



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, November 20, 2023

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

INDIVIDUALS WITH DISABILITIES

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

A. CLOSED SESSION ROLL CALL

B. CLOSED SESSION

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

- B.1.** [23-1005](#) **SUBJECT: CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Reynaldo Alvarez v. City of Merced; Workers' Compensation Appeals Board Case Number 20811501; AUTHORITY: Government Code Section 54956.9(d)(1)**

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- B.2.** [23-1006](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION; Joseph Weiss v. City of Merced; Workers' Compensation Appeals Board Case Number 17665265; AUTHORITY: Government Code Section 54956.9(d)(1)
- B.3.** [23-943](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Scott McBride; Employee Organizations: Merced Police Officers' Association (MPOA) and Merced Association of Police Sergeants (MAPS). AUTHORITY: Government Code Section 54957.6
- B.4.** [23-945](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Scott McBride; Employee Organizations: International Association of Fire Fighters, Local 1479. AUTHORITY: Government Code Section 54957.6
- B.5.** [23-947](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Scott McBride; Unrepresented Management AUTHORITY: Government Code Section 54957.6
- B.6.** [23-949](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): City Manager Scott McBride; Employee Organizations: American Federation of State, County, and Municipal Employees (AFSCME) Council 57 and Merced Association of City Employees (MACE). AUTHORITY: Government Code Section 54957.6
- B.7.** [23-1021](#) **SUBJECT:** PUBLIC EMPLOYEE APPOINTMENT - TITLE: City Attorney; AUTHORITY: Government Code 54957

C. CALL TO ORDER

- C.1. Invocation - Pastor Joel Dorman, First Baptist Church
- C.2. Pledge of Allegiance to the Flag

D. ROLL CALL

D.1. In accordance with Government Code 54952.3, it is hereby announced that the City Council sits either simultaneously or serially as the Parking Authority, the Public Financing and Economic Development Authority, and the Successor Agency to the Redevelopment Agency. City Council members receive a monthly stipend of \$400.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$100.00 each month as a part of the adopted budget and Resolution 2020-86. The members of the Parking Authority, the Public Financing and Economic Development Authority, and the Successor Agency to the Redevelopment Agency receive no compensation.

E. REPORT OUT OF CLOSED SESSION

F. CEREMONIAL MATTERS

F.1. [23-1007](#) **SUBJECT:** Proclamation - Small Business Saturday

REPORT IN BRIEF

Accepted by members of the Property Based Improvement District Formation Committee.

F.2. [23-1001](#) **SUBJECT:** Proclamation - National Diabetes Day

REPORT IN BRIEF

Accepted by Lauren Figg, an advocate for National Diabetes.

F.3. [23-1008](#) **SUBJECT:** Certificate for Participants that Completed the Community Emergency Response Team (C.E.R.T.) Basic Course

REPORT IN BRIEF

Accepted by participants of the Community Emergency Response Team (C.E.R.T.) Basic Course.

F.4. [23-926](#) **SUBJECT:** Recognition of The Merced County Disc Golf Club for Their Donation of Labor and Materials in the Value of \$4,999 and Continued Support of Disc Golf in the City of Merced

REPORT IN BRIEF

Accepted by the Merced County Disc Golf Club (MCDGC). The Department of Parks & Community Services would like to recognize the MCDGC for their donation of labor and materials in the value of \$4,999.

G. WRITTEN PETITIONS AND COMMUNICATIONS

H. ORAL COMMUNICATIONS

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

I. CONSENT CALENDAR

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

I.1. [23-927](#) **SUBJECT:** Reading by Title of All Ordinances and Resolutions

REPORT IN BRIEF

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

RECOMMENDATION

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

I.2. [23-884](#) **SUBJECT:** Authorization to Accept \$112,000 in Grant Funds from the California Office of Traffic Safety to Conduct DUI Checkpoints, DUI Saturation Patrols, Traffic Safety Enforcement, Distracted Driving Enforcement, Motorcycle Enforcement, Pedestrian/Bicycle Enforcement, Street Racing Enforcement, and Educational Presentations, Along with Funds for Attending Training and Funds for Checkpoint Supplies as Part of the 2023 California Office of Traffic Safety Traffic Enforcement Program Grant

REPORT IN BRIEF

Considers accepting grant funding from the California Office of Traffic Safety offered to the Merced Police Department in the amount of \$112,000 from the Traffic Enforcement Program Grant to conduct DUI Checkpoints, DUI Saturation Patrols, Traffic Safety Enforcement, Distracted Driving Enforcement, Motorcycle Enforcement, Pedestrian/Bicycle Enforcement, Street Racing and Sideshow Enforcement, Educational Presentations;

and, to purchase checkpoint supplies, and to attend training related to alcohol enforcement.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting the 2023 California Office of Traffic Safety Traffic Enforcement Program Grant in the amount of \$112,000; and,
- B. Approving the use of pooled cash until grant funds are reimbursed; and,
- C. Authorizing the Merced Police Department, the City Manager or Designee to execute all necessary documents.

I.3. [23-982](#)

SUBJECT: Adoption of Resolution Acknowledging Receipt of the Merced Fire Department's Annual State Mandated Inspection Compliance Report Regarding the Inspection of Certain Occupancies for the Reporting Period of October 1, 2022, Through September 30, 2023, Pursuant to California Health and Safety Code §13146.4

REPORT IN BRIEF

Considers adopting a Resolution acknowledging receipt of the Merced Fire Department's Annual Compliance Report regarding performance of annual inspections pursuant to California Health and Safety Code (HSC) §13146.4.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2023-84**, a Resolution of the City Council of the City of Merced, California, Acknowledging Receipt of a Report Made by the Fire Chief of the Merced Fire Department Regarding the Inspection of Certain Occupancies Required to Perform Annual Inspections in such Occupancies Pursuant to Sections 13146.2 and 13146.3 of the California Health and Safety Code.

I.4. [23-952](#)

SUBJECT: Approval to Waive the Competitive Bid Process for Rugged Mobile Computers Solutions to Allow for the Cooperative Purchase with Competitively Bid Contract; (Omnia City of Tucson Contract #226017-02 Panasonic North America Connect) Through Vendors Academic Technologies, Adwar Video, ARC, CDS Office Technologies, Code3 Technology, Diversified, GovDirect, Law and Order Technology, LLC, LEHR, MCT, Route1, Rugged Depot,

Turn-Key Mobile, Prologic ITS in a not to Exceed Amount of \$95,000
per Fiscal Year for the Length of the Omnia Contract, Expiring on April
13, 2025

REPORT IN BRIEF

Considers approving to waive the competitive bid process for rugged mobile computers solutions to allow for the cooperative purchase with competitively bid contract; (Omnia City of Tucson Contract #226017-02 Panasonic North America Connect) Through Vendors Academic Technologies, Adwar Video, ARC, CDS Office Technologies, Code3 Technology, Diversified, GovDirect, Law and Order Technology, LLC, LEHR, MCT, Route1, Rugged Depot, Turn-Key Mobile, Prologic ITS in a not to exceed amount of \$95,000 per fiscal year for the length of the Omnia Contract, expiring on April 13, 2025.

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 due to piggybacking; and,
- B. Approving piggybacking onto the City of Tucson contract 226017-02 expiring April 13th, 2025 for a not to exceed amount of \$95,000 per fiscal year; and,
- C. Authorizing the City Manager or Deputy City Manager to execute the necessary documents; and,
- D. Authorizing the Finance Officer to make the necessary budget adjustments.

I.5. [23-951](#)

SUBJECT: Approval of a Supplemental Appropriation in Fund 7009-Computer Replacement in the Amount of \$138,474 for the Replacement of Computers That Have Reached Their End of Useful Life

REPORT IN BRIEF

Considers approving a Supplemental Appropriation in Fund 7009-Computer Replacement in the amount of \$138,474 for the

Replacement of Computers that have reached their End of Useful Life.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a supplemental appropriation from the unreserved, unencumbered fund balance in Fund 7009-Computer Replacement in the amount of \$138,474 and appropriate the same for replacing end-of-life technology assets; and,
- B. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- C. Authorizing the City Manager or designee to execute the necessary documents.

I.6. [23-978](#)

SUBJECT: Approval of First Amendments to Renew the Professional Service Agreements with NV5 (Geotechnical Engineering, Construction Observation, Materials Testing, and Traffic Engineering), Quad Knopf, Inc., (Surveying), JLB Traffic Engineering (Traffic Engineering), and Approval of Second Amendments to Renew the Professional Services Agreements to Advanced Mobility Group (Traffic Engineering), North Star Engineering (Civil Design, Engineering and Surveying), and O'Dell Engineering (Civil Design, Engineering and Surveying), and Approval of First Amendments to Renew and Increase Compensation to Professional Service Agreements with BSK Associates (Geotechnical Engineering, Construction Observation, and Materials Testing), Crawford & Associates (Geotechnical Engineering, Construction Observation, and Materials Testing), and Dokken Engineering (Civil Design and Engineering)

REPORT IN BRIEF

Considers approving multiple Professional Services Agreement Amendments for Geotechnical Engineering, Traffic Engineering, Civil Engineering, Design, and Surveying services for the City's Capital Improvement Projects. The services provided under these agreements will be funded from Capital Improvement Project budgets as needed through the contract period ending September 6, 2024, at the hourly rates set forth in Exhibit B of each original respective agreement.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving First Amendments to Professional Service Agreements with NV5, Quad Knopf, Inc., and JLB Traffic Engineering to extend the term for services to September 6, 2024; and,

B. Approving Second Amendments to Professional Service Agreements with Advance Mobility Group, North Star Engineering, and O'Dell Engineering to extend the term for services to September 6, 2024; and,

C. Approving First Amendments to Professional Service Agreements with BSK Associates, Crawford & Associates, and Dokken Engineering to extend the term for services to September 6, 2024, and increase the Not to Exceed amount for additional project support; and,

D. Authorizing the City Manager or Deputy City Manager to sign the necessary documents; and,

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

I.7. [23-791](#)

SUBJECT Approval of a Professional Services Agreement with Mead & Hunt, Inc., a Wisconsin Corporation to Provide Construction Administration Services for the Merced Yosemite Regional Airport's Improvement Project CP230073, in a not Exceed Amount of \$936,446, Based on the Consultant Hourly Rates Listed Within the Agreement for the Contract Period Ending December 31, 2026

REPORT IN BRIEF

Considers approving the Professional Service Agreement for Construction Administration Services for the Merced Yosemite Regional Airport's Improvement Project in the amount of \$936,446. The service provided under the agreement will be funded by the projects budget as required through the contract period ending December 31, 2026, at the hourly rates set forth in each respective agreement.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Professional Service Agreement with Mead & Hunt, Inc., a Wisconsin Corporation to provide Construction Administration Services for the Merced Yosemite Regional Airport's Improvement Project in the

amount not to exceed \$936,446, for a contract period ending December 31, 2026; and,

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

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

I.8. [23-950](#)

SUBJECT: Award Bid to the Low Bidder, Day's Generator Service, Inc., for the Replacement of the Generators at Well Site 3 and Well Site 10R2, Project Number CP180018, Awarding a Construction Contract in the Amount of \$956,661

REPORT IN BRIEF

Considers awarding a Construction Contract to the low bidder, Day's Generator Service, Inc., for the replacement of the generators at Well Site 3, located at the corner of Canal Street and 12th Street and Well Site 10R2, located on Gerard Avenue east of Campus Parkway, as required by the Environmental Protection Agency Emergency (EPA) in the amount of \$956,661.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the contract to replace the emergency generators at Well Site 3 and Well 10R2, for Project No. CP180018 to the low bidder, Day's Generator Service, Inc., in the amount of \$956,661; 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 authorization to make necessary budget adjustments.

I.9. [23-891](#)

SUBJECT: Adoption of a Resolution Amending the Regional Housing Needs Allocation Unit Production Plan Including a Schedule for In-Lieu Fees

REPORT IN BRIEF

Considers adopting Resolution 2023-83 to amend the Regional Housing Needs Allocation (RHNA) Unit Production Plan including a schedule for In-Lieu Fees

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2023-83**, A Resolution of the City Council of the City of Merced, California, Approving an Amendment to the Regional Housing Needs Allocation Unit Production Plan and related In-Lieu Fee Schedule.

I.10. [23-1018](#)

SUBJECT: Adoption of a Resolution Approving Final Map #5406 for the Renaissance II, Subdivision for 5 Large Lots, Generally Located North of Merced Avenue, East of Coffee Street

REPORT IN BRIEF

Considers approving of Final Map #5406 for 5 large lots, generally located north of east of Coffee Street.

RECOMMENDATION

City Council - Adopt a motion approving **Resolution 2023-86**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Renaissance II Large Lot Subdivision (Final Map#5406).

I.11. [23-1019](#)

SUBJECT: Adoption of a Resolution Approving Final Map #5407 for Renaissance 154, Phase 1 Subdivision for 30 Single-Family Lots, Generally Located North of Merced Avenue, West of Coffee Street Avenue and the Approval of the Subdivision Agreement for the Renaissance 154, Phase 1 Subdivision

REPORT IN BRIEF

Considers approving the Final Map #5407 for 30 single-family lots, located north of Merced Avenue, east of Coffee Street, and the subdivision agreement for the Renaissance 154, Phase 1 Subdivision.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2023-87**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the

Renaissance 154, Phase 1 Subdivision (#5407); and,

B. Approving the Subdivision Agreement for the Renaissance 154, Phase 1 Subdivision; and,

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

I.12. [23-1020](#)

SUBJECT: Adoption of a Resolution Approving Final Map #5411 for Renaissance 154, Phase 2 Subdivision for 31 Single-Family Lots, Generally Located North of Merced Avenue, West of Coffee Street Avenue and the Approval of the Subdivision Agreement for the Renaissance 154, Phase 2 Subdivision

REPORT IN BRIEF

Considers approving the Final Map #5411 for 31 single-family lots, located north of Merced Avenue, east of Coffee Street, and the subdivision agreement for the Renaissance 154, Phase 2 Subdivision.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving **Resolution 2023-88**, a Resolution of the City Council of the City of Merced, California, approving the Final Subdivision Map for the Renaissance 154, Phase 2 Subdivision (#5411); and,

B. Approving the Subdivision Agreement for the Renaissance 154, Phase 2 Subdivision; and,

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

J. PUBLIC HEARINGS

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

J.1. [23-932](#)

SUBJECT: Public Hearing - Merced Fire Department Emergency Medical Services Fee Schedule

REPORT IN BRIEF

Public Hearing to hear comments and adopt a resolution for the Merced Fire Department's Emergency Medical Services Fee Schedule.

RECOMMENDATION

City Council - Adopt **Resolution 2023-85**, A Resolution of the City Council of the City of Merced, California, Adopting the Fire Department's Master Fee Schedule - Emergency Medical Services and to Adjust Existing Fees for Inflation.

K. REPORTS

K.1. [23-889](#)

SUBJECT: City of Merced Financial Forecast and CalPERS Update

REPORT IN BRIEF

Presentation of the Financial Forecast and CalPERS Update.

RECOMMENDATION

Information only.

L. BUSINESS

L.1. [23-1016](#)

SUBJECT: Approval of the City Attorney's Employment Agreement for a Term of Three Years and Adoption of a Resolution to Establish the Publicly Adopted Pay Scale for the City Attorney

REPORT IN BRIEF

Considers approving the City Attorney's Employment Agreement for a term of three years and adoption of Resolution 2023-89 to establish the publicly adopted pay scale for the City Attorney.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the City Attorney's Employment Agreement for a term of three years; and,

B. Adopting **Resolution 2023-89**, a Resolution of the City Council of the City of Merced, California, appointing Craig Cornwell as City Attorney and

approving an Employment Agreement therefore, including annual compensation of \$250,000, plus one-time relocation benefits of \$15,000, and other conditions of employment; and,

C. Authorizing staff to submit the adopted Resolution to the California Public Employees' Retirement System (CalPERS) for confirmation of annual salary amounts and pay scales; and,

D. Authorizing the Mayor to execute the necessary documents; and,

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

L.2. [23-1036](#)

SUBJECT: Council Member Ornelas' Request for an Update from the South Merced Subcommittee

REPORT IN BRIEF

Council Member Ornelas' request for an update from the South Merced subcommittee.

RECOMMENDATION

Provide direction to staff on the next steps.

L.3. [23-928](#)

SUBJECT: Request to Add Item to Future Agenda

REPORT IN BRIEF

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

L.4. [23-929](#)

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