



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

Monday, June 3, 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 6:00 PM

NOTICE TO PUBLIC/AVISO AL PÚBLICO/CEEB TOOM RAU PEJ XEEM

WELCOME TO THE MEETING OF THE MERCED CITY COUNCIL/BIENVENIDO A LA REUNIÓN DEL CONCILIO DE LA CIUDAD DE MERCED/ZOO SIAB TXAIS TOS KOJ TUAJ RAU HAUV CITY COUNCIL LUB ROOJ SAB LAJ

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

INDIVIDUALS WITH DISABILITIES

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

A. CLOSED SESSION ROLL CALL

B. CLOSED SESSION

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

B.1. [24-557](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Reinero v. City of Merced, et al., Case Number 18CV-03052 Pursuant to California Government Code Section 54956.9(d)(1)

B.2. [24-539](#) **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; Employee Organizations: Merced Police Officers' Association (MPOA) and Merced Association of Police Sergeants (MAPS). AUTHORITY: Government Code Section 54957.6

B.3. [24-540](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): 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; 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.4. [24-541](#) **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

B.5. [24-542](#) **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; Employee Organizations: International Association of Fire Fighters, Local 1479. 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 and the Public Financing and Economic Development Authority. City Council members receive a monthly stipend of \$400.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$100.00 each month as a part of the adopted budget and Resolution 2020-86. The members of the Parking Authority and the Public Financing and Economic Development Authority receive no compensation.

E. REPORT OUT OF CLOSED SESSION

F. CEREMONIAL MATTERS

F.1. [24-466](#) SUBJECT: Proclamation - Pride Month

REPORT IN BRIEF

Received by representatives of the CalPride Valle Central.

F.2. [24-467](#) SUBJECT: Proclamation - Juneteenth

REPORT IN BRIEF

Received by Allen Brooks, NAACP President.

F.3. [24-545](#) SUBJECT: Proclamation - Lowrider Holiday

REPORT IN BRIEF

Received by representatives of the Hispanic Chamber of Commerce.

F.4. [24-546](#) SUBJECT: Proclamation - "All Dads Matter" Month

REPORT IN BRIEF

Received by Lamar Henderson of the Human Services Agency, All Dads Matter.

G. WRITTEN PETITIONS AND COMMUNICATIONS

H. ORAL COMMUNICATIONS

Members of the public who wish to speak on any matter not listed on the agenda may speak during this portion of the meeting and will be allotted 5 minutes. The Mayor may, at his discretion, reduce the time to 3 minutes if there are more than 3 speakers, in order to accommodate as many speakers as possible. State law prohibits the City Council from acting at this meeting on any matter raised during the public comment period. Members of the public who wish to speak on a matter that is listed on the agenda will be called upon to speak during discussion of that item.

I. CONSENT CALENDAR

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

I.1. [24-463](#) **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. [24-525](#) **SUBJECT: Information Only Contracts for the Month of May 2024**

REPORT IN BRIEF

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

I.3. [24-433](#) **SUBJECT: Information Only - Boards and Commissions Annual Attendance Reports**

REPORT IN BRIEF

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

RECOMMENDATION

For information only.

I.4. [24-529](#) **SUBJECT: Information Only - Traffic Committee Minutes of March 5, 2024**

RECOMMENDATION

For information only.

I.5. [24-480](#) **SUBJECT: Information Only - Site Plan Review Minutes of February**

15, 2024 and March 28, 2024

RECOMMENDATION

For information only.

I.6. [24-479](#)

SUBJECT: Information Only - Planning Commission Minutes of January 17, 2024, February 21, 2024, April 3, 2024, and April 17, 2024

RECOMMENDATION

For information only.

I.7. [24-485](#)

SUBJECT: Approval of Resolutions to Call for a General Municipal Election for the Mayor and Three Members of the City Council by District on November 5, 2024, to be Consolidated with the Presidential General Election to be Conducted by the County of Merced

REPORT IN BRIEF

Considers approving Resolutions calling a November 5, 2024, General Municipal Election for the Mayor and three members of the City Council by district and requesting the County Board of Supervisors consolidate the City's election with the Presidential General Election being held on the same date.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-56**, a Resolution of the City Council of the City of Merced, California, calling a General Municipal Election for the election of the Mayor and three members of the City Council at the General Municipal Election to be held on November 5, 2024; and,

B. Adopting **Resolution 2024-57**, a Resolution of the City Council of the City of Merced, California, requesting that the Board of Supervisors of the County of Merced, California provide for the consolidation of a General Municipal Election with the Presidential General Election to be held on November 5, 2024, direct the filing a Notice of Election with the Registrar of Voters, submit an Incumbent List and Terms of Office, provide that candidate's statements are to be paid by candidate, and determine that a coin toss is the tie-breaking method; and,

C. Directing the City Manager/City Clerk and the City Attorney's Office to execute documents appropriate to carry out the tasks necessary for the General Municipal Election and to take actions related thereto.

I.8. [24-558](#)

SUBJECT: Adoption of a Resolution to Display the Pride Flag at Bob Hart Square for the Month of June 2024 per City Council Policy C-7

REPORT IN BRIEF

Considers adopting a Resolution to display the Pride Flag in Bob Hart Square for the month of June 2024 per the City Council Policy C-7.

RECOMMENDATION

City Council - Adopt a motion approving **Resolution 2024-61**, a Resolution of the City Council of the City of Merced, California, authorizing the display of the Commemorative Flag on the City flagpole in Bob Hart Square for the month of June 2024.

I.9. [24-252](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirements by Utilizing a Piggyback Contract with US Digital Designs (USDD) Using the National Purchasing Partners (NPPGov) Contract in an Amount not to Exceed \$510,979.38 for the Purchase, Installation, and Maintenance of a New Fire Station Emergency Alerting System (\$442,826.35) Plus a 10% Contingency (\$44,282.64) Plus an Annual Maintenance Fee of \$23,870.39; Approval of a \$12,770.00 One-Time Cost with Tyler Technologies, Inc. to Accommodate the Upgrade to the Fire Station Emergency Alerting System and Approval of a \$1,848.00 Amendment to an Existing Maintenance Agreement with Tyler Technologies, Inc. of Which the Annual Maintenance Agreement will be Incorporated into the Future Agreement) for a Total Contracted Amount of \$913,985.91 with Tyler Technologies

REPORT IN BRIEF

Considers approving to waive the City's competitive bidding requirement pursuant to Merced Municipal Code Section 3.04.210 and using a piggyback contract with US Digital Designs using the National Purchasing Partners (NPPGov) Contract No. 2020 for the purchase, installation, and maintenance of a new fire station emergency alerting system (\$442,826.35) plus a 10% contingency (\$44,282.64) plus an annual maintenance fee of \$23,870.39 for a total cost not to exceed \$510,979.38 with USDD; Approval of a \$12,770.00 One-Time cost and a One-Time maintenance fee of \$1,840.00 amendment to an existing agreement for a

total agreement amount of \$913,985.91 with Tyler Technologies. The maintenance fee is being considered One-Time as the agreement sunsets on 06/30/25 and will be renegotiated at that time.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.04.210 for cooperative purchasing through NPPGov Contract #PS20350; and,

B. Authorizing the purchase of a replacement fire station alerting system for one (1) dispatch center and five (5) fire stations with a total price not to exceed \$510,979.38 (Purchase, installation, and maintenance of \$442,826.35, 10% Contingency \$44,282.64, Annual Maintenance fee of \$23,870.39) with USDD; and,

C. Approving Amendment #10 to the original contract with Tyler Technologies, Inc. in the amount of \$12,770.00 (one-cost) authorizing Tyler Technologies, Inc. to provide encoder interface installation between US Digital Design and the Tyler Technologies Computer Aided Dispatch system and a one-time maintenance fee (will be recurring, but is being considered one-time due to contract sunsetting on 06/30/25 and contract will be renegotiated in 07/01/25) with Tyler Technologies, Inc. in the amount of \$1,848.00; total contracted amount not to exceed \$913,985.91 and,

D. Authorizing the City Manager to execute the necessary documents and to approve change orders including 10% contingency not to exceed \$510,979.38 (USDD); and,

E. Authorizing the Finance Officer to make the necessary budget adjustments, and the City Purchasing Supervisor to issue the Purchase Order/Change Order(s).

I.10. [24-227](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Approval of a Five (5) Year Term Photo Enforcement Services Agreement with Verra Mobility for Automated Photo Enforcement Technology in an Amount of \$126,000 Annually

REPORT IN BRIEF

Considers waiving the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 and approving a Five (5) Year

Term Photo Enforcement Services Agreement with Verra Mobility for the implementation, training and annual maintenance of photo enforcement technology for use by the Merced Police Department in the amount of \$126,000 annually.

RECOMMENDATION

City Council - Adopt a motion:

- A. Considers waiving the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 based on sole source; and,
- B. Approving a Photo Enforcement Services Agreement with Verra Mobility for the installation, implementation, training, and annual maintenance of automated photo enforcement technology for two approaches at one time but up to 20 approaches throughout the City in the amount of \$126,000 annually; and,
- C. Authorizing the City Manager to execute the Agreement and any amendments; and,
- D. Authorizing the Finance Officer to make the necessary budget adjustments.

I.11. [24-418](#)

SUBJECT: Rescind a Previously Approved Land Lease Agreement with Holding Pattern, LLC for Development of a Private Hangar on Approximately 10,000 Square Feet of Land at the Merced Yosemite Regional Airport and Approve a Proposed Land Lease Agreement with Holding Pattern, LLC, for a 70 x 70 Portion of the Subject Site to Build a 60' by 60' Hangar at the Merced Yosemite Regional Airport

REPORT IN BRIEF

Considers cancelling a previous Lease Agreement (30-year term with a 15-year option) with Holding Pattern, LLC for use of approximately 10,000 square feet located on the Merced Yosemite Regional Airport for development of a private aircraft hangar, and consider the terms contained in a new Land Lease Agreement using 4,900 square feet to build a 60' by 60' private aircraft hangar (30-year term with a 15-year option). If approved, the hangar would be constructed on a portion of Assessor Parcel Number 059-420-056.

RECOMMENDATION

City Council - Adopt a motion:

- A. Rescinding the previous Land Lease Agreement with Holding Pattern, LLC, for a use of approximately 10,000 square feet located on the Merced Yosemite Regional Airport (APN 059-420-056); and,
- B. Approving the terms of the new Land Lease Agreement with Holding Pattern, LLC, for 4,900 square feet (portion of APN 059-420-056); and,
- C. Applying the previously paid rent from the rescinded land lease to the new lease for the construction of a 60' by 60' hangar; and,
- D. Authorizing the City Manager or designee to execute the necessary documents and make minor adjustment to the Land Lease Agreement as needed (not effecting the leasing price)

I.12. [24-488](#)

SUBJECT: Approval of On-Call Municipal Well Services Contracts with Arsenal Well Drilling, Inc., Layne Christensen Company, and Shannon Pump Company for a Three-Year Term not to Exceed a Combined \$500,000 Annually, With an Optional One (1) Year Extension, for a Total Amount not to Exceed \$1,500,000 for the Initial Term

REPORT IN BRIEF

Considers approving a three-year On-Call Municipal Well Services Contract with Arsenal Well Drilling, Inc., Layne Christensen Company, and Shannon Pump Company, in an amount not to exceed \$500,000 annually, for response, evaluation, recommendation, and supply of materials and labor for emergency repairs and planned maintenance projects, on an as-needed basis, at various City of Merced municipal wells.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving On-Call Municipal Well Services Contracts with Arsenal Well Drilling, Inc., Layne Christensen Company, and Shannon Pump Company, for a three-year term, with an optional one-year extension, in a combined amount not to exceed \$500,000 annually; and,
- B. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- C. Authorizing the City Manager or designee to execute the necessary

documents.

I.13. [24-511](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirements, Approving and Ratifying the Purchase of Parts, Equipment, and Supplies as Necessary for Public Works Maintenance and Operations Through June 30, 2024

REPORT IN BRIEF

Considers approving to waive the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210, approving and ratifying the purchase of various parts, equipment, and supplies for Public Works maintenance and operations for Fiscal Year 2023/2024.

RECOMMENDATION

City Council - Adopt a motion:

- A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code Section 3.4.210 for annual supplies and services; and,
- B. Approving and ratifying the purchase up to \$90,000 with C&R Royal SVC, Inc. (NAPA Auto Parts) through June 30, 2024; and,
- C. Approving and ratifying the purchase up to \$60,000 with Ennis-Flint, Inc., through June 30, 2024; and,
- D. Approving and ratifying the purchase up to \$70,000 with Holt of California through June 30, 2024; and,
- E. Approving and ratifying the purchase up to \$160,000 with Interstate Truck Center through June 30, 2024; and,
- F. Approving and ratifying the purchase up to \$70,000 with Jorgensen & Sons, Inc., through June 30, 2024; and,
- G. Approving and ratifying the purchase up to \$60,000 with Municipal Maintenance Equipment through June 30, 2024; and,
- H. Approving and ratifying the purchase up to \$120,000 with PrivITation Consulting Corp through June 30, 2024; and,
- I. Approving and ratifying the purchase up to \$55,000 with Razzari Ford

through June 30, 2024; and,

J. Approving and ratifying the purchase up to \$60,000 with Wille Electric Supply Co through June 30, 2024; and,

K. Approving and ratifying the purchase up to \$55,000 with YSI, Inc., through June 30, 2024; and,

L. Authorizing the City buyer to issue the purchase orders; and,

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

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

I.14. [24-475](#)

SUBJECT: Approval of Additional Contingency in the Amount of \$35,144.66 for Additional Work Which is Reflected in the Final Change Order #5 with Rolfe Construction Inc. for G Street Improvements - Childs Ave to 13th Street, Project No. CP170039 to Close out the Project

REPORT IN BRIEF

Considers approving an increase to the contingency in the amount of \$35,144.66, for Project No. CP170039 - G Street Improvements, Childs Ave to 13th Street, and Approving Change Order #5 with Rolfe Construction Inc. This increase will be the final increase to close out the project.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving Change Order 5 with Rolfe Construction Inc. with an increase in contingency of \$35,144.66 for a total contract contingency amount of \$438,281.76, which is approximately 17.314% of the original contract amount; and,

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

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

I.15. [24-512](#)

SUBJECT: Approval of Street Closure Request #24-11 by the Annissa Fragoso to Host the Merced Lowrider Holiday Celebration, Located on

West Main Street Between M Street and K Street, and Canal Street
Between Main Street and West 18th Street, Including Bob Hart Square
on Sunday, June 23, 2024, from 7:00 a.m. to 3:00 p.m.

REPORT IN BRIEF

Considers approving a request by Annissa Fragoso for the closure and use of City streets and Bob Hart Square on Sunday, June 23, 2024, for the Merced Lowrider Holiday Celebration. The request seeks approval to close West Main Street, between M Street and K Street, Canal Street between Main Street and West 18th Street, and includes Bob Hart Square from 7:00 a.m. to 3:00 p.m.

RECOMMENDATION

City Council - Adopt a motion approving the street closure of West Main Street between M Street and K Street, Canal Street between Main Street and West 18th Street, and the use of Bob Hart Square on Sunday, June 23, 2024, from 7:00 a.m. to 3:00 p.m.

I.16. [24-478](#)

SUBJECT: Approval of an Agreement for Professional Services with De Novo Planning Group for Environmental Services in the Amount of \$348,610 and a Deposit and Reimbursement Agreement with MCYL1, LLC, Relating to the Annexation of the Yosemite Lake Village Project to the City of Merced in the Amount of \$383,471

REPORT IN BRIEF

Considers approving a Professional Services Agreement with De Novo Planning Group in the amount of \$348,610 to perform environmental services for the annexation to the City of Merced of the Yosemite Lake Village project (734 acres generally located at the northeast corner of G Street and Old Lake Road) as well as additional properties for a total of 1,171 acres, and entering into a Deposit and Reimbursement Agreement with MCYL1, LLC., in the amount of \$383,471 to fund the De Novo contract and to reimburse for City staff time to manage the contract.

RECOMMENDATION

City Council - Adopt a motion:

- A. Waiving a competitive bid for a professional service.
- B. Approving an Agreement for Services with De Novo Planning Group in the amount of \$348,610 to perform environmental services for the

annexation of the Yosemite Lake Village project to the City of Merced; and,

C. Approving a Deposit and Reimbursement Agreement with MCYL1, LLC, in the amount of \$383,471 to cover the cost of the consultant contract (\$348,610) and staff time (\$34,861) for the administration of the environmental review process and contract; and,

D. Approving an increase of revenue in the amount of \$348,610 to Fund 3000-Development Services-Other Revenue Developers account line and \$34,861 to the Fund 3000-Development Services-EIR Management Fee account line; and appropriating \$348,610 to the Professional Services account line for payment to De Novo Planning Group; and,

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

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

I.17. [24-469](#)

SUBJECT: Approval of a Services Agreement with Rincon Consultants, Inc., for Planning and Environmental Review Services Related to the Multi-Jurisdictional Housing Element not to Exceed \$109,909

REPORT IN BRIEF

Considers approving a Services Agreement with Rincon Consultants, Inc. for planning and environmental review services related to the Multijurisdictional Housing Element that is not to exceed \$109,909.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Services Agreement with Rincon Consultants, Inc. not to exceed the cost of \$109,909; and,

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

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

I.18. [24-325](#)

SUBJECT: Adoption of a Resolution Approving Final Map #5408 for the Large Lot Mapping of Bellevue Ranch North Villages 21 - 36, for 35 Lots, Generally Located North of Bellevue Road, West of G Street

REPORT IN BRIEF

Considers adopting a Resolution approving of a Final Map #5408 for 35 large lots, generally located north of Bellevue Road, West of G Street.

RECOMMENDATION

City Council - Adopt a motion approving **Resolution 2024-59**, a Resolution of the City Council of the City of Merced, California, Approving the Bellevue Ranch North Villages 21 - 36 (Final Map#5408).

I.19. [24-500](#)

SUBJECT: Introduction of an Ordinance Amending Subsection (B) of Section 1.10.030, and Amending Subsection (B) and Adding Subsection (C) to Section 1.10.150; of the Merced Municipal Code Regarding the Administrative Citations Program

REPORT IN BRIEF

Considers introducing an Ordinance amending subsection (B) of Section 1.10.030 to limit the pre-citation cure time for non-building, plumbing electrical or zoning violations and amending subsection (B) and adding subsection (C) to Section 1.10.150 providing a mechanism to transfer real property without releasing nuisance abatement liens that have not been satisfied.

RECOMMENDATION

City Council - Adopt a motion:

A. Introducing and approving the first reading of **Ordinance No. 2563**, an Ordinance of the City Council of the City of Merced, California, Amending Sections 1.10.030, "Correction Notice and Administrative Citation Issuance Procedures," and 1.10.150, "Administrative Fee; Satisfaction Of Lien" of the Merced Municipal Code; and,

B. Set the Ordinance for a second reading and adoption.

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. [24-503](#)

SUBJECT: Public Hearing - Introduction and Preliminary Review of Proposed Expenditures of Community Development Block Grant

(CDBG) and Home Investment Partnership Program (HOME) Funds for Fiscal Year 2024-2025, to be Included in the Draft U.S. Department of Housing and Urban Development (HUD) 2024 Annual Action Plan; and Receipt of Public Comment During a Public Hearing

REPORT IN BRIEF

Introduction and Review of Preliminary Program Year 2024 proposed project funding and related expenditures of Federal funding for inclusion in the Draft HUD 2024 Annual Action Plan; and Public Hearing to provide the Public an opportunity to comment.

RECOMMENDATION

City Council -

- A. Conduct a Public Hearing to receive public comment regarding the anticipated funding, proposed projects, priority community needs, proposed distribution of Federal funding, and other related topics that will be considered for inclusion in the final draft of the 2024 Annual Action Plan; and,
- B. Discuss and provide comment, if any, on staff recommendations regarding the anticipated funding, proposed projects, priority community needs, proposed distribution of Federal funding, and other related topics to be included in the final draft of the 2024 Annual Action Plan; and,
- C. Discuss and provide direction to staff regarding prioritization of the Public Service project funding requests over the allowed 15% Public Services Cap, and other potential community service project funding awards to be included in the Final Draft of the 2024 Annual Action Plan at the Final Public Hearing on July 15, 2024.

J.2. [24-468](#)

SUBJECT: Adoption of Resolution to Approve the Multi-Jurisdictional Merced County Regional Active Transportation Plan and Approval of Environmental Review #24-18 Statutory Exemption for Feasibility and Planning Studies Pursuant to CEQA Guideline Section 15262

REPORT IN BRIEF

Considers adopting a resolution to approve the Multi-Jurisdiction Merced County Active Transportation Plan and approving Environmental Review #24-18 - Statutory Exemption for Feasibility and Planning Studies Pursuant to CEQA Guideline Section 15262.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2024-60**, a Resolution of the City Council of the City of Merced, California, Adopting a Statutory Exemption Per the California Environmental Quality Act and the Merced County Association of Governments Multi-Jurisdictional Merced County Regional Active Transportation Plan.

J.3. [24-547](#)

SUBJECT: Public Hearing to Allow the Interested Public an Opportunity to Provide Input on the Content of the City Council, Public Financing and Economic Development Authority, Parking Authority, and Successor Agency to the Redevelopment Agency of the City of Merced Fiscal Year 2024-25 Proposed Budget and After Hearing all Comments Continue the Public Hearing to June 17, 2024

REPORT IN BRIEF

Public Hearing to afford the interested public an opportunity to provide input on the content of the 2024-25 City Council, Public Financing and Economic Development Authority, Parking Authority, and Successor Agency to the Redevelopment Agency of the City of Merced Proposed Budget.

RECOMMENDATION

City Council/Public Financing and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency of the City of Merced - It is recommended that the City Council/Authorities/Successor Agency conduct the Public Hearing and provide direction to the City Manager on the content of the Fiscal Year 2024-25 Budget; and adopt a motion continuing the Public Hearing to the June 17, 2024, Council Meeting.

K. REPORTS

K.1. [24-267](#)

SUBJECT: Report to Allow for Public Input on the Various Maintenance Districts' Engineer's Reports and Budgets for Fiscal Year 2024/2025 During the Public Meeting

REPORT IN BRIEF

Considers public input on the various Maintenance Districts' budgets during the public meeting, without taking action on the determination of

assessment levy until the close of the Public Hearing scheduled for Monday, June 17, 2024.

RECOMMENDATION

City Council - Adopt a motion seeking public input on the Fiscal Year 2024/2025 Maintenance Districts' budgets, without taking action until the Public Hearing is closed on June 17, 2024.

K.2. [24-326](#)

SUBJECT: Report for Discussion on Preliminary Annexation Application #24-01 for LWH Farms, LLC, 1,186 Acres at the Northeast Corner of Yosemite Avenue and Lake Road

REPORT IN BRIEF

The City Council will be asked to evaluate Preliminary Annexation Application #24-01 LWH Farms, LLC, 1,186+ acres of mixed-use development mostly at the northeast corner of Yosemite and Lake Roads.

RECOMMENDATION

City Council - Adopt a motion indicating general support for an official annexation application being processed for the LWH Farms project.

K.3. [24-327](#)

SUBJECT: Report for Discussion on Preliminary Annexation Application #23-01 for Annexation of Property Near the Northeast Corner of South G Street and Cone Avenue for Surjit Purewal, Applicant

REPORT IN BRIEF

The City Council will be asked to evaluate Preliminary Annexation Application #23-01 for an annexation project, 5.9 acres of proposed Low Medium Density Residential (R-2), for the development of for-sale duplexes on the north side of Cone Avenue, east of South G Street.

RECOMMENDATION

City Council - Adopt a motion indicating general support for an official annexation application being processed for the proposed annexation project submitted by Surjit Purewal.

L. BUSINESS

L.1. [24-528](#)

SUBJECT: Council Member Xiong's Request to Discuss the Feasibility

of an In-House Graffiti Abatement

REPORT IN BRIEF

Council Member Xiong's request to discuss the feasibility of an in-house graffiti abatement.

RECOMMENDATION

Provide direction to staff on the next steps.

L.2. [24-464](#)

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.3. [24-465](#)

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