



# 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

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Monday, March 17, 2025

6:00 PM

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

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**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 HAU CITY COUNCIL LUB ROOJ SAB LAJ**

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

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

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

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

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

Material may be emailed to [cityclerk@cityofmerced.org](mailto:cityclerk@cityofmerced.org) no later than 1 PM on the day of the meeting. Please specify which portion of the agenda you are commenting on, for example, Public Hearing item #, Consent item #, or Public Comments. Material received before the deadline will be sent to the City Council and will be part of the record and will be mentioned as part of the Written Petitions and Communications portion of the agenda. Any emails received by the 1PM deadline will be posted on the City's website at [www.cityofmerced.org/departments/city-clerk/council-meetings](http://www.cityofmerced.org/departments/city-clerk/council-meetings). Any correspondence received after the 1PM deadline will be distributed to the City Council and retained for the official record.

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

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

El material puede enviarse por correo electrónico a [cityclerk@cityofmerced.org](mailto:cityclerk@cityofmerced.org) a más tardar a la 1 p.m. del día de la reunión. Especifique qué parte de la agenda está comentando, por ejemplo, el punto # de la audiencia pública, el punto # de consentimiento o los comentarios públicos. El material recibido antes de la fecha límite se enviará al Concejo Municipal y formará parte del registro y se mencionará como parte de la parte de Peticiones y Comunicaciones Escritas de la agenda. Todos los correos electrónicos recibidos antes de la fecha límite de la 1 p.m. se publicarán en el sitio web de la Ciudad en [www.cityofmerced.org/departments/city-clerk/council-meetings](http://www.cityofmerced.org/departments/city-clerk/council-meetings). Cualquier correspondencia recibida después de la 1 p.m. se distribuirá al Concejo Municipal y se conservará para el registro oficial.

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

Cov pej xeeem 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.

Cov ntaub ntawv tuaj yeem xa email tau rau ntawm [cityclerk@cityofmerced.org](mailto:cityclerk@cityofmerced.org) tsis pub dhau li 1 PM rau hnuv lub rooj yuav sib tham. Thov qhia kom meej tias nqe twg ntawd cov txheej txheem koj xav tawm tswv yim rau, piv txwv li, Cov Lus Hais hais rau pej xeeem ntawd yog nqe twg #, Cov Lus Pom Zoo ntawd yog nqe twg #. los yog cov lus tso rau Pej Xeeem tawm tswv yim rau. Cov

ntaub ntawv tau txais ua ntej hnuv kawg yuav xa mus rau cov Nom Tswv City Council thiab yuav yog ib feem ntawm cov ntaub ntawv khaws tseg thiab yuav raug hais raws li ib feem ntawm kev sau ntawv thov tuaj thiab kev sib hais ntawm cov txheej txheem. Txhua qhov email tau txais 1 PM ntawd yuav muab tso rau hauv Lub Nroog qhov website ntawm [www.cityofmerced.org/departments/city-clerk/council-meetings](http://www.cityofmerced.org/departments/city-clerk/council-meetings). Txhua tsab ntawv uas tau txais tom qab 1 PM lawm yuav muab xa rau cov Nom Tswv City Council thiab yuav khaws tseg rau hauv cov ntaub ntawv cai.

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

## 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.** [25-230](#) **SUBJECT: CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION Significant Exposure to Litigation. One (1) Potential Case. Pursuant to California Government Code Section § 54956.9(d) (2)**

**B.2.** [25-231](#) **SUBJECT: CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Jasso vs. City of Merced; WCAB Case Number FRE-ADJ 15524679; Pursuant to California Government Code Section 54956.9(d)(1)**

## C. CALL TO ORDER

Invocation - Pastor Felix Phil Jenkins, Mount Olive Missionary Baptist Church

Pledge of Allegiance to the Flag

## D. ROLL CALL

In accordance with Government Code 54952.3, it is hereby announced that the City Council sits either simultaneously or serially as the Parking Authority, the Public Financing and Economic Development Authority, and the Successor Agency to the Redevelopment Agency. City Council members receive a monthly stipend of \$500.00 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 2024-78. 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. SPECIAL PRESENTATIONS

- F.1. [25-226](#) SUBJECT: Tahitian Dance Performance

### REPORT IN BRIEF

A Tahitian dance performed by the South Pacific Dance Company.

## G. CEREMONIAL MATTERS

- G.1. [25-160](#) SUBJECT: Proclamation - National Vietnam War Veterans Day

### REPORT IN BRIEF

Received by representatives from the Daughters of the American Revolution.

## H. WRITTEN PETITIONS AND COMMUNICATIONS

## I. PUBLIC COMMENT

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 3 minutes. The Mayor may propose a further limit to the time available for all speakers at the discretion of the City Council, 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.

## J. 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.

- J.1. [25-041](#) 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.

J.2. [24-1162](#)

**SUBJECT:** Approval of NASPO ValuePoint Agreement #MA1502 CELLCO PARTNERSHIP, D.B.A. Verizon Wireless Amendments Number Four Through Eight for Wireless Data and Voice Services

**REPORT IN BRIEF**

Considers approving a NASPO ValuePoint Agreement #MA1502 CELLCO PARTNERSHIP, D.B.A. Verizon Wireless Amendments Number Four Through Eight for Wireless Data and Voice Services.

**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 a cooperative purchase agreement through NASPO ValuePoint, a government procurement program; and,
- B. Approval of NASPO ValuePoint Agreement #MA1502 CELLCO PARTNERSHIP, D.B.A Verizon Wireless Amendments Number Four Through Eight for Wireless Data and Voice Services; and,
- C. Authorizing the City Manager or designee to execute the necessary documents.

J.3. [25-202](#)

**SUBJECT:** Approval to Authorize the City Manager to Execute an Agreement with Ahead Inc Doing Business as Kovarus Inc for a Server and Storage Area Network System for \$306,453.22 with 5% Contingency in an Amount not-to-Exceed \$321,776 in Fiscal Year 2024/2025 Through the State of California's Cooperative Agreement 1-24-70-19-19-70-19H1

**REPORT IN BRIEF**

Considers approving to authorize the City Manager to Execute an Agreement with Ahead Inc Doing Business as Kovarus Inc for a Server and Storage Area Network System for \$306,453.22 with 5% Contingency in a not to Exceed Amount of \$321,776 in Fiscal Year 2024/2025 Through the State of California's Cooperative Agreement 1-24-70-19-19-70-19H1.

**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 the State of California's cooperative purchasing program; and,
- B. Approving the use of State of California Cooperative Agreement 1-24-70-19-19 (Enterprise Technology); and,
- C. Authorizing the City Manager to execute the necessary documents; and,
- D. Authorizing the Buyer to issue a Purchase Order with Ahead Inc Doing Business As Kovarus Inc in an amount not to exceed \$321,776 of technology solutions.

J.4. [25-006](#)

**SUBJECT:** Acceptance of the 2024 General Plan Annual Report Summarizing the Status of the Merced Vision 2030 General Plan and the Steps Taken to Implement the General Plan Policies and Implementation Actions and Acceptance of the 2024 Housing Element Annual Progress Report Summarizing the City's Progress in Meeting the City's Share of Regional Housing Needs and the Goals and Policies of the Housing Element Including Number of Entitlements, Permits, and Certificates of Occupancy for All Housing Types

**REPORT IN BRIEF**

Considers accepting the 2024 General Plan Annual Progress Report and the 2024 Housing Element Annual Progress Report and allows the public an opportunity to provide oral testimony and written comments regarding the 2024 Housing Element Annual Progress Report for information only.

**RECOMMENDATION**

**City Council** - Adopt a motion accepting the 2024 General Plan Annual Report and the 2024 Housing Element Annual Progress Report for information only.

J.5. [25-200](#)

**SUBJECT:** Approval to Purchase Two 2025, Hybrid Engine, AWD, Toyota Sienna from Certified Toyota Dealership(s) with Funding from the Youth Community Access Grant Award for an Amount Not To Exceed \$102,764.00

**REPORT IN BRIEF**

Considers approving to waive competitive bidding requirements and purchasing two 2025, Hybrid Engine, AWD, Toyota Sienna from certified Toyota Dealerships for a not to exceed amount of \$102,764.00 to meet deliverables for the Youth Community Access Grant.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Waiving the competitive bidding process for a direct purchase; and,
- B. Approving the purchase of two 2025 Hybrid, AWD, Toyota Sienna from a Certified Toyota Dealer(s) for an amount not to exceed \$102,764.00; and,
- C. Authorizing the Purchasing Supervisor to issue a Purchase Order and the City Manager to execute any other necessary documents.

J.6. [25-164](#)

**SUBJECT:** Approval of a Card-Lock Fuel Station Service Agreement and a Fuel Delivery Services Agreement with Van De Pol Enterprises, Inc., for the Term of July 1, 2025, Through June 30, 2027, with the Option to Extend for Three Additional One-Year Periods Through June 30, 2030

**REPORT IN BRIEF**

Considers approving two separate multi-year service agreements with Van De Pol Enterprises, Inc., to provide fueling services for City vehicles for the period of July 1, 2025, through June 30, 2027, with potential extension through June 30, 2030.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving a Service Agreements with Van De Pol Enterprises, Inc., to provide card-lock fueling services for City vehicles; and,
- B. Approving a Service Agreement with Van De Pol Enterprise, Inc., to provide fuel delivery services to all City dispensing stations and various generator sites; and,
- C. Authorizing the City Manager to execute the necessary documents including executing option periods.

J.7. [25-181](#)

**SUBJECT:** Approval of a Statement of Service with Park Planet, in the

Amount of \$108,208.63, for a Measure Y Funded Project to Replace  
Playground Equipment at Dennis Chavez Memorial Park CP250044  
and Diego Rivera Park CP250043

**REPORT IN BRIEF**

Considers approving a Statement of Service with Park Planet for a Measure Y funded project to replace playground equipment at two parks in South Merced.

**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 standardizing existing park equipment; and,

B. Approving a Statement of Service with Park Planet in the amount of \$108,208.63 for playground equipment at two (2) parks and approving change orders up to 10% of the contract price; and,

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

**K. ACTION ITEMS**

**K.1.** [25-150](#)

**SUBJECT:** Adoption of a Resolution to Approve the Multi-Jurisdictional Local Road Safety Plan and Approval of Environmental Review #25-06 Statutory Exemption for Feasibility and Planning Studies Pursuant to CEQA Guideline Section 15262

**REPORT IN BRIEF**

Considers adopting a resolution to approve the Multi-Jurisdiction Local Road Safety Plan and approving Environmental Review #25-06 - Statutory Exemption for Feasibility and Planning Studies Pursuant to CEQA Guideline Section 15262.

**RECOMMENDATION**

**City Council** - Adopt a motion adopting **Resolution 2025-16**, a Resolution of the City Council of the City of Merced, California, adopting the Multijurisdictional Local Road Safety Plan.

**K.2.** [25-155](#)

**SUBJECT:** Administering Agency Amendment Modification Summary (E-76) for a Congestion Mitigation and Air Quality Improvement

(CMAQ) Grant CML-5085(060) for Use of \$80,896 in  
Post-Programming CMAQ Carryover Apportionment to Supplement the  
Construction Phase Funding for Project No. CP220064 - Sidewalks  
Along Parkwest Street and McGregor Street

**REPORT IN BRIEF**

Considers accepting \$80,896 in Post-Programming CMAQ Carryover Apportionment for construction of sidewalks on Parkwest Street between Woodward Avenue and Windsor Avenue; McGregor Street between Home Avenue and Stuart Drive; Windsor Avenue between Parkwest Street and South R Street, Woodward Avenue between Parkwest Street and South R Street, and Home Avenue between Parkwest Street and McGregor Street.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Accepting Post-Programming CMAQ Carryover Apportionment funds in the amount of \$80,896; and,
- B. Approving a budget amendment increasing revenue in Fund 5005-Street and Signal CIP in the amount of \$80,896 and appropriating the same to Project No. CP220064 for costs associated with the construction of sidewalks on Parkwest Street, McGregor Street, Windsor Avenue, Woodward Avenue, and Home Avenue; and,
- C. Approving the use of pooled cash until reimbursement is received from the grant; and,
- D. Authorizing the City Manager to execute the necessary documents.

**K.3.** [25-133](#)

**SUBJECT:** Approval to Increase Revenue from the California Office of Emergency Services in the Amount of \$38,000 and Appropriate the Same in the General Fund for the Existing Contract with Forensics Nurse Specialist of Nor CA (FNSNC), LLC for a not to Exceed Amount of \$76,000 for Specialized SART Exams Through August 1, 2025

**REPORT IN BRIEF**

Considers approving an increase in revenue from the California Office of Emergency Services (Cal OES) in the amount of \$38,000 and appropriating the same in the General Fund for the existing contract with Forensics Nurse Specialist of Nor CA (FNSNC), LLC for a not to exceed amount of \$76,000 for specialized SART exams through August 1, 2025.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Approving an increase in revenue in the amount of \$38,000 from the California Office of Emergency Services and appropriating the same in the General Fund to continue the contract for local forensic exam services for victims and suspects involved in sexual assault investigations; and,
- B. Approving up to \$76,000 with Forensic Nurse Specialists through August 1, 2025; and,
- C. Authorizing the City Manager to execute the necessary documents.

**K.4.** [25-229](#)

**SUBJECT:** Approval to Accept Revenue from an Insurance Claim and Appropriate \$1,401,256.94 for the Sun Star Building and Approve a Statement of Service with CVE Demolition for \$211,775 Plus 20% Contingency

**REPORT IN BRIEF**

Considers approving a partial proof of loss payment from McLarens Property Insurance Company for the claim submitted to Alliant Property Insurance for damages caused by the August 27, 2024, structure fire to the Merced Sun Star Building.

**RECOMMENDATION**

**City Council** - Adopt a motion:

- A. Ratifying the Emergency Declaration due to the fire of the Sun Star Building; and,
- B. Approving the Partial Proof of Loss Sworn Statement; and,
- C. Accepting, Increasing Revenue in the amount of \$1,401,256.94 and appropriating the same in Fund 5004 Public Safety CIP; and,
- D. Ratifying Waiving Competitive Bidding due to the Emergency Declaration and approving a Statement of Services with CVE Demolition to demolish the Merced Sun Star building for \$211,775 plus 20% contingency for a not to exceed amount of \$254,130; and,
- E. Approving the use of pooled cash until reimbursement from the

insurance claim has been received; and,

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

G. Allowing the Finance Officer to accept and appropriate future funds received from the insurance claim.

## L. REPORTS

L.1. [25-026](#) **SUBJECT: Housing Successor Agency Annual Report for Fiscal Year 2023-2024**

### REPORT IN BRIEF

Annual Report summarizing Housing Successor activity for the City of Merced (City) in Fiscal Year (FY) 2023-24 per Senate Bill (SB) 341 (DeSaulnier 2013-14), which requires the City to prepare an annual report on the City's compliance with housing successor requirements imposed by Health and Safety Code (HSC) Section 34176.1(f).

### RECOMMENDATION

**City Council** - Receive and file the Housing Successor Agency Annual Report for Fiscal Year 2023-2024.

## M. BUSINESS

M.1. [25-217](#) **SUBJECT: Appointments to the Planning Commission (District 4)**

### REPORT IN BRIEF

Accept nominations to fill a seat on the Planning Commission.

### RECOMMENDATION

**City Council** - Adopt a motion:

A. Accepting nominations and appointing an individual to serve as a member of the Planning Commission (District 4); or,

B. Directing staff to continue the recruitment of applicants.

M.2. [25-218](#) **SUBJECT: Appointments to the Recreation and Parks Commission (District 3)**

### REPORT IN BRIEF

Accept nominations to fill a seat on the Recreation and Parks Commission.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Accepting nominations and appointing an individual to serve as a member of the Recreation and Parks Commission (District 3); or,

B. Directing staff to continue the recruitment of applicants.

**M.3.** [25-216](#)

**SUBJECT:** Appointments to the Tax Transparency Commission (Districts 3 and 4)

**REPORT IN BRIEF**

Accept nominations to fill the Districts 3 and 4 seats on the Tax Transparency Commission.

**RECOMMENDATION**

**City Council** - Adopt a motion:

A. Accepting nominations and appointing individuals to serve as members of the Tax Transparency Commission (Districts 3 and 4); or,

B. Accepting nominations and appointing as many members as Council sees appropriate and directing staff to continue the recruitment of applicants.

**M.4.** [25-048](#)

**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.

**M.5.** [25-052](#)

**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.

**N. ADJOURNMENT**