



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 17, 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.** [24-618](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Garcia v. City of Merced; WCAB (Fresno), EAMS No.: ADJ11344043, ADJ11344057, ADJ11019846, ADJ11343931, ADJ11615856, ADJ13150358, and ADJ13727763; AUTHORITY: Government Code Section 54956.9(d)(1)

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- B.2.** [24-606](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION USDC NORTHERN DISTRICT OF OHIO EASTERN DIVISION, IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION Case No. 1:17-md-2804 Pursuant to California Government Code Section 54956.9(d)(1)
- B.3.** [24-572](#) **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.4.** [24-573](#) **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.5.** [24-574](#) **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.6.** [24-575](#) **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, 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. [24-576](#) **SUBJECT: Recognition of Cruickshank Student Rishabh Saha for Placing 7th at the Finals of the Scripps National Spelling Bee**

REPORT IN BRIEF

Accepted by Cruickshank Middle School student Rishabh Saha.

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. [24-522](#) **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. [24-523](#)

SUBJECT: Approval of City Council/Public Financing and Economic Development/Parking Authority/Successor Agency to the Redevelopment Agency Meeting Minutes of April 15, 2024

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 15, 2024.

I.3. [24-493](#)

SUBJECT: Approval of Request to Begin Initial Review of the City's Conflict-of-Interest Code in Advance of the Biennial Notice to be Filed no Later Than October 1, 2024

REPORT IN BRIEF

The Political Reform Act requires every local government agency review its conflict-of-interest code biennially with the code reviewing body (City Council) notifying agencies and special districts within its jurisdiction to review their conflict-of-interest codes.

RECOMMENDATION

City Council - Adopt a motion directing staff to begin an initial review of the City's conflict of interest codes and to file the Biennial Notice with the City Council no later than October 1, 2024.

I.4. [24-596](#)

SUBJECT: Approval to Accept Additional Grant Award of \$9,500 From the United Way of Merced County as the Administering Organization for the Heartland Creative Corps for an Additional Art Project on City Owned Property in the City of Merced

REPORT IN BRIEF

Considers approving to accept additional grant award for \$9,500 from the United Way of Merced County as the Administering Organization for the Heartland Creative Corps for an additional art project on city owned property in the City of Merced.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting additional grant funding of \$9,500.00 from the United Way of Merced County as the Administering Organization for the Heartland Creative Corps for an additional Art Project on City Owned Property in the City of Merced; and,

B. Authorizing the City Manager to execute the contract/standard agreement, including any amendments, and other necessary documents pertaining to the life of the grant; and,

C. Increasing revenue in the amount of \$9,500, and appropriating the same in Fund 1000-General Fund-City Manager, project GR240011; and,

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

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

I.5. [24-619](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirements Utilizing Cooperative Purchasing Agreements with Sourcewell and Belcorp Ag, LLC., and Authorizing the Purchase of One (1) John Deere Industrial Mower for \$ 76,095.19

REPORT IN BRIEF

Considers waiving the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 to purchase currently budgeted industrial mower through the government procurement program Sourcewell.

RECOMMENDATION

City Council - Adopt a motion:

- A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code section 3.04.210 to utilize cooperative purchasing agreements through Sourcewell, a government procurement program; and,
- B. Approving the purchase of one John Deer Industrial Mower from Belkorp Ag, LLC. Through Sourcewell contract # 30497926; and,
- C. Authorizing the City Manager to execute any necessary documents for the purchase specified above and an approval of change orders not to exceed 10% of the total purchase price; and,
- D. Authorizing the Finance Officer to make the appropriate budget adjustments and City Buyer to issue the Purchase Orders.

I.6. [24-597](#)

SUBJECT: Approval of Property, Boiler and Machinery Insurance Renewal Through Alliant Property Insurance Program in the Amount of \$1,204,290.47 for Program Year 2024/2025

REPORT IN BRIEF

Considers approving the renewal of the City's policy through Alliant Property Insurance Programs (APIP) at 14.80% premium increase, amounting to \$1,204,290.47 for program year 2024/2025.

RECOMMENDATION

City Council - Adopt a motion:

- A. Ratifying the renewal of the property and boiler and machinery insurance through the Alliant Property Insurance Programs (APIP), administered by Alliant Insurance Services for the period of July 1, 2024, through June 30, 2025; and,
- B. Authorizing the City Manager to execute the necessary documents.

I.7. [24-563](#)

SUBJECT: Approval of Agreement for Professional Services with Thomas E. Lewis, Attorney at Law for Administrative Hearing Officer Services

REPORT IN BRIEF

Considers approving an agreement for professional services with Thomas E. Lewis, Attorney at Law for administrative hearing officer services.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving an Agreement for Professional Services with Thomas E. Lewis, Attorney at Law; and,
- B. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- C. Authorizing the City Manager to execute the necessary documents.

I.8. [24-568](#)

SUBJECT: Adoption of a Resolution Adopting the City of Merced Alternative Delivery Procurement Policy

REPORT IN BRIEF

Considers adopting a Resolution of the City Council of the City of Merced, California, Adopting the City of Merced Alternative Delivery Procurement Policy to provide the ability to use Design-build, Progressive design-build, and/or Construction manager at-risk, project delivery procurements for up to five (5) public works projects per Fiscal Year, a total which may be adjusted by future action of the City Council.

RECOMMENDATION

City Council - Adopt a motion:

- A. Adopting **Resolution 2024-64**, a Resolution of the City Council of the City of Merced, California, Adopting the City of Merced Alternative Delivery Procurement Policy; and,
- B. Authorizing the City Manager to execute the necessary documents.

I.9. [24-504](#)

SUBJECT: Adoption of a Resolution Authorizing Fiscal Year 2024-25 Annual Special Tax Rates for Community Facilities District (CFD) No. 2003-2 (Services)

REPORT IN BRIEF

Considers adopting a Resolution setting the Annual Special Tax Rates for Fiscal Year 2024-25 for Community Facilities District (CFD) No. 2003-2 (Services) for the City of Merced.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2024-63**, a Resolution of the City Council of the City of Merced, California, Acting as the Legislative Body of the Community Facilities District No. 2003-2 (Services) of the City of Merced, Authorizing the Establishment of an Annual Special Tax for Said District for Fiscal Year 2024-2025.

I.10. [24-564](#)

SUBJECT: Approval of Third Amendment to Agreement with Hinderliter de Llamas and Associates for Consultation Services for New Measure C Transaction Tax

REPORT IN BRIEF

Considers approving Third Amendment to Agreement with Hinderliter de Llamas and Associates (HdL) for Consultation Services for new Measure C Transaction Tax.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving Third Amendment to Agreement with Hinderliter de Llamas and Associates for Consultation Services for new Measure C Transaction Tax; and,
- B. Authorizing the City Manager or designee to execute the necessary documents; and,
- C. Authorizing the Finance Officer to make the necessary budget adjustments.

I.11. [24-538](#)

SUBJECT: Adoption of a Resolution to Apply for and Authorization to Accept if Awarded, the Environmental Enhancement & Mitigation (EE&M) Grant, not to Exceed \$750,000, from State of California Natural Resources Agency to Plant a Native, Drought Tolerant Urban Forest at General Vang Pao Park to Mitigate Environmental Impacts of the North Transit Hub, a Regional Transportation Facility (RTF)

REPORT IN BRIEF

Considers adopting a Resolution to apply for \$750,000 in grant funding from the State of California Natural Resources Agency for the development

of an urban forest at General Vang Pao Park to mitigate environmental impacts to the area caused by the revised development of the North Transit Hub, a Regional Transportation Facility (RTF). Grant funds will be used to offset increased CO2 and required energy use in the area by establishing an urban forest made up of native, drought tolerant, trees at General Vang Pao Park. The grantor requires the adoption of a resolution in support of the City's grant application. Authorization is required by council to accept funding if awarded.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-58**, a Resolution of the City Council of the City of Merced, California, Approving the Application for the Grant Funds for the Environmental Enhancement and Mitigation (EEM) Program; and,

If awarded, Adopt a motion:

B. Authorizing the acceptance of the Environmental Enhancement & Mitigation Grant Funds, increasing revenue in the amount of \$750,000; and appropriating the same in Fund 5000-Parks and Community Services CIP; and,

C. Authorizing the use of pooled cash to cover the expenditures until Grant Funds are reimbursed; and,

D. Authorizing the City Manager to execute all documents, including any amendments; and,

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

I.12. [24-505](#)

SUBJECT: Adoption of a Resolution Approving the Fiscal Year 2024/2025 Project List for the Road Repair Accountability Act (SB 1), Local Streets and Roads Funding

REPORT IN BRIEF

Considers approving the list of projects proposed to be funded with Road Maintenance and Rehabilitation Account (RMRA) funds pursuant to SB1 for FY 2024/2025.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-55**, a Resolution of the City Council of the City of Merced, California, adopting a list of projects for Fiscal Year 2024-2025 funded by SB1: The Road Repair and Accountability Act of 2017; and,

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

I.13. [24-603](#)

SUBJECT: Award Bid to Redstone Construction, Inc. for the Congestion Mitigation Air Quality Grant (CMAQ) (061) Multi-Use Pathway on Childs Ave, from Golden Valley High School to North Coffee Street, Project Number CP220063, in the Amount of \$1,623,016

REPORT IN BRIEF

Considers awarding a Construction Contract to Redstone Construction, Inc. in the amount of \$1,623,016 for the CMAQ Multi-Use Pathway on Childs Ave Project.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the CMAQ Multi-Use Pathway on Childs Ave, Project CP220063 to Redstone Construction, Inc., in the amount of \$1,623,016; and,

B. Authorizing the City Manager to execute the necessary documents and to approve change orders not to exceed 10% of the total contract; and,

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

I.14. [24-491](#)

SUBJECT: Approval of a Service Agreement Between the City of Merced and RSG Inc., for Affordable Housing Consulting Services for Fiscal Years 2024-25 and 2025-26 in an Amount not to Exceed \$161,000

REPORT IN BRIEF

Consider approving a Services Agreement with RSG Inc., to provide

affordable housing consulting services to the City of Merced and the City's Housing Successor Agency for Fiscal Years 2024-25 and 2025-26, authorizing the City Manager to make minor modifications if necessary and execute on behalf of the City.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a Services Agreement between the City of Merced and RSG Inc., for affordable housing consulting services for Fiscal Years 2024-25 and 2025-26 in an amount not to exceed \$161,000; and,
- B. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- C. Authorizing the City Manager to make minor modifications if necessary and execute all the necessary documents on behalf of the City.

I.15. [24-560](#)

SUBJECT: Approval of Street Closure Request #24-14 by the Merced County Hispanic Chamber of Commerce to Host a Vendor Fair Event (El Mercado), Located on W. Main Street Between M Street and Martin Luther King Jr. Way, Canal Street Between Main Street and W. 18th Street, Including Bob Hart Square on Thursday, July 11, September 5, November 7, and December 5, 2024, From 3:00 p.m. to 10:00 p.m., and Approval of a Request for a City of Merced Co-Sponsorship

REPORT IN BRIEF

Considers approving a request by the Merced County Hispanic Chamber of Commerce for the closure and use of City streets and Bob Hart Square on Thursday, July 11, September 5, November 7, and December 5, 2024, for a Vendor Fair Event (El Mercado). The request seeks approval to close W. Main Street, between M Street and Martin Luther King Jr. Way, Canal Street between Main Street and W. 18th Street, including Bob Hart Square from 3:00 p.m. to 10:00 p.m. on each day. The application also includes a request for City of Merced Co-Sponsorship.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving the street closure of W. Main Street between M Street and

Martin Luther King Jr. Way, Canal Street between Main Street and W. 18th Street, and the use of Bob Hart Square on Thursday, July 11, September 5, November 7, and December 5, 2024, from 3:00 p.m. to 10:00 p.m.; and,

B. Approving City of Merced Co-Sponsorship, subject to the Conditions of Approval outlined in the Administrative Staff Report.

I.16. [24-592](#)

SUBJECT: Award Bid to EG Painting for Graffiti Abatement for a Period of Three Years, with the Approval to Extend Two Additional One-Year Periods, in the Total Amount of \$541,209.60

REPORT IN BRIEF

Considers awarding a Services Agreement for graffiti abatement to EG Painting for a term of three (3) Years, with the approval to extend two additional one-year periods, for the cumulative total amount of \$541,209.60 for the five-year period.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding a Services Agreement for the Graffiti Abatement bid to EG Painting totaling \$541,209.60 for the five-year period; and,

B. Authorizing the City Manager to execute the necessary Documents to include, documents for the two additional one-year extensions; and,

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

I.17. [24-604](#)

SUBJECT: Approval to Waive the Competitive Bidding Process and Purchase a Lenco BearCat G3 Armored Vehicle Utilizing a Government Procurement Program

REPORT IN BRIEF

Considers waiving the competitive bidding process and purchasing a Lenco BearCat G3 vehicle from Lenco Industries Inc., (Lenco) using the Houston-Galveston Area Council Government (H-GAC)-Ambulances, EMS, and Other Special Service Vehicles Purchasing Program.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the competitive bid requirements, in conformance with Section 3.04.210 of the Merced Municipal Code for piggybacking; and,

B. Authorizing the purchase of one (1) Lenco BearCat G3 from Lenco, with a total purchase price of \$430,332.72, through the H-GAC-Ambulances, EMS, and Other Special Service Vehicles Purchasing Program.

I.18. [24-484](#)

SUBJECT: Adoption of a Resolution Authorizing the Sale of One Surplus 2014 Schwarze Street Sweeper Truck to the City of Gustine and Approval of Surplus Equipment Purchase Agreement for a Total of \$20,000

REPORT IN BRIEF

Considers adopting a resolution to authorize the sale of one surplus 2014 AutoCar Schwarze A900 Monsoon street sweeper truck (City asset E-1382) to the City of Gustine as is under a Surplus Equipment Purchase Agreement for a total of \$20,000.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-62**, a Resolution of the City Council of the City of Merced, Deeming Certain Equipment of the City to be "Surplus" Property and Authorizing its Sale to the City of Gustine; and,

B. Approving the Surplus Equipment Purchase Agreement; and,

C. Authorizing the City Manager or designee to execute any necessary documents to sell asset E-1382 to the City of Gustine; and,

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

I.19. [24-492](#)

SUBJECT: Approval of a Professional Services Agreement with McCampbell Analytical, Inc., for Bioassay Laboratory Services in the Annual Amount of \$19,170 for a Three (3) Year Agreement, for a Total Amount not to Exceed \$57,510, with Contract Term Ending June 30, 2027

REPORT IN BRIEF

Considers approving a Professional Services Agreement with

McCampbell Analytical, Inc. for bioassay laboratory services for a three-year term in a total amount not to exceed \$57,510.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a Professional Services Agreement with McCampbell Analytical, Inc. for bioassay laboratory services in the total contract amount of \$57,510 with contract term ending on June 30, 2027; and,
- B. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- C. Authorizing the City Manager to execute the necessary documents.

I.20. [24-495](#)

SUBJECT: Approval of Professional Services Agreement with BSK Analytical for General Laboratory Services in the Annual Amount of \$123,501.40, for a Total Contract Amount of \$370,504.20, for a Three (3) Year Term Ending June 30, 2027

REPORT IN BRIEF

Considers approving a three-year agreement with BSK Analytical for general laboratory services in the amount of \$370,504.20.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving an Agreement for Professional Services with BSK Analytical for general laboratory services in the total contract amount of \$370,504.20 with contract term ending on June 30, 2027; and,
- B. Authorizing the City Manager or designee to execute the necessary documents; and,
- C. Authorizing the Finance Officer to make the necessary budget adjustments.

I.21. [24-601](#)

SUBJECT: Approval of Resolution to Amend the Compensation Plan for Management Employees

REPORT IN BRIEF

Considers approving a Resolution to Amend Section 4.01 of the Compensation Plan for Management Employees.

RECOMMENDATION

City Council - Adopt a motion approving **Resolution 2024-71**, a Resolution of the City Council of the City of Merced, California, to Amend the Compensation Plan for Management Employees.

I.22. [24-595](#)

SUBJECT: Introduction of an Ordinance Amending Section 10.28.380 “Stop Intersections Designated” of the Merced Municipal Code

REPORT IN BRIEF

Considers introducing an Ordinance and approving recommendations from the Traffic Committee to approve amending the following to the Merced Municipal Code: “Intersection of 11th Street and Canal Street”.

RECOMMENDATION

City Council - Adopt a motion:

A. Introducing **Ordinance 2565**, an Ordinance of the City Council of the City of Merced, California, Amending Section 10.28.380 “Stop Intersections Designated”, of the Merced Municipal Code; and,

B. Approving the recommendation from the Traffic Committee listed above.

I.23. [24-580](#)

SUBJECT: Second Reading and Final Adoption 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

Second reading and final adoption 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 adopting **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.

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. [24-268](#)

SUBJECT: Public Hearing on the Various Maintenance Districts' Engineer's Reports and Budgets for Fiscal Year 2024/2025 with Adoption of Resolution for Approval, Confirmation, and Adoption of the Engineer's Reports for the Various Maintenance Districts as Originally Submitted or as Modified

REPORT IN BRIEF

Considers adopting a Resolution approving, confirming, and adopting Engineer's Reports and Budgets for Maintenance Districts after the close of the Public Hearing.

RECOMMENDATION

City Council - Upon the conclusion of the public hearing, if the vote is successful to approve, confirm, and adopt the Engineer's Reports on Maintenance Districts;

City Council - Adopt a motion:

A. Adopting **Resolution 2024-48**, a Resolution of the City Council of the City of Merced, California, approving, confirming, and adopting Engineer's Reports on Maintenance Districts; and,

B. Providing staff direction on underfunded districts, including Quail Creek, Oakmont #3, Northwood Village, East College Homes, Oakbrook, Yosemite Village, Pleasanton Park, Merced Auto Center, Ridgeview Meadows, Fahren's Park I, Olivewood, Campus North, and Hansen Park.

J.2. [24-551](#)

SUBJECT: Public Hearing - General Plan Amendment #23-05, Zone Change #434, Establishment of Planned Development (P-D) #81, and Appeal of the Planning Commission's Denial of Conditional Use Permit #1276, Site Plan Review Permit #538, and Minor Use Permit #24-02. This Request is Initiated by United Security Company, LLC, on Behalf of Nicholas Mary Lee, Trustee, Property Owner, for Approximately 3.50 Acres at 470 E. Olive Avenue; the General Plan Amendment Would Change the General Plan Land Use Designation from Low-Medium Density Residential (LMD) to Business Park (BP). The Zone Change Would Allow the Establishment of the Planned Development to Change the Land Use from Low Medium Density Residential (R-2) to "Self-Storage." The Conditional Use Permit Would Allow a Live/Work Unit for an Onsite Manager for the Self-Storage Facility. The Site Plan Review Permit Would Allow the Development of a Self-Storage Facility (Approximately 681 Storage Units) with Long-Term Boat and Recreational Vehicle Parking Spaces. The Minor Use Permit Would be for Interface Review to Allow Commercial Development Adjacent to or Across from a Low Density Residential (R-1-6) Zone

REPORT IN BRIEF

Based on City Council direction from the City Council Meeting of May 20, 2024, staff has prepared a resolution approving General Plan Amendment #23-05 and Environmental Review #23-45 (Mitigated Negative Declaration), and an Ordinance approving Zone Change #434 to allow the Establishment of Planned Development (P-D) #81 for a self-storage facility with boat and recreational vehicle parking. Staff has also prepared a resolution approving the appeal of the Planning Commission's denial of Conditional Use Permit #1276, Site Plan Review Permit #538, Minor Use Permit #24-02, and Environmental Review #23-45 (Mitigated Negative Declaration). The subject site is a 3.50-acre parcel located at 470 E. Olive Avenue, within northeast Merced.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-66**, A Resolution of the City Council of the City of Merced, California, approving Environmental Review #23-45 (Mitigated Negative Declaration) for General Plan Amendment #23-05 and Establishment of Planned Development (P-D) #81 for approximately 3.50

acres of land generally located on the south side of Olive Avenue, approximately 500 feet west of Oleander Avenue, and approving General Plan Amendment #23-05 for the same property changing the General Plan designation from Low-Medium Density Residential (LMD) to Business Park (BP); and,

B. Introducing **Ordinance 2564**, An Ordinance of the City Council of the City of Merced, California, approving Zone Change #434 to allow the Establishment of Planned Development (P-D) #81 changing the land use designation from Low Medium Density Residential (R-2) to “Self-Storage” for an approximately 3.50-acre parcel generally located on the south side of Olive Avenue, approximately 500 feet west of Oleander Avenue; and,

C. Approving the Legislative Action Agreement and authorizing the City Manager to execute the necessary documents; and,

D. Adopting Amendments to **Planning Commission Resolution #4130**, approving the appeal of the Planning Commission’s denial of Conditional Use Permit #1276, Site Plan Review Permit #538, Minor Use Permit #24-02, and Environmental Review #23-45 (Mitigated Negative Declaration) for 470 E. Olive Avenue, generally located on the south side of Olive Avenue, approximately 500 feet west of Oleander Avenue.

J.3. [24-559](#)

SUBJECT: Continued Public Hearing to Allow Interested Persons to be Heard Regarding 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 Budget, Adoption of the Budget with Revision(s), and Appropriation of the Revenue and Approval of the Capital Projects for Each Respective Budget

REPORT IN BRIEF

Continued Public Hearing and adoption of the Fiscal Year 2024-25 City Council, Public Financing and Economic Development Authority, Parking Authority, and Successor Agency to the Redevelopment Agency of the City of Merced Budget.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2024-67**, Resolution of the City Council of the

City of Merced, California, Adopting the Budget and Appropriating Revenue for Fiscal Year 2024-2025; and,

B. Adopting **Resolution 2024-68**, Resolution of the City Council of the City of Merced, California, Adopting the Salary Range for the City Manager; and,

C. Adopting **Resolution 2024-69**, Resolution of the City Council of the City of Merced, California, Adopting the Salary Range for the City Attorney; and,

D. Adopting **Resolution 2024-70**, Resolution of the City Council of the City of Merced, California, Adopting the Salary Range for the Finance Officer; and,

E. Approving capital projects based upon the Planning Commission's June 5, 2024, finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2024; and,

Public Financing and Economic Development Authority - Adopt a motion:

A. Adopting **Resolution PFA 2024-03**, Resolution of the City of Merced Public Financing and Economic Development Authority, adopting the Budget and Appropriating Revenue for Fiscal Year 2024-2025; and,

B. Approving capital projects based upon the Planning Commission's June 5, 2024, finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2024; and,

Parking Authority - Adopt a motion:

A. Adopting **Resolution PA 2024-03**, Resolution of the City of Merced Parking Authority, adopting the Budget and Appropriating Revenue for Fiscal Year 2024-2025; and,

B. Approving capital projects based upon the Planning Commission's June 5, 2024, finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2024; and,

Successor Agency to the Redevelopment Agency of the City of Merced - Adopt a motion:

- A. Adopting **Resolution SA 2024-04**, Resolution of the City of the Successor Agency to the Redevelopment Agency of the City of Merced Adopting the Budget and Appropriating Revenue for Fiscal Year 2024-2025; and,
- B. Approving capital projects based upon the Planning Commission's June 5, 2024, finding of consistency of Capital Improvement Program with the General Plan and as modified by recalculation of carryover projects to reflect actual balances as of June 30, 2024; and,

K. BUSINESS

K.1. [24-594](#)

SUBJECT: Adoption of Resolution Repealing Resolution 2018-78, to Re-adopt a Values Statements, and Update the Ethics and Code of Conduct for City Meetings, Adopting Rules of Order and Procedure for the Conduct of City Meetings, Approving the Revision of the Agenda Preamble, and Discussion on Public Participation

REPORT IN BRIEF

Considers the adoption of Resolution 2024- to repeal Resolution 2018-78 and to Readopt a Values Statements and Update the Ethics and Code of Conduct for City Meetings, Adopting Rules of Order and Procedure for the Conduct of City Meetings, Approving the Revision of the Agenda Preamble, and Discussion on Public Participation.

RECOMMENDATION

City Council - Adopt a motion:

- A. Adopting **Resolution 2024-65**, A Resolution of the City Council of the City of Merced, California, Repealing Resolution No. 2018-78 to Re-Adopt a Values Statement, and Update the Ethics and Code of Conduct for City Meetings, and Adopting Rules of Order and Procedure for the Conduct of City Meetings; and,
- B. Approving the Agenda Preamble language; and,
- C. Providing staff direction on public participation.

- K.2. [24-526](#) **SUBJECT:** Appointment for City Representative to the Merced County Mosquito Abatement District Board of Trustees

REPORT IN BRIEF

This report is to discuss the appointment of a city representative for the Merced County Mosquito Abatement District Board of Trustees.

RECOMMENDATION

City Council - Adopt a motion appointing an applicant as the city representative for the Merced County Mosquito Abatement District Board of Trustees.

- K.3. [24-494](#) **SUBJECT:** Request to Add Item to Future Agenda

REPORT IN BRIEF

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

- K.4. [24-524](#) **SUBJECT:** City Council Comments

REPORT IN BRIEF

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

L. ADJOURNMENT