



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, June 5, 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 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 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 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 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 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.

Tej ntaub ntawv thov muab xa rau cityclerk@cityofmerced.org thiaj 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) thiaj 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.** [23-485](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Jeffrey Gonzales v. City of Merced; Workers' Compensation Appeals Board Case No. FRE-ADJ 15941693; Authority: Government Code Section 54956.9(d)(1)
- B.2.** [23-460](#) **SUBJECT:** PUBLIC EMPLOYEE APPOINTMENT - TITLE: City Attorney; AUTHORITY: Government Code 54957
- B.3.** [23-461](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED

LITIGATION Initiation of Litigation Pursuant to Paragraph (4) of
Subdivision (d) of Section 54956.9: one (1) Potential Case

- B.4.** [23-493](#) **SUBJECT:** CONFERENCE WITH REAL PROPERTY NEGOTIATORS -
Property: 151 Hawk Drive, APN: 059-420-013; Agency Negotiator:
Frank Quintero, Deputy City Manager; Negotiating Parties: Russell
Leitch, Dkota Investment Inc. and City of Merced; Under Negotiation:
Price and Terms of Payment

C. CALL TO ORDER

C.1. Invocation - Monika Grasley, Lifeline Community Development Corporation

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 and the Public Financing and Economic Development Authority. City Council members receive a monthly stipend of \$400.00 by Charter for sitting as the City Council; and the Mayor receives an additional \$100.00 each month as a part of the adopted budget and Resolution 2020-86. The members of the Parking Authority and the Public Financing and Economic Development Authority receive no compensation.

E. REPORT OUT OF CLOSED SESSION

F. CEREMONIAL MATTERS

- F.1.** [23-433](#) **SUBJECT:** Proclamation - Merced Pride Month

REPORT IN BRIEF

Received by a representative of the Merced LGBTQ+ Alliance.

- F.2.** [23-434](#) **SUBJECT:** Proclamation - Juneteenth

REPORT IN BRIEF

Received by Allen Brooks, NAACP President.

- F.3.** [23-474](#) **SUBJECT:** Recognition of Fire Chief Derek Parker's California
Emergency Medical Services Authority's (EMSA) EMS Cross Award

REPORT IN BRIEF

Fire Chief Derek Parker will be recognized for being nominated and selected to receive the California Emergency Medical Services Authority's

(EMSA) EMS Cross Award.

G. SPECIAL PRESENTATIONS

- G.1. [23-411](#) **SUBJECT:** Review of Merced Fire Department FIRE OPS 101 From April 22, 2023

REPORT IN BRIEF

Merced Fire Department and Merced City Firefighters Association hosted an IAFF FIRE OPS 101 event on April 22, 2023.

H. WRITTEN PETITIONS AND COMMUNICATIONS

I. 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.

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. [23-079](#) **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. [23-430](#) **SUBJECT:** Information Only Contracts for the Month of May 2023

REPORT IN BRIEF

Notification of awarded Non-Public Works contracts under \$36,000 and of Public Works contracts under \$82,718.

J.3. [23-432](#)

SUBJECT: Information Only - Boards and Commissions Annual Attendance Reports

REPORT IN BRIEF

Annual attendance review conducted with results filed with the City Clerk's Office.

RECOMMENDATION

For information only.

J.4. [23-388](#)

SUBJECT: Information Only - Bicycle and Pedestrian Advisory Minutes of December 13, 2022

RECOMMENDATION

For information only.

J.5. [23-467](#)

SUBJECT: Approval of a Supplemental Appropriation from the General Fund in the Amount of \$270,000 to Fund 7002-Workers Compensation Due to Increased Worker's Compensation Settlement Activity in Fiscal Year 2022-2023

REPORT IN BRIEF

Considers approving a supplemental appropriation in the General Fund in the amount of \$270,000 to Fund 7002-Worker's Compensation due to higher than projected worker's compensation settlement activity than what was originally budgeted for in fiscal year 2022-2023.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a supplemental appropriation from the unreserved, unencumbered fund balance of the General Fund in the amount \$270,000, transfer to Fund 7002-Worker's Compensation and appropriate the same in Fund 7002-Worker's Compensation; and,

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

J.6. [23-448](#)

SUBJECT: Approval to Distribute the 2021-22 Wahneta Hall Trust Funds in the Amount of \$3,581 to the Kiwanis Club of Greater Merced

to Operate and Maintain a Mini Train in Applegate Park

REPORT IN BRIEF

Considers approving the disbursement of the Wahneta Hall Trust Fund to the Kiwanis Club of Greater Merced in the amount of \$3,581 to be used to operate and maintain the train at Kiddieland in Applegate Park.

RECOMMENDATION

City Council - Adopt a motion approving an allocation of the 2021-22 Wahneta Hall Trust Funds of \$3,581 to the Kiwanis Club of Greater Merced per the Recreation and Parks Commission recommendation.

J.7. [23-465](#)

SUBJECT: Approval of Street Closure Request and Use of City Owned Real Estate by the Juneteenth Celebration Committee for the Juneteenth Community March and Celebration on June 17th, 2023

REPORT IN BRIEF

Considers approving the use of a portion of Parking Lot #14 Located at 1739 Martin Luther King Jr. Way, and the closure of Martin Luther King Jr Way from West 18th Street to West Main Street, West Main Street to M Street, M Street to W 11th Street, W 11th Street to K Street into (McNamara Park) on Saturday June 17th, 2023, to have a staging area, hold a march, parade and food preparation for the Juneteenth Celebration. The use of Bob Hart Square for the Juneteenth Celebrate Freedom Event from 10:00 a.m. to 3:00 p.m.

RECOMMENDATION

City Council - Adopt a motion approving the request by Tamara Cobb and the Juneteenth Celebration Committee to use a portion of Parking Lot #14 Located at 1739 Martin Luther King Jr. Way, and the closure of Martin Luther King Jr Way from West 18th Street to West Main Street, West Main Street to M Street, M Street to W 11th Street, W 11th Street to K Street into (McNamara Park) on Saturday June 17th, 2023 to have a staging area, hold a march, parade and food preparation for the Juneteenth Celebration. The use of Bob Hart Square for the Juneteenth Celebrate Freedom Event from 10:00 a.m. to 3:00 p.m.

J.8. [23-446](#)

SUBJECT: Authorization to Accept and Appropriate \$3,000,000 from Senator Anna M. Caballero for the Merced Regional Fire Training Center, Phase 1

REPORT IN BRIEF

Considers accepting and appropriating funding in the amount of \$3,000,000 from Senator Anna M. Caballero, who secured funding from the state's budget to help support the Merced Regional Fire Training Center, Phase 1.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting and increasing the revenue in Fund 5004-Public Safety CIP, project CP230076 in the amount of \$3,000,000; and,
- B. Appropriating the same to Fund 5004-Public Safety CIP, Project CP230076; and,
- C. Authorizing the City Manager or Deputy City Manager to execute the necessary documentation.

J.9. [23-486](#)

SUBJECT: Authorize the City of Merced to Apply, in Partnership with Merced County Probation Department, for the Organized Retail Theft Prevention Grant Program from the Board of State and Community Corrections

REPORT IN BRIEF

Authorizing the City of Merced to apply for the Organized Retail Theft Prevention Grant Program from the Board of State and Community Corrections (BSCC), in partnership with the Merced County Program Department. No matching funds are required.

RECOMMENDATION

City Council - Adopt a motion authorizing the submission of a grant application to the Organized Retail Theft Prevention Grant Program from BSCC for a total estimated project cost of \$12,250,000 and allowing the City Manager or Deputy City Manager to execute any necessary documents related to the grant submission.

J.10. [23-482](#)

SUBJECT: Rescind a Previously Approved Purchase and Sale Agreement with Dkota Investments, Inc. for a 3.1-Acre Site in the Airport Industrial Park, and Approve a Proposed Purchase and Sale Agreement with Dkota Investments, Inc., for a 2.74 Acre Site in the Airport Industrial Park for \$383,600.00 Located at 151 Hawk Drive Also Known as APN 059-420-013 for the Construction of a Warehouse Building

REPORT IN BRIEF

Staff is requesting that Council cancel a previous Purchase and Sale Agreement with Dkota Investments, Inc. for a 3.1-acre site in the Airport Industrial Park, and consider the terms contained in a new Purchase and Sale Agreement for the disposal of a 2.74-acre site in the Airport Industrial Park for \$383,600.00 for the construction of an 11,478 square-foot warehouse building.

RECOMMENDATION

City Council - Adopt a motion:

- A. Rescinding the previous Purchase and Sale Agreement with Dkota Investments, Inc., for a 3.1-acre site located at 157 Hawk Drive (APN 059-420-012) considered on September 9, 2022; and,
- B. Approving the terms of the new Purchase and Sale Agreement with Dkota Investments, Inc., for the disposition of 2.74-acre site located at 151 Hawk Drive (portion of APN 059-420-013); and,
- C. Appropriating \$23,016.00 in Fund 5003-Airport Industrial Park from the proceeds of the sale to pay for Real Estate Commission; and,
- D. Authorizing the City Manager or Deputy City Manager to execute the necessary documents and make minor adjustments to the Purchase and Sale Agreement as needed (not effecting the purchase price).

J.11. [23-440](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirement, and Authorizing the Agreement with the Merced Main Street Association for \$60,000 for Services and the Administration of the Downtown Business Improvement Area for Fiscal Year 2022-2023

REPORT IN BRIEF

Considers approving to waive the competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 and approving an Agreement between the City of Merced and the Merced Main Street Association for \$60,000 to provide services to the Downtown Business Improvement Area during Fiscal Year 2022-2023.

RECOMMENDATION

City Council - Adopt a motion:

- A. Waiving the City's competitive bidding requirement as permitted by

Merced Municipal Code section 3.04.210 based on the Merced Main Street Association's proven experience of providing the Administration of Downtown Services since 2015 and providing continuity during the formation of the PBID; and,

B. Approving the agreement with the Merced Main Street Association for Downtown Services for 2022-2023 in the amount of \$60,000; and,

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

J.12. [23-379](#)

SUBJECT: First Amendment to Agreement for Professional Services with Provost and Pritchard Engineering Group, Incorporated, for the PCE Groundwater Project No. CP230031

REPORT IN BRIEF

Considers authorizing an amendment to an Agreement for Professional Services for critical equipment repairs to the PCE treatment system in the amount of \$19,899, for a contract total of \$244,800.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving an amendment to an Agreement for Professional Services with Provost and Pritchard Engineering Group, Incorporated, in the amount of \$19,899 for PCE groundwater cleanup; and,

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

J.13. [23-321](#)

SUBJECT: Award Construction Contract to New Century Construction & Consulting Inc. for the Ada Givens Pool Bathroom Rehabilitation, Project No. CP220011, in the Amount of \$195,550 and Approval of a Supplemental Appropriation in the Amount of \$40,000 from the General Fund and Transfer to Fund 5000-Parks and Community Services CIP

REPORT IN BRIEF

Considers awarding a Construction Contract to New Century Construction & Consulting Inc. in the amount of \$195,550 for the Ada Givens Pool Bathroom Rehabilitation project located at Ada Givens Elementary School.

RECOMMENDATION

City Council - Adopt a motion:

- A. Awarding the Ada Givens Pool Bathroom Rehabilitation, Project No. CP220011 Construction contract to New Century Construction & Consulting Inc. in the amount of \$195,550; and,
- B. Approving supplemental appropriation in the amount of \$40,000 from the General Fund unreserved, unencumbered fund balance; transfer to Fund 5000-Parks and Community Services CIP and appropriate the same in Fund 5000, project CP220011-Ada Givens Pool Bathroom Rehabilitation; and,
- C. 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,
- D. Authorizing the Finance Officer to make necessary budget adjustments.

J.14. [23-491](#)

SUBJECT: Lease Agreement (Revision 2) with Williams Scotsman, Inc. to Provide a Temporary Portable Building for the Stephen Leonard Park Building Rehabilitation Structural Repairs, Project Number CP230052, in the Amount of \$80,811, Increasing Revenue in the Amount of \$6,548, and Appropriating the Same, Totaling \$114,785 for the Portable Building

REPORT IN BRIEF

Considers approving a Lease Agreement (Revision 2) with Williams Scotsman, Inc., for a temporary portable building at Stephen Leonard Park to provide office space for the current tenant or any future tenant while the Stephen Leonard Building is being repaired, increasing revenue in the amount of \$6,548, and appropriating the same, totaling \$114,785 for the portable building.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving the Lease Agreement (Revision 2) with Williams Scotsman, Inc. in the amount of \$80,811.00 to provide a temporary portal building at Stephen Leonard Park for the Stephen Leonard Park Building Rehabilitation Structural Repairs; and,
- B. Approving an increase to cost recovery revenue in Fund 5000-Parks and Community Services in the amount of \$6,548, appropriating the same

in Fund 5000-Parks and Community Services CIP Project Number CP230052-Stephen Leonard Building Repairs and allowing the use of pooled cash until reimbursement is received from the insurance company; and,

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

D. Authorizing the Finance Officer to make necessary budget adjustments for the for the Lease Agreement, building hook-up costs, and essentials.

J.15. [23-495](#)

SUBJECT: Reject All Bids Received for Project No. CP230060 Merced Yosemite Regional Airport Terminal

REPORT IN BRIEF

Considers rejecting all bids received to construct the new airport terminal due to non-responsive bids.

RECOMMENDATION

City Council - Adopt a motion rejecting all bids received for Project No. CP230060 Merced Yosemite Regional Airport Terminal Project due to non-responsive bidders and direct staff to re bid project.

K. 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.

K.1. [23-320](#)

SUBJECT: Final Public Hearing (Continued) - Receipt of Final Public Comment and Approval of the U.S. Department of Housing and Urban Development (HUD) 2023 Annual Action Plan

REPORT IN BRIEF

Re-open and hold the Final/Second Public Hearing that was continued from the May 1, 2023, Council Meeting, in order to provide the public opportunity for final comment to the Final Draft 2023 Annual Action Plan; Discuss and provide final direction to staff regarding any final changes to project funding or other items; Award of funding to the final list of 2023 projects as per previous Council Direction; Approval of the 2023 Annual Action Plan; and, Authorizing the City Manager or Deputy City Manager to execute all documents necessary to submit the finalized plan to HUD and

to accept the Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) grants after approval by HUD.

RECOMMENDATION

City Council -

A. Re-open and conduct the Public Hearing to receive any final public input regarding the Draft 2023 Annual Action Plan; and,

B. Discuss and provide final direction to staff regarding any section of the Plan;

and, Adopt a motion:

C. Awarding HUD funding to the final Subrecipients for their respective projects/programs, as listed in the Administrative Report, contingent upon HUD's final approval and provided all National Objectives and HUD eligibility requirements, including environmental clearances, are met and obtained for each proposed project activity; and,

D. Adopting **Resolution 2023-34**, A Resolution of the City Council of the City of Merced, California, Approving the 2023 HUD Annual Action Plan, certifying compliance with the requirements of the Community Development Block Grant (CDBG) Program and Home Investment Partnership (HOME) Program.

K.2. [23-463](#)

SUBJECT: Public Hearing to Allow the Interested Public an Opportunity to Provide Input on the Content of the City Council, Public Financing and Economic Development Authority and the Parking Authority Fiscal Year 2023-24 Proposed Budget and After Hearing all Comments Continue the Public Hearing to June 20, 2023

REPORT IN BRIEF

Public Hearing to afford the interested public an opportunity to provide input on the content of the 2023-24 City Council, Public Financing and Economic Development Authority, and Parking Authority Proposed Budget.

RECOMMENDATION

City Council/Public Financing and Economic Development

Authority/Parking Authority - It is recommended that the City

Council/Authorities conduct the Public Hearing and provide direction to the City Manager on the content of the Fiscal Year 2023-24 Budget; and adopt

a motion continuing the Public Hearing to the June 20, 2023, Council Meeting.

K.3. [23-210](#)

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. 24 into CFD No. 2003-2 (Services; Canvassing the Results of the Election Held within Annexation No. 24 of Said District, and Annexing Annexation No. 24 to Said District and Authorizing the Levy of a Special Tax Within Said Annexation No. 24. Annexation No. 24 Consists of Approximately 38 Acres of Land Generally Located at the Northwest Corner of G Street and Farmland Avenue

REPORT IN BRIEF

Hold a public hearing and election for annexation into Community Facilities District No. 2003-2 (Services) for the approximately 38 acres of land generally located at the northwest corner of G Street and Farmland Avenue.

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 2023-35**, 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. 24; and,

C. Holding an election; and,

D. Adopting **Resolution 2023-36**, 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. 24 of said District; and,

E. Adopting **Resolution 2023-37**, 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. 24 to said district and authorizing the levy of a special tax within said Annexation No. 24.

L. REPORTS

L.1. [23-174](#)

SUBJECT: Report to Allow for Public Input on the Various Maintenance Districts' Engineer's Reports and Budgets for Fiscal Year 2023/2024 During the Public Meeting

REPORT IN BRIEF

Considers public input on the various Maintenance Districts' budgets during the public meeting, without taking action on the determination of assessment levy until the close of the Public Hearing scheduled for Tuesday, June 20, 2023.

RECOMMENDATION

City Council - Adopt a motion seeking public input on the Fiscal Year 2023/2024 Maintenance Districts' budgets, without taking action until the Public Hearing is closed on June 20, 2023.

M. BUSINESS

M.1. [23-477](#)

SUBJECT: Formally Announcing the Mayor and City Council's Selection for Interim City Attorney, Approval of the City Attorney's Employment Agreement for a Term of Six (6) Months and Adoption of a Resolution Appointing an Interim City Attorney and Approving an Employment Agreement

REPORT IN BRIEF

The Mayor and City Council have concluded a preliminary search for an Interim City Attorney and desires to enter into an employment agreement with the candidate the Mayor and City Council have selected to serve as Merced's Interim City Attorney for a period of six (6) months and adopting a Resolution.

RECOMMENDATION

City Council - Adopt a motion:

A. Formally Announcing the Mayor and City Council's Selection for Interim City Attorney and Approving the Interim City Attorney's Employment Agreement and Salary Resolution; and,

B. Adopting **Resolution 2023-38**, a Resolution of the City Council of the City of Merced, California, appointing Brian L. Doyle as Interim City

Attorney and approving an Employment Agreement therefore including compensation and other terms and conditions of employment; and,

C. Authorizing the Mayor to sign the Interim City Attorney's Employment Agreement on behalf of the City.

M.2. [23-413](#)

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.3. [23-414](#)

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