



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, January 16, 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 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 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.** [24-063](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Scott McBride; Employee Organizations: Merced Police Officers' Association (MPOA) and Merced Association of Police Sergeants (MAPS). **AUTHORITY:** Government Code Section 54957.6

- B.2.** [24-064](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Scott McBride; Employee Organizations: International Association of Fire Fighters, Local 1479. AUTHORITY: Government Code Section 54957.6
- B.3.** [24-065](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Scott McBride; Unrepresented Management AUTHORITY: Government Code Section 54957.6
- B.4.** [24-066](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): City Manager Scott McBride; 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

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, 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.** [24-052](#) **SUBJECT:** Proclamation - Dr. Martin Luther King, Jr. - Day of Service

REPORT IN BRIEF

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

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. [24-012](#) **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. [24-010](#) **SUBJECT:** Approval of City Council/Public Financing and Economic Development/Parking Authority/Successor Agency to the Redevelopment Agency Meeting Minutes of May 1, 2023 and December 4, 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 May 1, 2023 and December 4, 2023.

I.3. [24-016](#)

SUBJECT: Approval of Agreement for Landscape Maintenance Services with BrightView Landscape Services, Inc., for Maintenance of Various City Owned Facilities, Well Sites, Streetscapes, and Medians, in an Annual Amount of \$189,909 for a Two (2) Year, Five (5) Month Term Beginning February 1, 2024 Through June 30, 2026, with an Option to Extend the Agreement for Three (3) Additional One (1) Year Term(s)

REPORT IN BRIEF

Considers approving a Professional Services Agreement with BrightView Landscape Maintenance Services, Inc., for maintenance services in an annual amount of \$189,909 at various City owned facilities, well sites, streetscapes, and medians.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a Professional Services Agreement with BrightView Landscape Services, Inc., in the annual amount of \$189,909, to provide landscape maintenance services at various City owned facilities, well sites, streetscapes, and medians for two years and five months, with an option to renew for a maximum of (3) three additional one-year periods, effective February 1, 2024; and,
- B. Authorizing the City Manager or designee to sign the necessary documents; and,
- C. Authorizing the Finance Officer to make the necessary budget adjustments.

I.4. [24-054](#)

SUBJECT: Administering Agency Amendment Modification Summary (E-76) for a Congestion Mitigation and Air Quality Improvement (CMAQ) Grant CML-5085(055) for Use of \$470,813 in CMAQ Grant Funding for Project No. CP210044 - Construct Sidewalks on Nottingham Lane from Olive Avenue to Hansen Avenue, Tamworth Court, Buckingham Court, and an Approximately 120-Foot Section Along Alexander Avenue, Along with the Installation of ADA Ramps Where Necessary

REPORT IN BRIEF

Considers accepting \$470,813 in Federal CMAQ Grant funding for construction of sidewalks on the east and west side of Nottingham Lane from Olive Avenue to Hansen Avenue, and the construction of sidewalks on Tamworth Court, Buckingham Court and an approximately 120-foot section along Alexander Avenue, and the installation of ADA ramps where necessary.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting CMAQ grant funds and increasing revenue in Fund 5005-Street and Signal CIP in the amount of \$470,813 and appropriating the same to Project No. CP21004-CMAQ Nottingham Sidewalk for costs associated with construction of sidewalks on the east and west side of Nottingham Lane from Olive Avenue to Hansen Avenue, and the construction of sidewalks on Tamworth Court, Buckingham Court, and an approximately 120-foot section along Alexander Avenue, and the installation of ADA ramps where necessary; and,

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

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

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

I.5. [24-057](#)

SUBJECT: Administering Agency Amendment Modification Summary (E-76) for a Congestion Mitigation and Air Quality Improvement (CMAQ) Grant CML-5085(051) for Use of \$402,998 in CMAQ Grant Funding for Project No. CP200043 - Sidewalk Infill on Olive Avenue, Parsons Avenue and Alexander Avenue

REPORT IN BRIEF

Considers accepting \$402,998 in Federal CMAQ Grant funding for construction of sidewalks and ADA ramps on Olive Avenue from East Queen Circle to Parsons Avenue, Parsons Avenue from Olive Avenue to South of Hansen Avenue, and along Alexander Avenue from Nottingham Lane to Parsons.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting CMAQ grant funds and increasing revenue in Fund 5005-Street and Signal CIP in the amount of \$402,998 and appropriating the same to Project No. CP200043-CMAQ Sidewalk infill Olive/Parsons/Alexander for costs associated with construction of sidewalks and ADA ramps on Olive Avenue from East Queen Circle to Parsons Avenue, Parsons Avenue from Olive Avenue to South of Hansen Avenue, and along Alexander Avenue from Nottingham Lane to Parsons; and,
- B. Approving the use of pooled cash until reimbursement is received from the grant; and,
- C. Authorizing the City Manager to execute the necessary documents; and,
- D. Authorizing the Finance Officer to make any necessary budget adjustments.

I.6. [24-058](#)

SUBJECT: Administering Agency Amendment Modification Summary (E-76) for a Congestion Mitigation and Air Quality Improvement (CMAQ) Grant CML-5085(061) for Use of \$1,005,266 in CMAQ Grant Funding for Project No. CP220063 - Childs Multi-Use Path

REPORT IN BRIEF

Considers accepting \$1,005,266 in Federal CMAQ Grant funding for construction of a multi-use path along Childs Avenue from Golden Valley High School to Weaver Middle School on Coffee Street.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting CMAQ grant funds and increasing revenue in Fund 5005-Street and Signal CIP in the amount \$1,005,266 and appropriating the same to Project No. CP220063 for costs associated with construction of an eight-foot-wide concrete pedestrian/bicycle multi-use pathway on Childs Avenue from Golden Valley High School to Weaver Middle School on Coffee Street; and,

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

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

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

I.7. [24-055](#)

SUBJECT: Adoption of a Resolution Approving Final Map #5372 for Bellevue Ranch North, Village 23, Phase A, Subdivision for 32 Single-Family Lots, Generally Located West of G Street, North of Farmland Avenue, and the Approval of the Subdivision Agreement for the for Bellevue Ranch North, Village 23, Phase A Subdivision

REPORT IN BRIEF

Considers approving Final Map #5372 for 32 single-family lots, located west of G Street, north of Farmland Avenue, and the subdivision agreement for Bellevue Ranch North, Village 23, Phase A Subdivision.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2024-10**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Bellevue Ranch North, Village 23, Phase A Subdivision (#5372); and,

B. Approving the Subdivision Agreement for the Bellevue North, Village 23, Phase A Subdivision; and,

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

I.8. [24-056](#)

SUBJECT: Adoption of a Resolution Approving Final Map #5373 for Bellevue Ranch North, Village 23, Phase B, Subdivision for 32 Single-Family Lots, Generally Located West of G Street, North of Farmland Avenue, and the Approval of the Subdivision Agreement for the for Bellevue Ranch North, Village 23, Phase B Subdivision

REPORT IN BRIEF

Considers approving Final Map #5373 for 32 single-family lots, located west of G Street, north of Farmland Avenue, and the subdivision

agreement for Bellevue Ranch North, Village 23, Phase B Subdivision.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2024-11**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Bellevue Ranch North, Village 23 Phase B Subdivision (#5373); and,

B. Approving the Subdivision Agreement for the Bellevue North, Village 23, Phase B Subdivision; and,

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

I.9. [23-1121](#)

SUBJECT: Approval of Second Amendment to the Agreement for Professional Services with RSG Inc. for Affordable Housing Consulting Services in the Amount of \$45,000, totaling \$237,060

REPORT IN BRIEF

Considers approving the Second Amendment to the Agreement for Professional Services with RSG Inc. for Affordable Housing Consulting Services in the amount of \$45,000, totaling \$237,060.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Second Amendment to the Agreement with RSG Inc. for Affordable Housing Consulting Services by increasing the budget by \$45,000; and,

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

C. Authorizing the City Manager to execute the agreements.

I.10. [24-062](#)

SUBJECT: Approval of a Regulatory Agreement with UP Mercy Village, L.P. Setting Up the Terms of Affordability; Deed Restriction and Loan Agreement for the Permanent Local Housing Allocation Funds for Mercy Village, an Affordable Housing Project on Park Avenue

REPORT IN BRIEF

Considers approving a Regulatory Agreement with UP Mercy Village, L.P. setting up the Terms of Affordability; Deed Restriction and Loan Agreement for the Permanent Local Housing Allocation funds for Mercy Village, an Affordable Housing Project on Park Avenue.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving the Regulatory Agreement with UP Mercy Village, L.P. setting up the Terms of Affordability; Deed Restriction and Loan Agreement for the Permanent Local Housing Allocation funds for Mercy Village, an Affordable Housing Project on Park Avenue; and,
- B. Authorizing the City Manager or designee to make any minor changes to the PLHA loan agreements should the State require language changes, subject to the agreements and/or documents being approved as to form by the City Attorney; and,
- C. Authorizing the Finance Officer to make any necessary budget adjustments related to PLHA grant funds; and,
- D. Authorizing the City Manager or designee to execute all agreements and documents to fulfill the terms and conditions of the agreements and any future documents that may be necessary for the project, subject to the agreements and/or documents being approved as to form by the City Attorney.

J. PUBLIC HEARINGS

Members of the public who wish to speak on public hearings listed on the agenda will be heard when the Public Hearing is opened, except on Public Hearing items previously heard and closed to public comment. After the public has commented, the item is closed to further public comment and brought to the Council for discussion and action. Further comment will not be received unless requested by the Council.

- J.1. [24-045](#) **SUBJECT:** Continued Public Hearing to Consider General Plan Amendment #17-02 and Site Utilization Plan Revision #12 to Planned Development (P-D) #42, Initiated by Benchmark Engineering, on Behalf of Bellevue Merced, LLC, Baxter Ranches, LLC, and Stonefield Home, Inc., the General Plan Amendment and Site Utilization Plan Revision Would Amend the Land Use Designation for Approximately 156 Acres of Land Within the Bellevue Ranch Master Development

Plan (BRMDP) Area. The Site Utilization Plan Revision Would Also Amend Table 6.1 of the BRMDP Related to Required Roadway Improvements and the Timing of Said Improvements. This Property is Generally Bounded by the City Limit Line to the North, Cardella Road to the South, G Street to the East, and the City Limit Line to the West

REPORT IN BRIEF

Request for City Council approval of a General Plan Amendment and Site Utilization Plan Revision amending the land use designations for approximately 156 acres of land within the Bellevue Ranch Master Development Plan (BRMDP) and the modification of Table 6.1 of the BRMDP related to required improvements and the timing of those improvements.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-09**, A Resolution of the City Council of the City of Merced, California, Approving an Addendum to the *Merced Vision 2030 General Plan EIR* for General Plan Amendment #17-02 and Site Utilization Plan Revision #12 to Planned Development (P-D) #42 to amend the land use designations for approximately 156 acres of land within the Bellevue Ranch Master Development Plan (BRMDP) area and amend Table 6.1 of the BRMDP and approving General Plan Amendment #17-02 for the same approximately 156 acres of land within the BRMDP Area; and,

B. Introducing **Ordinance 2559**, An Ordinance of the City Council of the City of Merced, California, approving Site Utilization Plan Revision #12 to Planned Development (P-D) #42 changing the land use designation for approximately 156 acres of land within the Bellevue Ranch Master Development Plan (BRMDP) area and amending Table 6.1 of the BRMDP; and,

C. Authorizing the City Manager to execute the Legislative Action Agreements.

J.2. [24-068](#)

SUBJECT: Approval of the Annexation and Pre-zoning Application #23-03, Adoption of a Pre-Annexation and Development Agreement, General Plan Amendment #23-04, Establishment of Planned Development #80, Adoption of VST Specific Plan and Environmental

Review #23-44 all Initiated by the Virginia Smith Trust (VST), Property
Owner

REPORT IN BRIEF

Considers approving the proposed annexation and pre-zoning of 654 acres of land generally located near the northeast corner of Cardella Road and Lake Road (4600 Lake Road -APNs 060-010-004 and 060-020-048), along with adoption of a Pre-Annexation and Development Agreement, changes to the text of the General Plan, creation of a Planned Development Zone and adoption of the VST Specific Plan.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2024-13**, a Resolution of the City Council of the City of Merced, California, Acting as a Responsible Agency Adopting the Final Focused Supplemental Environmental Impact Report for the VST Annexation (Environmental Review #23-44), and Adopting the Statement of Facts and Findings Required by CEQA Guidelines Section 15091, a Mitigation Monitoring Program, and a Statement of Overriding Considerations For Environmental Review #23-44; and,

B. Approving **Resolution 2024-14**, a Resolution of the City Council of the City of Merced, California, Approving General Plan Amendment #23-03 Which Amends Certain Text and Figures Within the General Plan and Adopting the VST Specific Plan Which Establishes the Standards and Guidelines for the Development of Approximately 654 Acres of Land Generally Located at the Northeast Corner of Cardella and Lake Roads (4600 Lake Road); and,

C. Approving **Resolution 2024-15**, a Resolution of the City Council of the City of Merced, California, to the Local Agency Formation Commission for the Annexation of Uninhabited Property Located at 4600 Lake Road Generally Near the Northeast Corner of Lake and Cardella Roads as Described Herein; and,

D. Introducing **Ordinance 2560**, an Ordinance of the City Council of the City of Merced, California, Amending the Official Zoning Map by Prezoning Land Generally Located at the Northeast Corner of Lake and Cardella Roads (4600 Lake Road) as Planned Development (P-D) #80; and,

E. Introducing **Ordinance 2561**, an Ordinance of the City Council of the City of Merced, California, Approving a Pre-Annexation Development Agreement by and Between the City of Merced and the Virginia Smith Trust for the VST Annexation; and,

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

K. REPORTS

K.1. [23-1063](#)

SUBJECT: Approval of Density Bonus #23-02, Initiated by Devonwood Apartments, LP, on Behalf of Devonwood 64, LP, Property Owner; this Application Involves a Request to Reduce the Minimum Parking Requirements and Concessions for Relief from Certain Design Standards for Multi-Family Dwellings, the Reduction in Parking Requirements and Granting of Concessions Would Allow the Construction of a 156-Unit Affordable Apartment Complex on Approximately 5.90 Acres of Land, Generally Located on the South Side of Devonwood Drive Between Loughborough Drive and Austin Avenue; and, Approval of City Council Resolution No. 2024-12 Approving Various Financing Transactions and Documents for Affordable Housing on Behalf of Devonwood Apartments, L.P. in the Approximate Amount of \$10,171,476.06 Consisting of Loan Agreements, Regulatory Agreements, Subordination Agreements, and Related Loan Documents; and, Authorizing Certain Other Actions in Connection to the Devonwood Apartments Project

REPORT IN BRIEF

Considers approval of a Regulatory Agreement with Devonwood Apartments, LP, approving Density Bonus #23-02 and granting certain concessions to Multi-family Development Design Standards to allow the construction of a 156-unit affordable apartment complex generally located on the south side of Devonwood Drive between Loughborough Drive and Austin Avenue; and, Considers approval of Resolution 2024-12, approving various financial transactions and documents for Affordable Rental Housing on behalf of Devonwood Apartments, L.P. in the approximate amount of \$10,171,476.06 consisting of Loan Agreements, Regulatory Agreements, Subordination Agreements, and Related Loan Documents; and, Authorizing certain other actions in connection therewith.

RECOMMENDATION

City Council - Adopt a motion:

A. Finding that the adoption of the Regulatory Agreement is exempt from review under the California Environmental Quality Act (CEQA) through adoption of a Categorical Exemption based on the previous environmental review (Initial Study #20-32 for GPA #20-01) remains sufficient and no further documentation is required (CEQA Section 15162 Finding); and,

B. Approving the Affordable Housing Regulatory Agreement with Devonwood Apartments, LP, for the approximate 5.90-acre property generally located on the south side of Devonwood Drive between Loughborough Drive and Austin Avenue, to construct a 156-unit affordable apartment complex; and,

C. Approving **Resolution 2024-12**, A Resolution of the City Council of the City of Merced, California, Approving Various Financing Transactions and Documents for Affordable Housing on Behalf of Devonwood Apartments, L.P. in the total approximate amount of \$10,171,476.06 consisting of Loan Agreements, Regulatory Agreements, Subordination Agreements, and Related Loan Documents, and authorizing certain other actions in connection therewith; and,

D. Approving all necessary agreements relating to the project and commitment of project funding; and,

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

F. Authorizing the City Manager to execute the necessary documents, with authority to make minor modifications, if needed, with City Attorney review and approval.

L. BUSINESS

L.1. [24-013](#) **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.

L.2. [24-014](#) **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.

M. ADJOURNMENT