



CITY OF MERCED

Meeting Agenda

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

City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency

Tuesday, January 2, 2024

6:00 PM

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

Closed Session at 5:30 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 TUJ RAU HAV CITY COUNCIL LUB ROOJ SAB LAJ

At least 72 hours prior to each regular City Council meeting, a complete agenda packet is available for review on the City's website at www.cityofmerced.org or at the City Clerk's Office, 678 W. 18th Street, Merced, CA 95340. All public records relating to an open session item that are distributed to a majority of the Council will be available for public inspection at the City Clerk's Office during regular business hours. Spanish and Hmong translation is available at every regular meeting.

Al menos 72 horas antes de cada reunión regular del Concejo Municipal, un paquete de agenda complete está disponible para su revisión en el sitio web de la Ciudad en www.cityofmerced.org o en la Oficina del Secretario de la Ciudad, 678 W. 18th Street, Merced, CA 95340. Todos los registros públicos relacionados con un artículo de sesión abierta que se distribuyen a la mayoría del Concejo estarán disponibles para inspección pública en la Oficina del Secretario de la Ciudad durante el horario comercial habitual. La traducción al español y al Hmong está disponible en todas la reuniones regulares.

Sai kawg yuav tsum yog li 72 teev ua ntej rau txhua lub rooj sib tham ntwam cov Nom Tswv (City Council), yeej muaj tag nrho pob ntawv qhia txog tias rau cov neeg los nyeem hauv lub Nroog (City) qhov website www.cityofmerced.org los sis nyob rau ntawm City Clerk's lub Office, 678 W. 18th Street, Merced, CA 95340. Tas nrho cov ntaub ntawv teev tseg no yuav muab rau cov Nom Tswv ntawm kev sab laj pub rau tsoom pej xeem sawv daws los nyeem nyob rau hauv City Clerk's lub Office thaum lub caij ua hauj lwm. Muaj txhais lus Mev thiab lus Hmoob.

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

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

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

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

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

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

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

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

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

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

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

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

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

INDIVIDUALS WITH DISABILITIES

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

A. CLOSED SESSION ROLL CALL

B. CLOSED SESSION

The legislative body shall provide the public with an opportunity to address the body on any item described in Closed Session [Government Code Section 54954.3(a)].

- B.1.** [23-1096](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Scott McBride; Employee Organizations: Merced Police Officers' Association (MPOA) and Merced Association of Police Sergeants (MAPS). **AUTHORITY:** Government Code Section 54957.6

- B.2.** [23-1098](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Scott McBride; Employee Organizations: International Association of Fire Fighters, Local 1479. AUTHORITY: Government Code Section 54957.6
- B.3.** [23-1100](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Scott McBride; Unrepresented Management AUTHORITY: Government Code Section 54957.6
- B.4.** [23-1102](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): City Manager Scott McBride; Employee Organizations: American Federation of State, County, and Municipal Employees (AFSCME) Council 57 and Merced Association of City Employees (MACE). AUTHORITY: Government Code Section 54957.6
- B.5.** [24-038](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to Paragraph (1) of Subdivision (d) of Government Code Section 54956.9, City of Merced et al v. State of California, et al, Superior Court of California County of Merced, Case No. 23CV-03845 Case Status Update

C. CALL TO ORDER

- C.1. Invocation - Pastor Joel Dorman, First Baptist Church
- 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.** [24-028](#) **SUBJECT:** Proclamation - National Slavery and Human Trafficking

Prevention Month

REPORT IN BRIEF

Received by a representative of the Valley Crisis Center.

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. [23-1091](#) **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. [23-1133](#) **SUBJECT: Information Only Contracts for the Month of December 2023**

REPORT IN BRIEF

Notification of awarded Non-Public Works contracts under \$37,000 and of Public Works contracts under \$84,338.

- I.3. [24-002](#) **SUBJECT:** Information Only - Planning Commission Minutes of October 4, 2023, and November 8, 2023
- RECOMMENDATION**
For information only.
- I.4. [24-003](#) **SUBJECT:** Information Only - Site Plan Review Minutes of September 14, 2023, October 5, 2023, and November 9, 2023
- RECOMMENDATION**
For information only.
- I.5. [24-004](#) **SUBJECT:** Information Only - Building and Housing Board of Appeal Minutes of August 3, 2023
- RECOMMENDATION**
For information only.
- I.6. [24-005](#) **SUBJECT:** Information Only - Bicycle and Pedestrian Advisory Minutes of April 25, 2023, June 27, 2023, August 22, 2023, and October 24, 2023
- RECOMMENDATION**
For information only.
- I.7. [24-011](#) **SUBJECT:** Approval of City Council/Public Financing and Economic Development/Parking Authority/Successor Agency to the Redevelopment Agency Meeting Minutes of April 17, 2023, and November 20, 2023
- REPORT IN BRIEF**
Official adoption of previously held meeting minutes.
- RECOMMENDATION**
City Council/Public Financing and Economic Development/Parking Authority/Successor Agency to the Redevelopment Agency - Adopt a motion approving the meeting minutes of April 17, 2023, and November 20, 2023.
- I.8. [23-1116](#) **SUBJECT:** Adoption of Resolution to Amend the Pay Ranges for the

Temporary Classifications of Lifeguard I, Lifeguard II, Pool Manager,
Recreation Coordinator, Recreation Leader, and Recreation
Specialist, Effective January 1, 2024, to Comply with State of
California Minimum Wage Requirements

REPORT IN BRIEF

Considers adopting a Resolution to authorize amendments to the Pay Ranges for the Temporary Classifications of Lifeguard I, Lifeguard II, Pool Manager, Recreation Coordinator, Recreation Leader, and Recreation Specialist effective January 1, 2024, to comply with State of California minimum wage requirements.

RECOMMENDATION

City Council - Adopt a motion

A. Adopting **Resolution 2024-01**, a Resolution of the City Council of the City of Merced, California, amending the salary ranges for the temporary classifications of Lifeguard I, Lifeguard II, Pool Manager, Recreation Coordinator, Recreation Leader, and Recreation Specialist; and,

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

I.9. [23-1122](#)

SUBJECT: Award Bid to Santos Ford for the Purchase of Three (3)
New SUV Interceptors for a Cost of \$49,335.00 Each, Totaling
\$148,005 for the Police Department

REPORT IN BRIEF

Considers awarding the bid to Santos Ford for the purchase of three new SUV interceptors for the Police Department for a total cost of \$148,005.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the bid to Santos Ford for the supply of three new SUV interceptors, for a total cost of \$148,005; and,

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

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

D. Authorizing the City Buyer to issue the Purchase Order(s), and approval of change orders not to exceed 10% of the total purchase price.

I.10. [24-019](#)

SUBJECT: Approval of Street Closure Request and Use of City Owned Real Estate by the Martin Luther King Jr. Celebration Committee for the Annual Martin Luther King Jr. Community March and Celebration on January 15, 2024, West 24th Street from the West Entrance of the Amtrak Station to Martin Luther King Jr Way, Martin Luther King Jr Way from West 24th Street to West Main Street and the Use of a Portion of Parking Lot #14 Located at 1739 Martin Luther King Jr. Way

REPORT IN BRIEF

Considers approving the use and closure of West 24th Street from the West entrance of the Amtrak Station to Martin Luther King Jr Way, Martin Luther King Jr. Way from West 24th Street to West Main Street and a portion of the City Parking Lot #14 located at 1739 Martin Luther King Jr. Way on Monday, January 15, 2024, to hold a march, parade and food preparation for the annual Martin Luther King, Jr. celebration.

RECOMMENDATION

City Council - Adopt a motion approving the request by Tamara Cobb and the Martin Luther King Jr. Celebration Committee to close West 24th Street from the West entrance of the Amtrak Station to Martin Luther King Jr Way, from West 24th Street to West Main Street and to cone off a portion of the City Parking Lot #14 located at 1739 Martin Luther King Jr. Way on Monday, January 15, 2024, to hold the march and prepare food as part of a community celebration.

I.11. [24-018](#)

SUBJECT: Considers the Adoption of a Resolution Approving Final Map #5412 for Renaissance 154, Phase 3 Subdivision for 31 Single-Family Lots, Generally Located North of Merced Avenue, Approximately 2,000 Feet East of Coffee Street Avenue and the Approval of the Subdivision Agreement for the Renaissance 154, Phase 3 Subdivision

REPORT IN BRIEF

Considers adopting the Final Map #5412 for 31 single-family lots, located north of Merced Avenue, approximately 2,000 feet east of Coffee Street, and the subdivision agreement for the Renaissance 154, Phase 3 Subdivision.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving **Resolution 2024-04**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Renaissance 154, Phase 3 Subdivision (#5412); and,
- B. Approving the Subdivision Agreement for the Renaissance 154, Phase 3 Subdivision; and,
- C. Authorizing the City Manager to execute all necessary documents.

I.12. [23-1123](#)

SUBJECT: Adoption of Resolution of the Successor Agency to the Redevelopment Agency of the City of Merced Approving a Recognized Obligation Payment Schedule for July 1, 2024 Through June 30, 2025 (ROPS 24-25)

REPORT IN BRIEF

Considers approving and adopting a Recognized Obligation Payment Schedule as the Successor Agency to the Redevelopment Agency of the City of Merced for July 1, 2024 through June 30, 2025, which is due to the Department of Finance by February 1, 2024.

RECOMMENDATION

Successor Agency - Adopt a motion:

- A. Approving **Resolution SA 2024-01**, a Resolution of the Successor Agency to the Redevelopment Agency of the City of Merced approving the Recognized Obligation Payment Schedule (ROPS 24-25) including Administrative Budget for July 1, 2024 through June 30, 2025; and,
- B. Authorizing the Finance Officer to make any necessary budget adjustments.

I.13. [24-020](#)

SUBJECT: Approval of a Professional Service Agreement with Provost & Pritchard to Provide Environmental Consulting Services to the City of Merced as the Successor Agency for FY 24/25

REPORT IN BRIEF

Considers approving a Professional Service Agreement with Provost & Pritchard to provide environmental consulting services to the City of

Merced as the Successor Agency to the former Redevelopment Agency for fiscal year 24/25.

RECOMMENDATION

Successor Agency - Adopt a motion:

A. Approving a Professional Service Agreement with Provost & Pritchard for consulting services starting July 1, 2024 through June 30, 2025, in a not to exceed amount of \$393,000.00 from the 2024-2025 Successor Agency Recognized Obligation Payment Schedule (ROPS); and,

B. Authorizing the Executive Director or designee to execute the necessary documents; and,

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

I.14. [24-025](#)

SUBJECT: Request for Approval Reimbursement Agreement HSR 22-27 with the California High Speed Rail Authority in the Amount of \$500,000 for the Downtown Station Land Use and Vision Plan

REPORT IN BRIEF:

Considers approving the reimbursement with High Speed Rail Authority to the City of Merced up to \$500,000 for the Downtown Station Land Use and Vision Plan as part of the overall City of Merced General Plan comprehensive update.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-05**, a Resolution of the City Council of the City of Merced, California, approving High Speed Rail Agreement #22-27 with the California High Speed Rail Authority for reimbursement of costs related to the preparation of a Land Use and Vision Plan for the Downtown Station as part of the General Plan Update; and,

B. Authorizing the City of Merced to enter into High Speed Rail Reimbursement Agreement #22-27 with High Speed Rail Authority for Downtown Station land use planning and visioning in amount of \$500,000; and,

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

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

I.15. [24-026](#)

SUBJECT: Approval of Reimbursement Agreement with the California
High Speed Rail Authority for Technical Review in an Amount of
\$300,000

REPORT IN BRIEF

Considers approving proposed Reimbursement Agreement with the
California High Speed Rail Authority to Reimburse the City of Merced for
staff costs associated with reviewing plans and specifications, providing
information on utilities, and technical documents as necessary as part of
the Merced segment and Downtown Station.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-06**, a Resolution of the City Council of the
City of Merced, California, approving a reimbursement agreement with the
California High Speed Rail Authority for reimbursement of costs related to
the review of technical studies, legal documents, and design plan for the
high speed rail project; and,

B. Authorizing the City of Merced to enter into a Reimbursement
Agreement with the California High Speed Rail Authority for Technical
Review not to exceed \$300,000; and,

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

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

I.16. [24-027](#)

SUBJECT: Approval of the Suspension of the Double Business
License Fee Collected Within the Business Improvement Area as

Contained in Chapter 3.44 - Business Improvement Area Tax in the
Merced Municipal Code

REPORT IN BRIEF

Considers approving not collecting the Business Improvement Area Tax which was identified as part of the Downtown Merced Property Based Improvement District Management Plan since the PBID would be funded through the voluntary property assessment. Staff is recommending the Downtown Business Area Tax be suspended until further notice.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving **Resolution 2024-07** a Resolution of the City Council of the City of Merced, California, Suspending the Collection of the Business Improvement Area Tax as Contained in Chapter 3.44 (Business Improvement Area Tax) of the Merced Municipal Code; and,
- B. Authorizing the City Manager to execute the necessary documents; and,
- C. Directing the Finance Officer to suspend collecting the tax as part of the Business License process.

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. [23-1004](#) **SUBJECT:** Public Hearing to Consider Adoption of Resolution Accepting the Annual Report on Development Impact Fees for Fiscal Year 2022/2023 as Required by Government Code Section 66006(b)

REPORT IN BRIEF

Considers adopting a Resolution of the City Council of the City of Merced accepting the City's Annual Compliance Report for Development Impact Fees (AB 1600) as required by Government Code section 66006(b).

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting the Annual Compliance Report for Development Impact Fees for Fiscal Year 2022/2023 which contains the information required by California Government Code Section 66006(b); and,

B. Adopting **Resolution 2024-03**, a Resolution of the City Council of the City of Merced, California, accepting the Development Impact Fees Fiscal Year 2022/2023 Annual Report and making findings related to unexpended developer deposits for public improvements as required by California Government Code Section 66001.

J.2. [23-536](#)

SUBJECT: Public Hearing to Consider a Resolution Approving the Sale of the Housing Successor Agency Properties at 1815 and 1823 I Street, and 205 and 211 W. 18th Street, and 202 W. 19th Street; Accepting the Summary Report Pursuant to Section 33433 of the California Health and Safety Code; Approving a Disposition and Development Agreement Between the City of Merced (Acting on its Own Behalf and as the Housing Successor) and Linc Housing for the Development of a 54-Unit Apartment Complex with 53 Affordable Units; and Approval of Density Bonus #23-01 Initiated by Linc Housing, Corporation to Allow Concessions for the Development of the Affordable Complex on 5 Parcels Generally Located at the Northwest Corner of 18th and I Streets and the Southwest Corner of 19th and I Streets

REPORT IN BRIEF

Considers approving a Resolution approving the sale of the housing successor agency properties at 1815 and 1823 I Street, and 205 and 211 W. 18th Street, and 202 W. 19th Street, including accepting the Section 33433 report. Then consider various actions including the approval of the Disposition and Development Agreement between the City of Merced Acting on its Own Behalf and as the Housing Successor and Linc I Street Apts, LP for the development of affordable housing; approving a Regulatory Agreement setting up the terms of affordability; Deed Restriction and Loan Agreement for the Permanent Local Housing Allocation funds, approving Density Bonus #23-01, granting certain concessions to Development Standards to allow the construction of a 54-unit apartment complex consisting of 53 affordable housing units, a manager's unit, and a courtyard area on 5 parcels generally located at the

northwest corner of 18th and I Streets and the southwest corner of 19th and I Streets; and Environmental Review #23-19.

RECOMMENDATION

City Council - Hold a Public Hearing for the 33433 Report and Adopt a motion:

- A. Adopting **Resolution 2024-08**, a Resolution of the City Council of the City of Merced, California, Approving a Disposition and Development Agreement Between the City of Merced and Linc I Street Apts. LP and Making Certain Findings and Approvals under Section 33433 of the California Health and Safety Code; and,
- B. Approving the Sale of Housing Successor Agency properties at 1815 and 1823 I Street, and 205 and 211 W. 18th Street, and 202 W. 19th Street; and,
- C. Accepting the Summary Report Pursuant to Section 33433 of the California Health and Safety Code; and,
- D. Finding that the adoption of the Regulatory Agreement (RA) is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15194 and 15332; and,
- E. Approving the Environmental Review #23-19 (Categorical Exemption); and,
- F. Approving Density Bonus #23-01 and the Affordable Housing Regulatory Agreement to allow the construction of the affordable apartment complex on 5 parcels generally located at the northwest corner of 18th and I Streets and the southwest corner of 19th and I Streets; and,
- G. Authorizing the City Manager to make any minor changes to the PLHA loan agreements should the State require language changes, subject to the agreements and/or documents being approved as to form by the City Attorney; and,
- H. Authorizing the City Manager to execute all agreements and documents to fulfill the terms and conditions of the disposition of the property per the DDA, the RA, DB, and any future documents that may be necessary for the project, subject to the agreements and/or documents being approved as to form by the City Attorney.

J.3. [23-1026](#)

SUBJECT: Public Hearing to Consider General Plan Amendment #17-02 and Site Utilization Plan Revision #12 to Planned Development (P-D) #42, Initiated by Benchmark Engineering, on Behalf of Bellevue Merced, LLC, Baxter Ranches, LLC, and Stonefield Home, Inc., the General Plan Amendment and Site Utilization Plan Revision Would Amend the Land Use Designation for Approximately 156 Acres of Land Within the Bellevue Ranch Master Development Plan (BRMDP) Area. The Site Utilization Plan Revision Would Also Amend Table 6.1 of the BRMDP Related to Required Roadway Improvements and the Timing of Said Improvements. This Property is Generally Bounded by the City Limit Line to the North, Cardella Road to the South, G Street to the East, and the City Limit Line to the West

REPORT IN BRIEF

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

RECOMMENDATION

City Council - Adopt a motion:

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

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

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

K. REPORTS

K.1. [24-022](#)

SUBJECT: Request by the Property Based Improvement District Formation Committee to the City Council to Appoint the Board of Directors for the Downtown Property Based Improvement District (PBID)

REPORT IN BRIEF

The Property Based Improvement District Formation Committee is requesting the City Council appoint recommended business owners and property owners to the Property Based Improvement District (PBID) Board of Directors. The appointed board members and officers will be able to proceed conducting the business of the PBID.

RECOMMENDATION

City Council - Adopt a motion:

A. Appointing the following PBID Board Members; Eric Hamm, Chair, Doug Fluetsch, Vice Chair, Peg Larson, Secretary, Grey Roberts, Treasurer, Robin Donovan, Board Member, Elmer Lorenzi, Board Member, and Robert Matsuo, Board Member; and,

B. Appointing the City Manager to the PBID Board; and,

C. Directing the City Clerk to provide the Certified Minute Action to the PBID Board.

K.2. [23-1085](#)

SUBJECT: Request Authorization to Waive the Competitive Bidding Process for Community Park 42 (CP-42) and Single Source the Remainder of the Work as Approved by the Merced City Council for the Construction of the Second Phase of Development at Community Park 42 (CP-42). Including the Approval of Contract Change Order No. 2 on Project Number CP220061 - Community Park 42 (CP-42) in the Amount of \$1,532,539 for Additional Work

REPORT IN BRIEF

Staff request authorization to waive the competitive bidding requirements

for CP-42 and single source the remainder of the work as approved by City Council for the construction of the second phase of development at CP-42, and request Council approve Contract Change Order No. 2 for additional site grading; installing the electrical for irrigation controls, lights, and field lights; installing storm drain and irrigation for the two extra soccer fields and landscaping, sidewalks, and basketball courts; and contract quantity adjustments in the amount of \$1,532,539.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210; and,

B. Approving Contract Change Order No. 2 with American Paving Co. in the amount of \$1,532,539 and adding 40 working days for the change in scope of work; and,

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

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

K.3. [24-006](#)

SUBJECT: Consideration and Approval of the First Substantial Amendment to the U.S. Department of Housing and Urban Development (HUD) 2023 Annual Action Plan Involving Changes to Available Resources, Projects and Activities, and Goals and Objectives Affected by the Reallocation of Community Development Block Grant (CDBG) Funding to Projects in Support of an Affordable Rental Housing Project

REPORT IN BRIEF

Considers the First Substantial Amendment to the HUD 2023 Annual Action Plan for changes to funding, projects, activities, and goals involving CDBG funds that support the acquisition of land for and the development of an affordable housing project (Devonwood Apartments).

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-02**, a Resolution of the City Council of the City of Merced, California, approving Substantial Amendment #1 to the Program Year 2023-2024 Annual Action Plan; Authorizing the City Manager or Deputy City Manager to Execute any Related Documents, Certifications, and/or Agreements Resulting from this Amendment; Certifying Compliance with the Requirements of the Community Development Block Grant (CDBG) Program; and, Authorizing Staff to Submit all Required Documents to the U.S. Department of Housing and Urban Development; and,

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

K.4. [23-1089](#)

SUBJECT: Arts and Cultural Advisory Commission (ACAC) to Present Project Award Selections for Heartland Grant Project

REPORT IN BRIEF

ACAC to present artist and design recommendations to the City Council for seven projects funded by the Heartland Grant.

RECOMMENDATION

City Council - Adopt a motion approving the Arts and Culture Advisory Commission's recommendations of artists and their designs to be installed at City owned locations funded by the Heartland Grant.

L. BUSINESS

L.1. [24-007](#)

SUBJECT: Council Member Ornelas' Request for a Report on Pre-Hire and Post-Hire Required Training for Dispatchers and Police Officers

REPORT IN BRIEF

Council Member Ornelas' request for a report on pre-hire and post-hire required training for Dispatchers and Police Officers.

RECOMMENDATION

Provide direction to staff on the next steps.

L.2. [24-008](#)

SUBJECT: Update on Town Hall Locations and Outreach Efforts

REPORT IN BRIEF

Updating the City Council on Town Hall locations and outreach efforts.

RECOMMENDATION

Information Only.

- L.3. [23-1092](#) **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.4. [23-1093](#) **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