



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, April 4, 2022

6:00 PM

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

Closed Session at 5:30 PM/Regular Meeting at 6:00 PM

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

**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 públicos 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.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK/COMENTARIO DEL PÚBLICO / 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 in the back of the Council Chamber. Please submit the completed card to the City Clerk before the item is called, preferably before the meeting begins.

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, Public Hearing item #, Consent item #, or Oral Communications. Your comments will be mentioned 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 one (1) minute. 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 deseen dirigirse al Ayuntamiento deben completar una tarjeta de orador disponible en el podio en la parte de atrás de la Cámara del Concejo. Envíe la tarjeta completa al secretario de la ciudad antes de que se llame al artículo, preferiblemente antes de que comience la reunión.

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, # Artículo de la Audiencia pública, # artículo de consentimiento, o Comunicaciones orales. Sus comentarios serán mencionados 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 un (1) minuto. 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 Canal 96.

Cov pej xeeem los koom lub rooj sib tham uas xav tawm suab rau lub nroog cov Nom Tswv (City Council) muaj feem los sau ntawv hauv daim ntawv tawm suab nyob ntawm lub sam thiaj hais lus sab xis ntawm Council Chamber. Thov xa daim ntawv tawm suab no rau tus City Clerk ua ntej lub sij hawm rooj sab laj pib.

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

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

Yog koj xav saib video (thaum muaj) los sis mloog cov Nom Tswv (City Council) kev sib tham, mus saib 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.** [22-280](#) **SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATORS -**
Property: 3033 G Street, Merced, CA APN 007-350-009; Agency
Negotiator: Frank Quintero, Deputy City Manager; Negotiating Parties:
Steve M. Tietjen, Merced County Superintendent of Schools and City
of Merced; Under Negotiation: Price and Terms of Payment
- B.2.** [22-279](#) **SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATORS -**
Property: 3033 G Street, Merced, CA APN 007-350-009; Agency
Negotiator: Frank Quintero, Deputy City Manager; Negotiating Parties:
Eric Hamm Representing IOTA Properties and City of Merced; Under

Negotiation: Price and Terms of Payment

- B.3.** [22-281](#) **SUBJECT:** CONFERENCE WITH REAL PROPERTY NEGOTIATORS -
Property: City of Merced Property Mansionette Drive and Yosemite
Avenue, Merced, CA APN 231-040-021; Agency Negotiator: Frank
Quintero, Deputy City Manager; Negotiating Parties: Jessie Hudgins
Representing Valley Children's Hospital and City of Merced; Under
Negotiation: Price and Terms of Payment

C. CALL TO ORDER

- C.1. Invocation - Pastor Ceasar Johnson, Christian Life Center of 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.** [22-241](#) **SUBJECT:** Proclamation - Sexual Assault Awareness Month

REPORT IN BRIEF

Received by a representative of Valley Crisis Center

- F.2.** [22-233](#) **SUBJECT:** Proclamation - Fair Housing Month

REPORT IN BRIEF

Received by a representative from Project Sentinel.

- F.3.** [22-244](#) **SUBJECT:** Proclamation - National Donate Life Month

REPORT IN BRIEF

Received by a representative from Donor Network West.

- F.4. [22-260](#) **SUBJECT:** Recognition of Local Amateur Boxer Rene “Hulk” Martinez for his National Silver Gloves Championship

REPORT IN BRIEF

Accepted by Rene Martinez.

G. SPECIAL PRESENTATIONS

- G.1. [22-259](#) **SUBJECT:** Tahitian Dance Performance

REPORT IN BRIEF

A Tahitian dance performed by the South Pacific Dance Company.

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. [22-234](#) **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. [22-238](#) **SUBJECT:** Information-Only Contracts for the Month of March 2022

REPORT IN BRIEF

Notification of awarded Non-Public Works contracts under \$34,000 and of Public Works contracts under \$76,875.

J.3. [21-929](#)

SUBJECT: Information Only - Regional Airport Authority Meeting Minutes of February 2, 2021, March 16, 2021, April 28, 2021, July 20, 2021, and November 16, 2021

RECOMMENDATION

For information only.

J.4. [22-235](#)

SUBJECT: Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of February 10, 17, 19, and 22, 2022

REPORT IN BRIEF

Official adoption of previously held meeting minutes.

RECOMMENDATION

City Council/Public Financing and Economic Development/Parking Authority - Adopt a motion approving the meeting minutes of February 10, 17, 19, and 22, 2022.

J.5. [22-239](#)

SUBJECT: Approval of Allocation of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Program Resources and Approval of Associated Subrecipient Agreements with Alliance for Community Transformations, and Harvest Time for the Respective Programs Approved with the Adopted 2020 and 2021 Annual Action Plans

REPORT IN BRIEF

Considers authorizing the execution of Community Development Block Grant (CDBG) Subrecipient Agreements with Alliance for Community Transformations (\$44,280) and Harvest Time (\$56,412).

RECOMMENDATION

City Council - Adopt a Motion:

A. Approving an agreement for programs identified in the 2020 and 2021 HUD Annual Action Plans using Fiscal Year 2020-21 and 2021-22 CDBG funds with Alliance for Community Transformations in the amount of

\$44,280 for the "Achieving Housing and Economic Stability with Survivors of Violence" Program (Account 018-1301-552-29.00/Supplies and Services); and,

B. Approving an agreement for a program identified in the 2021 HUD Annual Action Plan using Fiscal Year 2021-22 CDBG funds with Harvest Time in the amount of \$56,412 for the "Food 4 You" Program (Account 018-1301-552-29.00/Supplies and Services); and,

C. Authorizing the City Manager or the Deputy City Manager to execute, and if necessary, direct staff to make minor modifications to the agreements described above and as attached, and all associated documents and exhibits; and,

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

J.6. [22-198](#)

SUBJECT: Approval to Waive the Competitive Bidding Process to Allow for the Cooperative Purchase Under State of California Cooperative Agreement 1-17-70-01A (Desktop Computers (Dell), Mandatory) and State of California Cooperative Agreement 1-17-70-05A (Monitors, Desktop (Dell), Mandatory) with Granite Data Solutions in a not to Exceed Amount of \$60,000 in Fiscal Year 2021/2022

REPORT IN BRIEF

Approval to waive the competitive bid process to allow for the cooperative purchase under State of California Cooperative Agreement 1-17-70-01A (Desktop Computers (Dell), Mandatory) and State of California Cooperative Agreement 1-17-70-05A (Monitors, Desktop (Dell), Mandatory) with Granite Data Solutions in a not to exceed Amount of \$60,000 in Fiscal Year 2021/2022.

RECOMMENDATION

City Council - Adopt a motion:

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

B. Authorizing the use of State of California Cooperative Agreement 1-17-70-01A (Desktop Computers (Dell), Mandatory); and,

C. Authorizing the use of State of California Cooperative Agreement 1-17-70-05A (Monitors, Desktop (Dell), Mandatory); and,

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

E. Authorizing the purchase of up to \$60,000 of goods through Granite Data Solutions.

J.7. [22-199](#)

SUBJECT: Approval to Waive the Competitive Bidding Process to Allow for the Cooperative Purchase with a Competitively Bid Contract; (NASPO ValuePoint Software VAR # ADSPO16-130652 with CDW-G and Authorization to Increase the not to Exceed Spending Authority to CDW-G from \$180,000 to \$300,000 in Fiscal Year 2021/2022

REPORT IN BRIEF

Considers waiving the competitive bidding process to allow for the cooperative purchase with a competitively bid contract; (NASPO ValuePoint Software VAR # ADSPO16-130652 with CDW-G and increasing the not to exceed spending authority to CDW-G from \$180,000 to \$300,000 in Fiscal Year 2021/2022.

RECOMMENDATION

City Council - Adopt a motion:

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

B. Approving the NASPO ValuePoint Software VAR #ADSPO16-130652 contract; and,

C. Authorizing the not to exceed spending authority to CDW-G from \$180,000 to \$300,000 across all agreements for goods and services; and,

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

E. Authorizing the Finance Officer to make any necessary budget adjustments.

J.8. [22-209](#)

SUBJECT: Adoption of a Resolution Setting a Public Meeting for Monday, June 6, 2022, and a Public Hearing for Tuesday, June 21, 2022, Regarding Maintenance Districts Engineer's Reports and Budgets - Fiscal Year 2022/2023

REPORT IN BRIEF

Considers setting a public meeting for Monday, June 6, 2022, to address the proposed Engineer's Reports and Budgets and a formal public hearing for Tuesday, June 21, 2022, before a determination is made on the level of assessment to approve.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2022-14**, a Resolution of the City Council of the City of Merced, California, approving Engineer's Reports on Maintenance Districts and setting a public meeting and a public hearing thereon.

J.9. [22-276](#)

SUBJECT: Approval of a Fourth Amendment to the Purchase and Sales Agreement Between the City of Merced and Valley Children's Healthcare for the Parcel Located at 301 West Yosemite Ave

REPORT IN BRIEF

Consider modifying the terms of the purchase and sales agreement with Valley Children's Healthcare to the purchase the vacated 64-foot right-of-way.

RECOMMENDATION

City Council - Adopt a Motion:

A. Approving the Fourth Amendment to the Purchase and Sales Agreement between the City of Merced and Valley Children's Healthcare; and,

B. Authorizing the City Manager or Deputy City Manager to execute all related documents.

J.10. [22-257](#)

SUBJECT: Second Reading and Final Adoption of an Ordinance Amending Chapter 1.17 Entitled "City Council Districts" of the Merced Municipal Code

REPORT IN BRIEF

Adoption of previously introduced Ordinance amending chapter 1.17 entitled "City Council Districts" of the Merced Municipal Code.

RECOMMENDATION

City Council - Adopt a motion adopting **Ordinance 2538**, An Ordinance of the City Council of the City of Merced, California, amending chapter 1.17

entitled "City Council Districts" of the Merced Municipal Code.

K. PUBLIC HEARINGS

Members of the public who wish to speak on public hearings listed on the agenda will be heard when the Public Hearing is opened, except on Public Hearing items previously heard and closed to public comment. After the public has commented, the item is closed to further public comment and brought to the Council for discussion and action. Further comment will not be received unless requested by the Council.

- K.1.** [22-243](#) **SUBJECT:** Public Hearing - Introduction and Preliminary Review of Proposed Expenditures of Community Development Block Grant and Home Investment Partnership Program Funds for Fiscal Year 2022-2023, to be Included in the Draft U.S Department of Housing and Urban Development (HUD) 2022 Annual Action Plan; and Receipt of Public Comment During the Public Hearing

REPORT IN BRIEF

Introduction and Review of Preliminary Program Year 2022 proposed Public Service project funding and other expenditures of Federal funding for inclusion in the Draft HUD 2022 Annual Action Plan; and Public Hearing to provide the Public an opportunity to comment.

RECOMMENDATION

City Council -

- A. Conduct a Public Hearing to receive public comment regarding the anticipated funding, projects, focused community needs, and proposed distribution of Federal funding to be included in the Draft of the 2022 Annual Action Plan; and,
- B. Discuss and provide comment, if any, on staff recommendations regarding the anticipated funding, projects, focused community needs, and proposed distribution of Federal funding to be included in the Draft of the 2022 Annual Action Plan; and,
- C. Discuss and provide additional direction regarding potential prioritization of requested Public Service project funding using Community Development Block Grant Program Year/Fiscal Year 2022-2023, in the event the City's 2022 Community Development Block Grant allocation is lower than anticipated.

L. REPORTS

L.1. [22-278](#) **SUBJECT: Report - 2021 Crime Statistics**

REPORT IN BRIEF

Provides an update to Council on certain crime statistics for the 2021 calendar year.

RECOMMENDATION

For information only.

L.2. [22-119](#) **SUBJECT: Report to Consider Adoption of a Resolution Approving a Regional Housing Needs Allocation (RHNA) Unit Production Plan to Support the Production of Affordable Housing Units**

REPORT IN BRIEF

Pursuant to City Council Policy direction, consider Merced City Council Resolution 2022-15 approving a Regional Housing Needs Allocation Unit Production Plan requiring new residential development projects which require specific discretionary land use entitlements to produce ten percent (10%) of the total proposed residential units as affordable housing allocated to Extremely Low, Very Low-, Low, and Moderate income levels, considers exemptions or exclusions to the policy, sets affordability terms, provides other options to meet the affordability goals, outlines potential City assistance programs; and, consider any modifications to the plan such as increasing the affordability requirement up to fifteen percent (15%), and should the Council seek to increase the affordability requirement past (15%) provide direction to initiate a Request for Proposals (RFP) to seek a consultant to prepare a Feasibility - Nexus Study for legal compliance.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2022-15**, a resolution of the City Council of the City of Merced, California, approving a Regional Housing Needs Allocation Unit Production Plan to support the production of affordable housing units; and,

B. Consider modifications to the recommended Plan such as increasing the affordability requirement up to fifteen percent (15%); and,

C. Consider providing direction to initiate a Request for Proposals (RFP) to prepare a Feasibility - Nexus Study for legal compliance purposes.

L.3. [22-085](#) **SUBJECT: Report for Discussion on Preliminary Annexation**

Application #21-06 for Yosemite Lake Village

REPORT IN BRIEF

The City Council will be asked to evaluate Preliminary Annexation Application #21-06 for the Yosemite Lake Village project, 764 acres of mixed-use development northwest of Lake Yosemite within a larger 1,023-acre proposed annexation area.

RECOMMENDATION

City Council - Adopt a motion indicating general support for an official annexation application being processed for the Yosemite Lake Village project.

M. BUSINESS

M.1. [22-277](#)

SUBJECT: Report on the Closure of the Commercial Truck Parking Lot Located at the Merced Airport Industrial Park

REPORT IN BRIEF

Staff will provide City Council with an update on the closure of the commercial truck parking lot located near West Avenue and Riggs Drive in the Merced Airport Industrial Park.

RECOMMENDATION

For Information-Only.

M.2. [22-273](#)

SUBJECT: Report on the City of Merced Methods of Community Outreach

REPORT IN BRIEF

Staff will provide City Council the methods the City uses for community outreach.

RECOMMENDATION

For Information-Only.

M.3. [22-236](#)

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.

M.4. [22-237](#)

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.

N. ADJOURNMENT