



CITY OF MERCED

Meeting Agenda

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

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

Monday, November 15, 2021

6:00 PM

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

Closed Session at 5:00 P.M. / Regular Meeting at 6:00 P.M.

NOTICE TO PUBLIC/AVISO AL PÚBLICO/CEEB TOOM RAU PEJ XEEM

Pursuant to Assembly Bill No. 361, there may be Council Members participating virtually for this meeting. Members of the public may participate in-person. All votes for this meeting will be taken via rollcall.

WELCOME TO THE MEETING OF THE MERCED CITY COUNCIL/BIENVENIDO A LA REUNIÓN DEL CONCILIO DE LA CIUDAD DE MERCED/ZOO SIAB TXAIS TOS KOJ TUAJ RAU HAUV CITY COUNCIL LUB ROOJ SAB LAJ

At least 72 hours prior to each regular City Council meeting, a complete agenda packet is available for review on the City's website at www.cityofmerced.org or at the City Clerk's Office, 678 W. 18th Street, Merced, CA 95340. All public records relating to an open session item that are distributed to a majority of the Council will be available for public inspection at the City Clerk's Office during regular business hours. Spanish and Hmong translation is available at every regular meeting.

Al menos 72 horas antes de cada reunión regular del Concejo Municipal, un paquete de agenda complete está disponible para su revisión en el sitio web de la Ciudad en www.cityofmerced.org o en la Oficina del Secretario de la Ciudad, 678 W. 18th Street, Merced, CA 95340. Todos los registros publicos relacionados con un artículo de sesión abierta que se distribuyen a la mayoría del Concejo estarán disponibles para inspección pública en la Oficina del Secretario de la Ciudad durante el horario comercial habitual. La traducción al español y al Hmong está disponible en todas la reuniones regulares.

Sai kawg los yog li 72 teev ua ntej kev sab laj ntawm City Council, muaj pob ntawv kom tswj pub rau tib neeg los nyeem hauv City qhov website www.cityofmerced.org los sis tom City Clerk's Office, 678 W. 18th Street, Merced, CA 95340. Tas nrho cov ntaub ntawv teev tseg ntawm zej tsoom ntawm kev sab laj pub rau pej xeem sawv daws los nyeem tom City Clerk's Office thaum lub caij ua hauj lwm. Muaj txhais lus Mev thiab lus Hmoob.

MODIFIED PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK/COMENTARIO DEL PÚBLICO MODIFICADO/ KEV HLOOV RAU TEJ PEJ XEEM TXOG KEV TAWM SUAB, NCAUS LUS:

Members of the audience who wish to address the City Council are requested to complete a speaker card available at the podium against the right hand side of the Council Chamber. Please submit the completed card to the City Clerk before the item is called, preferably before the meeting begins.

For at risk individuals or those not wanting to attend an in-person meeting during the current Covid-19 pandemic, please submit your public comment to the City Council electronically no later than 1PM on the day of the meeting. Comments received before the deadline will be sent to the City Council and will be part of the record and mentioned as part of the Written Petitions and Communications portion of the agenda.

Material may be emailed to cityclerk@cityofmerced.org and should be limited to 300 words or less. Please specify which portion of the agenda you are commenting on, for example, Closed Session, item # or Oral Communications. Your comments will be presented to the City Council at the appropriate time. Any correspondence received after 1 PM will be distributed to the City Council and retained for the official record.

You may provide telephonic comments via voicemail by calling (209) 388-8688 by no later than 1 PM on the day of the meeting to be added to the public comment. Voicemails will be limited to a time limit of three (3) minutes. Please specify which portion of the agenda you are commenting on, for example, Public Hearing item #, Consent item #, or Oral Communications. Your comments will be played during the City Council meeting at the appropriate time. For Public Hearing items, if you wish to speak live during the meeting, please leave callback information and you will be contacted with further details.

To view video (if available) or listen to the City Council meeting live, go to the City's website www.cityofmerced.org, Facebook Live, or Comcast Public Access Channel 96.

Los miembros de la audiencia que desea dirigirse al Ayuntamiento deben completar una tarjeta de orador disponible en el podio en el lado derecho de la Cámara del Consejo. Envíe la tarjeta completa al secretario de la ciudad antes de que se llame al artículo, preferiblemente antes de que comience la reunión.

Para las personas en riesgo de aquellos que no quieran asistir a una reunión en persona durante la pandemia actual de Covid-19, envíe su comentario público al Ayuntamiento de forma electrónica a más tardar a la 1:00 p.m. del día de la reunión. Los comentarios recibidos antes de la fecha límite se enviarán al Concejo Municipal y formarán parte del registro y se mencionarán como parte de la sección de Peticiones y comunicaciones escritas de la agenda.

El material puede enviarse por correo electrónico a cityclerk@cityofmerced.org y debe limitarse a 300 palabras o menos. Por favor, especifique qué parte de la agenda está comentando, por ejemplo, Sesión cerrada, artículo # o Comunicaciones orales. Sus comentarios serán presentados al Ayuntamiento en el momento apropiado. Cualquier correspondencia recibida después de la 1 PM se distribuirá al Ayuntamiento y se conservará para el registro oficial.

Puede proporcionar comentarios telefónicos a través del correo de voz llamando al (209) 388-8688 a más tardar a la 1 PM del día de la reunión para que se agreguen al comentario público. Los mensajes de voz estarán limitados a un límite de tiempo de tres (3) minutos. Por favor especifique qué parte de la agenda está comentando, por ejemplo, número de artículo de la audiencia pública, número de artículo de consentimiento o comunicaciones orales. Sus comentarios se reproducirán durante la reunión del Ayuntamiento en el momento adecuado. Para los temas de audiencia pública, si desea hablar en vivo durante la reunión, deje la información de su llamada y lo contactaremos con más detalles.

Para ver el video (si está disponible) o escuchar la reunión del Concejo Municipal en vivo, visite el sitio web de la ciudad www.cityofmerced.org, Facebook Live o Comcast Public Access Channel 96.

Cov pej xeem los koom lub rooj sab laj kws xav tawm suab rau City Council muaj feem los sau ntauv hauv daim ntauv tawm suab nyob ntauv lub sam thiaj hais lus sab xis ntauv Council Chamber. Thov xa daim ntauv tawm suab rau tus City Clerk ua ntej lub sij hawm lub rooj sab laj pib.

Rau cov tib neeg kws tuaj koom tsis tau lub rooj sab laj vim muaj kab mob COVID-19, thov xa koj cov lus tawm suab rau City Council hauv computer los sis hauv xov tooj ua ntej 1 teev tav su hnuv muaj lub rooj sab laj. Cov lus tawm suab txais tau ua ntej lub sij hawm sab laj muab xa rau City Council thiaj muab tso hauv daim ntauv kom tswj.

Tej ntaub ntauv thov muab xa rau cityclerk@cityofmerced.org thiab tsis pub muaj tshaj 300 los lus. Thov qhia qhov twg hauv daim kom tswj koj xav tawm suab rau, piv txwv li, kev sab laj kaws, nqes # los sis kev sib tham ntauv ncauj lus. Koj cov tswv yim muab rau lub rooj sab laj thaum lub sij hawm tsim nyog. Tej ntaub ntauv txais tau tom qab 1 teev tav su mam muab rau City Council thiab tso hauv cov ntaub ntauv teev tseg.

Koj muaj feem tso suab hauv xov toom thaum hu (209) 388-8688 ua ntej 1 teev tav su hnuv sab laj thiaj koj lub tswv yim muab tso hauv daim kom tswj. Tso suab hauv xov tooj tsis pub ntev tshaj (3) feeb. Thov qhia qhov twg hauv daim kom tswj koj xav tawm suab rau, piv txwv li, zej tsoom tawm suab #, khoom tso cai #, los sis kev sib tham ntauv ncauj lus. Cov suab kaws hauv xov mam tso mloog thaum lub caij tsim nyog thaum sab laj. Yog koj xav tawm suab thaum sab laj, thov tso koj tus zauv xov tooj, ib tus tib neeg ua hauj lwm mam li hu koj.

Yog koj xav saib video (tham muaj) los sis mloog City Council kev sab laj, ces mus hauv City's website www.cityofmerced.org, Facebook Live, los sis Comcast Public Access Channel 96.

INDIVIDUALS WITH DISABILITIES

Accommodation for individuals with disabilities may be arranged by contacting the City Clerk at (209) 388-8650. Assisted hearing devices are available for meetings held in the Council Chamber.

A. CLOSED SESSION ROLL CALL

B. CLOSED SESSION

The legislative body shall provide the public with an opportunity to address the body on any item described in Closed Session [Government Code Section 54954.3(a)].

- B.1.** [21-916](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; . City of Merced, a California Municipal Corporations, Petitioner v Madeline Sally Martinez, an individual, Respondent v, Case No. 21CV-00121, Petition for Nuisance Abatement and Receivership of Property Located at 832 W. 11th Street, Merced
- B.2.** [21-922](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; National Opioids Settlements with Pharmaceutical Distributors McKesson, Cardinal Health and Amerisource Bergen, and Manufacturer Janssen Pharmaceuticals, Inc. and its Parent Company Johnson & Johnson; AUTHORITY: Government Code Section 54956.9(d)(4)
- B.3.** [21-926](#) **SUBJECT:** PUBLIC EMPLOYMENT - TITLE: City Attorney; AUTHORITY: Government Code 54957

C. CALL TO ORDER

- C.1. Invocation - Pastor Juan Ochoa, Calvary Assembly of God Merced
- C.2. Pledge of Allegiance to the Flag

D. ROLL CALL

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

E. REPORT OUT OF CLOSED SESSION

F. CEREMONIAL MATTERS

- F.1.** [21-917](#) **SUBJECT:** Proclamation - Small Business Saturday

REPORT IN BRIEF

Accepted by an advocate of the small business community.

G. SPECIAL PRESENTATIONS

- G.1. [21-864](#) **SUBJECT: Presentation on the Valley Air District Incentive Grants Available for Residents, Businesses, and Agencies**

REPORT IN BRIEF

A Special Presentation given by Chief Communications Officer Jaime Holt from the San Joaquin Valley Air Pollution Control District.

RECOMMENDATION

For Information-Only.

H. WRITTEN PETITIONS AND COMMUNICATIONS

I. ORAL COMMUNICATIONS

Members of the public who wish to speak on any matter not listed on the agenda may speak during this portion of the meeting and will be allotted 5 minutes. The Mayor may, at his discretion, reduce the time to 3 minutes if there are more than 3 speakers, in order to accommodate as many speakers as possible. State law prohibits the City Council from acting at this meeting on any matter raised during the public comment period. Members of the public who wish to speak on a matter that is listed on the agenda will be called upon to speak during discussion of that item.

J. CONSENT CALENDAR

Adoption of the Consent Calendar may be made by one motion of the City Council, provided that any Council member, individual, or organization may request removal of an item from the Consent Calendar for separate consideration. If a request for removal of an item from the Consent Calendar has been received, the item will be discussed and voted on separately.

- J.1. [21-908](#) **SUBJECT: Reading by Title of All Ordinances and Resolutions**

REPORT IN BRIEF

Ordinances and Resolutions which appear on the public agenda shall be determined to have been read by title and a summary title may be read with further reading waived.

RECOMMENDATION

City Council - Adopt a motion waiving the reading of Ordinances and Resolutions, pursuant to Section 412 of the Merced City Charter.

- J.2. [21-920](#) **SUBJECT:** Approval of a Supplemental Appropriation in the General Fund in the Amount of \$30,000 to Establish a Capital Improvement Project to Enhance Technology and the Safety of the City Council Chambers

REPORT IN BRIEF

Considers approving a supplemental appropriation within the General Fund in the amount of \$30,000 to establish a Capital Improvement Project to enhance access to technology and the safety of the City Council Chambers.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a supplemental appropriation from the unreserved, unencumbered fund balance in the General Fund in the amount of \$30,000; and,
- B. Authorizing the Finance Officer to make the necessary budget adjustments.

- J.3. [21-819](#) **SUBJECT:** Adoption of a Resolution Acknowledging Receipt of the Merced Fire Department's Annual State Mandated Inspection Compliance Report Regarding the Inspection of Certain Occupancies for the Reporting Period of October 1, 2020 Through September 30, 2021, Pursuant to California Health and Safety Code §13146.4

REPORT IN BRIEF

Considers the adoption of a Resolution acknowledging receipt of the Merced Fire Department's Annual Compliance Report regarding performance of annual inspections pursuant to California Health and Safety Code (HSC) §13146.4.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2021-99**, a Resolution of the City Council of the City of Merced, California, acknowledging receipt of a report made by the Fire Chief of the Merced Fire Department regarding the inspection of certain occupancies required to perform annual inspections in such occupancies pursuant to sections 13146.2 and 13146.3 of the California Health and Safety Code.

- J.4. [21-650](#) **SUBJECT:** Adoption of Resolution Approving Standard Assurances Agreement for all California Office of Emergency Services Federal

Grant Programs for Fiscal Year 2020 and Approval of a Memorandum of Understanding with Merced County for State Homeland Security Grant Programs (SHSGP) - Funding for Equipment, Planning, Administration, Training and Exercises for Fiscal Year 2020

REPORT IN BRIEF

Considers approving the Standard Assurances Agreement for all California Office of Emergency Services (Cal OES) Federal Grant Programs for Fiscal Year 2020 and considers approving the Memorandum of Understanding (MOU) with Merced County to accept any future awards of the California State Homeland Security Grant Program (SHSGP) funds for equipment, planning, administration, training and exercises being funded through the County to the City of Merced for Fiscal Year 2020.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2021-103**, a Resolution of the City Council of the City of Merced, California, authorizing the City Manager to execute the California Governor's Office of Emergency Services FY 2020 Grant Assurances agreement; and,

B. Adopting **Resolution 2021-104**, a Resolution of the City Council of the City of Merced, California, authorizing the City Manager to execute the Office of Emergency Services State Homeland Security Grant Programs - Equipment, Planning, Administration, Training and Exercises agreement.

J.5. [21-769](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Approve the Communications Products Agreement for Purchase of Voting System Infrastructure Equipment; Portable, Mobile, and Base Radios, Hardware, and Accessories Necessary for Fire Suppression and Prevention from Motorola Solutions, Inc. in an Amount not to Exceed \$618,576.31, Based Upon Standardization and the Proprietary Nature of the Equipment

REPORT IN BRIEF

Considers waiving the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 and approving the Communications Products Agreement for purchase of voting system infrastructure equipment; portable, mobile, and base Radios, hardware, and accessories necessary for fire suppression and prevention from Motorola Solutions, Inc. in an amount not to exceed \$618,576.31, based upon standardization and the proprietary nature of the equipment.

RECOMMENDATION

City Council - Adopt a motion:

- A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210; and,
- B. Approving the purchases of voting system infrastructure equipment; portable, mobile, and base Radios, hardware, and accessories from Motorola Solutions, Inc. in an amount not to exceed \$618,576.31 in Fiscal Year 2021/2022; and,
- C. Authorizing the City Manager or the Deputy City Manager, to execute the necessary documents or contracts that are approved as to form by the City Attorney.

J.6. [21-488](#)

SUBJECT: Adoption of Resolution of Intent Regarding Annexation No. 19 into Community Facilities District (CFD) No. 2003-2 (Services) for Approximately 2.8 Acres of Land Located at the Northwest Corner of Highway 59 and Santa Fe Drive and Setting a Public Hearing for December 20, 2021

REPORT IN BRIEF

Requests the City Council to adopt a Resolution of Intent to annex approximately 2.8 acres of land located at the northwest corner of Highway 59 and Santa Fe Drive into Community Facilities District (CFD) No. 2003-2 (Services) and set a public hearing for December 20, 2021.

RECOMMENDATION

City Council - Adopt a motion:

- A. Adopting **Resolution 2021-105**, a Resolution of Intention of the City Council of the City of Merced, acting as the Legislative Body of the City of Merced Community Facilities District No. 2003-2 (Services), declaring its intention to annex area to said district and authorize the levy of a special tax within said annexation; and,
- B. Setting the Public Hearing for December 20, 2021; and,
- C. Accepting the Petition, Consent and Waiver from 59 Petroleum, LLC.

J.7. [21-890](#)

SUBJECT: Adoption of a Resolution Authorizing the Submittal of a Grant Application Under the 2021 State of California Housing and

Community Development (HCD) CalHome Program for First Time Home Buyer Mortgage Assistance, Accessory Dwelling Unit/Junior Accessory Dwelling Unit Assistance, and Owner-Occupied Rehabilitation Assistance; and Approving a Subrecipient Agreement with Self-Help Enterprises to Administer and Implement the Grant Activities if Awarded

REPORT IN BRIEF

Authorizes the submittal of a Grant Application to the State of California Department of Housing and Community Development Department (HCD) under the 2021 CalHome Program in the amount of \$2,500,000 to support First Time Home Buyer Mortgage Assistance, Accessory Dwelling Units - Junior accessory Dwelling Units (ADU/JADU) Assistance, and Owner-Occupied Rehabilitation Assistance; and Approves a Subrecipient Agreement with Self-Help Enterprises

RECOMMENDATION

City Council - Adopt a motion:

- A. Adopting **Resolution 2021-107**, a Resolution of the City Council of the City of Merced, California, hereby authorizes the submittal of an application to the California State Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome program; and,
- B. Authorizing the City Manager or Deputy City Manager to execute the Standard Agreement and other necessary documents associated with the grant application and award process, including any subsequent amendments or modifications thereto, necessary to implement the CalHome Program activities; and,
- C. Approving a Subrecipient Agreement between the City of Merced and Self-Help Enterprises to administer and implement the 2021 CalHome Program activities on behalf of the City of Merced and authorizing the City Manager or Deputy City Manager to execute the Subrecipient Agreement.

J.8. [21-850](#)

SUBJECT: Adoption of a Resolution Setting a Public Hearing on December 20, 2021, for the Annual Compliance Report for Development Impact Fees as Required by Government Code Section 66000 et. seq. and City Council Resolution 88-72

REPORT IN BRIEF

Considers setting a public hearing for December 20, 2021, to accept public comment and consider approving the annual report regarding the collection and spending of Development Impact Fees.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2021-100**, a Resolution of the City Council of the City of Merced, California, establishing a date when the final annual report of development fees will be available for public review, and setting a Public Hearing thereon for December 20, 2021.

J.9. [21-902](#)

SUBJECT: Award of Bid and Approval of Construction Contract with Rolfe Construction Inc, in the Amount of \$3,874,212.95 for a Water Enterprise, AHSC Grant, Zone 1 Park Reserve, Measure V, and RSTP Funded Project for B Street Improvements - Childs Avenue to East 15th Street

REPORT IN BRIEF

Considers awarding a construction contract in the amount of \$3,874,212.95 to Rolfe Construction Inc. for Project No. 120044, 121057, 121058 - B Street Improvements Childs Avenue to East 15th Street funded Water Enterprise, AHSC Grant, Zone 1 Park Reserve, Measure V, and RSTP.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding a bid for B Street Improvements Childs Avenue to East 15th Street, Project No. 120044, 121057, 121058, to Rolfe Construction Inc in the amount of \$3,874,212.95; and,

B. Approving the use of pooled cash until reimbursement is received from the Richman Group and AHSC; and,

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

J.10. [21-899](#)

SUBJECT: Approval to Accept a Department of Water Resources Proposition 1 Grant Awarded to the Merced Irrigation District (MID) on Behalf of the Merced Integrated Regional Water Management Authority, Which Includes a Grant Amount of \$335,648 for the City of

Merced Project for Surface Water Irrigation to Parks and
Weather-Based Irrigation Controllers

REPORT IN BRIEF

The Merced Integrated Regional Water Management Authority (MIRWMA) has agreed to accept on behalf of its member agencies a Department of Water Resources Proposition 1 Grant which includes a City of Merced project for Surface Water Irrigation to Parks and Weather-Based Irrigation Controllers.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting Proposition 1 grant funds and increasing revenue in account 001-1120-324-02-00 by \$335,648 and appropriating the same to account 001-1120-637-65-00 (Project No. 122057) for preliminary engineering costs associated with design of, for construction/implementation of parks surface water irrigation conversion project, and for the purchase and installation of weather-based irrigation controllers at various parks throughout the City; and,
- B. Approving the use of pooled cash until reimbursement is received from the Merced Irrigation District (MID), the grant administrator; and,
- C. Authorizing the City Manager or the Deputy City Manager to execute the necessary documents.

J.11. [21-906](#)

SUBJECT: Approval of Contract Change Order with Hoffman
Electronic Systems in the Amount of \$250, to Upgrade Existing Alarm
Monitoring Cellular Communicators from 3G to 4G LTE

REPORT IN BRIEF

Considers approving a contract change order with Hoffman Electronic Systems, in the amount of \$250, to upgrade existing cellular communicators from 3G to 4G LTE for electronic monitoring services at city owned-facilities.

RECOMMENDATION

City Council - Adopt a Motion:

- A. Approving the contract change order with Hoffman Electronic Systems, in the amount of \$250, to upgrade existing cellular communicators from 3G to 4G LTE for electronic monitoring services at City owned-facilities; and,

B. Approving additional change orders not to exceed 10% of the total contract amount; and,

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

J.12. [21-914](#)

SUBJECT: Approval of a Street Closure Request Submitted by Parks and Recreation Department for the 2021 Christmas Tree Lane Reverse Parade on December 4, 2021, from 12:00 P.M. Until 9:00 P.M.

REPORT IN BRIEF

Considers the Parks and Recreation Department's request for approval of the use of City streets and the Bob Hart Square on Saturday, December 4, 2021 for the Christmas Tree Lane Reverse Parade. The request seeks approval to close West Main Street, between M Street to Martin Luther King Jr. Way, including Bob Hart Square, and Canal Street on Saturday, December 4, 2021 from 12:00 P.M. through 9:00 P.M. and close N Street, O Street, P Street, Q Street, and W 18th Street from M Street to Q Street on Saturday, December 4, 2021 from 4:00 P.M. through 9:00 PM.

RECOMMENDATION

City Council - Adopt a motion approving the street closures of east and west bound traffic on West Main Street, from Martin Luther King Jr. Way to M Street, including Bob Hart Square, Canal Street, from 12:00 PM to 9:00 PM, on Saturday, December 4, 2021 and approving street closures of east bound traffic on W 18th Street from M Street to Q Street, north and south traffic from 16th Street to W 18th St on N Street, O Street, P Street, and Q Street from 4:00 PM to 9:00 PM, on Saturday, December 4, 2021, subject to the details and conditions outlined in the administrative report.

K. REPORTS

K.1. [21-886](#)

SUBJECT: Report for Discussion on Preliminary Annexation Application #21-04 for Virginia Smith Trust

REPORT IN BRIEF

The City Council will be asked to evaluate Preliminary Annexation Application #21-04 for the Virginia Smith Trust (VST), 654 acres of mixed-use development at the northeast corner of Cardella and Lake Roads.

RECOMMENDATION

City Council - Adopt a motion indicating general support for an official annexation application being processed for the Virginia Smith Trust project.

L. BUSINESS

- L.1. [21-893](#) **SUBJECT:** Adoption of a Resolution Making Findings to Hold City Council, Commission, and Committee Meetings Using a Combination of In-Person/Virtual (Hybrid) Meetings Under Assembly Bill (AB) 361

REPORT IN BRIEF

That the City Council finds that during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing, the City Council and all commission and committee meetings will be held as hybrid meetings, allowing for direction on format elements.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2021-106**, a Resolution of the City Council of the City of Merced, California, making findings consistent with the requirements of AB 361 to allow for in-person/virtual (hybrid) public meetings.

- L.2. [21-911](#) **SUBJECT:** Appointment of a New Applicant (District 2) to the Planning Commission

REPORT IN BRIEF

Considers appointing a new applicant to a currently vacant District 2 seat on the Planning Commission.

RECOMMENDATION

City Council - Adopt a motion appointing a qualified elector of District 2 to fill the current vacancy on the Planning Commission for said district.

- L.3. [21-909](#) **SUBJECT:** Request to Add Item to Future Agenda

REPORT IN BRIEF

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

- L.4. [21-910](#) **SUBJECT:** City Council Comments

REPORT IN BRIEF

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

M. ADJOURNMENT