



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, October 7, 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/CEEBAU 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 or at the City Clerk's Office, 678 W. 18th Street, Merced, CA 95340. All public records relating to an open session item that are distributed to a majority of the Council will be available for public inspection at the City Clerk's Office during regular business hours. Spanish and Hmong translation is available at every regular meeting. Assisted hearing devices are available for meetings held in the Council Chamber.

Al menos 72 horas antes de cada reunión regular del Concejo Municipal, un paquete de agenda complete está disponible para su revisión en el sitio web de la Ciudad en www.cityofmerced.org 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 las reuniones regulares. Los dispositivos auditivos asistidos están disponibles para las reuniones que se celebran en el Salón del Consejo.

Sai kawg yuav tsum yog li 72 teev ua ntej rau txhua lub rooj sib tham ntawm cov Nom Tswv (City Council), yeej muaj tag nrho pob ntawv qhia txog tias rau cov neeg los nyeem hauv lub Nroog (City) qhov website www.cityofmerced.org 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 xeeb sawv daws los nyeem nyob rau hauv City Clerk's lub Office thaum lub caij ua hauj lwm. Muaj txhais lus Mev thiab lus Hmoob. Cov cuab yeej pab kom hnov lus muaj nyob rau ntawm cov Nom Tswv qhov chaw sib tham Council Chamber

**PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY
CLERK/COMENTARIO DEL PÚBLICO / KEV HLOOV RAU TEJ PEJ XEEM TXOG KEV
TAWM SUAB, NCAUS LUS:**

Members of the audience who wish to address the City Council are requested to complete a speaker card available at the podium in the back of the Council Chamber. Please submit the completed card to the City Clerk before the item is called, preferably before the meeting begins.

Material may be emailed to cityclerk@cityofmerced.org no later than 1 PM on the day of the meeting. Please specify which portion of the agenda you are commenting on, for example, Public Hearing item #, Consent item #, or Public Comments. Material received before the deadline will be sent to the City Council and will be part of the record and will be mentioned as part of the Written Petitions and Communications portion of the agenda. Any emails received by the 1PM deadline will be posted on the City's website at www.cityofmerced.org/departments/city-clerk/council-meetings. Any correspondence received after the 1PM deadline will be distributed to the City Council and retained for the official record.

To view video (if available) or listen to the City Council meeting live, go to the City's website www.cityofmerced.org, 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 a más tardar a la 1 p.m. del día de la reunión. Especifique qué parte de la agenda está comentando, por ejemplo, el punto # de la audiencia pública, el punto # de consentimiento o los comentarios públicos. El material recibido antes de la fecha límite se enviará al Concejo Municipal y formará parte del registro y se mencionará como parte de la parte de Peticiones y Comunicaciones Escritas de la agenda. Todos los correos electrónicos recibidos antes de la fecha límite de la 1 p.m. se publicarán en el sitio web de la Ciudad en www.cityofmerced.org/departments/city-clerk/council-meetings. Cualquier correspondencia recibida después de la 1 p.m. se distribuirá al Concejo Municipal y se conservará para el registro oficial.

Para ver el video (si está disponible) o escuchar la reunión del Concejo Municipal en vivo, visite el sitio web de la ciudad www.cityofmerced.org, Facebook Live o Comcast Public Access Canal 96.

Cov pej xeeem los koom lub rooj sib tham uas xav tawm suab rau lub nroog cov Nom Tswv (City Council) muaj feem los sau ntawv hauv daim ntawv tawm suab nyob ntawm lub sam thiaj hais lus sab xis ntawm Council Chamber. Thov xa daim ntawv tawm suab no rau tus City Clerk ua ntej lub sij hawm rooj sab laj pib.

Cov ntaub ntawv tuaj yeem xa email tau rau ntawm cityclerk@cityofmerced.org tsis pub dhau li 1 PM rau hnuv lub rooj yuav sib tham. Thov qhia kom meej tias nqe twg ntawd cov txheej txheem koj xav tawm tswv yim rau, piv txwv li, Cov Lus Hais hais rau pej xeeem ntawd yog nqe twg #, Cov Lus Pom Zoo ntawd yog nqe twg #. los yog cov lus tso rau Pej Xeeem tawm tswv yim rau. Cov

ntaub ntawv tau txais ua ntej hnuv kawg yuav xa mus rau cov Nom Tswv City Council thiab yuav yog ib feem ntawm cov ntaub ntawv khaws tseg thiab yuav raug hais raws li ib feem ntawm kev sau ntawv thov tuaj thiab kev sib hais ntawm cov txheej txheem. Txhua qhov email tau txais 1 PM ntawd yuav muab tso rau hauv Lub Nroog qhov website ntawm www.cityofmerced.org/departments/city-clerk/council-meetings. Txhua tsab ntawv uas tau txais tom qab 1 PM lawm yuav muab xa rau cov Nom Tswv City Council thiab yuav khaws tseg rau hauv cov ntaub ntawv cai.

Yog koj xav saib video (thaum muaj) los sis mloog cov Nom Tswv (City Council) kev sib tham, mus saib hauv City's website www.cityofmerced.org, Facebook Live, los sis Comcast Public Access Channel 96.

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.** [24-991](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Dabney v. City of Merced; WCAB Case Number FRE-ADJ 19018315; Pursuant to California Government Code Section 54956.9(d)(1))
- B.2.** [24-992](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Rodriguez v. City of Merced; WCAB Case Numbers SAC-ADJ 10598243; SAC-ADJ 18074141; and SAC-ADJ 18544407; Pursuant to California Government Code Section 54956.9(d)(1))
- B.3.** [24-993](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Rollins v. City of Merced; WCAB Case Number FRE-ADJ 13014905; Pursuant to California Government Code Section 54956.9(d)(1))
- B.4.** [24-994](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Zazueta v. City of Merced; WCAB Case Numbers FRE-ADJ 19106604 and FRE-ADJ 17952935; Pursuant to California Government Code Section 54956.9(d)(1))
- B.5.** [24-1028](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION Significant exposure to litigation. One (1) potential case. Pursuant to California Government Code Section Gov. Code § 54956.9(d)(2)
- B.6.** [24-1008](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency

Designated Representatives: City Manager Scott McBride, Deputy City Manager Frank Quintero, Finance Officer Venus Rodriguez, Human Resources Manager Suzanne Fierro, LCW Legal Representative Che Johnson, and LCW Legal Representative Michael Jarvis; Unrepresented Management AUTHORITY: Government Code Section 54957.6

C. CALL TO ORDER

C.1. Invocation - Pastor Ceasar Johnson, Christian Life Center 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, 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. [24-967](#) SUBJECT: Recognition of Local Musician Eduardo Nepomuceno-Vega for a Successful Second Annual Give Back Event

REPORT IN BRIEF

Accepted by Eduardo Nepomuceno-Vega.

G. WRITTEN PETITIONS AND COMMUNICATIONS

H. PUBLIC COMMENT

Members of the public who wish to speak on any matter not listed on the agenda may speak during this portion of the meeting and will be allotted 3 minutes. The Mayor may propose a further limit to the time available for all speakers at the discretion of the City Council, in order to accommodate as many speakers as possible. State law prohibits the City Council from acting at this meeting on any matter raised during the public comment period. Members of the public who wish to speak on a matter that is listed on the agenda will be called upon to speak during discussion of that item.

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. [24-880](#) **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. [24-1007](#) **SUBJECT:** Information Only Contracts for the Month of September 2024

REPORT IN BRIEF

Notification of awarded Non-Public Works contracts under \$38,000 and of Public Works contracts under \$85,161.

- I.3. [24-966](#) **SUBJECT:** Information Only - Traffic Committee Minutes of July 9, 2024

RECOMMENDATION

For information only.

- I.4. [24-975](#) **SUBJECT:** Acceptance of Grant Funding in the Amount of \$1,000 for FY 2024-2025 Merced County First Five Community Engagement Event Sponsorship Program for the 1st Annual Halloween Parade

REPORT IN BRIEF

Considers accepting and appropriating grant funding in the amount of \$1,000 from Merced County First Five for the 1st Annual Halloween Parade

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting grant funds from Merced County First Five and increasing revenue in Fund 1018-Parks and Community Service, Contributions account in the amount of \$1,000; and,

B. Appropriating the same to Fund 1018-Parks and Community Service, Operating Materials, Services & Supplies; and,

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

I.5. [24-985](#)

SUBJECT: Approval of a Fourth Amendment to Agreement for Professional Services with Hanson Bridgett, LLP, in an Amount not to Exceed \$100,000 for a Total Contract Amount of \$370,000

REPORT IN BRIEF

Considers approving a Fourth Amendment to an Agreement for legal services with Hanson Bridgett, LLP in an amount not to exceed \$100,000 for a total contract amount of \$370,000.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a Fourth Amendment to an Agreement for Professional Services with Hanson Bridgett LLP in an amount not to exceed \$100,000; and,

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

I.7. [24-920](#)

SUBJECT: Authorize the Use of Alternate Suppliers When Ferguson Enterprises LLC and PACE Supply Corp. are Unable to Fulfill Purchase Orders of Waterworks Supplies per Bid 11072023 as Awarded by Council on December 18, 2023

REPORT IN BRIEF

Considers allowing the use of alternate suppliers to procure waterworks supplies when the awarded suppliers Ferguson Enterprises LLC and PACE Supply Corp. cannot fulfill purchase orders, if prices offered by alternate suppliers are comparable in function, manufacturing quality, and cost to the products requested from Ferguson and PACE.

RECOMMENDATION

City Council - Adopt a motion:

A. Authorizing the use of alternate suppliers for the procurement of waterworks supplies when Ferguson Enterprises LLC and PACE Supply Corp. cannot fulfill purchase orders, if prices offered by alternate suppliers are comparable in function, manufacturing quality, and cost to the products requested from Ferguson and PACE; and,

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

I.8. [24-979](#)

SUBJECT: Approval of a Second Amendment to Professional Services Agreement with Eide Bailly LLP for Financial Auditing and Related Services for an Additional \$15,000 for a Total not to Exceed Amount of \$233,850

REPORT IN BRIEF

Considers approving a Second Amendment to the Agreement with Eide Bailly LLP for Professional Auditing and Related Services for an additional \$15,000 and a total not to exceed the amount of \$233,850.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Second Amendment with Eide Bailly LLP to include audit of Prop 64 Public Health & Safety Grant Program Cohort 2 for an additional \$15,000 and a total not to Exceed Amount of \$233,850; and,

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

I.9. [24-894](#)

SUBJECT: Award of Bid to LSI SCALES, for the Purchase and Installation of One Portable Truck Scale for the Land Application Division at the Wastewater Treatment Plant, for a Total Cost not to Exceed \$130,694.81

REPORT IN BRIEF

Considers awarding the bid to LSI SCALES, for the purchase and installation of one seventy by eleven-foot portable truck scale for the Land Application Division at the Wastewater Treatment Plant.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the bid to LSI SCALES, for the purchase and installation of one seventy by eleven-foot portable truck scale for the Land Application

Division at the Wastewater Treatment Facility not to exceed \$130,694.81;
and,

B. Authorizing the City Manager to execute the necessary documents, the City Buyer to issue the Purchase Order, and approval of change orders not to exceed 10% of the total purchase price.

I.10. [24-929](#)

SUBJECT: Award of Bid to JAM Services for the Purchase of Accessible Pedestrian Signal Components, for a Total Cost not to Exceed \$97,901.30, for Measure V Funded Project for Push Buttons at Schools, Project Number CP250040

REPORT IN BRIEF

Considers approving to award the bid to JAM Services, for the purchase of Accessible Pedestrian Signal components to upgrade 14 traffic signals near schools.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the bid to JAM Services, for the purchase of Accessible Pedestrian Signal Components for the not to exceed amount of \$97,901.30; and,

B. Authorizing the City Manager to execute the necessary documents, the City Buyer to issue the Purchase Order, and approval of change orders not to exceed 10% of the total purchase price.

I.11. [24-965](#)

SUBJECT: Authorization to Approve a Subordination Agreement for the Sunny View Apartments

REPORT IN BRIEF

Considers authorizing to approve a Subordination Agreement for the Sunny View Apartments.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Subordination Agreement presented by Standard Communities for the Sunny View of Merced, LP, a California limited partnership; and,

B. Authorizing the City Manager to make any minor changes to the agreement should any edits be necessary, subject to the agreement being approved as to form by the City Attorney; and,

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

I.12. [24-938](#)

SUBJECT: Adoption of a Resolution Approving Final Map #5416 for Bellevue Ranch West Villages 18 - 22, Phase 1 Subdivision for 61 Single-Family Lots, Generally Located at the Northwest Corner of M Circle and Freemark Avenue, and the Approval of the Subdivision Agreement for the Bellevue Ranch West Villages 18 - 22, Phase 1 Subdivision

REPORT IN BRIEF

Considers adopting Final Map #5416 for 61 single-family lots, located at the northwest corner of M Circle and Freemark Avenue, and the Subdivision Agreement for the Bellevue Ranch West Villages 18 - 22, Phase 1 Subdivision.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2024-96**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Bellevue Ranch West Villages 18 - 22, Phase 1 Subdivision (#5416); and,

B. Approving the Subdivision Agreement for the Bellevue Ranch West Villages 18 - 22, Phase 1 Subdivision; and,

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

I.13. [24-976](#)

SUBJECT: Approval of an Additional Amount of \$33,595.78 to Axon Enterprises for Police Equipment for an Agreement Previously Approved by Council in the Amount not to Exceed of \$823,495.28 Over a Six (6) Year Period

REPORT IN BRIEF

Considers approving to increase the amount on Contract No. 300849 / 496 with Axon Enterprises by \$33,595.78 for sales taxes on police equipment that were not included in the original quote approved by City Council at the February 19, 2019, Council meeting.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving the payment of \$33,595.78 in sales taxes and increasing the original contract amount from \$789,899.50 to \$823,495.28; and,
- B. Authorizing the City Manager to execute the necessary documents.

I.14. [24-714](#)

SUBJECT: Authorization to Accept \$130,000 in Grant Funds from the California Office of Traffic Safety to Conduct DUI Checkpoints, DUI Saturation Patrols, Traffic Safety Enforcement, Distracted Driving Enforcement, Motorcycle Enforcement, Pedestrian/Bicycle Enforcement, Street Racing Enforcement, and Educational Presentations, Along with Funds for Attending Training and Funds for Checkpoint Supplies as Part of the California Office of Traffic Safety Traffic Enforcement Program Grant

REPORT IN BRIEF

Considers accepting grant funding from the California Office of Traffic Safety offered to the Merced Police Department in the amount of \$130,000 from the Traffic Enforcement Program Grant to conduct DUI Checkpoints, DUI Saturation Patrols, Traffic Safety Enforcement, Distracted Driving Enforcement, Motorcycle Enforcement, Pedestrian/Bicycle Enforcement, Street Racing and Sideshow Enforcement, Educational Presentations; and, to purchase checkpoint supplies, and to attend training related to alcohol enforcement.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting the California Office of Traffic Safety Traffic Enforcement Program Grant in the amount of \$130,000; and,
- B. Approving the use of pooled cash until grant funds are reimbursed; and,
- C. Authorizing the City Manager and required City Officials to execute the OTS Grant Award and other necessary documents.

I.15. [24-1002](#)

SUBJECT: Approval to Accept the Department of Justice 2024 Bulletproof Vest Partnership Grant in the Amount of \$8,024.04 to Cover 50% of the Purchase Cost of New Vests and Authorization to Utilize the Use of Pooled Cash to Cover the Purchase Cost Which will be Reimbursed from the Grant Proceeds

REPORT IN BRIEF

Considers accepting the grant award for reimbursement of bulletproof vest expenses.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting the Department of Justice 2024 Bulletproof Vest Partnership Grant in the amount of \$8,024.04; and,

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

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

I.16. [24-986](#)

SUBJECT: Approval of Street Closure Request Submitted by Liza Servin for the 2023 Central California Band Review on November 9th, 2024, From 5:00 A.M. Until 2:30 P.M.

REPORT IN BRIEF

Considers approving the use of City streets on November 9th, 2024, for the Central California Band Review.

RECOMMENDATION

City Council - Adopt a motion approving the street closures of Parsons Avenue, from Merced Avenue to Dinkey Creek; Dinkey Creek, from Parsons Avenue to Watertown Drive; Watertown Drive, from Dinkey Creek to East Childs Avenue; and East Childs Avenue, from Coffee Street to Carol Avenue, as requested by Golden Valley High School Band Boosters Coordinator Liza Servin for the 2024 Central California Band Review scheduled Saturday, November 9th, 2024. The street closures will be between 5:00 a.m. and 2:30 p.m., subject to the conditions of the administrative staff report.

I.17. [24-1000](#)

SUBJECT: Approval of Street Closure Request for East Main Street, West Main Street, Canal Street, and "O" Street, the Use of Bob Hart Square, and Power Connections at Bob Hart Square, West Main Street at Martin Luther King Jr Way, and West Main Street at "O" Street; Submitted by Edward Skelton with the County of Merced for the 20th Annual Veterans Day Parade on November 11, 2024, from 7:00 A.M. Until 5:00 P.M.

REPORT IN BRIEF

Considers approving the use of City streets on November 11, 2024, for the Veteran's Day Parade. The Street Closure Request includes East Main Street, West Main Street, Canal Street, and O Street. The use of Bob Hart Square, and power connections at Bob Hart Square, West Main Street at Martin Luther King Jr Way, and West Main Street at "O" Street.

RECOMMENDATION

City Council - Adopt a motion approving the street closures of East Main Street, from "Calimyrna Avenue to G" Street; West Main Street, from "G" to Canal Streets; Canal Street from W. Main Street to West 18th Street; West 18th Street from Canal Street to "O" Street and "O" Street, from W. 18th Street to 20th Street, the use of Bob Hart Square, and power connections at Bob Hart Square, West Main Street at Martin Luther King Jr Way, and West Main Street at "O" Street as requested by Edward Skelton, Merced County Veterans Services for the 20th Annual Veterans Day Parade on Monday, November 11, 2024.

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. [24-906](#)

SUBJECT: Continued Public Hearing to Consider the Adoption of a Resolution Declaring the Intent to Vacate the Arbor Walkway South Easement (Approximately 2,346 Square Feet) Which Would Revert Development Rights Back to the Property Owner of 534 W. Main Street, Generally Located on the South Side of Main Street, Approximately 170 Feet East of M Street (Vacation #24-01)

REPORT IN BRIEF

Considers the vacation of the southern portion of the Arbor Walkway easement (approximately 2,346 square feet), at 534 W Main Street, generally located on the south side of Main Street, about 170 feet east of M street. which would revert development rights back to the adjacent property owner of 531 W. Main Street.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2024-91**, a

Resolution of the City Council of the City of Merced, California, ordering the vacation of the Arbor Walkway south easement (approximately 2,346 square feet), located at 534 W. Main Street, approximately 155 feet east of M street (Vacation #24-01).

K. ACTION ITEMS

K.1. [24-1004](#)

SUBJECT: Approval of Resolution of the City of Merced City Council Regarding Certain Terms and Conditions of Employment for the Merced Police Non-Sworn Unit

REPORT IN BRIEF

Considers approving a Resolution of the City of Merced City Council regarding certain terms and conditions of employment for the Non-Sworn Police Unit.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2024-93**, a Resolution of the City Council of the City of Merced, California, approving a certain terms and conditions of employment for the Merced Police Non-Sworn Unit; and,

B. Authorizing the City Manager to make non-substantive modifications subject to City Attorney approval as to form and to execute the necessary documents; and,

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

K.2. [24-877](#)

SUBJECT: Approval of American Rescue Plan Act Grant Agreement, Water and Sewer Connection Fees Loan, Deed Restrictions, Affordability Covenants, and Related Grant Documents with Visionary Homes Builders of California, Inc for the Bella Vista Affordable Housing Project on Parsons Avenue

REPORT IN BRIEF

Considers approving the American Rescue Plan Act (ARPA) Grant Agreement and Water & Sewer Connection Fees Loan Agreement with Visionary Home Builders of California, Inc. (VHB) along with Restrictions and Covenants related to the grant and loan for the Bella Vista affordable housing project on Parsons Avenue.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2024-94**, A Resolution of the City Council of the City of Merced, California, Approving a grant to visionary home builders of California, Inc. on behalf of VHB Bella Vista, LLC from Coronavirus local fiscal recovery funds as established under the American Rescue Plan Act in the amount of \$3,500,000, approving and authorizing the execution of a grant agreement, regulatory agreement, and related grant documents, and authorizing certain other actions in connection therewith; and,

B. Approving **Resolution 2024-95**, A Resolution of the City Council of the City of Merced, California, approving a water and sewer connection fee loan to Visionary Home Builders of California, Inc. on behalf of VHB Bella Vista, LLC., in the principal amount of \$1,003,683.20 approving and authorizing the execution of a loan agreement, and related loan documents, and authorizing certain other actions in connection therewith; and,

C. Authorizing the City Manager to make any minor changes to the agreements should any edits be necessary, subject to the agreements and/or documents being approved as to form by the City Attorney; and,

D. Authorizing the Finance Officer to make any necessary budget adjustments to fulfill the intent of the agreements; and,

E. Authorizing the City Manager 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.

K.3. [24-978](#)

SUBJECT: Congestion Mitigation & Air Quality (CMAQ) Project Selection

REPORT IN BRIEF

Selection of projects to submit applications for Merced Association of Governments (MCAG) Congestion Mitigation & Air Quality (CMAQ) and Carbon Reduction Program (CRP) Call for Projects.

RECOMMENDATION

City Council - Adopt a motion:

A. Selecting two (2) project locations to submit for the Congestion Mitigation & Air Quality (CMAQ) Program; and,

B. Authorizing staff to submit the CMAQ Applications to MCAG no later than the October 11, 2024, deadline.

K.4. [24-910](#)

SUBJECT: Approval to Authorize the City Manager to Execute a Design Professional Service Agreement with JLB Traffic Engineering and a Supplemental Appropriation From Fund 2001 - (Former) Measure C for an Engineering and Traffic Study (Speed Zone Study) in the Amount of \$115,000

REPORT IN BRIEF

Considers authorizing the City Manager to execute a Design Professional Service Agreement with LB Traffic Engineering and a supplemental appropriation in the amount of \$115,000 to complete the 2024 Speed Zone Study from Fund 2001 - (Former) Measure C.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a supplemental appropriation from the unencumbered, unreserved fund balance of Fund 2001 - (Former) Measure C in the amount of \$115,000 for a Speed Zone Study; and,

B. Authorizing the City Manager to execute a Design Professional Service Agreement with JLB Traffic Engineering.

K.5. [24-987](#)

SUBJECT: Approval of a Brown Bag Lunch Concert Series as Recommended by the Arts and Culture Advisory Commission

REPORT IN BRIEF

Considers approving a Brown Bag Lunch Concert Series as recommended by the Arts and Culture Advisory Commission.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a Brown Bag Lunch Concert Series as recommended by the Arts and Culture Advisory Commission; and,

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

K.6. [24-988](#)

SUBJECT: Approval of a Second Annual Local Photography Event at Applegate Park, Merced Open Air Theatre (MOAT) as Recommended by the Arts and Culture Advisory Commission

REPORT IN BRIEF

Considers approving a Second Annual Local Photography Exhibition and event at the Applegate Park MOAT as recommended by the Arts and Culture Advisory Commission.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving Second Annual Local Photography Exhibition and event at the Applegate Park MOAT; and,

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

K.7. [24-990](#)

SUBJECT: Approval of a Public Art Mural to be Installed Along the R Street and Fahrens Park Multiuse Path Undercrossing

REPORT IN BRIEF

Considers approving a public art mural installation along the R Street and Fahrens Park multiuse path undercrossing.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a public art mural installation along the R Street and Fahrens Park multiuse path undercrossing as recommended by the Arts and Culture Advisory Commission; and,

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

K.8. [24-989](#)

SUBJECT: Approval of a Sculpture Project in Fahrens Park Made from Recycled Materials Found in the Park

REPORT IN BRIEF

Considers approving a sculpture project in Fahrens Park made from recycled materials found in the park as recommended by the Arts and Culture Advisory Commission.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a sculpture project in Fahrens Park made from recycled materials found in the park; and,

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

K.9. [24-1003](#)

SUBJECT: Approval of a Supplemental Appropriation from the General Fund not to Exceed \$48,000 to Host the Second Annual Gran Fondo Hincapie Cycling Event on March 14 -15, 2025, Approval of a Participation Agreement with Hincapie Events, LLC, and Authorization to Accept Donations of \$30,000 or More in the General Fund

REPORT IN BRIEF

Considers approving a supplemental appropriation from the General Fund not to exceed \$48,000 to host the second annual Gran Fondo Hincapie Merced Bike Event, Family Festival & Expo on March 15, 2025, approve participation agreement with Hincapie Events, LLC, and authorize acceptance of donations of \$30,000 or more in the General Fund.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a Supplemental Appropriation from the unreserved, unencumbered fund balance of the General Fund in the amount of \$48,000 to host the Second Annual Gran Fondo Hincapie Cycling Event; and,

B. Approving the participation agreement with Hincapie Events, LLC.; and,

C. Authorizing acceptance of donations of \$30,000 or more in the General Fund for the Gran Fondo Hincapie to offset the Supplemental Appropriation of \$48,000; and,

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

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

L. REPORTS

- L.1. [24-885](#) **SUBJECT:** Presentation of the Annual AB 481 Report Detailing Military Equipment Currently Used by the Merced Police Department

REPORT IN BRIEF

Merced Police Department is required by State Assembly Bill 481 to report and obtain approval for the use and funding of any equipment defined under the bill as Military Equipment. Chief Stanfield will make a brief presentation that will include an inventory of all defined Military Equipment currently in use at the Merced Police Department.

RECOMMENDATION

Information Only.

M. BUSINESS

- M.1. [24-972](#) **SUBJECT:** Council Member Xiong's Request to Discuss a Rental and Code Enforcement Registry

REPORT IN BRIEF

Council Member Xiong's request to discuss a rental and code enforcement registry.

RECOMMENDATION

Provide direction to staff on the next steps.

- M.2. [24-973](#) **SUBJECT:** Council Member Ornelas' Request for an Update from Staff on Policy Agenda Items

REPORT IN BRIEF

Council Member Ornelas' request for an update from staff on Policy Agenda Items.

RECOMMENDATION

Provide direction to staff on the next steps.

- M.3. [24-974](#) **SUBJECT:** Council Member Ornelas' Request for an Update from Staff on the Southside Grocery Store

REPORT IN BRIEF

Council Member Ornelas' request for an update from staff on the Southside Grocery Store.

RECOMMENDATION

Provide direction to staff on the next steps.

M.4. [24-881](#)

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.

M.5. [24-882](#)

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.

N. ADJOURNMENT