



# 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, July 5, 2022

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 TUAJ RAU HAU CITY COUNCIL LUB ROOJ SAB LAJ

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

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

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

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

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

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

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

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

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

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

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

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

96.

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

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

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

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

### **INDIVIDUALS WITH DISABILITIES**

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

#### **A. CLOSED SESSION ROLL CALL**

#### **B. CLOSED SESSION**

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

- B.1.** [22-521](#) **SUBJECT: CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4): (1) Case**

#### **C. CALL TO ORDER**

Invocation - Shahid Sohail, Ahmadiyya Muslim Community, Merced Chapter

Pledge of Allegiance to the Flag

## D. ROLL CALL

In accordance with Government Code 54952.3, it is hereby announced that the City Council sits either simultaneously or serially as the Parking Authority and the Public Financing and Economic Development Authority. City Council members receive a monthly stipend of \$400.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$100.00 each month as a part of the adopted budget and Resolution 2020-86. The members of the Parking Authority and the Public Financing and Economic Development Authority receive no compensation.

## E. REPORT OUT OF CLOSED SESSION

## F. CEREMONIAL MATTERS

F.1. [22-538](#)      **SUBJECT:** Proclamation - Italian Catholic Federation 90th Anniversary

### REPORT IN BRIEF

Received by a representative from the Italian Catholic Federation.

F.2. [22-537](#)      **SUBJECT:** Proclamation - Parks and Recreation Month

### REPORT IN BRIEF

Received by a representative from the Recreation and Parks Department.

## G. WRITTEN PETITIONS AND COMMUNICATIONS

## H. ORAL COMMUNICATIONS

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

## I. CONSENT CALENDAR

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

I.1. [22-501](#)      **SUBJECT: Reading by Title of All Ordinances and Resolutions**

**REPORT IN BRIEF**

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

**RECOMMENDATION**

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

I.2. [22-540](#)      **SUBJECT: Information-Only Contracts for the Month of June 2022**

**REPORT IN BRIEF**

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

I.3. [22-490](#)      **SUBJECT: Information Only - Planning Commission Minutes of May 18, 2022**

**RECOMMENDATION**

For information only.

I.4. [22-554](#)      **SUBJECT: Adoption of Resolution Authorizing the City Manager to Apply for the California Violence Intervention and Prevention Grant Program, Execute the Grant Agreement and any Amendments and any Other Necessary Documents Associated with the Grant Application on Behalf of the City of Merced**

**REPORT IN BRIEF**

Considers the adoption of a Resolution authorizing the City Manager to apply for the California Intervention and Prevention Grant Program, execute the grant agreement, any amendments, and other necessary documents associated with the grant application on behalf of the City of Merced.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Adopting **Resolution 2022-43**, a Resolution of the City Council of the City of Merced, California, authorizing the submittal of grant proposal for the 2022 California Violence Intervention & Prevention (CALVIP) grant program; and,

B. Authorizing the City Manager or Deputy City Manager to execute the standard grant agreement, any amendments, and other necessary documents associated with the grant application, and to take all actions reasonably necessary to carry out the intent of this Resolution.

I.5. [22-553](#)

**SUBJECT:** Request to Authorize a Supplemental Appropriation from Unreserved, Unencumbered Fund Balance from Fund 561, Airport Operations, in an amount not to exceed \$600,000.00 for Commercial Airport Terminal Planning Study, Design, and Environmental Services

-

**REPORT IN BRIEF**

Considers approving a supplemental appropriation within Fund 561, Airport Operations, in the amount of \$600,000.00, to pre-fund Airport grants for Airport feasibility study, design, and environmental services.

**RECOMMENDATION**

**City Council** - Adopt a Motion:

A. Approving a supplemental appropriation from the unreserved, unencumbered fund balance in Fund 561, Airport Operations, in an amount not to exceed \$600,000.00 to account 561-1303-562.17-00 Professional Services; and,

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

I.6. [22-488](#)

**SUBJECT:** Approval of a Lease Agreement for McNamara Youth Center with Students with Aspiring Goals (S.W.A.G.) for Afterschool Youth Programming for a One Year Term with an Option to Extend the Term for an Additional Term of Two Years on a Year-to-Year Basis

**REPORT IN BRIEF**

In 2021 the lease agreement for McNamara Youth Center had expired and the City released a Request for Interest (RFI) from community groups who had a desire to provide community based, youth specific, after school programming in that location. After review of the proposals in relation to department goals and City Council priorities, it is the recommendation of Parks and Recreation Commission and staff that the City agree to lease the McNamara Community Center to Students with Aspiring Goals (S.W.A.G.).

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving a Lease Agreement with S.W.A.G. for afterschool youth programming at the McNamara Youth Center for a one-year term with an option to extend for an additional two years; and,

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

I.7. [22-362](#)

**SUBJECT:** Approval of an Agreement with Goodwin Consulting Group to Prepare a Fiscal Analysis to Consider the Formation of a New Community Facilities District (CFD)

**REPORT IN BRIEF**

Considers the approval of a contract with Goodwin Consulting Group for the preparation of a Fiscal Analysis to consider the formation of a new Community Facilities District for Services.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the contract with Goodwin Consulting Group in the amount of \$34,000 for the preparation of a Fiscal Analysis to consider the formation of a new Community Facilities District; and,

B. Approving a Supplemental Appropriation in Fund 017-Development Services unencumbered, unreserved fund balance in the amount of \$34,000 in 017-0804-512.17-00 Professional Services Planning Division; and,

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

I.8. [22-375](#)

**SUBJECT:** Approval to Waive the Competitive Bidding Requirement and Approval of a First Amendment with THOR, Inc. for AS/400 Consulting Services and Authorization to Increase the not to Exceed Spending Authority From \$534,000 to \$839,370

**REPORT IN BRIEF**

Considers waiving the competitive bidding requirement and approve the first amendment with THOR, Inc. for AS/400 consulting services and authorization to increase the not to exceed spending authority from \$534,000 to \$839,000.

**RECOMMENDATION**

**City Council - Adopt a motion:**

- A. Waiving the competitive bidding requirements for professional services due to sole sourcing as stated in Section 3.04.210 of the Merced Municipal Code; and,
- B. Approving the first Amendment to the agreement with THOR, Inc.; and,
- C. Authorizing the not to exceed spending authority to THOR, Inc. from \$534,000 to \$839,000; and,
- D. Authorizing the City Manager or Deputy City Manager to execute the necessary documents.

**I.9. [22-377](#)**

**SUBJECT: Approval to Waive the Competitive Bidding Requirements and Award a Five-Year Sole Source Contract to Central Square for Support and Hosting of the Current Enterprise Resource Planning System in the Amount of \$853,274**

**REPORT IN BRIEF**

Considers waiving the competitive bidding requirements and award a five-year sole source contract to Central Square for support and hosting of the current enterprise resource planning system in the amount of \$853,274.

**RECOMMENDATION**

**City Council - Adopt a motion:**

- A. Waiving the City's competitive bid requirements for purchases necessary for standardization on particular type of equipment as stated in Section 3.04.210 of the Merced Municipal Code; and,
- B. Approving the agreement with Central Square including future professional services contract amendments up to 10% of the total contract amount; and,
- C. Authorizing the City Manager or Deputy City Manager to execute the necessary documents, including future zero-dollar amendments to the agreements; and,
- D. Authorizing the Finance Officer to make necessary budget adjustments for these and future contract amendments.

**I.10. [22-376](#)**

**SUBJECT: Approval of a First Amendment with SDI Presence LLC. for**

Full Project Management Professional Services, and Authorization to Increase the not to Exceed Spending Authority from \$251,250 to \$467,950

**REPORT IN BRIEF**

Considers approving the first amendment with SDI Presence LLC. for full project management services and increasing the not to exceed spending authority from \$251,250 to \$467,950.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving the first Amendment with SDI Presence LLC.; and,
- B. Authorizing the not to exceed spending authority to SDI Presence LLC from \$251,250 to \$467,950; and,
- C. Authorizing the City Manager or the Deputy City Manager to execute the necessary Documents.

I.11. [22-453](#)

**SUBJECT:** Approval to Waive the Competitive Bid Process to Allow for the Cooperative Purchase with Competitively Bid Contract; County of Merced 2021 AMS FOCUS Agreement 2021092 with AMS.net in a not to Exceed Amount of \$135,000 in Fiscal Year 2022/2023

**REPORT IN BRIEF**

Considers waiving the competitive bid process, as stated in Section 3.04.210 of the Merced Municipal Code, to allow for the cooperative purchase with competitively bid contract; 2021 AMS FOCUS Agreement 2021092 with AMS.net in a not to exceed amount of \$135,000 in Fiscal Year 2022/2023.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving to waive the competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code; and,
- B. Approving piggybacking onto the 2021 AMS FOCUS Agreement 2021092; and,
- C. Authorizing the City Manager or Deputy City Manager to execute the

necessary documents; and,

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

E. Authorizing the purchase of goods through AMS.net in the amount not  
to exceed \$135,000 for Fiscal Year 2022-23.

**I.12.** [22-380](#)

**SUBJECT:** Approval of Two Agreements for Professional Services with  
Provost and Pritchard Engineering Group, Incorporated, for the PCE  
Groundwater Project for a Combined Total of \$290,800.00

**REPORT IN BRIEF**

Considers authorizing two separate agreements for environmental  
remediation services for a combined total of \$290,800.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Approving the Agreement for Professional Services (cleanup contract)  
with Provost and Pritchard Engineering Group, Incorporated, in the amount  
of \$224,800 for PCE groundwater cleanup Project 123031; and,

B. Approving the Agreement for Professional Services (reporting contract)  
with Provost and Pritchard Engineering Group, Incorporated, in the amount  
of \$66,000 for report drafting; and,

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

**I.13.** [22-462](#)

**SUBJECT:** Approval to Waive the Competitive Bidding Requirements  
and Approve Purchases of Parts, Equipment, Supplies, and Services  
Necessary for Public Works Maintenance and Operations from  
Bridgestone Americas Tire Operations, LLC, dba GCR Tires and  
Services in the Amount not to Exceed \$300,000; From Interstate Truck  
Center, LLC, in the Amount not to Exceed \$150,000; From J A  
Momaney Services, Inc., in the Amount not to Exceed \$200,000; From  
Next Level Parts, Inc., dba Carquest of Merced in the Amount not to  
Exceed \$85,000; and From Wilbur-Ellis Company, LLC in the Amount  
not to Exceed \$85,000 Through June 30, 2023

**REPORT IN BRIEF**

Considers waiving the City's competitive bidding requirements pursuant to

Merced Municipal Code Section 3.04.210 and approving the purchase of various parts, equipment, supplies, and services for Public Works maintenance and operations.

**RECOMMENDATION**

**City Council** - Adopt a motion:

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

B. Approving the agreement for Purchase of Goods with Bridgestone Americas Tire Operations, LLC, dba GCR Tires and Services, in the amount not to exceed \$300,000 in Fiscal Year 2022/2023; and,

C. Approving the agreement for Supplies and Services Interstate Truck Center, LLC, in the amount not to exceed \$150,000 in Fiscal Year 2022/2023; and,

D. Approving the agreement for Purchase of Goods with J A Momaney Services, in the amount not to exceed \$200,000 in Fiscal Year 2022/2023; and,

E. Approving the agreement for Purchase of Goods with Next Level Parts, Inc. dba Carquest of Merced, in the amount not to exceed \$85,000 in Fiscal Year 2022/2023; and,

F. Approving the agreement for Purchase of Goods with Wilbur-Ellis Company, LLC in the amount not to exceed \$85,000 in Fiscal Year 2022/2023; and,

G. Authorizing the City Manager or the Deputy City Manager, to execute the necessary documents or contracts, and to approve change orders up to the City Manager's purchasing authority.

I.14. [22-481](#)

**SUBJECT:** Award of Bid and Approval of Agreement for the Purchase of Goods with Jenfitch, Inc., for the Supply and Delivery of Poly Aluminum Chloride Coagulant in the Amount of \$45,000 for the Contract Term Ending June 30, 2023

**REPORT IN BRIEF**

Considers awarding the bid and approving an agreement with Jenfitch, Inc., for the supply and delivery of poly aluminum chloride coagulant.

**RECOMMENDATION**

**City Council** - Adopt a motion awarding the bid and approving the agreement with Jenfitch, Inc., for the supply and delivery of poly aluminum chloride coagulant in the amount of \$45,000 for the contract term ending June 30, 2023; and authorizing the City Manager or Deputy City Manager to execute the necessary documents.

I.15. [22-479](#)

**SUBJECT:** Approval of Lease Agreement Between the City of Merced and Westamerica Bank for 6,100 Square-Foot Located at 1801 M Street Starting at \$1.33 Per Square Foot for Three (3) Years and an Option for a Three (3) Year Extension

**REPORT IN BRIEF**

Considers a lease agreement between the City of Merced and Westamerica Bank, located at the Merced Center Parking Garage (1801 M Street) for three (3) years and one (1) option for a three (3) year extension.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving the lease agreement between the City of Merced and Westamerica Bank; and,
- B. Authorizing the City Manager or the Deputy City Manager to execute the necessary documents.

I.16. [22-497](#)

**SUBJECT:** Approval of a Third Amendment to the Lease Agreement Between the City of Merced and NCWPCS MPS 29-Year Tower Holding, LLC. Allowing up to Two Additional Renewal Options for Use of the Transmission Tower Located on Top of the Ralph Shannon Parade (1729 M Street), and Expanding the Lease Area by 160-Square-Foot to Accommodate a Backup Generator, with a Minimum Base Rent of \$2,450 Per Month

**REPORT IN BRIEF**

Considers a third lease agreement amendment allows one additional five-year term and up to one additional two-year term for the use of the transmission tower and the addition of a backup generator located on the top floor of the Ralph Shannon Parade. In 2020, the California Public Utilities Commission voted unanimously to require all cell towers to have 72 hours of backup power in emergency situations, including electricity

shutoffs during fire seasons. The additional lease space of 160-square-feet to accommodate a backup generator will satisfy this requirement and provide additional rent revenue.

#### RECOMMENDATION

**City Council** - Adopt a motion approving the third amendment to the lease agreement between the City of Merced and NCWPCS MPS 29-Year Tower Holding, LLC and authorizing the City Manager or the Deputy City Manager to execute all the necessary documents.

I.17. [22-524](#)

**SUBJECT:** Second Reading and Final Adoption of an Ordinance Approving Site Utilization Plan Revision #12 to Planned Development (P-D) #8 Changing the Land Use Designation for 5.59 Acres of Land Generally Located at the Southeast Corner of Loughborough Drive and Meadows Avenue

#### REPORT IN BRIEF

Second reading and final adoption of an Ordinance introduced at the Council Meeting held on June 21, 2022.

#### RECOMMENDATION

**City Council** - Adopt a motion adopting **Ordinance 2541**, An Ordinance of the City Council of the City of Merced, California, approving Site Utilization Plan Revision #12 to Planned Development (P-D) #8 changing the land use designation for 5.59 acres of land generally located at the southeast corner of Loughborough Drive and Meadows Avenue from "High-Medium Density Residential" to "High Density Residential" and changing the land use designation for 1.34 acres of land located near the southeast corner of Loughborough Drive from "High-Medium Density" (HMD) Residential to "Commercial Office" (CO).

## J. PUBLIC HEARINGS

Members of the public who wish to speak on public hearings listed on the agenda will be heard when the Public Hearing is opened, except on Public Hearing items previously heard and closed to public comment. After the public has commented, the item is closed to further public comment and brought to the Council for discussion and action. Further comment will not be received unless requested by the Council.

J.1. [22-514](#)

**SUBJECT:** Final (Second) Public Hearing for Receipt of Additional Public Comment and Approval of the U.S. Department of Housing and Urban Development (HUD) 2022 Annual Action Plan

### REPORT IN BRIEF

Re-open and hold the Second Public Hearing that was continued from May 16 and June 21, 2022, to receive final public comment regarding the Draft 2022 Annual Action Plan; Discuss and provide any direction to staff regarding any final changes to funding activities or other items; Commitment of funding to proposed subrecipient projects; Approval of the 2022 Annual Action Plan; and, authorizing the City Manager to execute all documents necessary to submit the finalized plan to HUD and to accept the Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) grants after approval by HUD.

### RECOMMENDATION

#### City Council -

A. Re-open and conduct the Public Hearing to receive any final public input regarding the Draft 2022 Annual Action Plan; and,

B. Discuss and provide direction to staff regarding any requested final changes to the Annual Plan text and Subrecipient and other proposed projects;

And, Adopt a Motion:

C. Committing HUD funding to the proposed subrecipient projects, as listed in the Administrative Report, contingent upon HUD's final approval and provided all National Objectives and other related HUD requirements, including environmental clearances, are met for each project; and,

D. Adopting **Resolution 2022-41**, A Resolution of the City Council of the City of Merced, California, Approving the 2022 HUD Annual Action Plan, certifying compliance with the requirements of the Community Development Block Grant (CDBG) Program and Home Investment Partnership (HOME) Program, and authorizing Staff to submit all approved documents and certifications to the U.S. Department of Housing and Urban Development; and,

E. Authorizing the City Manager or designee to execute all related documents, allow staff to make any modifications as necessary to submit the Final Draft of the 2022 Annual Action Plan, and to accept the CDBG and HOME grants after approval by HUD.

## K. REPORTS

K.1. [22-487](#)

**SUBJECT:** Consideration of Renaming Merced Youth Sports Complex

as Nannini Youth Sports Complex as Recommended by the Recreation and Parks Commission

**REPORT IN BRIEF**

An application has been received by the Director of Parks and Community Services to consider renaming the Youth Sports Complex in honor of Mr. Dave Nannini.

**RECOMMENDATION**

**Council** - Adopt a motion approving the request from the community and supported by the subcommittee of the Recreation and Parks Commission to rename the Merced Youth Sports Complex in honor of Dave Nannini as the Nannini Youth Sports Complex.

**K.2.** [22-428](#)

**SUBJECT:** Approval of Resolutions to Call for a General Municipal Election for the Three Members of the City Council by District on November 8, 2022 and Placing a Proposed Ballot Measure to Extend the Half-Cent Sales Tax without a Sunset Date and Requesting Consolidation with the Gubernatorial General Election to be Conducted by the County of Merced

**REPORT IN BRIEF**

Considers approving Resolutions Calling November 8, 2022 General Municipal Election for the three Council Members of the City Council by district and placing a proposed Ballot Measure to end the sunset date on the half-cent sales tax and requesting the County Board of Supervisors consolidate the City's election with the Gubernatorial Election being held on the same date.

**RECOMMENDATION**

**City Council** - Adopt a Motion:

A. Adopting **Resolution 2022-42**, a Resolution of the City Council of the City of Merced, California, calling a General Municipal Election for the election of Members of the City Council; requesting the Board of Supervisors of the County of Merced, California, to provide for the consolidation of a general municipal election with the Gubernatorial General Election on November 8, 2022, and to authorize the County Election Services to render specific services to the City of Merced relating to the General Municipal Election; establishing candidate statement requirements; and determining the tie-breaking method; and,

B. Adopting **Resolution 2022-43**, a Resolution of the City Council of the

City of Merced, California, calling for a General Municipal Election to be held on November 8, 2022, to present to voters a measure known as the Merced Vital City Services Protection Measure to continue the City's general transaction (sales) and use tax at the rate of one-half percent (0.50%) until ended by the voters; and requesting the Board of Supervisors of the County of Merced, California, to provide for the consolidation of a general municipal election with the Gubernatorial of a General Election on November 8, 2022, and to authorize the County Election Services to render specific services to the City of Merced relating to the General Municipal Election; 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; and,

**K.3.** [22-509](#)

**SUBJECT:** Review and Approve the Arts and Culture Advisory Commission's Recommendations for the Caltrans Mural Art Project

**REPORT IN BRIEF**

The City Council will review and approve eight mural designs and design locations recommended by the Arts and Culture Advisory Commission for eight Caltrans under crossings in the City of Merced.

**RECOMMENDATION**

**City Council** - Adopt a motion advancing eight mural designs recommended by the Arts and Culture Advisory Commission for final review and funding approval by Caltrans.

**L. BUSINESS**

**L.1.** [22-511](#)

**SUBJECT:** Discussion on Attendance and Designation of Voting Delegate and Alternates for the 2022 League of California Cities Annual Conference - Annual Business Meeting, September 7 - September 9, 2022, Long Beach, CA

**REPORT IN BRIEF**

To expedite the conduct of business at this important policy-making meeting, each City Council is asked to designate a voting representative and two alternates who will be present at the meeting.

**RECOMMENDATION**

**City Council** - Adopt a motion designating one voting delegate and two alternate voting delegates to the League of California Cities Annual

Conference General Business Meeting, scheduled for Friday afternoon, September 9, 2022 in Long Beach, CA.

- L.2. [22-536](#) **SUBJECT: Council Member Echevarria's Request to Discuss Possible Cul De Sac and Alleyway Projects in South Merced**

**REPORT IN BRIEF**

Council Member Echevarria's Request to discuss a possible cul de sac and alleyway projects in South Merced pursuant to City Council Administrative Policies and Procedures C-1.

**RECOMMENDATION**

Provide direction to staff regarding establishing a cul de sac and alleyways in South Merced.

- L.3. [22-503](#) **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. [22-504](#) **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**