



# 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

Tuesday, January 21, 2025

6:00 PM

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

#### Study 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 TUAJ RAU HAUV CITY COUNCIL LUB ROOJ SAB LAJ

At least 72 hours prior to each regular City Council meeting, a complete agenda packet is available for review on the City's website at [www.cityofmerced.org](http://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](http://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. 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](http://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. 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](mailto: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](http://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](http://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](mailto: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](http://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](http://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.

Cov ntaub ntawv tuaj yeem xa email tau rau ntawm [cityclerk@cityofmerced.org](mailto: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 xeem ntawd yog nqe twg #, Cov Lus Pom Zoo ntawd yog nqe twg #. los yog cov lus tso rau Pej Xeem 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](http://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](http://www.cityofmerced.org), Facebook Live, los sis Comcast Public Access Channel 96.

## A. STUDY SESSION ROLL CALL

## B. STUDY SESSION

- B.1. [25-002](#) **SUBJECT: Study Session on Rezoning for the Housing Element to Meet the Requirements for the Regional Housing Needs Allocation (RHNA)**

### REPORT IN BRIEF

Study Session on Rezoning to meet the Requirements of RHNA.

### RECOMMENDATION

For information and discussion.

## C. CALL TO ORDER

C.1. Invocation - Monika Grasley, Lifeline Community Development Corp

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 \$500.00 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 2024-78. The members of the Parking Authority and the Public Financing and Economic Development Authority receive no compensation.

## E. CEREMONIAL MATTERS

- E.1. [25-078](#) **SUBJECT: Proclamation - Dr. Martin Luther King, Jr. - Day of Service**

### REPORT IN BRIEF

Accepted by Tamera Cobb of the Martin Luther King Jr. Committee.

- E.2. [25-079](#)      **SUBJECT:** Proclamation - National Slavery and Human Trafficking Prevention Month

**REPORT IN BRIEF**

Received by a representative of the Valley Crisis Center.

**F. WRITTEN PETITIONS AND COMMUNICATIONS**

**G. 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.

**H. 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.

- H.1. [25-010](#)      **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.

- H.2. [24-1201](#)      **SUBJECT:** Approval of City Council/Public Financing and Economic Development/Parking Authority/Successor Agency to the Redevelopment Agency Meeting Minutes of July 1, 2024, July 15, 2024, August 5, 2024, August 19, 2024, and September 3, 2024

**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 July 1, 2024, July 15, 2024, August 5, 2024, August 19, 2024, and September 3, 2024.

**H.3.** [25-019](#)

**SUBJECT:** Approving a Design & Build Professional Services Agreement with PlayCore Wisconsin Inc. dba GameTime for the Design & Construction of Inclusive Themed Playground at Community Park 42, Merced's Regional Sports Complex, in the Amount of \$459,021.29

**REPORT IN BRIEF**

Considers approving the agreement for playground design and construction of work outlined in the Design & Build Services Agreement for an amount not to exceed \$459,021.29 with PlayCore Wisconsin Inc. dba GameTime.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving a Design & Build Professional Services Agreement with PlayCore Wisconsin Inc. dba GameTime, in the amount of \$459,021.29 for design and construction of the Merced Regional Sports Complex Playground; and,
- B. Approving change orders up to 5% of the agreement; and,
- C. Authorizing the City Manager to execute the necessary documents.

**H.4.** [25-025](#)

**SUBJECT:** Approval of the 2024/2025 Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan Report Pursuant Federal Requirements Set Forth by Title II of the ADA and Section 504 of the Rehabilitation Act of 1973

**REPORT IN BRIEF**

Considers approving the ADA Self-Evaluation and Transition Plan (referred to as Plan) for the 2024/2025 years as required by Title II of the ADA and Section 504 of the Rehabilitation Act of 1973. This Plan is an update from the previous 2019/2020 years report. The Plan includes evaluations for all City owned buildings, streets, parks, programs, and services for compliance with Title II of the ADA and Section 504 of the Rehabilitation Act of 1973.

**RECOMMENDATION**

**City Council** - Adopt a motion accepting and filing the 2024/2025 Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan Report.

H.5. [25-063](#)

**SUBJECT:** Adoption of a Resolution to Display the Council Approved Commemorative Flags at Bob Hart Square per City Council Policy C-7

**REPORT IN BRIEF**

Considers adopting a Resolution to display Council approved commemorative flags in Bob Hart Square per the City Council Policy C-7.

**RECOMMENDATION**

**City Council** - Adopt a motion approving **Resolution 2025-07**, a Resolution of the City Council of the City of Merced, California, authorizing the display of commemorative flags on the City flagpole in Bob Hart Square for the months of February and June 2025.

H.6. [25-068](#)

**SUBJECT:** Approval of a Three-Year Agreement with Granicus, LLC for Agenda Management Software, Board and Commissions Software, Community Outreach Software, Live Video Streaming, Websites, Hosting, Services and Support not to Exceed \$270,210

**REPORT IN BRIEF**

Considers waiving the competitive bidding requirement for a three-year agreement with Granicus, LLC for agenda management, board and commissions, community outreach software, live video streaming, websites, hosting, services, and support not to exceed \$270,210.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code section 3.04.210 Code for standardization on particular types of equipment; and,
- B. Approving a three-year agreement with Granicus LLC. not to exceed \$270,210; and,
- C. Authorizing the City Manager to execute the necessary documents.

H.7. [25-071](#) **SUBJECT:** Approval of a One Year Lease Extension Between the City of Merced and USPS (United States Postal Service) at the Bell Station (415 W. 18th Street) with an Annual Rate of \$66,759

**REPORT IN BRIEF**

Considers approving a one-year lease extension with USPS for office space at Bell Station, with an annual rental rate of \$66,759.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the Lease Extension Agreement with the United States Postal Service for office space at the Bell Station with an annual rental rate of \$66,759; and,

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

H.8. [25-085](#) **SUBJECT:** Approval to Extend the Term of the California Violence Intervention and Prevention (CalVIP) Grant Contract to June 30, 2026

**REPORT IN BRIEF**

Considers the approval of extending the term of the CalVIP grant contract to June 30, 2026.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the term extension for the CalVIP grant contract to June 30, 2026; and,

B. Authorizing the City Manager to execute the necessary documents.

H.9. [25-031](#) **SUBJECT:** Approval to Purchase One (1) New Ford E-Transit Cargo Van Equipped with Flexitrax C550 System, and Necessary Attachment Equipment, from WECO Industries in the Amount of \$249,862.65 for the Sewer Division

**REPORT IN BRIEF**

Considers approving the purchase of one new Ford E-Transit Cargo Van equipped with Flexitrax C550 System, in the amount of \$249,862.65. Staff has identified a vehicle that will not only aid their operation but allow the City to become compliant with California Code of Regulation Section 1962 (Zero-Emission Vehicle Standards).

**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 purchase to be made on the grounds of sole/single sourcing; and,

B. Approving the purchase of one Ford E-Transit Cargo Van equipped with Flexitrax C550 System, in the amount of \$249,862.65 from WECO Industries for the Sewer Division; and,

C. Authorizing the City Manager to execute any necessary documents for the purchase specified above; and,

D. Authorizing the issuance of the Purchase Order and approval of change orders not to exceed 10% of the total purchase price.

H.10. [25-032](#)

**SUBJECT:** Approval to Purchase One (1) New Side Loader Refuse Truck, and Necessary Attachment Equipment, From Ruckstell California Sales Co., Inc., in the Amount of \$426,985 for the Refuse Department

**REPORT IN BRIEF**

Considers approving the purchase of one 2024 Autocar ACX64 R/H Drive with New Way Sidewinder Refuse Side-Loading body in the amount of \$426,985. Staff has identified the need to purchase a vehicle, which will assist in the standardization of equipment through the cost savings of a 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 purchase to be made with a cooperative purchase agreement through Sourcewell, a government procurement program; and,

B. Approving the purchase of one 2024 Autocar ACX64 R/H Drive with New Way Sidewinder Refuse Side-Loading body in the amount of \$426,985.00 from Ruckstell California Sales Co., Inc., through Sourcewell contract # 110223-NWY, adding to Refuse's fleet; and,

C. Authorizing the City Manager to execute any necessary documents for the purchase specified above; and,

D. Authorizing the issuance of the Purchase Order, and approval of change orders not to exceed 10% of the total purchase price.

H.11. [25-033](#)

**SUBJECT:** Approval of Agreement for the Harvesting of Wastewater Treatment Plant Land Application Crops with Bradley Bertuccio Hay Baling, Inc., for the Remainder of Fiscal Year 2024/2025 in the Amount of \$101,250 and the Annual Amount of \$270,000 for Subsequent Years; the Agreement Shall Have an Initial Term Beginning March 1, 2025, Through June 30, 2027, with an Option to Extend the Agreement for Two (2) Additional One (1) Year Term(s) Ending June 30, 2029

**REPORT IN BRIEF**

Considers approving the Agreement for Harvesting Services with Bradley Bertuccio Hay Baling, Inc., for the remainder of Fiscal Year 2024/2025 for \$101,250.00 and the annual amount of \$270,000 for subsequent years for harvesting services for the Wastewater Treatment Plant Land Application fodder crops.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the Agreement for Harvesting Services with Bradley Bertuccio Hay Baling, Inc., for the harvesting of the Wastewater Treatment Plant Land Application Area fodder crops in the amount not to exceed \$641,250 through June 30, 2027, with an option to extend the agreement for two additional one-year terms through June 30, 2029; and,

B. Authorizing the City Manager to execute the necessary documents.

**I. ACTION ITEMS**

I.1. [24-816](#)

**SUBJECT:** Introduction of an Ordinance Amending Chapter 1.17 Entitled City Council Districts Adding the UC Merced Annexation Area and the Virginia Smith Trust (VST) Annexation Area to City Council District 6 of the Council District Map

**REPORT IN BRIEF**

Considers introducing an Ordinance amending Chapter 1.17 adding the newly UC Merced Annexation area and the newly Virginia Smith Trust

Annexation area to City Council District 6 of the Council District map.

**RECOMMENDATION**

**City Council** - Adopt a motion introducing **Ordinance 2576**, an Ordinance of the City Council of the City of Merced, California, Amending Chapter 1.17 Entitled "City Council Districts" of the Merced Municipal Code.

**I.2.**     [25-053](#)

**SUBJECT:** Award Bid to Kroeker, Inc. for the Congestion Mitigation Air Quality Grant (CMAQ) (060) Sidewalks Parkwest and McGregor Project Number CP220064, in the Amount of \$790,216.60

**REPORT IN BRIEF**

Considers awarding a Construction Contract to Kroeker, Inc. in the amount of \$790,216.60 for the CMAQ Sidewalks Along Parkwest and McGregor Project.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Awarding the CMAQ Sidewalks Along Parkwest and McGregor Project CP220064 to Kroeker, Inc., in the amount of \$790,216.60; and,
- B. Authorizing the City Manager to execute the necessary documents and to approve change orders not to exceed 15% of the total contract; and,
- C. Authorizing the Finance Officer authorization to make necessary budget adjustments.

**I.3.**     [25-005](#)

**SUBJECT:** Approval to Execute Regional Early Action Planning (REAP) 2.0 Grant Agreements with the Merced County Association of Governments (MCAG) and to Accept and Appropriate the Local Suballocation Grant Funding of \$195,493 for the General Plan Update and the Regional Competitive Grant Funding of \$2,497,538 for the I Street Project for Linc Housing

**REPORT IN BRIEF**

Considers approving the execution of the REAP 2.0 Grant Agreements with MCAG and accept and appropriate the Local Suballocation Grant funding of \$195,493 for the General Plan Update and the Regional Competitive Grant funding of \$2,497,538 for the I Street Project for Linc Housing.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Accepting \$195,493 from the REAP 2.0 - Local Suballocation Grant funds, increasing revenue in Fund 3000-Development Services Planning Division and appropriating the same for the General Plan Update; and,

B. Accepting \$2,497,538 from the REAP 2.0 - Regional Competitive Grant funds, increasing revenue in Fund 2014-Early Action Planning and appropriating the same for I Street Project for Linc Housing; and,

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

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

**I.4.**     [25-001](#)

**SUBJECT:** Adoption of a Resolution Authorizing the Submittal of a Joint Application and Participation in the State of California Housing and Community Development (HCD) Homekey+ Grant Program with Up Holdings California, LLC and UP Mercy Village LP for an Amount not to Exceed \$30,000,000

**REPORT IN BRIEF**

Considers adopting a resolution authorizing the submittal of a joint application for participation in HCD Homekey+ Grant Program with Up Holdings California, LLC and UP Mercy Village LP for an amount not to exceed \$30,000,000.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Adopting Resolution **2025-06**, a Resolution of the City Council of the City of Merced, California, authorizing a joint application and participation in the Homekey+ Program and authorizing the City Manager to Execute the Standard Agreement and any related documents; and,

B. Authorizing the City Manager to execute the Standard Agreements if selected for such funding and any amendments thereto, and any related documents necessary to participate in the Homekey+ Grant Program; and,

**J. REPORTS**

J.1. [25-035](#)      **SUBJECT:** Update on General Vang Pao Park Site Master Plan and Timeline

**REPORT IN BRIEF**

Update on park plan development, phased construction plan, area of focus for phase 1 and project timeline.

**RECOMMENDATION**

**City Council** - Information Only.

J.2. [25-059](#)      **SUBJECT:** Update on Bear Creek Restoration Project

**REPORT IN BRIEF**

Update on current design efforts as part of the restoration project.

**RECOMMENDATION**

**City Council** - Information Item Only.

**K. BUSINESS**

K.1. [25-011](#)      **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.2. [25-012](#)      **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. 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)].

L.1. [25-086](#)      **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION City of Merced v. VIRAAJ Investments, LLC et al., MSC Case No. 23CV-00538 Pursuant to California Government Code

Section 54956.9(d)(1)

**M. REPORT OUT OF CLOSED SESSION**

**N. ADJOURNMENT**