



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

Monday, September 19, 2022

6:00 PM

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

Closed Session at 5:00 PM / Regular Meeting at 6:00 PM

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

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 (tham 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. [22-765](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (e) of Section 54956.9: (1) case

B.2. [22-766](#) **SUBJECT:** CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Property: 157 Hawk Drive, APN 059-420-012; Agency Negotiator: Frank Quintero, Deputy City Manager; Negotiating Parties: Russell Leitch Representing Dkota Investments and City of Merced; Under Negotiation: Price and Terms of Payment

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. [22-740](#) **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. [22-621](#) **SUBJECT:** Information Only - Site Plan Review Minutes of October 8, 2020, November 12, 2020, December 10, 2020, January 14, 2021, and February 11, 2021

RECOMMENDATION

For information only.

I.3. [22-645](#) **SUBJECT:** Information Only - Bicycle and Pedestrian Advisory Minutes of December 15, 2020, February 23, 2021, April 27, 2021, June 22, 2021, and August 24, 2021

RECOMMENDATION

For information only.

I.4. [22-650](#) **SUBJECT:** Information Only - Building and Housing Board of Appeal Minutes of April 1, 2021, July 1, 2021, September 2, 2021, January 6, 2022, and February 3, 2022

RECOMMENDATION

For information only.

I.5. [22-703](#)

SUBJECT: Considers a Lease Agreement for the 27th and K (Central) Youth Center with Challenged Family Resource Center for Daytime Children's All-Inclusive Programming for a One Year Term with an Option to Extend the Term for an Additional Term of Two Years

REPORT IN BRIEF

Considers a lease agreement for the 27th and K (Central) Youth Center to Challenged Family Resource Center for daytime children's programming focused on all-inclusive play. The lease is termed for one year with an option to extend for an additional two years based on performance measures. The applicant received approval from the current tenant for daytime use and confirmed it would not interfere with current programming at the facility.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving the contract with Challenged Family Resource Center for daytime children's programming at the Central Youth Center; and,
- B. Authorizing the City Manager or Deputy City Manager to execute the necessary documents.

I.6. [22-592](#)

SUBJECT: Adoption of a Resolution Approving a Grant Agreement in the Amount of \$1,690,462 From Coronavirus Local Fiscal Recovery Funds as Established Under the American Rescue Plan Act, a Regulatory Agreement and Declaration of Restrictive Covenants, Notice of Affordability Restrictions and Agreement Containing Covenants with TwelveThirteen Homekey LP

REPORT IN BRIEF

Considers adopting a Resolution approving a Grant Agreement in the amount of \$1,690,462 from Coronavirus Local Fiscal Recovery Funds as established under the American Rescue Plan Act, a Regulatory Agreement and Declaration of Restrictive Covenants, Notice of Affordability Restrictions and Agreement Containing Covenants with TwelveThirteen Homekey LP and setting terms of affordability.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2022-60**, a Resolution of the City Council of the City of Merced, California, approving a Deed Restriction Covenant and Grant Agreement in the amount of \$1,690,462 from the Coronavirus Local Fiscal Recovery Funds as established under the American Rescue Plan Act, approving a Regulatory Agreement and Declaration of Restrictive Covenants, dated to match the date of property acquisition, Notice of Affordability Restrictions on Transfer of Property, and Agreement Containing Covenants Affecting Real Property with TwelveThirteen Homekey LP; and,

B. Authorizing the City Manager or Deputy City Manager to execute any and all agreements and documents to fulfill the terms and conditions of these grant agreements, and any future documents that may be necessary for the project, subject to the agreements and/or documents being approved as to form by the City Attorney.

I.7. [22-671](#)

SUBJECT: Approval of the Community Facilities Districts (CFD) Administration Professional Services Agreement with Goodwin Consulting Group, Inc. for a Three-Year Term, from November 4, 2022 to November 3, 2025, with a Renewal Option for Two Additional Years

REPORT IN BRIEF

Considers approving the Community Facilities Districts (CFD) Administration Professional Services Agreement with Goodwin Consulting Group, Inc. for a three-year term with an option to renew for two additional years.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the Professional Services Agreement for the administration of Community Facilities Districts (CFD) to Goodwin Consulting Group, Inc.; and,

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

I.8. [22-558](#)

SUBJECT: Approval of the Professional Services Agreement with the Kiwanis Club of Greater Merced Foundation for a not to Exceed Amount of \$500,000 for American Rescue Plan Act (ARPA) Non-Profit Support Funding

REPORT IN BRIEF

Considers the approval of the Professional Services Agreement with the Kiwanis Club of Greater Merced Foundation for a not to exceed amount of \$500,000 for ARPA Non-Profit Support Funding.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Professional Services Agreement with the Kiwanis Club of Greater Merced Foundation for an amount not to exceed \$500,000 for ARPA Non-Profit Support Funding; and,

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

I.9. [22-733](#)

SUBJECT: Approval of the Professional Services Agreement with the Merced County Food Bank for a not to Exceed Amount of \$212,300 for American Rescue Plan Act (ARPA) Non-Profit Support Funding

REPORT IN BRIEF

Considers the approval of the Professional Services Agreement with the Merced County Food Bank for a not to exceed amount of \$212,300 for ARPA Non-Profit Support Funding.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Professional Services Agreement with the Merced County Food Bank for an amount not to exceed \$212,300 for ARPA Non-Profit Support Funding; and,

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

I.10. [22-758](#)

SUBJECT: Acceptance of Grant Award for a Maximum of \$977,647 From the Board of State and Community Corrections (BSCC) and the California Violence Intervention and Prevention (CalVIP) Program for a Three-Year Pilot Program, in Partnership with Merced County Probation, to Provide Prevention and Early Intervention Services to Youth Through the Pathways to Success Program

REPORT IN BRIEF

Considers accepting grant funding up to a maximum of \$977,647 from the Board of State and Community Corrections (BSCC) and the California Violence Intervention and Prevention (CalVIP) Program for a three-year pilot program, in partnership with Merced County Probation, to provide prevention and early intervention services to youth through the Pathways to Success Program.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting grant funds up to a maximum of \$977,647 from the Board of State and Community Corrections (BSCC) and the California Violence Intervention and Prevention (CalVIP); and,

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

I.11. [22-667](#)

SUBJECT: Approval of a Proposed Purchase and Sale Agreement with Dkota Investments, Inc., for a ±3.1-Acre Site in the Airport Industrial Park for \$434,005.70 Located at 157 Hawk Drive Also Known as APN 059-420-012 for the Construction of a Warehouse Building

REPORT IN BRIEF

Considers the terms contained in the Purchase and Sale Agreement for the disposal of a 3.1-acre in the Airport Industrial Park for \$434,005.70 for the construction of an 11,478 square-foot warehouse building.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the terms of the Purchase and Sale Agreement with Dkota Investments, Inc.; and,

B. Appropriating \$26,041 from the proceeds of the sale to pay for Real Estate Commission; and,

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

- I.12. [22-691](#) **SUBJECT:** Approval of a Three (3) Year Lease Agreement with James G. Moulton, Trustee, and Lynda S. Moulton, Trustee, for a 9,000 Square Foot Facility with Initial Base Rent of \$6,750/NNN Per Month and the Option to Extend for an Additional Three (3) Years

REPORT IN BRIEF

Considers approving a three-year lease agreement with James G. Moulton and Lynda S. Moulton for property to be utilized by criminal justice agencies in Merced County.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving the lease agreement between the City of Merced and James G. Moulton, Trustee, and Lynda S. Moulton, Trustee; and,
- B. Authorizing the City Manager, the Deputy City Manager, or the Finance Office to make necessary adjustments and execute the document.

- I.13. [22-702](#) **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 Evantec Corporation in the Amount not to Exceed \$50,000; from Rentokil North America, Inc., dba Target Specialty Products, in the Amount not to Exceed \$100,000; and from Stockton Tri Industries, LLC, in the Amount not to Exceed \$75,000 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 Evantec Corporation in the amount not to exceed \$50,000 in Fiscal Year

2022/2023; and,

C. Approving the agreement for Purchase of Goods with Rentokil North America, Inc., dba Target Specialty Products, in the amount not to exceed \$100,000 in Fiscal Year 2022/2023; and,

D. Approving the agreement for Purchase of Goods with Stockton Tri Industries, LLC, in the amount not to exceed \$75,000 in Fiscal Year 2022/2023; and,

E. 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. [22-734](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Authorizing the Purchase of up to Four (4) Budgeted Pieces of Equipment, Depending on Availability, Through Cooperative Purchasing Agreements with Sourcwell, Including One Set of Mobile Column Jack Lifts for \$50,627.05 for the Fleet Department, Two Side Loader Refuse Trucks for \$394,125.19 Each (Total \$788,250.38) for the Refuse Department, as Well as One 10 Wheeled Dump Truck for \$175,478.00 for the Streets Department

REPORT IN BRIEF

Considers waiving competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 to purchase currently budgeted and Council approved fleet vehicles through the government procurement program Sourcwell.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code section 3.04.210 and authorizing the purchases to be made with cooperative purchase agreements through Sourcwell, a government procurement program; and,

B. Approving the purchase of one set of Mobile Column Jack Lifts in the amount of \$50,627.05 from ARI Phoenix, Inc., through Sourcwell contract #013020-ARP; and,

C. Approving the purchase of two Side Loader Refuse Trucks in the amount of \$394,125.19 each, for a Total Amount of \$788,250.38, from

Ruckstell California Sales Co., Inc., through Sourcewell contract # 091219-NWY; and,

D. Approving the purchase of one 10 Wheeled Dump Truck in the amount of \$175,478.00, plus applicable sales tax, from PB Loader Corporation through Sourcewell contract # 080521-PBL; and,

E. Authorizing the City Manager or the Deputy City Manager to execute any necessary documents for the purchases specified above, the Finance Officer to make the appropriate budget adjustments and City Buyer to issue the Purchase Orders, and approval of change orders not to exceed 10% of the total purchase price.

I.15. [22-689](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirement to Allow for the Purchase of Standardized Equipment and Approval of User Agreement from Cellebrite Inc. for a Total Amount of \$39,900.97

REPORT IN BRIEF

Considers waiving the competitive bidding requirement pursuant to Merced Municipal Code section 3.04.210 for purchases necessary for standardization of particular types of equipment. Also, the approval to purchase equipment from Cellebrite Inc. for Cellebrite Guardian premium annual subscription service and a Cellebrite Dongle kit with annual subscription service for a total amount of \$39,900.97.

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 for standardization of equipment; and,

B. Approving the purchase of Cellebrite Guardian premium annual subscription service and a Cellebrite Dongle kit with annual subscription service; and,

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

I.16. [22-708](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirement to Allow for the Cooperative Purchasing Under NASPO California State Contract #7-20-70-45-04 and Standardization from Stalker Radar

Applied Concepts, Inc. for a Total Amount of \$143,318.80

REPORT IN BRIEF

Considers waiving the competitive bidding requirement pursuant to Merced Municipal Code section 3.04.210 for purchases necessary to standardize particular types of equipment and utilizing cooperative purchasing through NASPO. Also, the approval to purchase equipment from Stalker Radar Applied Concepts, Inc for a (6) traffic data collector, (4) handheld Lidar units, (3) vehicle-mounted radar units, (3) message board trailers, (3) SAM speed trailers (3) Pole Mounts, and (1) PGM traffic display board in the amount of \$143,318.80.

RECOMMENDATION

City Council - Adopt a motion:

- A. Waiving the City's competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code for standardization of equipment and cooperative purchasing; and,
- B. Authorizing the use of the NASPO California State Contract #7-20-70-45-04 Cooperative Purchasing; and,
- C. Approving the purchase of (6) traffic data collector, (4) handheld lidar units, (3) vehicle mounted radar unit, (3) message board trailers, (3) speed trailers, (3) Pole Mounts, and (1) traffic display board.

I.17. [22-709](#)

SUBJECT: Approval of a Three (3) Year Agreement with Merced Community College District for the Professional Services of a Police Administrator for the 2022/23, 2023/24 and 2024/25 Fiscal Years

REPORT IN BRIEF

Considers approving an agreement between the City of Merced Police Department and the Merced Community College District for police administrative services at the District's campuses.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a Memorandum of Understanding between the City of Merced and the Merced Community College District to provide police services in the District's campuses; and,
- B. Authorizing the City Manager or Deputy City Manager to execute the

agreement; and,

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

I.18. [22-670](#)

SUBJECT: Award of Bid and Approval of Statement of Services Agreement with Straight Edge Roofing for Fire Station 51 Roof Replacement, Project No. 122075, in the Amount of \$141,500.00

REPORT IN BRIEF

Considers awarding a Statement of Services Agreement in the amount of \$141,500.00 to Straight Edge Roofing for the removal and replacement the roof for Fire Station 51.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the Fire Station 51 Roof Replacement Project No. 122075 to Straight Edge Roofing in the amount of \$141,500.00; and,

B. Authorizing the City Manager or Deputy 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 to make necessary budget adjustments.

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. [22-572](#)

SUBJECT: Public Hearing to Consider the Annexation of Certain Property into Community Facilities District (CFD) No. 2003-2 (Services), Calling and Holding a Special Election for Annexation No. 21 into CFD No. 2003-2 (Services; Canvassing the Results of the Election Held within Annexation No. 21 of Said District, and Annexing Annexation No. 21 to Said District and Authorizing the Levy of a Special Tax Within Said Annexation No. 21. Annexation No. 21 Consists of Approximately 5.94 Acres of Land Generally Located at the Southeast Corner of Yosemite Avenue and McKee Road

REPORT IN BRIEF

Hold a public hearing and election for annexation into Community Facilities District No. 2003-2 (Services) for the approximately 5.94 acres of land generally located at the southeast corner of Yosemite Avenue and McKee Road.

RECOMMENDATION

City Council - Adopt a motion:

A. Holding a Public Hearing on the annexation of certain property into the CFD and the levy of special taxes; and,

B. Adopting **Resolution 2022-56**, a Resolution of the City Council of the City of Merced, acting as the Legislative Body of the Community Facilities District No. 2003-2 (Services) of the City of Merced determining the validity of prior proceedings, calling a special election related to Annexation No. 21; and,

C. Holding an election; and,

D. Adopting **Resolution 2022-57**, a Resolution of the City Council of the City of Merced acting as the Legislative Body of the Community Facilities District No. 2003-2 (Services) of the City of Merced canvassing the results of the election held within Annexation No. 21 of said District; and,

E. Adopting **Resolution 2022-58**, a Resolution of the City Council of the City of Merced acting as the Legislative Body of the Community Facilities District No. 2003-2 (Services) of the City of Merced, annexing Annexation No. 21 to said district and authorizing the levy of a special tax within said Annexation No. 21.

K. REPORTS

K.1. [22-607](#)

SUBJECT: Adoption of a Resolution Approving the U.S. Department of Housing and Urban Development (HUD) Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2021-22 and Authorizing Submittal of the CAPER to HUD

REPORT IN BRIEF

Review and approve Housing Division activities as reported in the Draft 2021 Consolidated Annual Performance and Evaluation Report (CAPER) and authorize its submission to HUD.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2022-59**, A Resolution of the City Council of the City of Merced, California, approving the 2021-2022 Program Year Consolidated Annual Performance and Evaluation Report; and,

B. Authorizing the City Manager or Deputy City Manager to execute and, if necessary, make minor modifications to, the above-reference items and all associated documents as attached to this report; and,

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

K.2. [22-698](#)

SUBJECT: Report for Discussion on Reconsideration of Preliminary Annexation Application #22-01 for Branford Point Annexation

REPORT IN BRIEF

The City Council will be asked to reconsider support for Preliminary Annexation Application #22-01 for the Branford Point Annexation project, 47.7 acres of mixed-use development on the west side of Lake Road, south of Bellevue Road, which was originally reviewed by City Council on July 18, 2022.

RECOMMENDATION

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

K.3. [22-719](#)

SUBJECT: Provide City Council an Update on Utility Billing Delinquency

REPORT IN BRIEF

Providing an update on utility billing delinquency at the request of the City Council.

RECOMMENDATION

For Information-Only.

K.4. [22-747](#)

SUBJECT: Review, Discussion, and Direction Regarding Community Funding for Fiscal Year 2022/23

REPORT IN BRIEF

Review, discussion, and direction of the Community Funding Requests for

FY 2022/23.

RECOMMENDATION

For information and discussion only.

L. BUSINESS

L.1. [22-738](#)

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.2. [22-739](#)

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