



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, September 7, 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 Governor Newsom's Executive Order N-29-20, there may be Council Members participating virtually for this meeting. Members of the public may participate in-person. 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 TUJAU 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 tsoom 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 (thaum 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.

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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.** [21-686](#) SUBJECT: CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Casey Steed, an individual, and Merced Smart Growth Advocates, a California Unincorporated Associates, Petitioners and Plaintiffs v. City of Merced, a California Municipal Corporations and Merced City Council, a body politic, Case No. 20CV-03123, Respondents and Defendants; Merced Holdings, LP a Nevada Limited Partnership, Real Party In Interest
- B.2.** [21-733](#) SUBJECT: CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Donald King v. City of Merced; Workers Compensation Claim Number 19796468; AUTHORITY: Government Code Section 54956.9(d)(1)
- B.3.** [21-743](#) SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): Travis Lindsey and Janell Van Bindsbergen, Lozano Smith, Attorneys at Law; Employee Organizations: American Federation of State, County, and Municipal Employees (AFSCME) Council 57; Local 2703, International Association of Fire Fighters, Local 1479; Merced Police Officers' Association (MPOA); Merced Association of Police Sergeants and Merced Association of City Employees (MACE). AUTHORITY: Government Code Section 54957.6

C. CALL TO ORDER

- C.1. Invocation - Pastor Al Schaap, Gateway Church Merced
- C.2. Pledge of Allegiance to the Flag

D. ROLL CALL

D.1. In accordance with Government Code 54952.3, it is hereby announced that the City Council sits either simultaneously or serially as the Parking Authority 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. [21-708](#) **SUBJECT:** Proclamation - Recovery Month

REPORT IN BRIEF

Council Member Ornelas will present the Recovery Month proclamation and Certificate of Recognition.

- F.2. [21-712](#) **SUBJECT:** Proclamation - Mexican Independence Day

REPORT IN BRIEF

Received by a representative of the Mexican Consulate.

- F.3. [21-709](#) **SUBJECT:** Proclamation - Constitution Week

REPORT IN BRIEF

Received by a representative of the Daughters of the American Revolution the Merced River Chapter.

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. [21-672](#) **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. [21-285](#)

SUBJECT: Information-Only Contracts for the Month of August 2021

REPORT IN BRIEF

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

I.3. [21-646](#)

SUBJECT: Information Only - Planning Commission Meeting Minutes of June 9, and July 7, 2021

RECOMMENDATION

For information only.

I.4. [21-687](#)

SUBJECT: Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of August 16, 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 August 16, 2021.

I.5. [21-390](#)

SUBJECT: Adoption of a Resolution Approving Final Map #5387 for the Mission Ranch, Phase 2 Subdivision for 70 Single-Family Lots, Generally Located at the Southwest Corner of G Street and Rancho Camino Drive, and the Approval of the Subdivision Agreement for the Mission Ranch, Phase 2 Subdivision

REPORT IN BRIEF

Considers the approval of Final Map #5387 for the Mission Ranch, Phase 2 Subdivision for 70 single-family lots, generally located at the southwest corner of G Street and Rancho Camino Drive, and the approval of the subdivision agreement for the Mission Ranch, Phase 2 Subdivision.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2021-80**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Mission Ranch, Phase 2 Subdivision (#5387); and,

B. Approving the Subdivision Agreement for the Mission Ranch, Phase 2 Subdivision; and,

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

I.6. [21-644](#)

SUBJECT: Approval of a First Amendment to an Agreement with Shaefer Systems International, Inc., to Purchase Refuse Containers Through Houston-Galveston Area (H-GAC) Cooperative Purchasing Contract

REPORT IN BRIEF

Considers approving a first amendment to agreement with Shaefer Systems International, Inc., reflecting the change from National Joint Powers Alliance (NJPA)/Sourcewell Procurement Program to the Houston-Galveston Area (H-GAC) Cooperative Purchasing Program.

RECOMMENDATION

City Council - Adopt a motion approving a first amendment with Schaefer Systems International, Inc., for refuse containers purchase through the Houston-Galveston Area (H-GAC) Cooperative Purchasing Program; and, authorizing the City Manager or Deputy City Manager to execute the necessary documents.

I.7. [21-690](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirements for Professional Services, Approval of a Professional Services Agreement with V&A Consulting Engineers for Sanitary Sewer Flow Monitoring in the Amount of \$68,875.

REPORT IN BRIEF

Considers waiving the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 and approving a Professional Services Agreement with V&A Consulting Engineers for Sanitary Sewer Flow Monitoring in the amount of \$68,875.

RECOMMENDATION

City Council - Adopt a motion:

- A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210 for professional services; and,
- B. Approving a Professional Services Agreement with V&A Consulting Engineers for Sanitary Sewer Flow Monitoring in the amount not to exceed \$68,875; and,
- C. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- D. Authorizing the City Manager or Deputy City Manager to execute the necessary documents.

I.8. [21-736](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Approve Purchases of Parts, Equipment, Supplies, and Services Necessary for Public Works Maintenance and Operations from Badger Meter, Inc. in the Amount not to Exceed \$200,000; Bridgestone Americas Tire Operations, LLC dba GCR Tires and Service in the Amount not to Exceed \$250,000; and Trojan Technologies Group, LLC in the Amount not to Exceed \$150,000 through June 30, 2022

REPORT IN BRIEF

Considers waiving the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 and approving the purchase of various parts, equipment, supplies, and services for Public Works maintenance and operations.

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,
- B. Approving the purchase of water meters and related parts, equipment, and supplies from Badger Meter, Inc., in the amount not to exceed \$200,000 in Fiscal Year 2021/2022; and,
- C. Approving the purchase of various vehicle and equipment tires from Bridgestone Americas Tire Operations, LLC, dba GCR Tires and Service,

in the amount not to exceed \$250,000 in Fiscal Year 2021/2022; and,

D. Approving the purchase of UV lamps and related equipment, parts, and supplies from Trojan Technologies Group, LLC, in the amount not to exceed \$150,000 in Fiscal Year 2021/2022; and,

E. Authorizing the City Manager or the Deputy City Manager, to execute the necessary documents or contracts that are approved as to form by the City Attorney, and/or purchase orders.

I.9. [21-645](#)

SUBJECT: Approval to Waive the Competitive Bid Process to Allow for the Cooperative Purchase with Competitively Bid Contract; County of Merced 2021 AMS FOCUS Agreement 2021092 051821 with AMS.net in a not to Exceed Amount of \$115,000 in Fiscal Year 2021/2022

REPORT IN BRIEF

Approval to waive the competitive bid process to allow for the cooperative purchase with competitively bid contract; 2021 AMS FOCUS Agreement 2021092 051821 with AMS.net in a not to exceed amount of \$115,000 in Fiscal Year 2021/2022.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving to waive the competitive bidding requirements; and,

B. Approving piggybacking onto the 2021 AMS FOCUS Agreement 2021092 051821; and,

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

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

E. Authorizing the purchase of goods through AMS.net in the amount not to exceed \$115,000 for Fiscal Year 2021-22.

I.10. [21-656](#)

SUBJECT: Authorization to Utilize the Public Entity Agreement and a Five-Year Master License Agreement From the State of California Department of Technology for Microsoft Subscription Services With the Total Cost of the Agreement to be \$895,455 and Authorization to Spend \$223,864 Over the Duration of the Five-Year Agreement for Licenses, Additional Software, and Subscriptions

REPORT IN BRIEF

Approval to utilize the Public Entity Agreement and a Five-Year Master License Agreement from the State of California Department of Technology for Microsoft subscription services. The total cost of the agreement is \$895,455 including associated administrative fees. Staff is requesting additional authorization to spend \$223,864 over the agreement amount of \$895,455 over the duration of the five-year agreement for additional licenses, software, and subscriptions.

RECOMMENDATION

City Council - Adopt a motion:

- A. Waiving the City's competitive bid requirements as stated in Section 3.04.210 of the Merced Municipal Code; and,
- B. Authorizing the use of a five-year master license agreement with California Department of Technology, for Microsoft software subscription licensing; and,
- C. Authorizing the use of a Public Entity agreement with California Department of Technology; and,
- D. Authorizing the City Manager or Deputy City Manager to execute all necessary documents; and,
- E. Authorizing the Finance Officer to make necessary budget adjustments; and,
- F. Authorizing the City Manager or the Deputy City Manager to execute future contract amendments that do not exceed 125% of the total agreement value for the five-year duration of the agreement; and,
- G. Authorizing the Finance Officer to make necessity budget adjustments for future contract amendments; and
- H. Authorizing the Finance Officer to transfer any required funds to the PC Replacement Fund and appropriate to be used explicitly for encumbrances and expenditures of new software licenses or subscriptions during the agreement.

I.11. [21-648](#)

SUBJECT: Adoption of a Resolution Authorizing Adoption of Caltrans' Local Assistance Procedures Manual Chapter 10 and Approval of Professional Services Agreements with Dokken Engineering (Civil

Design and Engineering), North Star Engineering (Civil Design, Engineering and Surveying), O'Dell Engineering (Civil Design, Engineering and Surveying), QK, Inc., (Surveying), NV5 (Geotechnical Engineering, Construction Observation, Materials Testing, and Traffic Engineering), Crawford & Associates (Geotechnical Engineering, Construction Observation, and Materials Testing), BSK Associates (Geotechnical Engineering, Construction Observation, and Materials Testing), Advanced Mobility Group (Traffic Engineering), and JLB Traffic Engineering (Traffic Engineering) to Provide Support Services for the City's Capital Improvement Projects in a not Exceed Amount of \$500,000 for Each Contract Based on the Consultant Hourly Rates Listed Within Exhibit B of Each Respective Agreement for the Contract Period Ending September 6, 2023

REPORT IN BRIEF

Considers approving multiple Professional Services Agreements for engineering and design services for the City's Capital Improvement Projects. The services provided under these agreements will be funded from individual Capital Improvement Project budgets as the projects occur through the contract period ending September 6, 2023, at the hourly rates set forth in Exhibit B of each respective agreement.

RECOMMENDATION

City Council - Adopt a motion:

- A. Adopting **Resolution 2021-79**, a Resolution of the City Council of the City of Merced, California, authorizing the adoption of Caltrans' Local Assistance Procedures Manual Chapter 10; and,
- B. Approving the Professional Services Agreements, for a contract period ending September 6, 2023, with Dokken Engineering (Civil Design and Engineering), North Star Engineering (Civil Design, Engineering and Surveying), and O'Dell Engineering (Civil Design, Engineering and Surveying), QK, Inc., (Surveying), NV5 (Geotechnical Engineering, Construction Observation, Materials Testing, and Traffic Engineering), Crawford & Associates (Geotechnical Engineering, Construction Observation, and Materials Testing), BSK Associates (Geotechnical Engineering, Construction Observation, and Materials Testing), Advanced Mobility Group (Traffic Engineering), and JLB Traffic Engineering (Traffic Engineering) to Provide Support Services for the City's Capital Improvement Projects; and,

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

I.12. [21-748](#)

SUBJECT: Authorization for the Use of Statement of Services for the G Street Water Transmission Line and Roadway Rehabilitation, From Bear Creek Drive to Park Avenue, Emergency Project - 121053

REPORT IN BRIEF

Consider authorization for the use of statement of services for the G Street Water Transmission Line and Roadway Rehabilitation, from Bear Creek Drive to Park Avenue, Emergency Project - 121053, which was declared an emergency due to a broken 12-inch water main.

RECOMMENDATION

City Council - Adopt a motion:

A. Deeming the G Street Water Transmission Line and Roadway Rehabilitation, from Bear Creek Drive to Park Avenue Project to be of urgent necessity for the preservation of life, health, or property based on the finding of facts; and,

B. Approving the emergency Statement of Services for Project 121053 with TBS Contractors, including subsequent change orders, in the total amount of \$775,000.00; and,

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

I.13. [21-680](#)

SUBJECT: Allocation of Fiscal Year 2020-21 Community Development Block Grant (CDBG) Program Resources to Fund a Subgrantee Agreement with Symple Equazion for the Respective Program Approved Within the Adopted 2020 Annual Action Plan

REPORT IN BRIEF

Considers authorizing the execution of a Community Development Block Grant (CDBG) Subgrantee agreement with Symple Equazion in the amount of \$38,960 for the Aim High POWER Academy Program.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving an agreement for a program identified in the 2020 Department of Housing and Urban Development (HUD) Annual Action Plan using Community Development Block Grant (CDBG) funds from the

2020/21 Fiscal Year, per previous City Council recommendation for an agreement with Symple Equazion ("Aim High POWER Academy") for Transitional Shelter Operating Costs and Employment/Life Skills Training for Shelter Residents in the amount of \$38,960: and,

B. Authorizing the City Manager or the Deputy City Manager to execute, and if necessary, make minor modifications to the agreement described above and as attached, and all associated documents; and,

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

I.14. [21-716](#)

SUBJECT: Approval of the 2022 Cafeteria Plan Renewal Regarding Employees' and Retirees' Health and Welfare Benefits Including Medical, Dental, Vision, Disability, Life and Flexible Spending

REPORT IN BRIEF

Considers approving the renewal of the 2022 Cafeteria Plan regarding employees' and retirees' health and welfare benefits.

RECOMMENDATION

City Council - Adopt a motion approving the employees' health and welfare benefits cafeteria plan renewal for calendar year 2022 and authorizing the City Manager or Deputy City Manager to execute the necessary documents.

I.15. [21-705](#)

SUBJECT: Second Reading and Final Adoption of an Ordinance Approving Site Utilization Plan Revision #23 to Planned Development (P-D) #16 Changing the Land use Designation from "Single-Family Residential" to "Multi-Family Residential" for Approximately 6.3 acres of Land Generally Located on the South Side of Devonwood Drive Between Loughborough Drive and Austin Avenue

REPORT IN BRIEF

Second reading and final adoption of an ordinance introduced at the Council Meeting of August 16, 2021.

RECOMMENDATION

City Council - Adopt a motion adopting **Ordinance 2531**, an Ordinance of the City Council of the City of Merced, California, approving Site Utilization Plan Revision #23 to Planned Development (P-D) #16 changing the land use designation from "Single-Family Residential" to "Multi-Family Residential" for approximately 6.3 acres of land generally located on the south side of Devonwood Drive between Loughborough Drive and Austin

Avenue.

J. REPORTS

J.1. [21-699](#)

SUBJECT: Report on Pro-Housing Policies, Housing Production, Affordable Housing and Request for City Council Direction on Policies, Programs, and Other Actions

REPORT IN BRIEF

Report on Pro-Housing Policies, Housing Production Affordable Housing and Receive City Council Direction on Policies, Programs, and other Actions.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting the report on pro-housing policies, housing production, affordable housing; and,

B. Provide direction to staff on potential policies, programs, and actions in support of housing production and affordable housing.

K. BUSINESS

K.1. [21-740](#)

SUBJECT: Review, Discussion and Direction Regarding a Public-Private Partnership with El Capitan, Mainzer, and the San Jose Sharks Foundation to Build an Outdoor Skate Park Rink at Applegate Park and Establish a Municipal Youth Hockey Program within the City of Merced

REPORT IN BRIEF

Review, discuss and provide staff direction regarding a public-private partnership to build an outdoor skate park at Applegate Park and establish a municipal Youth Hockey Program within the City of Merced.

RECOMMENDATION

Provide staff direction on the pursuing the proposed Public-Private partnership and the use of the existing basketball courts at Applegate Park for an outdoor hockey facility

K.2. [21-742](#)

SUBJECT: Review, Discussion and Direction Regarding Issuing Letters of Support for the Farm Workforce Modernization Act of 2021 (Immigration Reform Bill) to Federal Representatives

REPORT IN BRIEF

Review, discuss and provide staff direction regarding issuing letters of support to Federal Representatives for the Farm Workforce Modernization Act of 2021 (Immigration Reform Bill) as the proposed bill falls outside of the Adopted City of Merced Legislative Platform.

RECOMMENDATION

Provide direction to issuing Letters of Support for the Farm Workforce Modernization Act of 2021 (Immigration Reform Bill) to local Federal Representatives.

K.3. [21-714](#)

SUBJECT: Request to Display the Mexican Flag in Bob Hart Square in Honor of the 211th Anniversary of Mexican Independence on September 15th and 16th

REPORT IN BRIEF

Request from the Mexican Consulate to Display the Mexican Flag in Bob Hart Square on September 15th and 16th.

RECOMMENDATION

Provide direction to staff on the display of the Mexican Flag in Bob Hart Square in accordance with Council Policy C-7 regarding the display of commemorative flags.

K.4. [21-625](#)

SUBJECT: Citizens' Oversight Committee - Measure V Appointment

REPORT IN BRIEF

Nomination for appointment to the Measure V Transportation Expenditure Plan - Citizens Oversight Committee.

RECOMMENDATION

City Council - Adopt a motion nominating a member to the City of Merced seat on the Citizens' Oversight - Measure V Committee.

K.5. [21-707](#)

SUBJECT: Council Member Ornelas' Request to Discuss the Addition of Land Acknowledgement Language to the Agenda

REPORT IN BRIEF

Council Member Ornelas' request to discuss the addition of land acknowledgement language to the agenda pursuant to City Council Administrative Policies and Procedures C-1.

RECOMMENDATION

Provide direction to staff on next steps.

K.6. [21-711](#)

SUBJECT: Mayor Serratto's Request to Discuss Potential Direction to Staff and/or the Arts and Culture Advisory Commission to Advertise and Issue an Open Call for Public Arts Projects

REPORT IN BRIEF

Mayor Serratto's request to discuss potential direction to staff or the Arts and Culture Advisory Commission to advertise and issues an open call for public art projects pursuant to City Council Administrative Policies and Procedures C-1.

RECOMMENDATION

Provide direction to staff on next steps.

K.7. [21-673](#)

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.8. [21-674](#)

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