



# CITY OF MERCED

## Meeting Agenda

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

### City Council/Public Finance and Economic Development Authority/Parking Authority

Monday, June 6, 2022

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 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](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.

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.

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](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.

#### **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) 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](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) 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](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.

Tej ntaub ntawv thov muab xa rau [cityclerk@cityofmerced.org](mailto: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 (tham 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.

### 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.** [22-472](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Christopher Cowings v. City of Merced; Workers' Compensation Appeals Board Case Number ADJ14807111 and ADJ13189460; AUTHORITY: Government Code Section 54956.9(d)(1)

**B.2.** [22-473](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Daniel Richardson v. City of Merced; Workers' Compensation Appeals Board Case Number ADJ11399305, ADJ11398896, ADJ11399184, ADJ11399289, ADJ11399279;

AUTHORITY: Government Code Section 54956.9(d)(1)

- B.3.**    [22-474](#)            **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant Exposure to Litigation (1 case); AUTHORITY: Government Code Section 54956.9(d)(2)

**C. CALL TO ORDER**

C.1. Invocation - Ceasar Johnson, Christian Life Center of 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.**    [22-435](#)            **SUBJECT:** Proclamation - Merced Pride Month

**REPORT IN BRIEF**

Received by a representative of the Merced LGBTQ+ Alliance.

- F.2.**    [22-434](#)            **SUBJECT:** Proclamation - Juneteenth

**REPORT IN BRIEF**

Received by Allen Brooks, NAACP President.

- F.3.**    [22-438](#)            **SUBJECT:** Recognition of the Golden Valley High School Crime Scene Investigation Team

**REPORT IN BRIEF**

The City Council will recognize members of the Golden Valley High School crime scene investigation team for their achievements.

## 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. [22-414](#)      **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. [22-379](#)      **SUBJECT:** Information Only - Boards and Commissions Annual Attendance Reports

**REPORT IN BRIEF**

Annual attendance review conducted with results filed with the City Clerk's Office.

**RECOMMENDATION**

For information only.

I.3. [22-383](#)      **SUBJECT:** Information Only - Planning Commission Minutes of February 9, March 9 and 23, and April 6, 2022

**RECOMMENDATION**

For information only.

- I.4. [22-455](#) **SUBJECT: Information-Only Contracts for the Month of May 2022**

**REPORT IN BRIEF**

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

- I.5. [22-357](#) **SUBJECT: Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of May 2, 2022 and May 16, 2022**

**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 May 2, 2022 and May 16, 2022.

- I.6. [22-457](#) **SUBJECT: Approval of a Property Access License Between CC915 Merced, Inc. and The City of Merced Subject to Review by the City Attorney**

**REPORT IN BRIEF**

Consideration of a Property Access License between CC915, Inc., a Florida for profit-corporation, and the City of Merced for property located at 73 S. R Street, APN No. 059-256-004.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving Property Access License between CC915, Inc., a Florida for profit-corporation and City of Merced for property located at 73 S. R Street, APN No. 059-256-004 in a form subject to review by the City Attorney; and,

B. Authorizing the City Manager or Deputy City Manager to execute all related documents to implement this action.

- I.7. [22-406](#) **SUBJECT: Approval of Three Professional Services Agreements with Goodwin Consulting Group for Preparation of the Rate and Method of**

Apportionment (RMA) for Community Facilities District (CFD)  
Annexations Numbers 18, 19 and 20

**REPORT IN BRIEF**

Considers approving contracts with Goodwin Consulting Group for preparation of the Rate and Method of Apportionment (RMA) for Community Facilities District Annexations Numbers 18, 19, and 20.

**RECOMMENDATION**

**City Council** - Adopt a motion approving Professional Services Agreements with Goodwin Consulting Group, Inc. to prepare the Rate and Method of Apportionment for Community Facilities Annexations Numbers 18, 19, and 20 in the amounts of \$7,000, \$9,000, and \$7,000 respectively, and authorizing the City Manager or Deputy City Manager to execute the necessary documents.

I.8. [22-410](#)

**SUBJECT:** Approval to Accept and Appropriate Grant Funds from the State of California Department of Housing and Community Development from the Permanent Local Housing Allocation Program in the Amount of \$1,324,969

**REPORT IN BRIEF**

Consider accepting and appropriating grant funds from the State of California Department of Housing and Community Development (HCD) from the Permanent Local Housing Allocation (PLHA) program in the Amount of \$1,324,969.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Accepting PLHA grant funds in the amount of \$1,324,969; and,
- B. Increasing revenue account 099-1301-324.02-00 in the amount of \$1,324,969 and appropriating the same to 099-1301-512.17-00 for expenditures; and,
- C. Authorizing the use of pooled cash to cover the appropriation until grant funds are reimbursed; and,
- D. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- E. Authorizing the City Manager or Deputy City Manager to execute all

documents, including any amendments.

I.9. [21-772](#)

**SUBJECT:** Adoption of a Resolution Approving Final Map #5397 for Sage Creek, Phase 2 Subdivision for 78 Single-Family Lots, Generally Located South of Cardella Road (Extended) Between El Redondo Drive (Extended) and Horizons Avenue (Extended) and the Approval of the Subdivision Agreement for the Sage Creek, Phase 2 Subdivision

**REPORT IN BRIEF**

Considers the approval of Final Map #5397 for 78 single-family lots, located south of Cardella Road (extended) between El Redondo Drive (extended) and Horizons Avenue (extended), and the Subdivision Agreement for the Sage Creek, Phase 2 Subdivision.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving **Resolution 2022-36**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Sage Creek, Phase 2 Subdivision (#5397); and,
- B. Approving the Subdivision Agreement for the Sage Creek, Phase 2 Subdivision; and,
- C. Authorizing the City Manager or the Deputy City Manager to execute all necessary documents.

I.10. [22-451](#)

**SUBJECT:** Approval of Street Closure Request and Use of City Owned Real Estate by the Juneteenth Celebration Committee for the Juneteenth Community March and Celebration on June 18th, 2022, for the Use of a Portion of Parking Lot #14 Located at 1739 Martin Luther King Jr. Way, Martin Luther King Jr Way from West 18th Street to West 11th Street, W 11th Street to K Street (McNamara Park)

**REPORT IN BRIEF**

Authorizes the use of a portion of Parking Lot #14 Located at 1739 Martin Luther King Jr. Way, and the closure of Martin Luther King Jr Way from West 18th Street to West 11th Street, W 11th Street to K Street (McNamara Park) on Saturday June 18th, 2022 to have a staging area, hold a march, parade and food preparation for the Juneteenth Celebration.

**RECOMMENDATION**

**City Council** - Adopt a motion approving the request by Tamara Cobb and the Juneteenth Celebration Committee to use a portion of Parking Lot #14 Located at 1739 Martin Luther King Jr. Way, and close Martin Luther King Jr Way from West 18th Street to West 11th Street, W 11th Street to K Street (McNamara Park) on Saturday June 18th, 2022 to hold the march and prepare food as part of a community celebration.

I.11. [22-413](#)

**SUBJECT:** Approval to Increase Expenditure Authority in the Amount of \$800.00 with Environmental Systems Research Institute, Inc., (Esri) for the Duration of the Small Government Enterprise Agreement, (SGEA) for Fiscal Years 2022/2023 and 2023/2024, in a not to Exceed Amount of \$55,400.00 per Year

**REPORT IN BRIEF**

Considers approving an increase to the expenditure authority in the amount of \$800.00 with Environmental Systems Research Institute, Inc., (Esri) for the duration of the Small Government Enterprise Agreement, (SGEA) for fiscal years 2022/2023 and 2023/2024.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Waiving the competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code for the Sole Source Purchase of software licenses and maintenance; and,

B. Approving the increase expenditure allowance in the amount of \$800.00 with Environmental Systems Research Institute, Inc., (Esri) for the duration of the Small Government Enterprise Agreement, (SGEA) for fiscal years 2022/2023 and 2023/2024, not to exceed \$55,400.00 per year; and,

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

I.12. [22-342](#)

**SUBJECT:** Adoption of Resolution Approving the Fiscal Year 2022/2023 Project List for the Road Repair Accountability Act (SB 1), Local Streets and Roads Funding

**REPORT IN BRIEF**

Requests the City Council to approve the list of projects proposed to be funded with Road Maintenance and Rehabilitation Account (RMRA) funds pursuant to SB1 for FY 2022/2023.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Resolution 2022-30**, a Resolution of the City Council of the City of Merced, California, adopting a list of projects for Fiscal Year 2022-2023 funded by SB 1: The Road Repair and Accountability Act of 2017.

**I.13.** [22-396](#)

**SUBJECT:** Administering Agency Amendment Modification Summary (E-76) for a Congestion Mitigation and Air Quality Improvement (CMAQ) Grant CML-5085(057) for Phase End Date Extension and the Use of \$610,136.00 in CMAQ Grant Funding for Project No. 121045 - Construction of the Merced North Transit Hub

**REPORT IN BRIEF**

Considers approving an extension of the Phase End Date (PED) from 3/1/2022 to 9/1/2023 and accepting \$610,136 in Federal Congestion Mitigation and Air Quality (CMAQ) Grant funding for Construction of the Merced North Transit Hub

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving the PED extension from March 1, 2022, to September 1, 2023; and,
- B. Accepting CMAQ grant funds and increasing revenue in fund 450-1104-321.32-00 by \$610,136 and appropriating the same to fund 450-1104-637.65-00-Project #121045 CMAQ Merced North Transit Hub; and,
- C. Approving a budget adjustment for local matching funds from Fund 075-Measure V Alternate Mode, project 122009-Project to be Determined, in the amount of \$10,000 to Project 121045-CMAQ Merced North Transit Hub; and,
- D. Approving a budget adjustment for local matching funds from Fund 078-Measure V Local Transportation, project 122010-Project to be Determined, in the amount of \$69,049 to project 121045-CMAQ Merced North Transit Hub; and,
- E. Approving the use of pooled cash until reimbursement is received from the grant; and,

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

I.14. [22-384](#)

**SUBJECT:** Adoption of a Resolution Approving the Administering Agency State Program Supplement No. F029 Rev. 1 and Award of Bid to Avison Construction, Inc. for the CMAQ John Muir Sidewalk Project, Project Number 119042, in the Amount of \$898,832.00

**REPORT IN BRIEF**

Considers a resolution approving a California Department of Transportation Program Supplement for the use of \$639,449 in CMAQ Grant funding and awarding a construction contract to Avison Construction, Inc. in the amount of \$898,832.00 for the CMAQ John Muir Sidewalk Project.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Adopting **Resolution 2022-28**, a Resolution of the City Council of the City of Merced, California, approving Federal-Aid Projects Program Supplement Agreement No. F029 Rev. 1; and,

B. Awarding the CMAQ John Muir Sidewalk Project 119042 to Avison Construction, Inc., in the amount of \$898,832.00; and,

C. Authorizing the City Manager or Deputy City Manager to execute the necessary documents and to approve change orders not to exceed 10% of the total contract; and,

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

I.15. [22-427](#)

**SUBJECT:** Approval of a First Amendment to Supplies and Services Agreement with Interstate Truck Center, LLC, for the Purchase of Various Vehicle Parts and Vehicle Repair/Parts Installation Services in the Additional Amount not to Exceed \$50,000 for the Contract Terms Ending June 30, 2022

**REPORT IN BRIEF**

Considers approving an amendment to the supplies and services agreement for purchase of various vehicle parts and vehicle repair/parts installation services through June 30, 2022.

**RECOMMENDATION**

**City Council** - Adopt a motion approving a First Amendment to Supplies and Services Agreement with Interstate Truck Center, LLC, in the additional amount not to exceed \$50,000; and, authorizing the City Manager or the Deputy City Manager, to execute the necessary documents and approve amendments up to the City Manager threshold of \$34,000.

I.16. [22-221](#)

**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 Hach Company, Inc. in the Amount not to Exceed \$100,000; and with Trojan Technologies Group, LLC in the Additional Amount not to Exceed \$100,000, for a Total Purchase Amount of \$250,000 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 for annual supplies and services agreements; and,

B. Approving the purchase of various laboratory supplies and equipment, as well as annual maintenance or repair services for related equipment from Hach Company, Inc., in the amount not to exceed \$100,000 in Fiscal Year 2021/2022; and,

C. Approving the purchase of UV lamps and related equipment, parts, and supplies from Trojan Technologies Group, LLC, in the additional amount not to exceed \$100,000, for a total contract amount of \$250,000 in Fiscal Year 2021/2022; and,

D. 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 City Buyer to issue the purchase orders.

I.17. [22-385](#)

**SUBJECT:** Approval to Waive the Competitive Bidding Requirements

and Approval of Agreement for Purchase of Goods with Western Industrial Sales, Inc., dba Kellogg Supply for the Purchase of Various Parts, Equipment, Tools, Materials, and Supplies Used in Public Works Operations in the Amount not to Exceed \$100,000, and with Schoettler Tire, Inc., for the Purchase of Various Vehicle and Equipment Tires in the Amount not to Exceed \$125,000 for the Contract Terms Ending 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 two separate agreements for the purchase of vehicle parts, equipment, tools, materials, and supplies used in daily Public Works operations, as well as the purchase of various vehicle and equipment tires.

**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 annual supply agreements; and,
- B. Approving an Agreement for Purchase of Goods with Western Industrial Sales, Inc., dba Kellogg Supply, in the amount not to exceed \$100,000; and,
- C. Approving an Agreement for the Purchase of Goods with Schoettler Tire, Inc., in the amount not to exceed \$125,000; and,
- D. Authorizing the City Manager or the Deputy City Manager, to execute the necessary documents and approve amendments up to the City Manager threshold of \$34,000.

I.18. [22-387](#)

**SUBJECT:** Approval of a Second Amendment to Professional Services Agreement with Stantec Consulting Services, Inc., for Engineering Design Services for the Wastewater Treatment Facility Phase VI Improvement Upgrades to Extend Contract End Date

**REPORT IN BRIEF**

Considers authorizing a second amendment to professional services agreement with Stantec Consulting Services, Inc., for engineering design of wastewater treatment facility improvement upgrades to extend the original contract term date through completion of the project.

**RECOMMENDATION**

**City Council** - Adopt a motion approving a second amendment to agreement for professional services with Stantec Consulting Services, Inc., to extend the contract term and, authorizing the City Manager or the Deputy City Manager to execute the necessary documents.

**I.19.** [22-393](#)

**SUBJECT:** Approval of a Supplemental Appropriation in the Amount of \$29,000 from the Fleet Capital Replacement Fund 674 for the Purchase of a Striping Machine, Approval to Waive the Competitive Bidding Requirements and Authorization for the Purchase of Two (2) Budgeted Fleet Vehicles, Depending on Availability, Through Cooperative Purchasing Agreements with Sourcewell, Including One Front-Loader Refuse Truck for \$330,784.01 from Ruckstell California Sales Co., Inc., and One Truck-Mounted Striping Machine for \$228,971.46 from EZ Liner

**REPORT IN BRIEF**

Considers appropriating an additional \$29,000 from the Fleet Capital Replacement Fund and authorizing waiving competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 to purchase currently budgeted and Council approved fleet vehicles through the government procurement program Sourcewell.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code section 3.04.210 to utilize cooperative purchasing agreements through Sourcewell, a government procurement program; and,
- B. Approving a supplemental appropriation in the amount of \$29,000 from the unreserved, unencumbered fund balance of Fund 674-Fleet Replacement Fund to account line 674-1103-633.63-00, project 243104 for the purchase of a striping machine; and,
- C. Approving the purchase of one front-loader refuse truck in the amount of \$330,784.01, from Ruckstell California Sales Co., Inc., through Sourcewell contract # 091219-NWY; and,
- D. Approving the purchase of one truck-mounted striping machine in the amount of \$228,971.46 from EZ Liner through Sourcewell contract #

080521-EZL; and,

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

**I.20.** [22-436](#)

**SUBJECT:** Adoption of Resolution to Approve No Increase to Water Rates per City Council Direction

**REPORT IN BRIEF**

Resolution to Approve No Increase to Water Rates per City Council Direction.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Resolution 2022-33, A** Resolution of the City Council of the City of Merced, California continuing the base water service rates and charges unchanged for the next fiscal year.

**I.21.** [22-469](#)

**SUBJECT:** Approval of a Supplemental Appropriation Within the General Fund in the Amount of \$33,000 and Approval of the First Amendment to Agreement for Professional Services for Fairbank, Maslin, Maullin, Metz, & Associates to Conduct Survey Ballot Measure Feasibility for Affordable Housing and Measure C

**REPORT IN BRIEF**

Considers approving a supplemental appropriation within the General Fund in the amount of \$33,000 and approval of the First Amendment to Agreement for Professional Services for Fairbank, Maslin, Maullin, Metz, & Associates to Conduct Survey Ballot Measure Feasibility for Affordable Housing and Measure C.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the First Amendment to the Agreement for Professional Services for Fairbank, Maslin, Maullin, Metz & Associates; and,

B. Approving a supplemental appropriation within the unreserved, unencumbered fund balance in the General Fund in the amount of \$33,000;

and,

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

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

**I.22.** [22-475](#)

**SUBJECT:** Approval of a Supplemental Appropriation from the General Fund in the Amount of \$202,000 and Fund 666-Workers Compensation in the Amount of \$8,690 Due to Increased Worker's Compensation Claims Activity in Fiscal Year 2021-2022

**REPORT IN BRIEF**

Considers approving a supplemental appropriation in the General Fund in the amount of \$202,000 and in Fund 666-Worker's Compensation in the amount of \$8,690 due to higher than projected worker's compensation claims activity than what was originally budgeted for in fiscal year 2021-2022.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving a supplemental appropriation from the General Fund unencumbered, unreserved fund balance in the amount \$202,000, transfer to Fund 666-Worker's Compensation and appropriate the same in Fund 666-Worker's Compensation; and,

B. Approving a supplemental appropriation of \$8,690 from the unencumbered, unreserved fund balance in Fund 666-Worker's Compensation to cover expenditures; and,

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

**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.** [22-320](#)

**SUBJECT:** Public Hearing to Allow the Interested Public an Opportunity

to Provide Input on the Content of the City Council, Public Financing and Economic Development Authority and the Parking Authority Fiscal Year 2022-23 Proposed Budget and After Hearing all Comments Continue the Public Hearing to June 21, 2022

**REPORT IN BRIEF**

Public Hearing to afford the interested public an opportunity to provide input on the content of the 2022-23 City Council, Public Financing and Economic Development Authority, and Parking Authority Proposed Budget.

**RECOMMENDATION**

**City Council/Public Financing and Economic Development Authority/Parking Authority** - It is recommended that the City Council/Authorities conduct the Public Hearing and provide direction to the City Manager on the content of the Fiscal Year 2022-23 Budget; and adopt a motion continuing the Public Hearing to the June 21, 2022 Council Meeting.

**J.2.** [22-373](#)

**SUBJECT:** Public Hearing and Adoption of Resolution to Vacate the Excess Portion of a Bicycle Path at 897 Lehigh Drive, Generally Located on the North Side of Lehigh Drive, Approximately 500 Feet West of San Jose Avenue (Vacation #21-04)

**REPORT IN BRIEF**

Considers vacating an excess portion of a City bike path at 897 Lehigh Drive.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Resolution 2022-31**, a Resolution of the City Council of the City of Merced, California, ordering the vacation of an 8,179-square-foot excess portion of a bicycle path at 897 Lehigh Drive, generally located on the north side of Lehigh Drive, approximately 500 feet west of San Jose Avenue (Vacation #21-04).

**J.3.** [22-374](#)

**SUBJECT:** Public Hearing and Adoption of Resolution to Vacate 15 Easements Within the Merced Mall Parking Lot at 851 W. Olive Avenue to Accommodate the Merced Mall Remodel and Expansion Project, Generally Located on the North Side of Olive Avenue, Approximately 450 feet East of R Street (Vacation #21-05)

**REPORT IN BRIEF**

Staff recommends tabling this item to allow time to review project details with the applicant. It will be brought back to a future Council Meeting.

**RECOMMENDATION**

**City Council** - Adopt a motion tabling this item.

**K. REPORTS**

K.1. [22-249](#)

**SUBJECT:** Report to Allow for Public Input on the Various Maintenance Districts' Engineer's Reports and Budgets for Fiscal Year 2022/2023 During the Public Meeting

**REPORT IN BRIEF**

Considers public input on the various Maintenance Districts' budgets during the public meeting, without taking action on the determination of assessment levy until the close of the Public Hearing scheduled for Tuesday, June 21, 2022.

**RECOMMENDATION**

**City Council** - Adopt a motion seeking public input on the Fiscal Year 2022/2023 Maintenance Districts' budgets, without taking action until the Public Hearing is closed on June 21, 2022.

**L. BUSINESS**

L.1. [22-470](#)

**SUBJECT:** Direction Regarding Cost Sharing Agreement with Daniel R. Martin Family Foundation, Inc. and the City of Merced to Fund a Third Zookeeper at Applegate Zoo for Three Years

**REPORT IN BRIEF**

Provide staff direction regarding a Cost Sharing Agreement between the Daniel R. Martin Family Foundation, Inc. and the City of Merced for the funding of a third zookeeper at Applegate Zoo for a three-year duration.

**RECOMMENDATION**

**City Council** - Provide staff direction on pursuing the Cost Sharing Agreement between the Daniel R. Martin Family Foundation, Inc. and the City of Merced, for the funding of a third zookeeper for three years.

L.2. [22-463](#)

**SUBJECT:** Reappointment of Robert Tyler as the Citizens' Oversight Committee - Measure V City Representative

**REPORT IN BRIEF**

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

**RECOMMENDATION**

**City Council** - Adopt a motion nominating Robert Tyler for reappointment to the City of Merced seat on the Citizens' Oversight - Measure V Committee.

L.3. [22-439](#)

**SUBJECT:** Council Member Shelton's Request to Discuss City Council Meeting Length and a Proposed Ending Time

**REPORT IN BRIEF**

Council Member Shelton's request to discuss placing a meeting end time for City Council Meetings pursuant to City Council Administrative Policies and Procedures C-1.

**RECOMMENDATION**

Provide direction to staff on a potential ending time for Council Meetings

L.4. [22-415](#)

**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.5. [22-416](#)

**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**