



CITY OF MERCED

Meeting Agenda

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

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

Tuesday, January 18, 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

Pursuant to Assembly Bill No. 361, there may be Council Members participating virtually for this meeting. Members of the public may participate in-person. Should any Council Member attend virtually, all votes for this meeting will be taken via rollcall.

WELCOME TO THE MEETING OF THE MERCED CITY COUNCIL/BIENVENIDO A LA REUNIÓN DEL CONCILIO DE LA CIUDAD DE MERCED/ZOO SIAB TXAIS TOS KOJ 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 publicos relacionados con un artículo de sesión abierta que se distribuyen a la mayoría del Concejo estarán disponibles para inspección pública en la Oficina del Secretario de la Ciudad durante el horario comercial habitual. La traducción al español y al Hmong está disponible en todas la reuniones regulares.

Sai kawg los yog li 72 teev ua ntej kev sab laj ntawm City Council, muaj pob ntawv kom tswj pub rau tib neeg los nyeem hauv City qhov website www.cityofmerced.org los sis tom City Clerk's Office, 678 W. 18th Street, Merced, CA 95340. Tas nrho cov ntaub ntawv teev tseg ntawm zej tsoom ntawm kev sab laj pub rau pej xeem sawv daws los nyeem tom City Clerk's Office thaum lub caij ua hauj lwm. Muaj txhais lus Mev thiab lus Hmoob.

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

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

For at risk individuals or those not wanting to attend an in-person meeting during the current Covid-19 pandemic, please submit your public comment to the City Council electronically no later than 1PM on the day of the meeting. Comments received before the deadline will be sent to the City Council and will be part of the record and mentioned as part of the Written Petitions and Communications portion of the agenda.

Material may be emailed to cityclerk@cityofmerced.org and should be limited to 300 words or less. Please specify which portion of the agenda you are commenting on, for example, Closed Session, item # or Oral Communications. Your comments will be presented to the City Council at the appropriate time. Any correspondence received after 1 PM will be distributed to the City Council and retained for the official record.

You may provide telephonic comments via voicemail by calling (209) 388-8688 by no later than 1 PM on the day of the meeting to be added to the public comment. Voicemails will be limited to a time limit of three (3) minutes. Please specify which portion of the agenda you are commenting on, for example, Public Hearing item #, Consent item #, or Oral Communications. Your comments will be played during the City Council meeting at the appropriate time. For Public Hearing items, if you wish to speak live during the meeting, please leave callback information and you will be contacted with further details.

To view video (if available) or listen to the City Council meeting live, go to the City's website www.cityofmerced.org, Facebook Live, or Comcast Public Access Channel 96.

Los miembros de la audiencia que desea dirigirse al Ayuntamiento deben completar una tarjeta de orador disponible en el podio en el lado derecho de la Cámara del Consejo. Envíe la tarjeta completa al secretario de la ciudad antes de que se llame al artículo, preferiblemente antes de que comience la reunión.

Para las personas en riesgo de aquellos que no quieran asistir a una reunión en persona durante la pandemia actual de Covid-19, envíe su comentario público al Ayuntamiento de forma electrónica a más tardar a la 1:00 p.m. del día de la reunión. Los comentarios recibidos antes de la fecha límite se enviarán al Concejo Municipal y formarán parte del registro y se mencionarán como parte de la sección de Peticiones y comunicaciones escritas de la agenda.

El material puede enviarse por correo electrónico a cityclerk@cityofmerced.org y debe limitarse a 300 palabras o menos. Por favor, especifique qué parte de la agenda está comentando, por ejemplo, Sesión cerrada, artículo # o Comunicaciones orales. Sus comentarios serán presentados al Ayuntamiento en el momento apropiado. Cualquier correspondencia recibida después de la 1 PM se distribuirá al Ayuntamiento y se conservará para el registro oficial.

Puede proporcionar comentarios telefónicos a través del correo de voz llamando al (209) 388-8688 a más tardar a la 1 PM del día de la reunión para que se agreguen al comentario público. Los mensajes de voz estarán limitados a un límite de tiempo de tres (3) minutos. Por favor especifique qué parte de la agenda está comentando, por ejemplo, número de artículo de la audiencia pública, número de artículo de consentimiento o comunicaciones orales. Sus comentarios se reproducirán durante la reunión durante la reunión del Ayuntamiento en el momento adecuado. Para los temas de audiencia pública, si desea hablar en vivo durante la reunión, deje la información de su llamada y lo contactaremos con más detalles.

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

Cov pej xeeem los koom lub rooj sab laj kws xav tawm suab rau City Council muaj feem los sau ntawv hauv daim ntawv tawm suab nyob ntawm lub sam thiaj hais lus sab xis ntawm Council Chamber. Thov xa daim ntawv tawm suab rau tus City Clerk ua ntej lub sij hawm lub rooj sab laj pib.

Rau cov tib neeg kws tuaj koom tsis tau lub rooj sab laj vim muaj kab mob COVID-19, thov xa koj cov lus tawm suab rau City Council hauv computer los sis hauv xov tooj ua ntej 1 teev tav su hnuv muaj lub rooj sab laj. Cov lus tawm suab txais tau ua ntej lub sij hawm sab laj muab xa rau City Council thiaj muab tso hauv daim ntawv kom tswj.

Tej ntaub ntawv thov muab xa rau cityclerk@cityofmerced.org thiab tsis pub muaj tshaj 300 los lus. Thov qhia qhov twg hauv daim kom tswj koj xav tawm suab rau, piv txwv li, kev sab laj kaws, nqes # los sis kev sib tham ntawm ncauj lus. Koj cov tswv yim muab rau lub rooj sab laj thaum lub sij hawm tsim nyog. Tej ntaub ntawm txais tau tom qab 1 teev tav su mam muab rau City Council thiab tso hauv cov ntaub ntawv teev tseg.

Koj muaj feem tso suab hauv xov toom thaum hu (209) 388-8688 ua ntej 1 teev tav su hnuv sab laj thiaj koj lub tswv yim muab tso hauv daim kom tswj. Tso suab hauv xov tooj tsis pub ntev tshaj (3) feeb. Thov qhia qhov twg hauv daim kom tswj koj xav tawm suab rau, piv txwv li, zej toom tawm suab #, khoom tso cai #, los sis kev sib tham ntawm ncauj lus. Cov suab kaws hauv xov mam tso mloog thaum lub caij tsim nyog thaum sab laj. Yog koj xav tawm suab thaum sab laj, thov tso koj tus zauv xov tooj, ib tus tib neeg ua hauj lwm mam li hu koj.

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

INDIVIDUALS WITH DISABILITIES

Accommodation for individuals with disabilities may be arranged by contacting the City Clerk at (209) 388-8650. Assisted hearing devices are available for meetings held in the Council Chamber.

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)]. See MODIFIED PUBLIC COMMENT.

- B.1.** [22-057](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): Travis Lindsey, Lozano Smith, Attorney at Law; Employee Organizations: American Federation of State, County, and Municipal Employees (AFSCME) Council 57. AUTHORITY: Government Code Section 54957.6
- B.2.** [22-054](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): Janell Van Bindsbergen, Lozano Smith, Attorney at Law; Employee Organization: International Association of Fire Fighters, Local 1479. AUTHORITY: Government Code Section 54957.6
- B.3.** [22-050](#) **SUBJECT:** PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: City Manager; Authority: Government Code Section 54957

C. CALL TO ORDER

- C.1. Invocation - Ahmadiyya Muslim Community - Merced Chapter
- 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. WRITTEN PETITIONS AND COMMUNICATIONS

G. 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. See MODIFIED PUBLIC COMMENT.

H. CONSENT CALENDAR

Adoption of the Consent Calendar may be made by one motion of the City Council, provided that any Council member, individual, or organization may request removal of an item from the Consent Calendar for separate consideration. If a request for removal of an item from the Consent Calendar has been received, the item will be discussed and voted on separately. See MODIFIED PUBLIC COMMENT.

H.1. [22-041](#) **SUBJECT: Reading by Title of All Ordinances and Resolutions**

REPORT IN BRIEF

Ordinances and Resolutions which appear on the public agenda shall be determined to have been read by title and a summary title may be read with further reading waived.

RECOMMENDATION

City Council - Adopt a motion waiving the reading of Ordinances and Resolutions, pursuant to Section 412 of the Merced City Charter.

H.2. [22-042](#) **SUBJECT: Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of December 20, 2021**

REPORT IN BRIEF

Official adoption of previously held meeting minutes.

RECOMMENDATION

City Council/Public Financing and Economic Development/Parking Authority - Adopt a motion approving the meeting minutes of December 20, 2021.

H.3. [22-012](#) **SUBJECT: Approval of a Measure V Regional Project Funding Agreement with Merced County Association of Governments to Receive Measure V Regional Funds for the Mission Avenue Widening Project Study Report Equivalent Document**

REPORT IN BRIEF

Consider authorizing a Measure V Regional Funding Agreement with Merced County Association of Governments (MCAG) to receive Measure V Regional funds for the Mission Avenue Widening Project Study Report Equivalent (PSR-E) Document Project.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Measure V Regional Funding Agreement for the Mission Avenue Widening PSR-E Document; and,

B. Authorizing the use of pooled cash for expenditures until City receives reimbursement funds; 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.

H.4. [22-031](#)

SUBJECT: Administering Agency Amendment Modification Summary (E-76) - State Agreement for Federal Aid Projects No. 10-5085 and Approval to Accept Congestion Mitigation and Air Quality Improvement (CMAQ) Grant Funds, CML-5085(048) 119042 CMAQ in the Amount of \$639,449 for Construction of the Sidewalks on I Street From South of W. 25th Street to W. 28th Street, on Martin Luther King Jr. Way From W. 26th Street to W. 28th Street and on K Street From W. 26th Street to W. 28th Street

REPORT IN BRIEF

Considers accepting \$639,449 in Federal Congestion Mitigation and Air Quality (CMAQ) Grant funding for Construction of the sidewalks on I Street from south of W. 25th Street to W. 28th Street, on Martin Luther King Jr. Way from W. 26th Street to W. 28th Street and on K Street from W. 26th Street to W. 28th Street.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting CMAQ grant funds and increasing revenue in account

450-1104-321.32-00 by \$639,449 and appropriating the same to account 450-1104-637-65-00 (Project No. 119042) for construction costs associated with construction of sidewalks on I Street from south of W. 25th Street to W. 28th Street, on Martin Luther King Jr. Way from W. 26th Street to W. 28th Street and on K Street from W. 26th Street to W. 28th Street, and,

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

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

H.5. [22-022](#)

SUBJECT: Adoption of a Resolution Authorizing the Submittal of a Joint Application and Participation in the State of California Housing and Community Development (HCD) Homekey Program

REPORT IN BRIEF

Authorizes the submittal of a joint application and participation in the State of California Department of Housing and Community Development Department (HCD) Homekey Program.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting Resolution **2022-03**, a Resolution of the City Council of the City of Merced, California, authorizing a joint application and participation in the Homekey Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the Homekey Program; and,

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

C. Authorizing the Finance Officer to make any budget amendments necessary for the implementation of the use of the Homekey Program; and,

D. Authorizing the use of pooled cash until reimbursement if grant is awarded from the Homekey Program.

H.6. [22-032](#)

SUBJECT: Allocation of Fiscal Year 2021-22 U.S. Department of

Housing and Urban Development (HUD) Community Development
Block Grant (CDBG) Program Resources to Fund Subrecipient
Agreements with Sierra Saving Grace Homeless Project and the
Merced Rescue Mission for the Respective Programs Approved With
the Adopted 2021 Annual Action Plan

REPORT IN BRIEF

Considers authorizing the execution of Community Development Block Grant (CDBG) Subrecipient Agreements with Sierra Saving Grace Homeless Project (\$500,000) and Merced Rescue Mission (\$400,000) for both organizations' Acquisition with Rehabilitation Programs.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving an agreement for a program identified in the 2021 HUD Annual Action Plan using CDBG funds from the 2021/22 Fiscal Year, per previous City Council recommendation, with Sierra Saving Grace Homeless Project in the amount of \$500,000 for the "Supportive Housing Project" Program (Account 018-1301-552-29.00/Supplies and Services); and,
- B. Approving an agreement for a program identified in the 2021 HUD Annual Action Plan using CDBG funds from the 2021/22 Fiscal Year, per previous City Council recommendation, with Merced Rescue Mission in the amount of \$400,000 for the "Hope for Families" Program (Account 018-1301-552-29.00/Supplies and Services); and,
- C. Authorizing the City Manager or the Deputy City Manager to execute, and if necessary, make minor modifications to the agreements described above and as attached, and all associated documents; and,
- D. Authorizing the Finance Officer to make necessary budget adjustments.

H.7. [21-520](#)

SUBJECT: Adoption of Resolution Approving Final Map 5392 (Cypress Terrace 7, Phase E) for 32 Single-Family Lots, Generally Located South of Gerard Avenue, West of M Street, and the Approval of the Subdivision Agreement for Cypress Terrace 7, Phase E

REPORT IN BRIEF

Considers the approval of Final Map #5392 for 32 single-family lots, generally located south of Gerard Avenue, west of M Street, and the Subdivision Agreement for Cypress Terrace 7, Phase E.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving **Resolution 2021-02**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Cypress Terrace 7, Phase E Subdivision (#5392); and,
- B. Approving the Subdivision Agreement for Cypress Terrace 7, Phase E; and,
- C. Authorizing the City Manager or Deputy City Manager to execute all necessary documents.

H.8. [22-025](#)

SUBJECT: Approval of Street Closure Request #21-13 by Velo Promo, LLC to Host the 35th Annual Merced Criterium Bicycle Race, to Include M Street, From W. 21st to W. 18th Streets; W. 18th Street, From M to N Streets; and N Street, From W. 18th Street and Including the Merced County Courthouse Loop on Sunday, February 27, 2022, from 7:00 a.m. to 3:30 p.m.

REPORT IN BRIEF

Considers approving a request by Velo Promo, LLC for the closure and use of City streets on Sunday, February 27, 2022, for the 35th Annual Merced Criterium Bicycle Race. The request seeks approval to close M Street, between W. 21st and W. 18th Streets; W. 18th Street, between M and N Streets; and N Street, from W. 18th Street to include the Merced County Courthouse loop from 7:00 a.m. to 3:30 p.m.

RECOMMENDATION

City Council - Adopt a motion approving the street closure of M Street, between W. 21st and W. 18th Streets; W. 18th Street, between M and N Streets; and N Street, from W. 18th Street to include the Merced County Courthouse loop on Sunday, February 27, 2022, from 7:00 a.m. to 3:30 p.m., subject to the details and conditions outlined in the Administrative Staff Report.

H.9. [22-026](#)

SUBJECT: Approval of a Two-Year Agreement for Medical Service Programs with Merced Faculty Associates Medical Group, Inc. - Olivewood Meadows Occupational Health Center to Provide Occupational and Pre-Employment Medical Services

REPORT IN BRIEF

Consider approving the bid proposal submitted by Merced Faculty Associates Medical Group, Inc. - Olivewood Meadows Occupational Health Center to provide occupational and pre-employment medical services.

RECOMMENDATION

City Council - Adopt a motion approving an agreement for medical service programs to Merced Faculty Associates Medical Group, Inc. - Olivewood Meadows Occupational Health Center for a 2-year term and authorizing the City Manager or the Deputy City Manager to execute the necessary documents.

H.10. [22-028](#)

SUBJECT: Approval of a Two-Year Agreement for Medical Services for Current Workers' Compensation Claims with The Noble Group - Patients First

REPORT IN BRIEF

Consider approving the bid proposal submitted by The Noble Group - Patients First to provide occupational medical services for employees that are currently being treated through workers' compensation at Patients First.

RECOMMENDATION

City Council - Adopt a motion awarding the medical service program to The Noble Group - Patients First for a 2-year term on a month-to-month basis to provide primary medical care services in support of the self-insured workers' compensation program and authorizing the City Manager or Deputy City Manager to execute the necessary documents.

H.11. [22-033](#)

SUBJECT: Approval of the Updated the Master license Agreement ("MLA") Template to Utilize City-Owned Vertical Infrastructure Within the City's Public Right-of-Way for Small Cell Telecommunication Facilities

REPORT IN BRIEF

Update to the Master license Agreement ("MLA") Template to utilize City-owned vertical infrastructure within the City's public right-of-way for small cell telecommunication facilities

RECOMMENDATION

City Council- Adopt a motion:

- A. Authorizing the City Manager or Deputy City Manager to execute the updated Template for a Master license Agreement (“MLA”); and,
- B. Authorizing the City Manager or Deputy City Manager to update the Master License Agreement (“MLA”) to reflect any future changes to State or Federal Legislation.

H.12. [22-008](#)

SUBJECT: Award of Bid and Approval of an Agreement in the Amount of \$96,068 with Data Connect Enterprise for the Purchase of 335 Yealink VoIP Telephone Handsets and Accessories

REPORT IN BRIEF

Considers awarding bid to Data Connect Enterprise in the amount of \$96,068 to provide for the purchase of 335 Yealink VoIP telephone handsets and accessories, which will replace the City’s current telephones that have exceeded their end of useful life.

RECOMMENDATION

City Council - Adopt a motion:

- A. Awarding the bid (\$96,068) to the lowest bidder, Data Connect Enterprise; and,
- B. Approving the attached contract for the purchase of 335 Yealink VoIP telephone handsets and accessories for \$96,067.76; and,
- C. Authorizing the City Manager or Deputy City Manager to execute the necessary documents.

I. 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. See MODIFIED PUBLIC COMMENT.

I.1. [22-056](#)

SUBJECT: Public Hearing to Consider Potential Introduction of an Ordinance to Approve Zone Change #428, Initiated by MCP, LLC, Property Owner, Involving a Zone Change From Low-Density Residential (R-1-6) to Medium-Density Residential with an Urban Residential Zoning Overlay (R-3-2/UR) for Four 0.22-Acre Parcels Located at 565, 575, 601, and 609 Q Street

REPORT IN BRIEF

Request for City Council approval for a Zone Change from Low Density Residential (R-1-6) to Medium Density Residential with an Urban Residential Overlay (R-3-2/UR) for four 0.22-acre parcels located at 565, 575, 601, and 609 Q Street.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving Environmental Review #21-39 (CEQA Section 15162 Findings); and,
- B. Introducing **Ordinance 2536**, An Ordinance of the City Council of the City of Merced, California, amending the official Zoning Map by rezoning approximately 0.88 acres of land generally located on the west side of Q Street, directly south of West 6th Street, from Low-Density Residential (R-1-6) to Medium-Density Residential (R-3-1.5) with Urban Residential (UR) Overlay; and,
- C. Approving the First Amended and Restated Legislative Action Agreement and authorizing the City Manager or Deputy City Manager to execute the necessary documents.

J. REPORTS

J.1. [22-064](#)

SUBJECT: Report on the Implementation of the City Council Adopted American Rescue Plan Act (ARPA) Strategic Investment Plan, Including Seeking Direction on Program Elements for the Stimulus Program, Utility Bill Relief Program and Other Additional Operational Needs

REPORT IN BRIEF

Report on the implementation of the City Council adopted American Rescue Plan Act (ARPA) Strategic Investment Plan, including seeking direction from the City Council on program elements as they relate to the Stimulus Program, Utility Bill Relief Program, and other operational needs related to the continued impact of COVID-19 to essential services.

RECOMMENDATION

Provide staff direction on program elements and operational needs related to the implementation of the ARPA Strategic Investment Plan and continued impact of COVID-19 to essential services.

- J.2. [22-055](#) **SUBJECT: Report and Request for Council Direction to Proceed with the Distribution of Petition Packets as Part of the Process in Forming a Property Based Improvement District in Downtown Merced**

REPORT IN BRIEF

Considers providing staff direction to distribute petition packets to Downtown property owners within the proposed Property Based Improvement District boundary as the next step in the process of establishing a Downtown Property Based Improvement District.

RECOMMENDATION

City Council - Adopt a motion:

- A. Providing staff direction to distribute petition packets amongst Downtown property owners within the identified Property Based Improvement District; and,
- B. Authorizing the City Manager and Deputy City Manager to execute the necessary documents.

- J.3. [22-004](#) **SUBJECT: Report and Public Meeting on Update of the City's Public Facilities Financing Plan and Impact Fee Program**

REPORT IN BRIEF

The City Council will receive a report on the Update of the City's Public Facilities Financing Plan and Impact Fee Program and hold a public meeting in advance of the public hearing on the same item scheduled for February 7, 2022.

RECOMMENDATION

The City Council should provide direction regarding any additions or changes to the Public Facilities Financing Plan and Impact Fee Program so staff can prepare the draft Ordinance for a public hearing and possible introduction on February 7, 2022.

K. BUSINESS

- K.1. [22-069](#) **SUBJECT: Authorizing the Director of Emergency Services to Proclaim a Local Emergency Due to the Recent Surge in the Omicron Variant and Shall Remain in Effect for Thirty (30) Days or Until Rescinded by the City Council**

REPORT IN BRIEF

Considers authorizing the Director of Emergency Services to proclaim a local emergency due to the recent surge in the Omicron variant and shall remain in effect for thirty (30) days or until rescinded by the City Council.

RECOMMENDATION

City Council - Adopt a motion authorizing the Director of Emergency Services to proclaim a local emergency due to the recent surge of the Omicron variant.

K.2. [22-058](#)

SUBJECT: Adoption of a Resolution Making Findings to Hold City Council, Commission, and Committee Meetings Using a Combination of In-Person/Virtual (Hybrid) Meetings Under Assembly Bill (AB) 361

REPORT IN BRIEF

That the City Council finds that during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing, the City Council and all commission and committee meetings will be held as hybrid meetings, allowing for direction on format elements. Also included, is the opportunity to discuss the format of future meetings during the recent Omicron surge.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2022-04**, a Resolution of the City Council of the City of Merced, California, making findings consistent with the requirements of AB 361 to allow for in-person/virtual (hybrid) public meetings; and,

B. Providing staff direction on the format of future City Council, Commission and Committee meetings during the recent Omicron surge.

K.3. [22-048](#)

SUBJECT: Council Member Ornelas' Request to Discuss a Study Regarding a Violent Crime Cost Assessment

REPORT IN BRIEF

Council Member Ornelas' request to discuss a Study regarding a violent crime cost assessment pursuant to City Council Administrative Policies and Procedures C-1.

RECOMMENDATION

Provide direction to staff on next steps.

- K.4. [22-049](#) **SUBJECT:** Council Member Ornelas' Request to Discuss Reviewing Mailing Addresses for Future Mailers

REPORT IN BRIEF

Council Member Ornelas' request to discuss reviewing mailing addresses for future mailers pursuant to City Council Administrative Policies and Procedures C-1.

RECOMMENDATION

Provide direction to staff on next steps.

- K.5. [22-043](#) **SUBJECT:** Request to Add Item to Future Agenda

REPORT IN BRIEF

Provides members of the City Council to request that an item be placed on a future City Council agenda for initial consideration by the City Council.

- K.6. [22-044](#) **SUBJECT:** City Council Comments

REPORT IN BRIEF

Provides an opportunity for the Mayor and/or Council Member(s) to make a brief announcement on any activity(ies) she/he has attended on behalf of the City and to make a brief announcement on future community events and/or activities. The Brown Act does not allow discussion or action by the legislative body under this section.

L. ADJOURNMENT