



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/Successor Agency to the Redevelopment Agency

Monday, July 15, 2024

6:00 PM

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

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

NOTICE TO PUBLIC/AVISO AL PÚBLICO/CEEV 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 TUJ RAU HAU 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. Assisted hearing devices are available for meetings held in the Council Chamber.

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 las reuniones regulares. Los dispositivos auditivos asistidos están disponibles para las reuniones que se celebran en el Salón del Consejo.

Sai kawg yuav tsum yog li 72 teev ua ntej rau txhua lub rooj sib tham ntawm cov Nom Tswv (City Council), yeej muaj tag nrho pob ntawv qhia txog tias rau cov neeg los nyeem hauv lub Nroog (City) qhov website www.cityofmerced.org los sis nyob rau ntawm City Clerk's lub Office, 678 W. 18th Street, Merced, CA 95340. Tas nrho cov ntaub ntawv teev tseg no yuav muab rau cov Nom Tswv ntawm kev sab laj pub rau tsoom pej xeev sawv daws los nyeem nyob rau hauv City Clerk's lub Office thaum lub caij ua hauj lwm. Muaj txhais lus Mev thiab lus Hmoob. Cov cuab yeej pab kom hnov lus muaj nyob rau ntawm cov Nom Tswv qhov chaw sib tham Council Chamber

**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 no later than 1 PM on the day of the meeting. Please specify which portion of the agenda you are commenting on, for example, Public Hearing item #, Consent item #, or Public Comments. Material received before the deadline will be sent to the City Council and will be part of the record and will be mentioned as part of the Written Petitions and Communications portion of the agenda. Any emails received by the 1PM deadline will be posted on the City's website at www.cityofmerced.org/departments/city-clerk/council-meetings. Any correspondence received after the 1PM deadline will be distributed to the City Council and retained for the official record.

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 a más tardar a la 1 p.m. del día de la reunión. Especifique qué parte de la agenda está comentando, por ejemplo, el punto # de la audiencia pública, el punto # de consentimiento o los comentarios públicos. El material recibido antes de la fecha límite se enviará al Concejo Municipal y formará parte del registro y se mencionará como parte de la parte de Peticiones y Comunicaciones Escritas de la agenda. Todos los correos electrónicos recibidos antes de la fecha límite de la 1 p.m. se publicarán en el sitio web de la Ciudad en www.cityofmerced.org/departments/city-clerk/council-meetings. Cualquier correspondencia recibida después de la 1 p.m. se distribuirá al Concejo Municipal y se conservará para el registro oficial.

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.

Cov ntaub ntawv tuaj yeem xa email tau rau ntawm cityclerk@cityofmerced.org tsis pub dhau li 1 PM rau hnuv lub rooj yuav sib tham. Thov qhia kom meej tias nqe twg ntawd cov txheej txheem koj xav tawm tswv yim rau, piv txwv li, Cov Lus Hais hais rau pej xeeb ntawd yog nqe twg #, Cov Lus Pom Zoo ntawd yog nqe twg #. los yog cov lus tso rau Pej Xeeb tawm tswv yim rau. Cov ntaub ntawv tau txais ua ntej hnuv kawg yuav xa mus rau cov Nom Tswv City Council thiab yuav yog ib feem ntawm cov ntaub ntawv khaws tseg thiab yuav raug hais raws li ib feem ntawm kev sau ntawv thov tuaj thiab kev sib hais ntawm cov txheej txheem. Txhua qhov email tau txais 1 PM ntawd yuav muab tso rau hauv Lub Nroog qhov website ntawm www.cityofmerced.org/departments/city-clerk/council-meetings. Txhua tsab ntawv uas tau txais tom qab 1 PM lawm yuav muab xa rau cov Nom Tswv City Council thiab yuav khaws tseg rau hauv cov ntaub ntawv cai.

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.

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.** [24-710](#) **SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATORS -**
Property: 755 W. 15th Street, Merced, CA APN 031-360-029; Agency
Negotiator: D. Scott McBride, City Manager; Frank Quintero, Deputy
City Manager; Venus Rodriguez, Finance Officer; Craig J. Cornwell,
City Attorney; Negotiating Parties: California High Speed Rail
Authority, and; Under Negotiation: Appraisal of Property
- B.2.** [24-711](#) **SUBJECT: CONFERENCE WITH REAL PROPERTY NEGOTIATORS -**
Property: 615 W. 15th Street, Merced, CA APN 031-360-060; Agency
Negotiator: D. Scott McBride, City Manager; Frank Quintero, Deputy
City Manager; Venus Rodriguez, Finance Officer; Craig J. Cornwell,
City Attorney; Negotiating Parties: California High Speed Rail
Authority, Under Negotiation: Appraisal of Property
- B.3.** [24-712](#) **SUBJECT: CONFERENCE WITH LEGAL COUNSEL-EXISTING**
LITIGATION Reinero v. City of Merced, et al., Case Number 18CV-03052
Pursuant to California Government Code Section 54956.9(d)(1)
- B.4.** [24-703](#) **SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency**
Designated Representatives: City Manager Scott McBride, Deputy City

Manager Frank Quintero, Finance Officer Venus Rodriguez, Human Resources Manager Suzanne Fierro, LCW Legal Representative Che Johnson, and LCW Legal Representative Michael Jarvis; Unrepresented Management AUTHORITY: Government Code Section 54957.6

B.5. [24-704](#)

SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representatives: City Manager Scott McBride, Deputy City Manager Frank Quintero, Finance Officer Venus Rodriguez, Human Resources Manager Suzanne Fierro, LCW Legal Representative Che Johnson, and LCW Legal Representative Michael Jarvis; Employee Organizations: Merced Police Officers' Association (MPOA) and Merced Association of Police Sergeants (MAPS). AUTHORITY: Government Code Section 54957.6

C. CALL TO ORDER

C.1. Invocation - Pastor Ella Luna Garza, United Methodist Church, 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, the Public Financing and Economic Development Authority, and the Successor Agency to the Redevelopment Agency. 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, the Public Financing and Economic Development Authority, and the Successor Agency to the Redevelopment Agency receive no compensation.

E. REPORT OUT OF CLOSED SESSION

F. SPECIAL PRESENTATIONS

F.1. [24-660](#)

SUBJECT: Presentation on the New Broadband Provider in Merced

REPORT IN BRIEF

A presentation will be given by Jeff Bennyhoff, Director of Information Technology and Jim Miller from Race Communication to give a community update on a new Broadband service provider coming to the City.

G. CEREMONIAL MATTERS

- G.1. [24-702](#) **SUBJECT:** Recognition of Weaver Middle School, El Capitan High School, and West Point Graduate Brian Matthews for Trying Out for the United States Olympic Team in Track and Field

REPORT IN BRIEF

Accepted by Brian Matthews.

- G.2. [24-713](#) **SUBJECT:** Proclamation - Parks and Recreation Month

REPORT IN BRIEF

Received by a representatives from local Scouting Troops.

H. WRITTEN PETITIONS AND COMMUNICATIONS

I. PUBLIC COMMENT

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 3 minutes. The Mayor may propose a further limit to the time available for all speakers at the discretion of the City Council, 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. [24-581](#) **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. [24-672](#) **SUBJECT:** Information Only - Recreation & Parks Commission Minutes of April 22, 2024 and May 28, 2024

RECOMMENDATION

For information only.

- J.3. [24-693](#) **SUBJECT:** Information Only - Citizens' Stipend Setting Commission Minutes of April 18, 2024 and June 20, 2024

RECOMMENDATION

For information only.

- J.4. [24-706](#) **SUBJECT:** Modification to Street Closure Request #24-14 by the Merced County Hispanic Chamber of Commerce to Host a Vendor Fair Event (El Mercado), Located on W. Main Street Between M Street and Martin Luther King Jr. Way, Canal Street Between Main Street and W. 18th Street, Including Bob Hart Square, to Change the Approved Date of Thursday, July 11, 2024, to Thursday, July 18, 2024, From 3:00 p.m. to 10:00 p.m., and Approval of a Request for a City of Merced Co-Sponsorship

REPORT IN BRIEF

Considers approving a request by the Merced County Hispanic Chamber of Commerce to modify the approved closure and use of City streets and Bob Hart Square for a Vendor Fair Event (El Mercado) previously approved for Thursday, July 11, 2024, to move the event to Thursday, July 18, 2024, due to the hot weather. The request seeks approval to close W. Main Street, between M Street and Martin Luther King Jr. Way, Canal Street between Main Street and W. 18th Street, including Bob Hart Square from 3:00 p.m. to 10:00 p.m. The application also includes a request for City of Merced Co-Sponsorship. On June 17, 2024, the City Council considered this matter and voted to approve the consent item.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the modification to the street closure of W. Main Street between M Street and Martin Luther King Jr. Way, Canal Street between Main Street and W. 18th Street, and the use of Bob Hart Square on Thursday, July 18, 2024, from 3:00 p.m. to 10:00 p.m.; and,

B. Approving City of Merced Co-Sponsorship, subject to the Conditions of Approval outlined in the Administrative Staff Report; and,

C. Authorizing the City Manager to approve any modified event dates for the year 2024, with or without a change of location contingent upon the availability of W. Main Street between M and K Streets, Canal Street between Main Street and W. 18th Street, and the use of Bob Hart Square, subject to the details and conditions outlined in the Administrative Staff Report.

J.5. [24-615](#)

SUBJECT: Approval of City-Owned Real Property Use Request #24-19 by Man Up Opportunity Foundation for the Use of Bob Hart Square Park to Host Their Annual Fundraising Event, “Burgers and Brews” Which Includes the Serving of Alcohol, on Saturday, September 21, 2024, from 1:00 p.m. to 10:00 p.m.

REPORT IN BRIEF

Considers approving a request by Man Up Opportunity Foundation to allow the exclusive use of Bob Hart Square Park on Saturday, September 21, 2024, from 1:00 p.m. to 10:00 p.m. for their “Burgers and Brews” fundraiser event, to include the serving of alcohol.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the exclusive use of Bob Hart Square Park on Saturday, September 21, 2024, from 1:00 p.m. to 10:00 p.m. for a “Burgers and Brews” gourmet burger and local microbrewery beer sampling event, allowing the serving of alcohol; subject to the conditions outlined in the administrative report; and,

B. Authorizing the City Manager to execute all documents necessary to ensure compliance with the approved conditions.

J.6. [24-570](#)

SUBJECT: Approval of Fiscal Year 2024-2025 Lease and Service Agreements for Use of the Central (27th & K Street), McCombs and McNamara Youth Centers by the Current Youth Service Providers for Fiscal Year 2024/2025 as Recommended by the Recreation and Parks Commission

REPORT IN BRIEF

Considers approving the Recreation and Parks Commission recommendation to extend contracted Youth Service Provider's use of City owned youth centers for one additional year (FY24/25). Each center is currently in contract for use by Youth Service Providers and each provider has expressed an interest in renewing their agreement for fiscal year 24/25.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a lease agreement with Boys and Girls Club of Merced County & revising the contribution of \$35,000 to \$25,000 for use of McCombs Youth Center; and,
- B. Approving a service agreement with Restorative Justice League for use of the Central Youth Center; and,
- C. Approving a service agreement with Challenged Family Resource Center for use of the Central Youth Center; and,
- D. Approving a service agreement with LifeLine CDC for use of McNamara Youth Center; and,
- E. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- F. Authorizing the City Manager to execute the necessary documents.

J.7. [24-613](#)

SUBJECT: Approval of Services Agreement with Data Ticket, Inc. to Provide Parking Citation Processing and Collection Services for a Five-Year Period Starting July 1, 2024 Through June 30, 2029, for an Annual Amount not to Exceed \$70,000

REPORT IN BRIEF

Considers approving a five-year Services Agreement with Data Ticket, Inc., not to exceed \$70,000 annually, to provide parking citation processing and collections services.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a five-year Service Agreement with Data Ticket, Inc., not to exceed \$70,000 annually, to provide parking citation processing and collections services; and,
- B. Authorizing the City Manager to execute the necessary documents; and,
- C. Authorizing the City Finance Officer to make necessary budget adjustments.

J.8. [24-649](#)

SUBJECT: Approval to Waive the Competitive Bidding Process, Allow the City to Piggyback onto Existing Contracts for Office Supplies and Maintenance Repair and Operations (MRO) Supplies, and Authorize Purchases in a not to Exceed Amount of \$620,000 Per Fiscal Year Through the Life of the Contracts with Staples, Amazon, Fastenal, Lowe's, and The Home Depot

REPORT IN BRIEF

Considers approving to waive the competitive bid process, piggybacking onto existing contracts, and authorizing procurements by various City departments in an amount not to exceed \$620,000 per fiscal year through the life of Sourcewell and OMNIA Partners' multiyear competitively bid contracts for office and MRO supplies and other miscellaneous tools and equipment with Staples, Amazon, Fastenal, Lowe's, and The Home Depot.

RECOMMENDATION

City Council - Adopt a motion:

- A. Waiving the competitive bidding requirements pursuant to Merced Municipal Code Section 3.004.210 due to piggybacking; and,
- B. Approving piggybacking onto the Staples contract 012320-SCC expiring October April 6, 2025, for a not to exceed amount of \$60,000 per fiscal year; and,
- C. Approving piggybacking onto the Prince William County Public Schools, VA Amazon contract R-TC-17006 expiring January 18, 2022, to be renewed for three (3) additional two-year terms through January 18, 2028, for a not to exceed amount of \$220,000 per fiscal year; and,

D. Approving piggybacking onto Fastenal contract 091422-FAS expiring November 8, 2026, to be renewed for two (2) additional one-year term through November 8, 2028, for a not to exceed amount of \$120,000 per fiscal year; and,

E. Approving piggybacking onto the Region 4 ESC - TX Lowe's contract R192006 expiring March 31, 2023, to be renewed for two (2) additional one-year term through March 31, 2025, for a not to exceed amount of \$70,000 per fiscal year; and,

F. Approving piggybacking onto the Maricopa County, AZ Home Depot contract 16154 expiring December 31, 2021, to be renewed yearly through 2025 for a not to exceed amount of \$150,000 per fiscal year; and,

G. Authorizing the City Manager to execute the necessary documents; and,

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

J.9. [24-658](#)

SUBJECT: Award Bid to Conti LLC for the Council Chamber Audio/Video Technology Refresh Project for \$237,082.58

REPORT IN BRIEF

Considers awarding a Services Agreement for the Council Chamber Audio/Video Technology Refresh Project bid to Conti LLC for \$237,082.58 and to approve change orders or contract amendments of 10% for a total cost of \$260,791.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the bid for the Council Chamber Audio/Video Technology Refresh project to Conti LLC, in the amount of \$237,082.58; and,

B. Authorizing the City Manager to execute the necessary documents and to approve change orders or contract amendments of 10% with a total cost of \$260,791; and,

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

J.10. [24-661](#)

SUBJECT: Approval to Authorize the City Manager to Execute an Agreement to Renew Software Subscription with Accela for Merced Connect Software for \$26,423 in Fiscal Year 24/25

REPORT IN BRIEF

Considers approving an agreement to renew a software subscription with Accela for Merced Connect Software for \$26,423 through waiving the competitive bidding requirement pursuant to Merced Municipal Code section 3.04.210.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving to waive the competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code pursuant to annual service or supply agreement and purchases necessary for standardization on particular types of equipment; and,
- B. Approving a software subscription amendment with Accela for Merced Connect software of \$26,423 for fiscal year 24/25; and,
- C. Authorizing the City Manager to execute the necessary documents; and,
- D. Authorizing the Finance Officer to make the necessary budget adjustments.

J.11. [24-681](#)

SUBJECT: Approval to Authorize the City Manager to Execute an Agreement with Entisys Solution Doing Business As e360 in a not to Exceed Amount of \$557,400 in Fiscal Year 2024/2025

REPORT IN BRIEF

Considers approving to authorize the City Manager to execute an agreement with Entisys Solution Doing Business As e360 in an amount not to exceed \$557,400 in Fiscal Year 2024/2025 through the State of California's Cooperative Agreement 1-19-70-19H1.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving to waive the competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code due to the State of California's cooperative purchasing program; and,
- B. Approving the use of State of California Cooperative Agreement 1-19-70-19H1 (Enterprise Technology Data Center); and,
- C. Authorizing the City Manager to execute the necessary documents; and,
- D. Authorizing the Finance Officer to make necessary budget adjustments; and,
- E. Authorizing the City Manager to execute an agreement with Entisys Solution Doing Business As e360 in an amount not to exceed \$557,400 of technology solutions with e360 for storage area network systems.

J.12. [24-692](#)

SUBJECT: Accepting and Appropriating Youth Community Access Grant in the Amount of \$102,764 from the California Natural Resources Agency to Fund the Purchase of Two Hybrid Vehicles to Transport the Youth to Local, State and National Parks Through Parks and Community Services Outdoor Recreation Programs

REPORT IN BRIEF

Considers accepting and appropriating the Youth Community Access Grant from the California Natural Resources Agency. Grant funds will be used to purchase two Hybrid vehicles that will be used to transport program participants in the My City Mentoring and other outdoor recreational programs offered through Parks & Community Services.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting the California Natural Resources Agency, Youth Community Access grant funds in the amount of \$102,764; and,
- B. Increasing revenue in the amount of \$102,764 and appropriating the same in Fund 1018-Parks and Community Services- Project GR250000; and,
- C. Authorizing the use of pooled cash to cover the expenses until grant funds are reimbursed; and,

D. Authorizing the Finance Officer to make the necessary budget adjustments; and,

E. Authorizing the City Manager to execute all documents.

J.13. [24-701](#)

SUBJECT: Second Reading and Final Adoption of an Ordinance Adopting Police Department's Military Equipment Policy

REPORT IN BRIEF

Second reading and final adoption of an Ordinance adopting the Police Department's military equipment policy.

RECOMMENDATION

City Council - Adopt a motion adopting **Ordinance 2566**, an Ordinance of the City Council of the City of Merced, California, adopting a Military Equipment Use Policy, Otherwise Referred to Herein as a Specialized Police Equipment Use Policy, Pursuant to Assembly Bill 481 and Government Code Sections 7070, et seq.

K. ACTION ITEMS

K.1. [24-684](#)

SUBJECT: Approval of the Citizens' Stipend Setting Commission's Written Recommendation to the City Council Regarding the Recommended City Council Monthly Stipend to be \$500 and the Mayor's Monthly Stipend to be \$600

REPORT IN BRIEF

Considers the approval of the Citizens' Stipend Setting Commission's written recommendation to increase the monthly stipend for the City Council and the Mayor.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2024-78**, a Resolution of the City Council of the City of Merced, California, adopting the Citizens' Stipend Setting Commission's recommendation to increase the monthly stipend it deems appropriate for the City Council and the Mayor pursuant to Section 402 of the City of Merced Charter; and,

B. Approving a Supplemental Appropriation from the unreserved, unencumbered General Fund balance of \$4,522 to cover the cost of the City Council stipend from January 2025 through June 2025.

K.2. [24-694](#)

SUBJECT: Approval of a Resolution to Call for a General Municipal Election for the Purpose of Placing a Ballot Measure Before the Voters to Increase the Transient Occupancy Tax by Two Percent on November 5, 2024, to be Consolidated with the Presidential General Election to be Conducted by the County of Merced and Requesting the Merced County Board of Supervisors to Consolidate Said Election with the General Municipal Election Being Held on the Same Date

REPORT IN BRIEF

Considers approving a Resolution calling a November 5, 2024, General Municipal Election for the purpose of placing a measure on the ballot regarding the two percent increase in Transient Occupancy Tax (TOT) and requesting the County Board of Supervisors to consolidate the City's election with the General Municipal Election being held on the same date.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-79**, Resolution of the City Council of the City of Merced Approving and Ordering the Submission to the Qualified Electors of the City of Merced a Ballot Measure to Amend Merced Municipal Code Section 3.08.030 to Increase the Transient Occupancy Tax (Tot) Rate by Two Percent at the General Election to be Held on Tuesday, November 5, 2024, Directing that the City Attorney Prepare an Impartial Analysis and Providing for Arguments and Rebuttals Related to the Measure and Authorizing Merced County Elections Department to Conduct the Election and Canvass the Returns and Expressing Intent to Reimburse Merced County for the Actual Costs of the Election; and,

B. Approving the form and ballot question of the Ballot Measure; and,

C. Directing the City Manager/City Clerk and the City Attorney's Office to prepare and execute documents appropriate to carry out the tasks necessary for the General Municipal Election and to take actions related thereto.

L. 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.

- L.1. [24-700](#) **SUBJECT:** Request for Continuance of Second Public Hearing Regarding the U.S. Department of Housing and Urban Development (HUD) 2024 Annual Action Plan to the Council Meeting of August 5, 2024

REPORT IN BRIEF

Requests Council to continue the scheduled Second Public Hearing to the August 5, 2024, Council meeting, to allow staff additional time to finalize the plan to an approval-ready status.

RECOMMENDATION

City Council -

- A. Open the scheduled Public Hearing, receive any new public comment; and,
- B. Adopt a motion continuing the Public Hearing to the Council Meeting of August 5, 2024

M. BUSINESS

- M.1. [24-709](#) **SUBJECT:** Council Member Xiong's Request for an Updated on the American Rescue Plan Act (ARPA) Agreements Timeline

REPORT IN BRIEF

Council Member Xiong's request for an updated on the American Rescue Plan Act (ARPA) agreements timeline.

RECOMMENDATION

Provide direction to staff on the next steps.

- M.2. [24-584](#) **SUBJECT:** Annual Appointments to the Arts and Culture Advisory Commission (At-Large, District 3, District 4, and One Ex-Officio)

REPORT IN BRIEF

Accept nominations to fill the Arts and Culture Advisory Commission.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting nominations and appointing individuals to serve as members of the Arts and Culture Advisory Commission (At-Large, District 3, District 4, and 1 Ex-Officio); or,

B. Accepting nominations and appointing as many members as Council sees appropriate and directing staff to continue the recruitment of applicants.

M.3. [24-585](#)

SUBJECT: Annual Appointments to the Bicycle and Pedestrian Advisory Commission (Four Ex-Officio Members)

REPORT IN BRIEF

Accept nominations to fill vacancies on the Bicycle and Pedestrian Advisory Commission.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting nominations and appointing individuals to serve as members of the Bicycle and Pedestrian Advisory Commission (4 Ex-Officio Members); or,

B. Accepting nominations and appointing as many members as Council sees appropriate and directing staff to continue the recruitment of applicants.

M.4. [24-586](#)

SUBJECT: Annual Appointments to the Building and Housing Board of Appeals (Two Seats)

REPORT IN BRIEF

Accept nominations to fill vacancies on the Building and Housing Board of Appeals.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting nominations and appointing individuals to serve as members of the Building and Housing Board of Appeals (two [2] vacancy); or,

B. Accepting nominations and appointing as many members as Council sees appropriate and directing staff to continue the recruitment of applicants.

M.5. [24-590](#)

SUBJECT: Annual Appointments to the Personnel Board to Appoint One Employee Nominated Individual

REPORT IN BRIEF

Considers appointing one Employee nominated individual to the Personnel Board.

RECOMMENDATION

City Council - Adopt a motion appointing Dorothea White to serve as the Employee Nominated member for the Personnel Board with a full term expiring on July 1, 2028, respectively.

M.6. [24-587](#)

SUBJECT: Annual Appointments to the Planning Commission (At-Large)

REPORT IN BRIEF

Accept nominations to fill seats on the Planning Commission.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting nominations and appointing an individual to serve as a member of the Planning Commission (At-Large); or,

B. Accepting nominations and appointing as many members as Council sees appropriate and directing staff to continue the recruitment of applicants.

M.7. [24-588](#)

SUBJECT: Annual Appointments to the Recreation and Parks Commission (District 3)

REPORT IN BRIEF

Accept nominations to fill seats on the Recreation and Parks Commission.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting nominations and appointing individuals to serve as members of the Recreation and Parks Commission (District 3); or,

B. Accepting nominations and appointing as many members as Council sees appropriate and directing staff to continue the recruitment of applicants.

M.8. [24-589](#)

SUBJECT: Annual Appointments to the Tax Transparency Commission (Districts 1 and 3)

REPORT IN BRIEF

Accept nominations to fill seats on the Tax Transparency Commission.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting nominations and appointing individuals to serve as members of the Tax Transparency Commission (Districts 1 and 3); or,

B. Accepting nominations and appointing as many members as Council sees appropriate and directing staff to continue the recruitment of applicants.

M.9. [24-582](#)

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.10. [24-583](#)

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