



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

Tuesday, February 20, 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/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 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 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 yuav tsum yog li 72 teev ua ntej rau txhua lub rooj sib tham ntwam 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 xeem 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.

**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 xeem 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.** [24-154](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representatives: City Manager Scott McBride, Deputy City Manager Frank Quintero, and Finance Officer Venus Rodriguez; Employee Organizations: Merced Police Officers' Association (MPOA) and Merced Association of Police Sergeants (MAPS). AUTHORITY: Government

Code Section 54957.6

- B.2.** [24-155](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representatives: City Manager Scott McBride, Deputy City Manager Frank Quintero, and Finance Officer Venus Rodriguez; Employee Organizations: International Association of Fire Fighters, Local 1479. AUTHORITY: Government Code Section 54957.6
- B.3.** [24-156](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representatives: City Manager Scott McBride, Deputy City Manager Frank Quintero, and Finance Officer Venus Rodriguez; Unrepresented Management AUTHORITY: Government Code Section 54957.6
- B.4.** [24-157](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): City Manager Scott McBride, Deputy City Manager Frank Quintero, and Finance Officer Venus Rodriguez; Employee Organizations: American Federation of State, County, and Municipal Employees (AFSCME) Council 57 and Merced Association of City Employees (MACE). AUTHORITY: Government Code Section 54957.6
- B.5.** [24-169](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to Paragraph (1) of Subdivision (d) of Government Code Section 54956.9, People of the State of California v. Kudulis, MSC Case No. 21CV-00159
- B.6.** [24-171](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to Paragraph (1) of Subdivision (d) of Government Code Section 54956.9, City of Merced v. State of California, et al. MSC Case No. 23CV-03845
- B.7.** [24-168](#) **SUBJECT:** PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: Finance Officer; Authority: Government Code Section 54957

C. CALL TO ORDER

Invocation - Al Schaap, Gateway Church

Pledge of Allegiance to the Flag

D. ROLL CALL

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. CEREMONIAL MATTERS

- F.1. [24-096](#) **SUBJECT: Proclamation - Teen Dating Violence Awareness and Prevention Month**

REPORT IN BRIEF

Received by a representative from the Valley Crisis Center.

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.

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.

- I.1. [24-092](#) **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. [24-134](#)

SUBJECT: Approval of City Council/Public Financing and Economic Development/Parking Authority/Successor Agency to the Redevelopment Agency Meeting Minutes of December 18, 2023

REPORT IN BRIEF

Official adoption of previously held meeting minutes.

RECOMMENDATION

City Council/Public Financing and Economic Development/Parking Authority/Successor Agency to the Redevelopment Agency - Adopt a motion approving the meeting minutes of December 18, 2023.

I.3. [24-167](#)

SUBJECT: Approval of Professional Legal Services Agreement with Richard Watson & Gershon, Prentice Long, Approval of Hanson Bridgett, LLP Second Amendment and Approval of Wilke Fleury, LLP First Amendment in an Amount not to Exceed \$245,000

REPORT IN BRIEF

Considers approving a Professional Legal Services Agreement with Richard Watson & Gershon, Prentice Long, Law Offices of John W. Martin and Hanson Bridgett, LLP's Second Amendment in an amount not-to-exceed \$245,000.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a two-year Professional Legal Services Agreement with Richard Watson & Gershon in an amount not-to-exceed \$125,000; and,

B. Approving a two-year Professional Legal Services Agreement with Prentice Long in an amount not-to-exceed \$75,000; and,

C. Approving a Second Amendment to an Agreement for Professional Services with Hanson Bridgett LLP in an amount not to exceed \$20,000, totaling \$120,000; and,

- D. Approving a First Amendment to an Agreement with Wilke Fleury, LLP in an amount not to exceed \$25,000, totaling \$61,000; and,
- E. Authorizing the City Manager to execute the necessary documents; and,
- F. Authorizing the Finance Officer to make the necessary budget adjustments.

I.4. [24-138](#)

SUBJECT: Approval of a Supplemental Appropriation in the Fleet Replacement Fund 7006 in the Amount of \$334,729, Approval to Waive the Competitive Bidding Requirements, and Authorizing the Purchase of One Vac-Con Model VPD3611LHAEN-P/1300 (700-10855) Through a Cooperative Purchasing Agreement with Sourcwell via Municipal Maintenance Equipment in the Amount of \$627,867.50

REPORT IN BRIEF

Considers approving to waive the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 to purchase a vac-con truck through the government procurement program Sourcwell.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a supplemental appropriation from the unreserved, unencumbered fund balance in the Fund 7006-Fleet Replacement and appropriating to Vehicle Expenditure in the amount of \$334,729 to purchase the replacement of one vac-con truck; and,
- B. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code section 3.04.210 to utilize a cooperative purchasing agreement through Sourcwell, a government procurement program; and,
- C. Approving the purchase of one new Vac-Con Combination Sewer and Storm Drain Cleaner in the amount of \$627,867.50, including applicable taxes and fees, from Municipal Maintenance Equipment through Sourcwell contract #091520-DIV; and,
- D. Authorizing the City Manager to execute the necessary documents, approving change orders not to exceed 10% of the total purchase price; and,

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

F. Authorizing the City Buyer to issue the Purchase Order.

I.5. [24-122](#)

SUBJECT: Authorizing a Letter of Conditional Funding Commitment Reservation of U.S. Department of Housing and Urban Development (HUD) Home Investment Partnership Program American Rescue Plan (HOME-ARP) Funding Towards an Affordable Rental Housing Construction Project at 3015 Park Avenue, Merced, for up to \$1,690,461.30 of the City's Allocation of HUD HOME-ARP Funding

REPORT IN BRIEF

Considers authorizing a conditional funding commitment reservation letter to be signed and issued to UPholdings California, LLC, developer of the future Mercy Village Apartments, a 66-unit affordable housing project to be located at 3015 Park Avenue, Merced, for up to \$1,690,461.30 of the City's allocation of HUD HOME-ARP funding.

RECOMMENDATION

City Council - Adopt a motion:

A. Authorizing a Conditional Commitment Reservation letter, following review as to form by the City Attorney, to be provided to UPholdings California, LLC, developer of the future Mercy Village affordable housing project at 3015 Park Avenue for up to \$1,690,461.30 of the City's allocation of HUD HOME-ARP funding; and,

B. Authorizing the City Manager to execute all related documents; and,

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

I.6. [24-128](#)

SUBJECT: Authorization to Accept \$1,000 in Grant Funding 2023-24 from United States Tennis Association Northern California for FY23-24 and Appropriating \$500 to Operating Materials, Services and Supplies

REPORT IN BRIEF

Considers authorizing to accept grant funding in the amount of \$1,000 from USTA for H.I.T.S. (Honesty, Integrity, Teamwork, Sportsmanship) tennis

equipment grant.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting \$1,000 grant funds from USTA NorCal in Fund 1018-Parks & Community Service; and,
- B. Increasing contribution revenue in the amount of \$500 and appropriating the same operating materials, supplies and service in Fund 1018; and,
- C. Authorizing the City Manager to execute the necessary documents; and,
- D. Authorizing the Finance Officer to make the necessary budget adjustments.

I.7. [24-136](#)

SUBJECT: Approving Request from the Chance Dobbins Sr. Charity for the Co-Sponsored Rental Rate of \$695.50 for the Merced Senior Community Center for Club 67 Monthly Dances

REPORT IN BRIEF

Considers approving a request for the co-sponsored rate for the rental rate of \$695.50 of the Merced Senior Community Center by the Chance Dobbins Sr. Charity to host Club 67 monthly dances on one Friday per month.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving the recommendation of the Recreation and Parks Commission for a co-sponsorship request rate of \$695.50 from the Chance Dobbins Sr. Charity for the Merced Senior Community Center to host Club 67 monthly dances one Friday per month; and,
- B. Authorizing the City Manager to execute the necessary documents.

I.8. [24-137](#)

SUBJECT: Approval of a License for Environmental Access Agreement Within the BNSF Railway Company, a Delaware Corporation, to Perform Soil Sampling and Testing for an At-Grade Railroad Crossing

Improvements by Dokken Engineering, a California Corporation, as
Part of the Highway 59 Widening and Highway 59 Bridges Over Black
Rascal Creek Projects (CP200064 and CP200065) in the Amount of
\$2,500 for the License Fee

REPORT IN BRIEF

Considers approving a license for environmental access agreement within the BNSF Railway right of way for Dokken Engineering to perform soil sampling and testing for the proposed at-grade crossing improvements as part of the Highway 59 Widening and Highway 59 Bridges Over Black Rascal Creek projects (CP200064 and CP200065) in the amount of \$2,500 for the license fee.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a License for Environmental Access agreement between BNSF Railroad and the City of Merced; and,
- B. Authorizing the payment to BNSF Railroad for the license fee in the amount of \$2,500 and any additional expenses incurred by the City of Merced to BNSF as required per the License; and,
- C. Authorizing the City Manager to execute the necessary documents; and,
- D. Authorizing the Finance Officer to make the necessary budget adjustments.

I.9. [24-120](#)

SUBJECT: Adoption of a Resolution to Enter into a Funding Agreement with the State of California Department of Water Resources to Receive Funds in the Amount not to Exceed \$6,000,000 for the Bear Creek Restoration Project (CP240058)

REPORT IN BRIEF

Considers adopting a Resolution to enter into a Funding Agreement with the State of California Department of Water Resources to receive funds in the amount not to exceed \$6,000,000 for the Bear Creek Restoration Project and authorizing the City Manager to execute the agreement on behalf of the City of Merced.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-18**, a Resolution of the City Council of the City of Merced, California, Authorizing the City Manager to enter into an agreement with the State of California Department of Water Resources to receive funds for the Bear Creek Restoration Project; and,

B. Accepting and increasing the revenue budget in Fund 6000 - Wastewater in the amount of \$6,000,000, and appropriating the same to Fund 6000 - Wastewater in Project CP240058 Bear Creek Restoration; and,

C. Approving the use of pooled cash to cover the appropriation until City receives reimbursement funds; and,

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

E. Authorizing the City Manager to execute all necessary documents.

I.10. [24-116](#)

SUBJECT: Approval of Street Closure Request #24-02 by Velo Promo, LLC to Host the 37th Annual Merced Criterium Bicycle Race, to Include M Street, from West 21st to West 18th Streets; West 18th Street, from M to N Streets; and N Street, from West 18th Street to West 21st Street, Including the Merced County Courthouse Loop on Sunday, March 3, 2024, from 6:00 A.M. to 5:00 P.M.

REPORT IN BRIEF

Considers approving a request by Velo Promo, LLC for the closure and use of City streets on Sunday, March 3, 2024, for the 37th Annual Merced Criterium Bicycle Race. The request seeks approval to close M Street, between W. 21st and W. 18th Streets; W. 18th Street, between M and N Streets; and N Street, from W. 18th Street to W. 21st Street, including the Merced County Courthouse loop from 6:00 a.m. to 5:00 p.m.

RECOMMENDATION

City Council - Adopt a motion approving the street closure of M Street, between W. 21st and W. 18th Streets; W. 18th Street, between M and N Streets; and N Street, from W. 18th Street to W. 21st Street, including the

Merced County Courthouse loop on Sunday, March 3, 2024, from 6:00 a.m. to 5:00 p.m., subject to the details and conditions outlined in the Administrative Staff Report.

I.11. [24-125](#)

SUBJECT: Adoption of a Resolution of Intent Regarding Annexation No. 25 for the Palisades Subdivision Improvement Area No. 50 into Community Facilities District (CFD) No. 2003-2 (Services), Approving a Deposit and Reimbursement Agreement for Annexation No. 25, and Setting a Public Hearing for March 4, 2024; and Annexation No. 25 Consists of Approximately 28.10 Acres of Land Generally Located on the East Side of G Street, Approximately 800 Feet North of Merrill Place

REPORT IN BRIEF

Considers adopting a Resolution of Intent to annex 28.10 acres of land generally located on the east side of G Street, approximately 800 feet north of Merrill Place (CFD Annexation No. 25) into the City's CFD for Services (CFD 2003-2), including the approval of a Deposit and Reimbursement Agreement for the annexation; accept the petition, consent, and waiver for Annexation No. 25; and set a public hearing and election for March 4, 2024.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-23**, a Resolution of Intention of the City Council of the City of Merced, Acting as the Legislative Body of the City of Merced Community Facilities District No. 2003-2 (Services), Declaring its Intentions to Annex an Area to Said District and Authorize the Levy of a Special Tax Within Said Annexation and Approving a Certain Agreement Related Thereto; and,

B. Setting the Public Hearing for March 4, 2024; and,

C. Accepting the Petition, Consent and Waiver from Leeco, LLC, a California Limited Liability Company and Exposition Properties, LLC, a California Limited Liability Company for Annexation No. 25; and,

D. Accepting the deposit amount of \$25,000 in Fund 4500 (CFD Formation Fund), increasing the revenue and appropriating the same to cover the cost of Community Facilities District formation and related expenditures for Annexation No. 25; and,

E. Authorizing the City Manager to execute the Deposit and Reimbursement Agreement; and,

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

I.12. [24-126](#)

SUBJECT: Adoption of a Resolution of Intent Regarding Annexation No. 26 for Capella Terrace Improvement Area No. 51 into Community Facilities District (CFD) No. 2003-2 (Services), Approving a Deposit and Reimbursement Agreement for Annexation No. 26, and Setting a Public Hearing for March 4, 2024; and Annexation No. 26 Consists of Approximately 10 Acres of Land Generally Located on the West Side of Coffee Street, Approximately 300 feet North of Gerard Avenue

REPORT IN BRIEF

Considers adopting a Resolution of Intent to annex approximately 10 acres of land generally located on the west side of Coffee Street, approximately 300 feet north of Gerard Avenue (CFD Annexation No. 26) into the City's CFD for Services (CFD 2003-2), including the approval of a Deposit and Reimbursement Agreement for the annexation; accept the petition, consent, and waiver for Annexation No. 26; and set a public hearing and election for March 4, 2024.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-19**, a Resolution of Intention of the City Council of the City of Merced, acting as the Legislative Body of the City of Merced Community Facilities District No. 2003-2 (Services), declaring its intention to annex area to said district and authorize the levy of a special tax within said annexation and approving a certain agreement related thereto; and,

B. Setting the Public Hearing for March 4, 2024; and,

C. Accepting the Petition, Consent and Waiver from Fortis General Construction, Inc., for Annexation No. 26 (Improvement No. 51); and,

D. Accepting the deposit amount of \$25,000 in Fund 4500 (CFD Formation Fund), increasing the revenue and appropriating the same to cover the cost of Community Facilities District formation and related expenditures for Annexation No. 26, (Improvement Area No. 51); and,

E. Authorizing the City Manager to execute the Deposit and Reimbursement Agreement; and,

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

I.13. [24-127](#)

SUBJECT: Adopt Resolution Certifying and Adding Property to the Community Facilities District No. 2003-2 (Services)

REPORT IN BRIEF

Considers adopting a Resolution acting as the legislative body of the Community Facilities District No. 2003-2 (Services) of the City of Merced (the "CFD") adopt a resolution for previously designated "future annexation area" of the CFD to be added as property to the CFD.

On April 20, 2020, the CFD designated certain area as "Future Annexation Area" to the CFD as part of Annexation No. 14. The future annexation area is commonly now known as Stone Ridge West 108. This allowed for a streamlined annexation process for the property owner when ready to annex. Instead of a public hearing and an election to annex to the CFD, the landowner signs a unanimous approval and consent to be annexed into the CFD. The owner of the property, Stonefield Homes, Inc., is now ready to annex to the CFD. A unanimous approval and consent from the owner for the proposed Annexation No. 27 (Improvement Area 44) has been received and filed pursuant to the streamlined process. Annexation No. 27 triggers a modification to the existing rate and method of apportionment to include its rates which have been provided to the owner. It is anticipated that this annexation will be certified by resolution at this Council meeting.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-20**, a Resolution of the City Council of the City of Merced, Acting as the Legislative Body of the Community Facilities District No. 2003-2 (Services) of the City of Merced Certifying and Adding Property Thereto as Annexation No. 27 (Improvement Area 44) and Approving a Certain Agreement Related Thereto; and,

B. Accepting the deposit amount of \$20,000 in Fund 4500 (CFD Formation Fund), increasing the revenue and appropriating the same to cover the cost of Community Facilities District formation and related

expenditures for Annexation No. 27 (Improvement Area 44); and,

C. Authorizing the City Manager to execute the Deposit and Reimbursement Agreement; and,

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

I.14. [24-129](#)

SUBJECT: Adoption of a Resolution Approving Final Map #5409 for Stone Ridge West 108, Phase 1 Subdivision for 48 Small Single-Family Lots, Generally Located South of Winder Avenue, Approximately 650 Feet East of G Street and the Approval of the Subdivision Agreement for the Stone Ridge West 108, Phase 1 Subdivision

REPORT IN BRIEF

Considers adopting a Resolution approving the Final Map #5409 for 48 small single-family lots, located south of Winder Avenue, approximately 650 feet east of G Street, and the subdivision agreement for Stone Ridge West 108, Phase 1 Subdivision.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2024-21**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Stone Ridge West 108, Phase 1 Subdivision (#5409); and,

B. Approving the Subdivision Agreement for the Stone Ridge West 108 Phase 1 Subdivision; and,

C. Authorizing the City Manager to execute all necessary documents.

I.15. [24-132](#)

SUBJECT: Adoption of a Resolution Approving Final Map #5410 for Stone Ridge West 108, Phase 2 Subdivision for 60 Small Single-Family Lots, Generally Located South of Winder Avenue, Approximately 650 Feet East of G Street and the Approval of the Subdivision Agreement for the Stone Ridge West 108, Phase 2 Subdivision

REPORT IN BRIEF

Considers adopting a Resolution approving the Final Map #5410 for 60 small single-family lots, located south of Winder Avenue, approximately 650 feet east of G Street, and the subdivision agreement for Stone Ridge West 108, Phase 2 Subdivision.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving **Resolution 2024-22**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Stone Ridge West 108, Phase 2 Subdivision (#5410); and,
- B. Approving the Subdivision Agreement for the Stone Ridge West 108 Phase 2 Subdivision; and,
- C. Authorizing the City Manager to execute all necessary documents.

J. REPORTS

J.1. [24-142](#)

SUBJECT: Approving a Supplemental Appropriation from the General Fund, Unencumbered, Unreserved Fund Balance of \$3,000 and Request for Proposals (RFP) for Local Photography Submissions for a Summer Art Exhibition at the Applegate Park Merced Open Air Theater (MOAT)

REPORT IN BRIEF

Considers approving a supplemental appropriation from the General Fund, unencumbered, unreserved fund balance of \$3,000 and an RFP call for local photography for a summer art exhibition at the Applegate Park MOAT.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a supplemental appropriation from the General Fund, unencumbered unreserved fund balance in the amount of \$3,000; and,
- B. Approving an RFP for original works of photography by local artists featuring sunrises and sunsets in Merced to be displayed at a summer art exhibition at the Applegate Park Merced Open Air Theater (MOAT).

J.2. [24-061](#)

SUBJECT: Mid-Year Budget Review for Fiscal Year 2023-2024, General Fund Supplemental Appropriations and Budget Amendments in Various Funds Totaling \$1,699,187

REPORT IN BRIEF

Presents the Fiscal Year 2023-2024 Mid-Year Financial Report, seeks approval of General Fund Supplemental Appropriations and Budget Amendments in Various Funds totaling \$1,699,187.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a Supplemental Appropriation from the unreserved, unencumbered General Fund Balance in the amount of \$20,000 and appropriating in the City Manager's Division personnel expense accounts; and,

B. Approving a Supplemental Appropriation from the unreserved, unencumbered General Fund balance in the amount of \$14,000 to amend a Professional Services agreement with our lobbyist to include grants; and,

C. Approving the addition of one Accountant I/II position in the Finance Department; and,

D. Approving an increase to Administration Revenue from the Successor Agency in the General Fund in the amount of \$30,000 and appropriating the same in the Finance Department personnel expense accounts; and,

E. Approving a Supplemental Appropriation from the unreserved, unencumbered General Fund balance in the amount of \$20,000 and appropriating in the Purchasing Division for surveillance cameras; and,

F. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance in Fund 8503-Asset Forfeiture in the amount of \$56,000 transferring to the General Fund, and appropriating the same to the Police Department for the subscription to the National Integrated Ballistic Network (NIBIN); and,

G. Approving an increase to Cost Recovery revenue account in the General Fund in the amount of \$170,875 and appropriating the same plus interest earned totaling \$175,435 in the Police Department for opioid

settlement planned program expenditures; and,

H. Approving a Supplemental Appropriation from the unreserved, unencumbered General Fund balance in the amount of \$56,200, transferring to Fund 3002-Bell Station for utility and remediation expenditures; and,

I. Approving a Supplemental Appropriation from the unreserved, unencumbered General Fund balance in the amount of \$200,000 for PPE for Safer Grant approved positions; and,

J. Approving a Supplemental Appropriation from the unreserved, unencumbered General Fund balance in the amount of \$75,000 and appropriating in the Fire Department for an EMS Revenue Analysis; and,

K. Approving the deletion of one Business & Aviation Manager position and adding one Airport Manager; and,

L. Approving **Resolution 2024-24**, A Resolution of the City Council of the City of Merced, California, Amending the Salary Range for the Airport Manager Position within the Economic Development Department; and,

M. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance in Fund 2000-Downtown Fund in the amount of \$78,000, transferring to Fund 4019 Downtown Maintenance District, and appropriating the same for maintenance until PBID begins maintaining; and,

N. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance in Fund 2001-Measure C in the amount of \$460,000 for the replacement of the Fire Station Alerting; and,

O. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance in Fund 2004-Measure Y-Parks and Recreation 20% in the amount of \$30,000 due to the minimum wage increase; and,

P. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance in Fund 2004-Measure Y-Parks and Recreation 20% in the amount of \$18,000 for soccer goals and nets; and,

Q. Approving **Resolution 2024-25**, A Resolution of the City Council of the

City of Merced, California, Amending the Salary Range for the City Engineer within the Development Services Department; and,

R. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance in Fund 3505 Facilities-Roadways Developer 50% in the amount of \$466,552 due to the approval of Settlement Agreement with Yosemite & G LLC; and,

S. Approving the deletion of one PW Manager-Operations, adding one PW Manager-Refuse, and adding one PW Manager-Internal Service; and,

T. Approving **Resolution 2024-26**, A Resolution of the City Council of the City of Merced, California, Declaring the Infeasibility of using Public Bidding to Purchase certain Vehicles and Authorizing Limited Direct Purchases; and,

U. Approving **Resolution 2024-27**, A Resolution of the City Council of the City of Merced, California, Amending the Classification Plan by Updating the Personnel Allocation in the Finance Department by Adding One Accountant I/II Position; the Public Works Department by Deleting One Public Works Manager-Operations Position, adding One Public Works Manager-Refuse position, and adding one Public Works Manager-Internal Services position; and the Economic Development Department by deleting one Business & Aviation Manager and adding one Airport Manager; and,

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

K. BUSINESS

K.1. [24-135](#)

SUBJECT: Continued Personnel Board Appointments

REPORT IN BRIEF

Considers appointing one Council nominated individual to the Personnel Board.

RECOMMENDATION

City Council - Adopt a motion appointing one individual from the remaining applicants to serve as a Council nominated replacement member of the Personnel Board to a full-term expiring on July 1, 2026.

K.2. [24-109](#)

SUBJECT: Appointments to the Citizens' Stipend Setting Commission

with 6 Members to be Appointed by District and 1 Member to be Appointed At-Large

REPORT IN BRIEF

Considers the appointment of individuals to the Citizens' Stipend Setting Commission.

RECOMMENDATION

City Council - Adopt a motion accepting nominations and appointing one individual to each of the six City Council Districts and one individual to be appointed at-large to the Citizens' Stipend Setting Commission.

K.3. [24-095](#)

SUBJECT: Mayor Serratto's Request to Discuss a Bike and Pedestrian Bridge at Bear Creek and Parsons Avenue

REPORT IN BRIEF

Mayor Serratto's request to discuss a bike and pedestrian bridge at Bear Creek and Parsons Avenue.

RECOMMENDATION

Provide direction to staff on the next steps.

K.4. [24-093](#)

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.5. [24-094](#)

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