replace man				
	Damage					
	Vandalism					
	you have a backflow installed	building at the ting backflow into our city water main. It is required that on the backside of our city water meter. We recommend e or pick a unit off our city approved list. If you have any				

Thank You



Notice of Required Backflow Prevention Compliance

1/19/24		
Re: Acc		
Re: Acc	21#	
	- 11	
	3	
Dear OV	VNER:	
	rvice co	creed's Cross Connection Control Specialist recently conducted a water system audit and has determined the connection located at this address has deficiencies concerning proper Backflow Prevention. The audit identified
22		
1)	V	New Installation of backflow(s) is required. Reason checked below.
		Structure Height Alternative source possible
		Outside of City Limits
		Lot Zoning
	•	Lot Utilization
2)		Plumbing Modification of existing backflow(s). Call for details.
	•	Location or Access issue
		Must have 12" clearance under the unit
179		5 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
3)	Щ	Replacement of the existing backflow(s) is necessary. Call for details.
		Brand Wilkins must replace with Style 975 XL2 must replace with
		Size 1"
		Age
		Damage
		Vandalism
	٠	Other This letter is to inform you the building at minimum standards for protecting backflowing the backflowing at minimum standards for protecting backflowing the backflowi
		questions please call or email Robby Jeppesen.

Thank You



Notice of Required Backflow Prevention Compliance

/12/24		
e: Acct	#	
ear OW	NER:	
	vice connection located at this address has defici	ist recently conducted a water system audit and has determined the encies concerning proper Backflow Prevention. The audit identified
1)	New Installation of backflow(s) is re Structure Height Alternative source possible Outside of City Limits Lot Zoning Lot Utilization	quired. Reason checked below.
2)	Plumbing Modification of existing b Location or Access issue	ackflow(s). Call for details.
	 Must have 12" clearance under the unit 	t
3)	Replacement of the existing backflo Brand WILKINS Style 350 ASTDA OSY	w(s) is necessary. Call for details. must replace with must replace with
	• Size 6"	Irrigation Permit
	• Age	□ Domestic
	Damage Vandalism	Fire Backflow
	Other This letter is to inform you that the content of the co	
	outfitted with a fire sprinkler syst passes through a swing check val allow the reverse flow of water by	we that is non testable. If the valve is broken it could ack into our main line and cause contamination to our mending that you purchase and install the backflow to be

MERCED

Notice of Required Backflow Prevention Compliance

8/5/24	
Re. Ac	
Door O	VALUED.
Dear O	WINER:
	y of Merced's Cross Connection Control Specialist recently conducted a water system audit and has determined the ervice connection located at this address has deficiencies concerning proper Backflow Prevention. The audit identified owing:
1)	■ New Installation of backflow(s) is required. Reason checked below.
	Structure Height
	Alternative source possible
	Outside of City Limits
	Lot Zoning
	Lot Utilization
2)	Plumbing Modification of existing backflow(s). Call for details.
	Location or Access issue
	Location of Access issue
	Must have 12" clearance under the unit 12" to 30"
3)	Replacement of the existing backflow(s) is necessary. Call for details.
	Brand Wilkins must replace with
	Style 975 XL2 or XL3 must replace with
	• Size <u>3/4"</u>
	• Age
	• Damage
	Vandalism
	This letter is to inform you the building at standards for protecting backflow into our city water main. It is required that you have a backflow installed on the backside of our city water meter. We recommend you install the unit listed above or pick a unit off our city approved list. If you have any questions please call or email
	Thank You



MERCED

Notice of Required Backflow Prevention Compliance

Re: Acct#

Dear OWNER.

The City of Merced's Cross Connection Control Specialist recently conducted a water system audit and has determined the water service connection located at this address has deficiencies concerning proper Backflow Prevention. The audit identified the following:

- New Installation of backflow(s) is required. Reason checked below.
 Structure Height _____
 - Alternative source possible _____
 - Outside of City Limits ______
 - Lot Zoning ____

 Lot Utilization
- 2) Plumbing Modification of existing backflow(s). Call for details.
 - Location or Access issue _____
 - Must have 12" clearance under the unit 12"
- 3) Replacement of the existing backflow(s) is necessary. Call for details.
 - Brand WILKINS must replace with
 Style 350 ASTDAR OS&Y must replace with
 - Size <u>4"</u> • Age
 - Irrigation
 - Age _____

 Damage _____

 Vandalism
- Domestic No Permit
 Fire Backflow

Permit

This letter is to inform you that the building does not meet the minimum standards for protecting backflow into the City Of Merced water system. The building is outfitted with a fire sprinkler system which is fed from our City water main. The water passes through a swing check that is no longer an approved backflow prevention device. We are requiring that you purpless and install the backflow to be in

prevention device. We are requiring that you purchase and install the backflow to be in compliance with State standards. If you have any questions please call or email

Thank You



	Notice of Require	ed Backflow Prevention Compliance
11/18/24		
Re: Acct#		
Accur		
Dear OWNER:		
The City of Mo water service co the following:	erced's Cross Connection Control S onnection located at this address has	Specialist recently conducted a water system audit and has determined the s deficiencies concerning proper Backflow Prevention. The audit identified
1)	New Installation of backflow(s) is required. Reason checked below.
	Structure Height	
•	Alternative source possible	<u>.</u> .
•	Outside of City Limits	
	Lot Zoning Lot Utilization	
2)	Dispublica Beadification of action	Air-Fedfler (A) Coll for day 1
	Location or Access issue	sting backflow(s). Call for details.
	Location of Access issue	
	Must have 12" clearance under t	the unit
3)		packflow(s) is necessary. Call for details.
	Brand Wilkins	must replace with
	Style 975 XL2 or XL3 Size 1.5"	must replace with
	Age	Irrigation Permit
	Damage	✓ Domestic ✓ No Permit
	Vandalism	Fire Backflow
	Othor	The state of the s
	the minimum standards for	u that he building at above address to the loes not meet or protecting backflow into our city water main. We recommend
	that you purchase a backfl	low and have it installed. Once the backflow is installed the city
	will test yearly as required	by law. When the backflow is ready to be installed please call
		before water is restored. If you have any questions please call
	or email I	
	Thank You	
		The state of the s
	678 WEST 18TH S	STREET, MERCED, CA 95340



11/19/24

Notice of Required Backflow Prevention Compliance

Re: Acct#		
Dear OWNE	R:	
	e connection located at this address has deficiencies	ently conducted a water system audit and has determined the concerning proper Backflow Prevention. The audit identified
1) 🗸	New Installation of backflow(s) is required Structure Height Alternative source possible Outside of City Limits Lot Zoning Lot Utilization	d. Reason checked below.
2)	Plumbing Modification of existing backflo Location or Access issue Must have 12" clearance under the unit	w(s). Call for details.
3)	Replacement of the existing backflow(s) is Brand Wilkins Style 975 XL2 or XL3 Size 3/4"	must replace with Permit
	Age Damage Vandalism Other	✓ Domestic ✓ No Permit Fire Backflow
	meet the minimum standards for protect recommend that you purchase a backflo installed the city will test yearly as requi	ing at above address does not ing backflow into our city water main. We wand have it installed. Once the backflow is ired by law. When the backflow is ready to be a unit before water is restored. If you have any



Notice of Required Backflow Prevention Compliance

2/4/25		The second second	
0.11			
Re: Ac	ocitill.		
		,	
Dear OV	VNER:		
he City	of Mercec	I's Cross Connection Control Spe	ecialist recently conducted a water system audit and has determined the leficiencies concerning proper Backflow Prevention. The audit identified
mer ser		ection located as this address has o	encipoles concerning proper nacistow recomment the agent accurate
1)	V No	ew Installation of backflow(s)	is required. Reason checked below.
		ructure Height	
		ternative source possible	
6		utside of City Limits	
		t Zoning	
		1 Other Control	
2)	1		
4)		umbing Modification of existin	ng backflow(s). Call for details.
	• Lo	ocation or Access issue	
	* M	lust have 12" clearance under the	e unit 12" to 30"
21	Re	placement of the existing bac	ckflow(s) is necessary. Call for details.
3)	-	and Williams	must replace with
	• Sty	yle 975 XL2 or XL3	must replace with
	• Siz	te 3/4"	
		e	
	• Da	image	
	• Va	ndalism	
	• Oti	her This letter is to inform you th	he building at least year have a
			cflow into our city water main. It is required that you have a cleside of our city water meter. We recommend you install cleside of our city water meter. We recommend you install the commend of our city water meter. If you have any questions
		backflow installed on the back	a unit off our city approved list. If you have any questions
		please call or ema	
		picase can si can	
		Thank You	



Notice of Required Backflow Prevention Compliance

2/10/25		
		1/4
Re: Acct#		
Dear OWNER	:	
The Circles of M	form Pr Course Commention Comment Servicities and	and the second s
		ently conducted a water system audit and has determined the concerning proper Backflow Prevention. The audit identified
the following:	officeron focused at this address has deficiences	concerning proper backness revention. The audit identified
1)	New Installation of backflow(s) is require	d. Reason checked below.
	Structure Height	
	Alternative source possible	
	Outside of City Limits	
•	Lot Zoning	
•	Lot Utilization	
	Ya.	
2)	Plumbing Modification of existing backflo	ow(s). Call for details
	Location or Access issue	(a). Can for actuals.
	Must have 12" clearance under the unit	
	1 - 1	CONTRACTOR OF THE PROPERTY OF
3)	Replacement of the existing backflow(s) i	
	Brand Wilkins Style 975 XL2 or XL3	must replace with
	0: 1.50	
	9.57	Irrigation Permit
		✓ Domestic ✓ No Permit
	Vandalism	Fire Backflow
	Other This letter is to inform you that the buil	ding at above address es not
	meet the minimum standards for protec	ting backflow into our city water main. We
	recommend that you purchase a backflo	ow and have it installed. Once the backflow is
		aired by law. When the backflow is ready to be e-unit before water is restored. If you have any
	questions please call or email	e film restore water is restored. If you have any
	A L L	

Thank You

ieracjejb)

Notice of Required Backflow Prevention Compliance

2/27/25	
Re: Acct#	
140, 11000	
Dear OW	ER:
The City	f Merced's Cross Connection Control Specialist recently conducted a water system audit and has determined the
water serv	ce connection located at this address has deficiencies concerning proper Backflow Prevention. The audit identified
the follow	ng:
1)	New Installation of backflow(s) is required. Reason checked below.
-/ L	Structure Height
	Alternative source possible
:9	Outside of City Limits
	• Lot Zoning
	Lot Utilization
ſ	
2) [Plumbing Modification of existing backflow(s). Call for details.
	Location or Access issue
	\$
	Must have 12" clearance under the unit
. [Payle severe of the sylicting heal-flau/a) is necessary. Call for details
3) [Replacement of the existing backflow(s) is necessary. Call for details. Brand Wilkins
	Style 975 XL2 or XL3
SP*-	• Size 3/4"
	Age Irrigation
	■ Damage
	Vandalism Fire Backflow
	Other This letter is to inform you that he building at above addres loes not
	meet the minimum standards for protecting backflow into our city water main. We
	recommend that you purchase a backflow and have it installed. Once the backflow is installed the city will test yearly as required by law. When the backflow is ready to be
	installed please call us so we can test the unit before water is restored. If you have any
	questions please call or email
	Thank You
-85	THAILA TOU

MERCED

Notice of Required Backflow Prevention Compliance

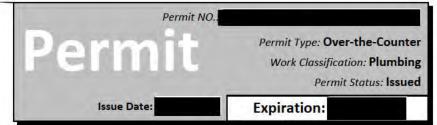
Acct#		
OWNER:		the design of the same and has determined the
City of M service o sllowing.	lerced's Cross Connection Control Speci- connection located at this address has defi	alist recently conducted a water system audit and has determined the iciencies concerning proper Hackflow Prevention. The audit identified
1	New Installation of backflow(s) is	required. Reason checked below.
*	Structure Height Alternative source possible	
	Outside of City Limits	
	Lot Zoning	
:		
	Plumbing Modification of existing Location or Access issue Must have 12" clearance under the signal process.	-A_
	Plumbing Modification of existing Location or Access issue Most have 12° clearance under the services and the services are services as the services are services are services as the services are services as the services are services are services as the services are services are services as the services are services are services are services as the services are services are services as the services are services are services are services as the services are services are services as the services are services are services are services are services are services are	flow(s) is necessary. Call for details.
	Plumbing Modification of existing tocation or Access issue	flow(s) is necessary. Call for details.
	Plumbing Modification of existing Location or Access issue Most have 12° clearance under the services and the services are services as the services are services are services as the services are services as the services are services are services as the services are services are services as the services are services are services are services as the services are services are services as the services are services are services are services as the services are services are services as the services are services are services are services are services are services are	flow(s) is necessary. Call for details. must replace with
	Plumbing Modification of existing Location or Access issue Must have 12" clearance under the selection of the existing backs Brand Williams Style 975 XL3 or XL3 Size 1"	flow(s) is necessary. Call for details. must replace with
	Plumbing Modification of existing Location or Access issue Must have 12" clearance under the under the under the existing back. Brand Wilkins Style 975 XL3 or XL3 Size 1" Age	flow(s) is necessary. Call for details. must replace with must replace with Irrigation Domestic No Permit
	Plumbing Modification of existing Location or Access issue Must have 12" clearance under the selection of the existing backs brief 15 XL3 or XL3 Size 1" Age	flow(s) is necessary. Call for details. must replace with
	Plumbing Modification of existing Location or Access issue Must have 12" clearance under the attended withing Style 975 XL3 or XL3 Size 1" Age Damage Vandalism Other This letter is to inform you that the minimum standards for per that you purchase a backflow	flow(s) is necessary. Call for details. must replace with

Inspection Authority Confusion

This example highlights the City's lack of clarity and accountability regarding who is authorized to inspect plumbing work on private property. Under California Building Standards Code, Title 24, Part 5, such inspections must be performed by individuals formally authorized under the local building authority. Yet, City communications show contractors being referred to Public Works personnel for backflow inspections without evidence of a formal delegation of authority from the Building Department. This creates a procedural conflict, raises questions of regulatory overreach, and leaves permitted work potentially unverified by a qualified inspection authority.

City of Merced Inspection Services

678 W. 18th Street Merced CA, 95340 (209) 385-4773



ocation Address		in the second	e Date:	Expiration:	
		Parcel Nun	nber		
	6				
ontacts					
	Prope	rty Owner Michael Mo	orin		Applicant
Michael Morin		Contractor			
escription: Modify water line at build		Valuation:		Inspection Requests:	
an check backflow this will be up to a OR DOMESTIC AND LANDSCAPE BAC ROPERTY: No plans required, permit be counter, and also contact forks for the backflow inspection: (20 bot on private property, contact Engin incroachment permit. Backflows on fi full submittal with hydraulic calculations.)	exFLOWS ON PRIVATE will be issued over Public 09) 385-6800. When neering for an ire lines will require	Total Sq Feet:	0.00		
es	Amount p	'ayments	Amt Paid	Inspections:	
ilding Standards Fee (Inspection		Total Fees		Inspection Type	J. L.
rvices) er-the-Counter Permit Fee-MEP	e	Check		Domestic Water-R	32
tal:		mount Due:	\$0.00	Plumbing Final-R	39

Extension: Prior to permit expiration and upon written request, a one-time extension, not to exceed 180 days, may be granted by

emailing your request to inspectionservicesweb@cityofmerced.org

Date

confirmation that

Re:	
From MCM Plumbing	
Date Wed 4/23/2025 9:	AM
То	cityofmerced.org>
Dear	
This issue now directl collect payment for co	affects my ability to finalize permit and and apleted work.
As noted previously, t	permit issued by the City of Merced Inspection Services Department states tha

This situation has now escalated beyond a policy inquiry—it is interfering with my legal right to close out permitted work. Without formal inspection and sign-off by an authorized inspector, the job remains open and I cannot proceed with closeout or final billing.

conduct inspections on private property, as required under Title 24, Part 5 (California Plumbing Code).

is formally authorized under the City of Merced Building Department to

. However, I have yet to receive

I am respectfully requesting the following:

backflow inspection must be performed by

- 1. Immediate written confirmation of whether is authorized by the **Building**Department to conduct private plumbing inspections;
- 2. If not authorized, instructions on how to schedule a compliant inspection by a qualified Building Inspector so this permit may be finalized without further delay;

If I do not receive clarification, I will have no choice but to escalate this matter as a case of regulatory obstruction, inconsistent enforcement, and financial harm to a licensed contractor operating in good faith

Please treat this request as **time-sensitive**. My business and my client's occupancy depend on resolution.

Sincerely,

Michael C. Morin Owner and Operator MCM Plumbing CSLB #1002279 | AWWA #13829



"If water runs through it... we do it."

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From: cityofmerced.org>

Sent: Wednesday, April 23, 2025 9:11 AM

To: MCM Plumbing

Cc: cityofmerced.org>;

Subject: RE:

Michael,

The snip provided in previous email and below answers your specific question. If you feel your specific question is unanswered you may submit for an additional public records request.

103.0 Duties and Powers of the Authority Having Jurisdiction.

103.1 General. The Authority Having Jurisdiction shall be the Authority duly appointed to enforce this code. For such purposes, the Authority Having Jurisdiction shall have the powers of a law enforcement officer. The Authority Having Jurisdiction shall have the power to render interpretations of this code and to adopt and enforce rules and regulations supplemental to this code as deemed necessary in order to clarify the application of the provisions of this code. Such interpretations, rules, and regulations shall comply with the intent and purpose of this code.

In accordance with the prescribed procedures and with the approval of the appointing authority, the Authority Having Jurisdiction shall be permitted to appoint a such number of technical officers, inspectors, and other employees as shall be authorized from time to time. The Authority Having Jurisdiction shall be permitted to deputize such inspectors or employees as necessary to carry out the functions of the code enforcement agency.

The Authority Having Jurisdiction shall be permitted to request the assistance and cooperation of other officials of this jurisdiction so far as required in the discharge of the duties in accordance with this code or other pertinent law or ordinance.

From: MCM Plumbing		
Sent: Wednesday, April 23,	2025 8:49 AM	
То:	cityofmerced.org>	
Subject:		
,		
Thank you for the resp yet been addressed.	onse regarding my inquiry. Howe	ever, the core concern I raised has not
<pre>property—specifically question pertains to en</pre>	artment to conduct or approve plain reference to forcement of Title 24, Part 5 of the mbing work on private property b	ertified and authorized by the City of lumbing inspections on private This are California Building Standards Code, be inspected by individuals formally
	n authority—may represent a pro	ckflow inspections—without a formal ocedural conflict or regulatory overreach
	matter is being included in authority is a policy and proces	the specific question of ss clarification that deserves a direct

provide documentation of any formal delegation allowing Public Works to perform inspections

holds inspection authority under the Building Department or

Thank you for your continued attention.

for permitted plumbing work on private property.

answer outside the PRR process.

Please advise whether

Sincerely,

Michael C. Morin
Owner and Operator
MCM Plumbing

CSLB #1002279 | AWWA #13829



"If water runs through it... we do it."

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From: <u>cityofmerced.org</u>>

Sent: Wednesday, April 23, 2025 8:30 AM

To: MCM Plumbing

@cityofmerced.org>;

Subject:

Good Morning,

Response to your email below will be provided in the public records request you have submitted. Additionally, the code sections you refer to are included in snip below from the actual California Plumbing Code.

103.0 Duties and Powers of the Authority Having Jurisdiction.

103.1 General. The Authority Having Jurisdiction shall be the Authority duly appointed to enforce this code. For such purposes, the Authority Having Jurisdiction shall have the powers of a law enforcement officer. The Authority Having Jurisdiction shall have the power to render interpretations of this code and to adopt and enforce rules and regulations supplemental to this code as deemed necessary in order to clarify the application of the provisions of this code. Such interpretations, rules, and regulations shall comply with the intent and purpose of this code.

In accordance with the prescribed procedures and with the approval of the appointing authority, the Authority Having Jurisdiction shall be permitted to appoint a such number of technical officers, inspectors, and other employees as shall be authorized from time to time. The Authority Having Jurisdiction shall be permitted to deputize such inspectors or employees as necessary to carry out the functions of the code enforcement agency.

The Authority Having Jurisdiction shall be permitted to request the assistance and cooperation of other officials of this jurisdiction so far as required in the discharge of the duties in accordance with this code or other pertinent law or ordinance.

From: MCM Plumbing	
Sent: Tuesday, April 22, 2025 7:0	03 PM
То:	@cityofmerced.org>
Subject:	
i	
I hope you're doing well.	
installation of a domestic b	City of Merced Inspection Services Department, authorizes the ackflow prevention device on private property at the scope involving plumbing work on private property, the permit
"Building will not inspect or "Contact	plan check backflow—this will be up to the water department." Public Works for the backflow inspection."
To my understanding,	is a certified backflow prevention assembly tester however, he is not a licensed inspector under the California
Building Standards Code.	

Referring contractors to Public Works personnel who are not formally authorized to conduct or approve inspections for private plumbing installations appears to bypass the required inspection protocols under state law.

Title 24, Part 5 (California Plumbing Code):

Adopted under the California Building Standards Code, this applies to all plumbing work on private property and mandates inspection and approval by the local building authority.

Can you please confirm whether is certified and formally authorized by the City of Merced Building Department to conduct plumbing inspections on private property?

Thank you for your time and attention to this matter.

Sincerely,

Michael C. Morin
Owner and Operator
MCM Plumbing
CSLB #1002279 | AWWA #13829



"If water runs through it... we do it."

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Example of Inspection Oversight Failure

The attached example demonstrates the City's lack of clarity and accountability regarding who is responsible for inspecting backflow installations. In this case, a permit was issued but no inspections were ever called in. Internal communications show conflicting references. The same City department that performed modifications to a private fire system was also positioned to oversee the inspection, creating a conflict of interest. This lack of coordination undermines public safety for both fire protection and water quality, and reflects a broader enforcement gap that allows unverified, potentially non-compliant installations to remain in service.



Re:	No inspections called in: Add	tional concerns:Follow-up on backfl	low device concerns	
From Michael M	orin Communication of the Comm			
Date Thu 4/17/2	2025 9:02 AM			
То	@cityofmerced.org>			
Cc	cityofmerced.org>;	cityofmerced.org>;	cityofmerced.org>	

Furthermore, these alterations—made without proper backflow protection—introduce a new risk to the public water system. As you know, backflow prevention is critical in protecting the potable water supply from potential contamination. Public Works should be made aware of this situation to ensure appropriate follow-up and corrective action, if necessary.

Fire protection and water quality are both matters of public safety, and I want to reiterate the urgency of reviewing this installation thoroughly.

Thanks,

Michael C. Morin
Owner and Operator
MCM Plumbing
CSLB #1002279
AWWA #13829
https://mcmplumbing209.com

"If water runs through it...we do it"

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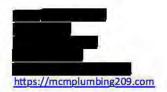
From: Michael Morin					
Sent: Thursday, April 17, 2	025 8:58 AM				
To:	cityofmerced.org>				
Cc:	cityofmerced.org>	cityofmero	ed.org>;	cityofmerced.o	rg>
Subject: Re:	-No inspections called i	n: Additional concerns:Fol	low-up on backflow des	ice concerns	
Good morning					
I wanted to share that	is the	Manager for	and was our poi	nt of contact when we ori	ginally bid the backflow
	ough we were not awarded the individual(s) or company				
Based on the new inform	mation you provided, it appe	ears that the backflow de	vice has not yet been	installed by	However it seen

As you know, fire protection is critical to life safety, and I want to emphasize the urgency of this matter. Any alterations to the fire system should be reviewed carefully to ensure compliance with applicable codes and standards.

that modifications have already been made to the fire system, including the removal of the vault, swing check valve, and post-indicating shut-off valve.

Best regards,

Michael C. Morin Owner and Operator MCM Plumbing CSLB #1002279 AWWA #13829



"If water runs through it...we do it"

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Communications Privacy Act. If you are not the intended re-	cipient, please contact the sende	er and destroy all copies of the communication.
From: @cityofmerced.org> Sent: Thursday, April 17, 2025 8:10 AM To: Michael Morin		
Cc: @cityofmerced.org>;	cityofmerced.org>;	cityofmerced.org>
	al concerns: Follow-up on backflow	
Good morning,		
Fire permit for backflow issued 6/25/24 ***No inspections called in***		
I'm also including the email sent by	for those cc herein. I'm not su	re who
Application number	ROVED	
Zoning		
Master plan number, rev'wd by:	BHCK! EUW	
Name		Contractor number:
Address / /		Bus lic number . :
Walter Color Color		
		Phone 1

Our counter is open 9:00 am to noon and 1:00 pm to 5:00 pm, it is best to arrive 1/2 hour before each closing time to allow for processing.

CA

Phone 2 Phone 3

Chief Building/Construction Project Official City of Merced Inspection Services 678 W. 18th Street Merced, CA 95340 (209) 384-5781 @cityofmerced.org

MERCED

95340

From: Michael Morin

Sent: Wednesday, April 16, 2025 9:53 PM

To: cityofmerced.org>
Cc: cityofmerced.org>; cityofmerced.org>
Subject: Re: Additional concerns:Follow-up on backflow device concerns

Cheers,



"If water runs through it...we do it"

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From: Michael M	orin	
Sent: Tuesday, Ap	oril 15, 2025 7:03 PM	
To:	cityofmerced.org>	
Cc:	cityofmerced.org>	cityofmerced.org
Subject: Re: Addi	tional concerns:Follow-up on backflow device	e concerns

Hello Denise,

The APN and address are as follows:

APN		
	Merced, CA	ı

Also, Public works should have a work order for the work performed that morning roughly 1 2024 for a 2024 for

Cheers,

Michael C. Morin
Owner and Operator
MCM Plumbing
CSLB #1002279
AWWA #13829

https://mcmplumbing209.com

"If water runs through it...we do it"

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From Lityofmerced.org>
Sent: Tuesday, April 15, 2025 4:44 PM
To: Michael Morin C: @cityofmerced.org>; Cityofmerced.org>
Subject: RE: Additional concerns:Follow-up on backflow device concerns

Will you please provide the address?

Our records are by address, and I want to ensure we are looking into the proper location.

Our counter is open 9.00 am to noon and 1:00 pm to 5:00 pm, it is best to arrive ½ hour before each closing time to allow for processing.

Chief Building/Construction Project Official City of Merced Inspection Services 678 W. 18th Street Merced, CA 95340 (209) 384-5781 @cityofmerced.org

From: Michael Morin

Sent: Tuesday, April 15, 2025 3:57 PM

To: cityofmerced.org>

Cc: cityofmerced.org>

Subject: Re: Additional concerns: Follow-up on backflow device concerns

Dear

I'm writing to follow up regarding the emails below, as it has been some time and I have not yet received a response.

I'm attaching four photos that raise concerns about recent modifications made to the fire protection system at a photos, which appear to have taken place on or shortly after 2024. One of the images shows an indicating shut-off valve equipped with a tamper switch that controls the incoming water to the fire system. Notably, the City of Merced is in possession of a similar valve and tamper switch at and was also observed onsite on

Unless I'm mistaken, modifications to a fire system—particularly those involving indicating valves with tamper switches—require prior review and approval, with submitted plans to the Building Department. Before initiating a formal Public Records Act request, I would appreciate it if you could confirm whether any such plans were submitted and approved for this modification.

Given the potential implications for both public safety and the protection of the water system, I strongly encourage the City to thoroughly review this installation.

Please let me know if any additional information is needed. I look forward to your response.

Best regards,

Michael C. Morin
Owner and Operator
MCM Plumbing
CSLB #1002279
AWWA #13829
https://mcmplumbing209.com

"If water runs through it...we do it"

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From: Michael Morin

Sent: Friday, March 7, 2025 9:20 AM

To: cityofmerced.org>
Cc @cityofmerced.org>

Subject: Re: Additional concerns:Follow-up on backflow device concerns

Thank you for your prompt attention and response to this matter.

Outlook for iOS

Cheers,

Michael C. Morin Owner and Operator MCM Plumbing CSLB #1002279 AWWA #13829 Check out our website!

"If water runs through it...we do it"

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From: <u>lityofmerced.org</u>>
Sent: Friday, March 7, 2025 7:27:28 AM
To: Michael Morin <u>lityofmerced.org</u>>

Cc: cityofmerced.org>
Subject: Additional concerns;Follow-up on backflow device concerns

Thank you again, we will address this with our Public Works Department.

Fire Backflows should always have plans submitted etc. to the building Dept. for review to ensure fire sprinklers will work. Agreed, there is a 2nd concern with protecting the City's water system.

Our counter is open 9:00 am to noon and 1:00 pm to 5:00 pm, it is best to arrive 1/2 hour before each closing time to allow for processing.

Chief Building/Construction Project Official City of Merced Inspection Services 678 W. 18th Street Merced, CA 95340 (209) 384-5781 cityofmerced.org

From: Michael Morin

Sent: Friday, March 07, 2025 6:55 AM

To: cityofmerced.org>
Cc: Pcityofmerced.org>
Subject: SPAM:Follow-up on backflow device concerns

You don't often get email from Good morning

Learn why this is important

I wanted to follow up on one of your questions and also bring up additional concerns regarding the backflow device in question. The backflow device at the that was a concern is, in fact, a fire backflow detector assembly that Public Works was installing. Similarly, the backflow device at also a fire backflow.

I understand that the backflow device installed may be appropriate for fire system requirements, but the protection of the public water supply and the safety of the water remain critical concerns when installing backflow systems. Additionally, Public Works made modifications to a private fire line to allow a contractor to install a backflow device inside the building. However, this backflow device may not be properly sized according to state law. As a general requirement, backflow devices should be at least the same size as the incoming water lateral.

I believe that whoever made the modifications to the fire system and allowed the backflow to be installed further from the meter/service connection and undersized may be in violation of state regulations, as well as those set by or or more agencies Environmental Protection Agency (EPA), the American Water Works Association (AWWA), the Department of Industrial Relations (DIR), California Administrative Code of Regulations, Title 17 or the California Public Utilities Commission (CPUC). Please report this matter to the appropriate agency or city department for further investigation. Being aware of this matter is a big concern and I feel deserves urgency so these installations don't continue to happen without proper oversight.

Let me know if you need any additional information.

Outlook for iOS

Best,

Michael C. Morin Owner and Operator MCM Plumbing CSLB #1002279



"If water runs through it...we do it"

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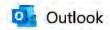
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Public Works Denial vs. Documented Backflow Installations

While the City's Public Works Department has denied involvement in installing private backflow devices, its own work order records tell a different story. In one case, Public Works crews excavated, replaced a service line, and tied it into a customer's system with a newly installed backflow device. This direct involvement contradicts prior statements and shows the City performing work that typically requires a licensed contractor and formal inspection. Such actions raise serious concerns about compliance with licensing laws, permitting requirements, and fair competition, as well as the integrity of the City's representations to the public.



Request Number: PRR-
From Michael Morin Date Fri 4/4/2025 10:11 AM To cityofmerced.org < cityofmerced.org >
Dear Marie Control of the Control of
I'm writing to follow up on your response to Public Records Request PRR and to respectfull submit a correction based on recent developments.
In contrast to the City's official position—stating that Public Works does not perform backflow installations on private property—I have firsthand documentation that contradicts this claim.
During a site visit to explicitly stated that the City installed the backflow device for the private entity further mentioned that the Public Works Department "installs backflows all the time." This statement was made in the presence of multiple witnesses and stands in direct conflict with the City's response to PRR- which asserted:
1. No contracts or agreements exist for private property backflow installations.
2. There is no program for such installations.
3. No invoices, work orders, or labor records exist.
4. No resolutions apply.
The installation of a backflow device for a private commercial entity—represents a clear example of Public Works engaging in private—work, despite claims to the contrary. Furthermore, such work is regulated under California Code of Regulations Title 16 § 832.18 and Business and Professions Code § 7028, which require that it be performed by a licensed plumbing contractor.
For these reasons, I respectfully request that PRR-beautiful be reopened or amended to accurately reflect these facts. If the Public Works Department has indeed been performing regulated plumbing work on private property, the City is obligated to maintain corresponding records and ensure compliance with contractor licensing, public works laws, and prevailing wage requirements.
Please advise how you would prefer I proceed in order to ensure this matter is formally addressed.

Sincerely,

Michael C. Morin Owner and Operator

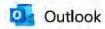
MCM Plumbing CSLB #1002279 AWWA #13829



https://mcmplumbing209.com

"If water runs through it...we do it"

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Re: Re: City of Merced, CA - Records Request PRR-From prequest.justfoia.com> Date Thu 3/20/2025 8:03 AM Good Morning, for the Public Works Department. is the Thank you, Assistant City Clerk On Tue, Mar 18, 2025 at 9:41 am, Michael Morin wrote: Dear Thank you for your response regarding my request (PRR I appreciate the information provided by the Public Works Department. For my records, could you kindly provide the name and title of the individual or individuals who compiled or provided this response? This will help ensure I have the appropriate point of contact should any further clarification be needed. I appreciate your time and assistance. Looking forward to your response. Thank You, Michael C. Morin Owner and Operator **MCM Plumbing** CSLB #1002279 AWWA #13829

https://mcmplumbing209.com

"If water runs through it...we do it"

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From: JustFOIA Notification



Dear Requestor,

The request Request Number: PRR- has been completed. Per the Public Works Department:

- 1. We do not have any contracts/agreements/grants for private property backflow installations.
- 2. We do not have a program for "backflow prevention device installations on private property", so there are no emails/memos/etc.
- 3. No invoices/work orders/labor records for private backflow installs (we do not do the installation).
- 4. No resolution.

Thank you,

City of Merced 678 W. 18th Street Merced, CA 95340 (209) 388-8650

cityofmerced.org





City of Merced Public Works 1776 Grogan Ave Merced, CA 95341

Work Order Field Sheet

Work Order # Assigned To:

Priority Date Submitted Date Scheduled Date Requested

LOCATION CONTACT CONTACT PHONE REQUESTING DEPARTMENT WATER SYSTEM CITIZEN ADDRESS CITIZEN CONTACT CITIZEN PHONE ACTIVITIES **BCRP - BACKFLOW REPAIRS** BACKFLOW REPAIRS - Water crew to prep for swing check removal and new fire service backflow install at located at COMMENTS COMMENT DESCRIPTION Prepped parts for swing check removal. Excavated and prepped for swing check removal. COST DETAIL Total: \$68.00 **CUSTOM FIELDS**

ADDITIONAL NOTES



ADDITIONAL NOTES

City of Merced Public Works 1776 Grogan Ave Merced, CA 95341

Work Order Field Sheet

Work Order #

Assigned To:

Priority

Date Submitted

Date Scheduled

Date Requested



LOCATION CONTACT **CONTACT PHONE** REQUESTING DEPARTMENT WATER SYSTEM CITIZEN ADDRESS CITIZEN CONTACT CITIZEN PHONE ACTIVITIES DESCRIPTION BACKFLOW REPAIRS - Water crew to remove fire swing check **BCRP - BACKFLOW REPAIRS** located on the COMMENT DESCRIPTION Formed and poured concrete, covered with plywood when finished. Cut out swing check and installed new fire, backflow, backfield sidewalk area, and caution taped off area that contractors need to pour kickers and backfill Excavated to bottom of 45, removed vault, and plated. Contractor saw job for parts list. \$1160.96 Total: **CUSTOM FIELDS** FIELD NAME DESCRIPTION

CITY OF MERCED Display Work Request

Request number . . . : WF0437651 Closed INVESTIGATE WATER SERVICE Facility ID : Node Range : 0 to Customer ID : 0 LM location ID . . . : General location . . . : Requestor : Requesting department : PWMT PW - WATER Request date/time . . : Scheduled start date . : Actual : Requested completion . : Scheduled : Actual :

Close date :

More...

F3=Exit F5=More detail F7=AR customer F8=Contact F9=Charges F10=Comments F12=Cancel F20=Customer functions F24=More keys

CITY OF MERCED Display Work Request Comments

Request number . . . :

INVESTIGATE WATER SERVICE

Request status . . . : CL Closed

Detail Description

WATER CREW TO POTHOLE FROM FIRE SERVICE TO DOMESTIC AND DETERMINE WHERE SERVICES ARE TIED TO EACH OTHER.

FOUND DOMESTIC SERVICE TIED TO FIRE SERVICE.

INSTALLED NEW 4" SERVICE LINE AND TIED INTO

CUSTOMERS 3" DOMESTIC LINE WITH NEW 3" BACKFLOW.

FOUND FIRE HYDRANT ON SITE TO BE INTERNAL OFF OF

CUSTOMERS FIRE SERVICE.

Bottom

Press Enter to continue.

F3=Exit F12=Cancel



City of Merced Public Works 1776 Grogan Ave Merced, CA 95341

Work Order Field Sheet

Work Order #

\$1126.51

Total:

Work Order # Assigned To:

Priority

Date Submitted

Date Scheduled

Date Requested



LOCATION CONTACT CONTACT PHONE REQUESTING DEPARTMENT
WATER SYSTEM

CITIZEN ADDRESS CITIZEN CONTACT CITIZEN PHONE

ACTIVITIES					
TASK	ACTIVITY	DESCRIPTION	ASSET		
1	INSTALL BACKFLOW	REMOVE EXISTING SWING CHECK AND INSTALL NEW 4" FIRE DOUBLE CHECK BACKFLOW			
2	INSTALL BACKFLOW	INSTALL BACKFLOW	>		
3	INSTALL BACKFLOW	INSTALL BACKFLOW	-		

COMMENTS					
COMMENT DATE	COMMENT BY	COMMENT DESCRIPTION			
		Removed swing check and installed new 4" backflow. Work complete 9/1/2023 DA			
		inventory listed in comments that were not found in system			
		1- 4" mj/fl elbow 2-4" fl/fl elbow			
		Hydro excavated down to investigate the backside and get parts ordered for new backflow.			
		Hydro excavated down to investigate the backside and get parts ordered for new backflow.			

COST DETAIL						
TASK	DATE	DETAIL TYPE	DESCRIPTION	QUANTITY	RATE	TOTAL

CUSTOM FIELDS					
FIELD NAME	TYPE	DESCRIPTION	REQUIRED	DEFAULT	ACTUAL VALUE

ADDITIONAL NOTES

CITY OF MERCED Display Work Request

Request number . . . : Open EXCAVATE TO INSTALL BACKFLOW Facility ID : Node Range : 0 to Customer ID : 0 LM location ID . . . : General location . . . : Requestor : Requesting department : PWMT PW - WATER Request date/time Scheduled start date . : Actual Requested completion . : Scheduled : Actual : Close date :

More...

F3=Exit F5=More detail F7=AR customer F8=Contact F9=Charges F10=Comments F12=Cancel F20=Customer functions F24=More keys Work request has comments.

CITY OF MERCED Display Work Request Comments

Request number . . . :

EXCAVATE TO INSTALL BACKFLOW

Request status . . . : OP Open

Detail Description

WATER CREW TO EXCAVATE FOR THE INSTALLATION OF NEW BACKFLOW DEVICE. CONTRACTOR TO PERFORM INSTALL. WATER CREW TO REPLACE METER IN VAULT WITH SPOOL AND REMOVE VAULT.

Bottom

Press Enter to continue.

F3=Exit F12=Cancel