



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, December 6, 2021

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/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. Should any Council Member attend virtually, 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 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.

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 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 xeeem los koom lub rooj sab laj kws xav tawm suab rau 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 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 ntawv kom tswj.

Tej ntaub ntawv 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 ntawm ncauj lus. Koj cov tswv yim muab rau lub rooj sab laj thaum lub sij hawm tsim nyog. Tej ntaub ntawm txais tau tom qab 1 teev tav su mam muab rau City Council thiab tso hauv cov ntaub ntawv 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 toom tawm suab #, khoom tso cai #, los sis kev sib tham ntawm 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)]. See MODIFIED PUBLIC COMMENT.

- B.1. [21-923](#) SUBJECT: CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Eugene Drummond v. City of Merced; Workers Compensation Case Number ADJ15080750; AUTHORITY: Government Code Section 54956.9(d)(1)
- B.2. [21-924](#) SUBJECT: CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; James Lodwick v. City of Merced; Workers Compensation Case Number ADJ12352285 and ADJ12352286; AUTHORITY: Government Code Section 54956.9(d)(1)
- B.3. [21-968](#) SUBJECT: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant Exposure Litigation Pursuant to Paragraph (2) of Subdivision (d) of Government Code section 54956.9: (1) Potential Case Regarding the Northern Portion of the Arbor Walkway

C. CALL TO ORDER

- C.1. Invocation - Pastor Ella Luna-Garza, United Methodist Church
- 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. [21-966](#) SUBJECT: Certificate of Recognition for the Wolverine Youth Football Champions

REPORT IN BRIEF

Presented by Council Member Jesse Ornelas.

G. WRITTEN PETITIONS AND COMMUNICATIONS

H. 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. See MODIFIED PUBLIC COMMENT.

I. 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. See MODIFIED PUBLIC COMMENT.

I.1. [21-962](#) 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.

I.2. [21-288](#) SUBJECT: Information-Only Contracts for the Month of November 2021

REPORT IN BRIEF

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

I.3. [21-907](#) SUBJECT: Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of October 29, November 1, and November 5, 2021

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 October 29, November 1, and November 5, 2021.

I.4. [21-925](#)

SUBJECT: Approval of an Application and Agreement with BridgePay for Credit Card Payments

REPORT IN BRIEF

Approving an Application and Agreement with Bridge Pay for online credit card payments

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving the Application and Agreement with BridgePay; and,
- B. Authorizing the City Manager or Deputy City Manager to execute the necessary documents; and,
- C. Authorizing the Finance Officer to make any necessary budget adjustments.

I.5. [21-927](#)

SUBJECT: Approval of an Agreement for Services with Environmental Science Associates (ESA) for Environmental Services and a Deposit and Reimbursement Agreement with University Vista Master Plan, LLC, Relating to the Annexation of the University Vista Project to the City of Merced

REPORT IN BRIEF

Considers entering into an agreement for services with Environmental Science Associates (ESA), in the amount of \$855,493 to perform environmental services for the annexation of the University Vista project (290 acres at the northwest corner of Bellevue and Lake Roads) to the City of Merced, and entering into a deposit and reimbursement agreement with University Vista Master Plan, LLC, in the amount of \$941,042 to fund the ESA contract and to reimburse for City staff time to manage the contract.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving an Agreement for Services with Environmental Science Associates (ESA), in the amount of \$855,493 to perform environmental services for the annexation of the University Vista project to the City of Merced; and,
- B. Approving a Deposit and Reimbursement Agreement with University Vista Master Plan, LLC, in the amount of \$941,042 to cover the cost of the consultant contract (\$855,493) and staff time (\$85,549) for the administration of the environmental review process and contract; and,
- C. Approving an increase of revenue in the amount of \$855,493 to Account 017-0804-360-01-02-Other Revenue Developers and appropriating \$855,493 to Account 017-0804-512-17-00-Professional Services for payment to Environmental Science Associates; and,
- D. Approving an increase in revenue in the amount of \$85,549 to Account 017-0804-331-01-11-Cost Recovery; and,
- E. Authorizing the City Manager or Deputy City Manager to execute the agreements.

I.6. [21-915](#)

SUBJECT: Award of Bid to Merced Chevrolet, for the Purchase of Two 4x4 Mid-Size Pickup Trucks for the Engineering Department, Two 4X2 Mid-Size Pickup Trucks for the Building Department, and One 4x2 Mid-Size Pickup Truck for the Parks Department, for a Total Cost not to Exceed \$137,924

REPORT IN BRIEF

Considers awarding the bid to Merced Chevrolet for the purchase of two 4x4 mid-size pickups and three 4x2 mid-size pickups to support the growing vehicle needs of the Engineering, Inspection Services, and Parks Departments.

RECOMMENDATION

City Council - Adopt a motion:

- A. Awarding the bid to Merced Chevrolet for the supply of two 4x4 mid-size pickup trucks and three 4x2 mid-size pickup trucks, for a total amount not to exceed \$137,924; and,

B. Authorizing the City Manager or the Deputy City Manager to execute the necessary documents, the City Buyer to issue the Purchase Order, and approval of change orders not to exceed 10% of the total purchase price.

I.7. [21-951](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Authorizing the Purchase of Up To Five (5) Budgeted Fleet Vehicles, Depending on Availability, Through Cooperative Purchasing Agreements with Sourcewell, Including One Rear Loader Refuse Truck for \$237,974.34, Two Side Loader Refuse Trucks for \$301,340.56 Each, and One Front Loader Refuse Truck for \$275,484.18 from Ruckstell California Sales Co., as well as One Leaf Vacuum Truck for \$242,891.84 from Municipal Maintenance Equipment (M.M.E.)

REPORT IN BRIEF

Considers authorizing to waive competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 to purchase currently budgeted and Council approved fleet vehicles through the government procurement program Sourcewell.

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 authorizing the purchases to be made with cooperative purchase agreements through Sourcewell, a government procurement program; and,

B. Approving the purchase of one rear loader refuse truck in the amount of \$237,974.34, plus applicable sales tax, from Ruckstell California Sales Co. through Sourcewell contract # 112014-NWY; and,

C. Approving the purchase of two side loader refuse trucks in the amount of \$301,340.56 each, plus applicable sales tax, from Ruckstell California Sales Co. through Sourcewell contract # 112014-NWY; and,

D. Approving the purchase of one front loader refuse truck in the amount of \$275,484.18, plus applicable sales tax, from Ruckstell California Sales Co. through Sourcewell contract # 112014-NWY; and,

E. Approving the purchase of one Xtreme Vac leaf vacuum truck in the amount of \$242,891.84 from Municipal Maintenance Equipment (M.M.E.) through Sourcewell contract # 031121-ODB; and,

F. Authorizing the City Manager or the Deputy City Manager to execute any necessary documents for the purchases specified above, the Finance Officer to make the appropriate budget adjustments and City Buyer to issue the Purchase Orders, and approval of change orders not to exceed 10% of the total purchase price.

I.8. [21-952](#)

SUBJECT: Award Bid to Santos Ford for the Purchase of One New Four-Door Sport Utility Vehicle for the Public Works Administration Department in the Amount of \$31,105.00

REPORT IN BRIEF

Considers awarding the bid to Santos Ford for the purchase of one new four-door sport utility vehicle as a replacement for the Public Works Administration Department.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the bid to Santos Ford for the supply of one new four door sport utility vehicle in the amount of \$31,105; and,

B. Authorizing the City Manager or Deputy City Manager to execute the necessary documents, the City Buyer to issue the Purchase Order, and to approve change orders not to exceed 10% of the total purchase price.

I.9. [21-953](#)

SUBJECT: Adoption of a Resolution Opting to Participate in the National Opioid Settlement(s) and Authorizing the City Manager to Execute the Necessary Settlement Agreements

REPORT IN BRIEF

Adopting a Resolution authorizing the City Manager or designated representative to opt-in and to execute any and all documents necessary to opt-in and participate in the two National Opioid Settlement(s): one with the three major opioid distributors, Cardinal Health Inc., McKesson Corp., and AmerisourceBergen Corporation; and, the second with Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson. The documents include, but are not limited to, the Proposed California State Subdivision Agreement Regarding Distribution and Use of Settlement Funds - Distributor Settlement, Proposed California State-Subdivision Agreement Regarding Distribution and Use of Settlement Funds - Janssen Settlement, and related Settlement Participation Forms.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2021-111**, A Resolution of the City Council of the City of Merced, California, Opting to Participate in the National Opioid Settlement(s) and Authorizing the City Manager to Execute the Necessary Settlement Agreements.

I.10. [21-655](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Approval of 3-Year Agreement with Granicus, LLC for Renewal of Existing Agenda Management and Workflow, Board and Commission Management, Live Streaming Services, Web Site hosting, e-Communication Messaging, and Addition of Community Engagement Platform in a Total Amount of \$222,174.40

REPORT IN BRIEF

Considers authorizing a waiver of competitive bidding requirement pursuant to Merced Municipal Code Section 3.04.210 for a 3-year agreement with Granicus, LLC for renewal of existing agenda management and workflow, board and commission management, live streaming services, web site hosting, e-communication messaging, and addition of community engagement platform in a total amount of \$222,174.40.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code section 3.04.210

B. Approving a 3-year agreement with Granicus LLC. for agenda management and workflow, board and commission management, web site hosting, e-communication messaging platform, community engagement platform, and Live streaming services in a total amount of \$222,174.40; and,

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

I.11. [21-905](#)

SUBJECT: Adoption of a Resolution Approving a Master License Agreement ("MLA") Template to Utilize City-Owned Vertical Infrastructure Within the City's Public Right-of-Way for Small Cell Telecommunication Facilities

REPORT IN BRIEF

Considers the adoption of a resolution approving a template for a master license agreement for small cell telecommunication facilities on City-owned vertical infrastructure within the public right-of-way; and authorize the City Manager or Deputy City Manager to execute MLAs with wireless telecommunication providers.

RECOMMENDATION

City Council - Adopt a motion:

- A. Adopting **Resolution 2021-108**, a Resolution of the City Council of the City of Merced, California, approving a Master License Agreement (MLA) template to utilize City owned vertical infrastructure within the City's public right-of-way for small cell telecommunication facilities; and,
- B. Authorizing the City Manager or the Deputy City Manager to execute future MLAs with telecommunication carriers and execute all necessary documents; and,
- C. Authorizing the Finance Offer to collect revenue and appropriate funds from all MLAs.

I.12. [21-846](#)

SUBJECT: Approval of a Lease Agreement with Advanced Air, LLC, to Provide Commercial Air Service at the Merced Yosemite Regional Airport from January 1, 2022 Through December 31, 2025

REPORT IN BRIEF

Approve a lease from January 1, 2022, to December 31, 2025, at the Merced Yosemite Regional Airport between the City of Merced and Advanced Air, LLC.

RECOMMENDATION

City Council - Adopt a motion approving the lease agreement with Advanced Air, LLC; and authorizing the City Manager or Deputy City Manager to execute the necessary documents.

I.13. [21-900](#)

SUBJECT: Approval of an Agreement for Use of City Right-of-Way with Peter Tinetti, and/or Marilyn Tinetti, Trustee of the Living Trust of Peter Tinetti and Marilyn Tinetti, as to an Undivided 1/3 Interest; Stephen G. Tinetti and/or Joan M. Tinetti, Trustee of the Stephen G. Tinetti and Joan M. Tinetti Living Trust Dated 05/21/1997, as to an Undivided 1/3 Interest; and Robertine T. Benson, Trustee of the Benson Family Trust Dated 09/11/2002, as to an Undivided 1/3 Interest

and the City of Merced for 855 West 15th Street

REPORT IN BRIEF

Consider approving the Agreement for Use of City Right-of-Way with owners of the property located at 855 West 15th Street for private improvements that encroach into the City right-of-way on 15th Street.

RECOMMENDATION

City Council - Adopt a motion approving the agreement for use of City right-of-way with the property owners at 855 West 15th Street and authorizing the City Manager or Deputy City Manager to execute the necessary documents.

I.14. [21-854](#)

SUBJECT: Authorization to Accept \$39,276 in Grant Funds from the 2021 Edward Byrne Justice Assistance Grant (JAG) Program for the Police Department to Equip a Police Vehicle as a Community Outreach and Recruitment Vehicle, Upgrade Video Camera System for Police Interview Rooms, and Cover Consulting Costs for the Transition from the Uniform Crime Reporting Summary Process to the National Incident Based Reporting System

REPORT IN BRIEF

Considers accepting grant funding from the US Department of Justice offered to the Merced Police Department in the amount of \$39,276 from the 2021 Edward Byrne Justice Assistance Grant (JAG) program to equip a police vehicle as a community outreach and recruitment vehicle, upgrade the video camera system for the police interview rooms, and consulting costs for the transition from the Uniform Crime Reporting Summary process to the National Incident Based Reporting System.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting the grant and increasing the revenue budget in account 050-1025-321.17-00 by \$39,276, and appropriating the same to Fund 050; and,

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

C. Authorizing the Police Department and the City Manager to execute the necessary documents.

I.15. [21-797](#)

SUBJECT: Adoption of a Resolution Authorizing the Merced Police Department to Apply for a Grant in the Amount of \$99,409.08 Through the San Joaquin Valley Air Pollution Control District's Public Benefit Grants Program to Purchase Two Electric Vehicles, Four Electric Bicycles, and Two 3-wheel Patrollers and Approval to Accept the Grant Funding if Awarded

REPORT IN BRIEF

Consider adopting a resolution to authorize the MPD to apply for grant funding and accept grant funding if awarded in the amount of \$99,409.08 from the San Joaquin Valley Air Pollution Control District (SJVAPCD) to reimburse the City for the purchase of electric vehicles.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2021-92**, A Resolution of the City Council of the City of Merced, California, to apply for grant funding and accept grant funding, if awarded, in the amount of \$99,409.08 from the San Joaquin Valley Air Pollution Control District's Public Benefit Grants Program, and;

B. Authorizing the City Manager to execute necessary documents to apply for the grant funding; and,

C. Accepting the grant award and increasing the revenue budget in account 001-1002-324.02-00 by \$99,410; and,

D. Appropriating the same to 001-1002-523.43-00; and,

E. Approving the use of pooled cash until reimbursement from the grant is received; and,

F. Authorizing the City Manager to execute the necessary documents to accept the grant funding if awarded.

I.16. [21-853](#)

SUBJECT: Approval to Accept the Department of Justice 2021 Bulletproof Vest Partnership Grant in the Amount of \$11,931.84 to Cover 50% of the Purchase Cost of New Vests and Authorization to Utilize the Use of Pooled Cash to Cover the Purchase Cost Which will be Reimbursed from the Grant Proceeds

REPORT IN BRIEF

Accept grant award for reimbursement of bulletproof vest expenses.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting and increasing the revenue budget in the amount of \$11,932 in account 061-1026-324-37-00 and appropriating the same amount in grant funds to account 061-1026-522.29-00 for 50% of the costs associated with the purchase of bulletproof vests; and,

B. Authorizing the use of pooled cash to cover the appropriation until grant funds are reimbursed; and,

C. Authorizing the Police Department and the City Manager to execute the necessary documents.

I.17. [21-885](#)

SUBJECT: Adoption of a Resolution Accepting \$20,000 in Grant Funds from the California Department of Alcoholic Beverage Control for the Police Department to Conduct Enforcement Operations with the Goal of Reducing Underage Drinking and Other Alcohol Crimes Related to Underage Drinking

REPORT IN BRIEF

Considers accepting grant funds from the California Department of Alcoholic Beverage Control offered to the Merced Police Department in the amount of \$20,000 for the Merced Police Department to conduct enforcement operations.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2021-110**, a Resolution of the City Council of the City of Merced, California, accepting a grant award from the California Department of Alcoholic Beverage Control Grant Assistance Program; and,

B. Accepting and increasing the revenue budget in account 001-1002-324.02-00 by \$20,000, and appropriating the same amount in Police Operations Division 001-1002; and,

C. Authorizing the use of pooled cash until reimbursement from the grant is received; and,

D. Authorizing the City Manager or Deputy City Manager to execute the

necessary documents.

I.18. [21-883](#)

SUBJECT: Authorization for the Fire Department to Submit a Grant Application to the Federal Emergency Management Agency (FEMA) Fiscal Year 2021 Assistance to Firefighters Grant (AFG) Program to Fund Replacement of an End-of-Life Station Alerting System, Training Courses with Employee Backfill Covered, Medical Equipment, and Assessment Vehicle with an Estimated Total Project Cost of \$1,100,000 with FEMA Providing 90% of the Project Cost and the City Providing the 10% Local Match

REPORT IN BRIEF

Authorizing the Fire Department to submit a grant application to the Federal Emergency Management Agency (FEMA) Fiscal Year 2021 Assistance to Firefighters Grant (AFG) Program to fund replacement of an end-of-life station alerting system, training courses with employee backfill covered, medical equipment, and an assessment vehicle with an estimated total project cost of \$1,100,000 with FEMA providing 90% of the project cost and the City providing the 10% local match.

RECOMMENDATION

City Council - Adopt a motion authorizing the submittal of a grant application to the Federal Emergency Management Agency (FEMA) Fiscal Year 2021 Assistance to Firefighters Grant (AFG) Program with an estimated total project cost of \$1,100,000 with FEMA providing 90% of the project cost and the city providing the 10% local match.

I.19. [21-928](#)

SUBJECT Approval of Professional Services Agreements with Mead & Hunt, Inc., and RS&H California, Inc., to Provide Planning, Engineering, and Environmental Consulting Services for the Merced Yosemite Regional Airport's Improvement Projects in a not Exceed Amount of \$750,000 for Each Contract Based on the Consultant Hourly Rates Listed Within Each Respective Agreement for the Contract Period Ending December 31, 2026

REPORT IN BRIEF

Considers approving two (2) Professional Services Agreements for Planning, Engineering, and Environmental Consulting Services for the Merced Yosemite Regional Airport's Improvement Projects. The services provided under these agreements will be funded from individual Improvement Project budgets as the projects occur through the contract period ending December 31, 2026, at the hourly rates set forth in each

respective agreement.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Professional Services Agreements, for a contract period ending December 31, 2026, with Mead & Hunt, Inc., and RS&H California, Inc., to provide Planning, Engineering, and Environmental Consulting Services for the Merced Yosemite Regional Airport's Improvement Projects in the amount not to exceed \$750,000 each; and,

B. Authorizing the City Manager or Deputy City Manager to sign the necessary documents.

J. 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. See MODIFIED PUBLIC COMMENT.

J.1. [21-954](#)

SUBJECT: Public Hearing Regarding the Development of a Strategic Investment Plan for the American Rescue Plan Act (ARPA) Funding

REPORT IN BRIEF

Public Hearing to allow for additional input on the development of a Strategic Investment Plan by the City Council and Staff. Second Public Hearing with conceptual project list to allow for input from the community and direction from the City Council.

RECOMMENDATION

Provide staff direction on Projects to include in the ARPA Strategic Investment Plan.

J.2. [21-913](#)

SUBJECT: Public Hearing to Reconsider Introduction of an Ordinance Amending Section 20.44.160 of the Merced Municipal Code Regarding Tobacco Sales Near Schools and Adoption of a Categorical Exemption (Zoning Ordinance Amendment #21-03), as Requested by Ashley Investments

REPORT IN BRIEF

The City Council will reconsider introducing an Ordinance, which failed to

pass at the October 18, 2021, City Council meeting, amending Section 20.44.160 of the Merced Municipal Code Regarding Tobacco Sales Near Schools, which would more closely match the regulations for Commercial Cannabis Permits and allow for exceptions to be made under certain circumstances for tobacco retailers near youth-oriented facilities.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting a Categorical Exemption (Environmental Review #21-24); and,

B. Introducing **Ordinance 2535**, an Ordinance of the City Council of the City of Merced, CA, amending section 20.44.160 "Tobacco Sales Prohibited Near Schools" of the Merced Municipal Code regarding tobacco sales near schools and other sensitive uses.

K. BUSINESS

K.1. [21-912](#)

SUBJECT: Appointments to the Bicycle and Pedestrian Advisory Commission for One (1) Voting Member Replacement for District 5, One (1) Voting Member for the Vacant At-Large Seat and One Ex-Officio Member

REPORT IN BRIEF

Accepts nominations to fill one Commissioner vacancy in District 5, the At-Large seat and one Ex-Officio seat on the Bicycle and Pedestrian Advisory Commission.

RECOMMENDATION

City Council - Adopt a motion accepting nominations and appointing one individual to serve as Commissioner for District 5, one individual to serve as the At-Large Commissioner and one individual to serve as an Ex-Officio member.

K.2. [21-950](#)

SUBJECT: Discussion on the Format of Future City Council Meetings During COVID-19

REPORT IN BRIEF

Discuss the format of City Council Meetings.

RECOMMENDATION

Provide staff direction on the format of future City Council Meetings.

K.3. [21-963](#) **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.

K.4. [21-964](#) **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.

L. ADJOURNMENT