



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, September 18, 2023

6:00 PM

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

Closed Session at 5:30 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.** [23-641](#) SUBJECT: PUBLIC EMPLOYEE APPOINTMENT - Title: City Manager/City Clerk; Authority: Government Code Section 54957

C. CALL TO ORDER

C.1. Invocation - Pastor Juan Ochoa, Calvary Assembly of God

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. [23-694](#) **SUBJECT:** Proclamation - Constitution Week

REPORT IN BRIEF

Received by a representative of the Daughters of the American Revolution
the Merced River Chapter.

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. [23-732](#) **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. [23-805](#)

SUBJECT: Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of February 6, 2023

REPORT IN BRIEF

Official adoption of previously held meeting minutes.

RECOMMENDATION

City Council/Public Financing and Economic Development/Parking Authority - Adopt a motion approving the meeting minutes of February 6, 2023.

I.3. [23-523](#)

SUBJECT: Approval of Allocation of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant Program Resources and Approval of the Associated Subrecipient Agreement with Habitat for Humanity Merced/Stanislaus Counties for their Homeowner Occupied Rehabilitation "A Brush with Kindness" Program Approved with the Adopted 2022 and 2023 Annual Action Plans

REPORT IN BRIEF

Considers approving to authorize the execution of a three-year program Community Development Block Grant (CDBG) Subrecipient Agreement with Habitat for Humanity Merced/Stanislaus Counties (\$300,000).

RECOMMENDATION

City Council - Adopt a Motion:

A. Approving the agreement for the program identified in the 2022 and 2023 HUD Annual Action Plans using Fiscal Year 2022-23 and 2023-24 CDBG funds with Habitat for Humanity Merced/Stanislaus Counties in the

amount of \$300,000 for the “A Brush with Kindness” Program; and,

B. Authorizing the City Manager or the Deputy City Manager to execute, and if necessary, direct staff to make minor modifications to the agreement described above and as attached, and all associated documents and exhibits; and,

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

I.4. [23-742](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirement for the Professional Services Agreement with Gaetke Medical Corporation and 1582, LLC for the Provision of Comprehensive Occupational Medical Physicals in an Amount not to Exceed \$64,170

REPORT IN BRIEF

Considers approving to waive the competitive bidding requirement for the Professional Services Agreement with Gaetke Medical Corporation and 1582, LLC for the purpose of providing comprehensive occupational medical physicals of fire suppression personnel in an amount not to exceed \$64,170.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the waiver of the competitive bidding requirement due to the vendor being vetted through MFD; and,

B. Approving a Professional Services Agreement with Gaetke Medical Corporation and 1582, LLC in an amount not to exceed \$64,170, for the purpose of providing comprehensive occupational medical physicals of fire suppression personnel through January 1, 2025; and,

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

I.5. [23-815](#)

SUBJECT: Adoption of Resolution of the Successor Agency to the Redevelopment Agency of the City of Merced Approving an Amended Recognized Obligation Payment Schedule for January 1, 2024 Through June 30, 2024 (Amended ROPS 23-24B)

REPORT IN BRIEF

Considers approving and adopting an amended Recognized Obligation Payment Schedule as the Successor Agency to the Redevelopment Agency of the City of Merced for January 1, 2024 through June 30, 2024 which is due to the Department of Finance by October 1, 2023.

RECOMMENDATION

Successor Agency - Adopt a motion:

- A. Approving **Resolution SA 2023-02**, a Resolution of the Successor Agency to the Redevelopment Agency of the City of Merced approving the Amended Recognized Obligation Payment Schedule (ROPS 23-24B) for January 1, 2024 through June 30, 2024; and,
- B. Authorizing the Finance Officer to make any necessary budget adjustments in order to establish a Fiduciary Fund for the Successor Agency with revenue and expense increases per the Amended Recognized Obligation Payment Schedule.

City Council - Adopt a motion:

- A. Authorizing the Finance Officer to make any necessary budget adjustments in order to establish a Fiduciary Fund for the Successor Agency with revenue and expense increases per the Amended Recognized Obligation Payment Schedule.

I.6. [23-782](#)

SUBJECT: Approval of a First Amendment to Agreement for Professional Services with Hanson Bridgett, LLP, in an Amount not to Exceed \$100,000

REPORT IN BRIEF

Considers approving a First Amendment to an Agreement for legal services with Hanson Bridgett, LLP in an amount not to exceed \$100,000.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a First Amendment to an Agreement for Professional Services with Hanson Bridgett LLP in an amount not to exceed \$100,000; and,
- B. Authorizing the City Manager or the Deputy City Manager to execute the

necessary documents.

I.7. [23-809](#)

SUBJECT: Approval of Agreement for Labor Relations Consulting, Labor Contract Negotiations and Employee Related Legal Services with the Law Firm of Liebert Cassidy Whitmore in the not to Exceed Amount of \$100,000

REPORT IN BRIEF

Considers approving an agreement for labor relations consulting, labor contract negotiations and employee related legal services with the firm of Liebert Cassidy Whitmore.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving an agreement for professional services with the law firm of Liebert Cassidy Whitmore for labor relations consulting, labor contract negotiations, and employee related matters; and,

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

I.8. [23-571](#)

SUBJECT: Acceptance of Grant Award for a Maximum of \$79,288 From the United Way of Merced County as the Administering Organization for the Heartland Creative Corps for Art Projects on City Owned Properties in the City of Merced

REPORT IN BRIEF

Considers accepting a Grant Award for a maximum of \$79,288 from the United Way of Merced County as the Administering Organization for the Heartland Creative Corps for Art Projects on City owned properties in the City of Merced.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting grant funds up to maximum of \$79,288 from the United Way of Merced County as the Administering Organization for the Heartland Creative Corps for Art Projects on City Owned Properties in the City of Merced; 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; and,
- C. Increasing revenue in the amount of \$79,288, and appropriating the same in Fund 1000-General Fund-City Manager, project GR240011; and,
- D. Authorizing the use of pooled cash to cover the appropriation until grant funds are reimbursed; and
- E. Authorizing the Finance Officer to make the necessary budget adjustments.

I.9. [23-786](#)

SUBJECT: Approval of a Memorandum of Understanding with Merced County Probation Department for the CalVIP Program

REPORT IN BRIEF

Considers approving a Memorandum of Understanding with Merced County Probation Department for the CalVIP Program.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving of a Memorandum of Understanding with Merced County Probation Department for the CalVIP Program; and,
- B. Authorizing the City Manager or Deputy City Manager to execute the necessary documents.

I.10. [23-810](#)

SUBJECT: Request by the Merced County NAACP for the Co-Sponsored Rental Rate for the Merced Senior Community Center on October 7, 2023, for its Annual Freedom Fund Banquet

REPORT IN BRIEF

Considers approving a request for the co-sponsored rate for the rental of the Merced Senior Community Center by the Merced County NAACP to hold its annual Freedom Fund Banquet on October 7, 2023.

RECOMMENDATION

City Council - Adopt a motion approving the request to rent the Merced Senior Community Center to the Merced County NAACP on October 7,

2023, for the annual Freedom Fund Banquet at the co-sponsored rental rate.

I.11. [23-804](#)

SUBJECT: Approval to Accept and Appropriate Grant Funds from First 5 Merced County for the Safe Play Initiative in the Amount of \$700,000 for the Development of Playgrounds at Community Park 42 (Project CP220061) and General Vang Pao Park (Project CP240049)

REPORT IN BRIEF

Considers approving to accept and appropriate grant funds from First 5 Merced County for their Safe Play Initiative in the amount of \$700,000 for the development of inclusive playgrounds at Community Park 42 (project CP220061) and General Vang Pao Park (project CP240049) and approving the use of Park Reserve funding in the amount of \$805,000 for the additional costs related to General Vang Pao Park.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting the Safe Play Initiative contract in the amount of \$700,000 in grant funds; and,
- B. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- C. Authorizing the use of pooled cash to cover the expenditures until grant funds are reimbursed; and,
- D. Authorizing the City Manager or Deputy City Manager to execute all documents, including any amendments.

I.12. [23-794](#)

SUBJECT: Award of Proposal and Approval of Professional Service Agreement to Replace HerSchy Environmental, Inc. with Provost and Pritchard Engineering Group, Inc. for Groundwater Sampling, Testing and Reporting Services in the Amount of \$82,165

REPORT IN BRIEF

Considers awarding a contract in the amount of \$82,165 to Provost and Pritchard Engineering Group, Inc. (to replace HerSchy Environmental, Inc., no longer in business) to perform groundwater well sampling and reporting services in support of the Airport Remediation Site Investigation for FY

2023/24.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding a contract with Provost and Pritchard Engineering Group, Inc. FY 2023/24 in the amount of \$82,165 to provide semi-annual groundwater well sampling and reporting services for the Airport site; and,

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

I.13. [23-807](#)

SUBJECT: Award Bid to Diede Construction Inc. for the Merced Yosemite Regional Airport Terminal, Project Number CP230073, in the Amount of \$15,184,559.87

REPORT IN BRIEF

Considers awarding a Construction Contract to Diede Construction Inc. in the amount of \$15,184,559.87 for the Merced Yosemite Regional Airport Terminal project.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the Merced Yosemite Regional Airport Terminal Project, Project CP230073 to Diede Construction Inc, in the amount of \$15,184,559.87; and,

B. Approving a transfer in the amount of \$2,384,075 from the Fund 1017-Economic Development Opportunity and appropriating in Fund 5006-Airport CIP to Project CP230073; and,

C. Authorizing the use of pooled cash in accordance with the Funding Plan described, until grant reimbursement is received; and,

D. Authorizing the City Manager or Deputy City Manager to execute the necessary Construction Contract and to approve change orders not to exceed 5% of the total contract; and,

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

I.14. [23-777](#)

SUBJECT: Award Bid to N&S Tractor for the Purchase of One New 24-Foot Hydraulic Folding Disk and One New 20-Foot Hydraulic Folding Laser Drag Scraper for a Total Cost not to Exceed \$191,300 for the Wastewater Treatment Plant Land Application Division

REPORT IN BRIEF

Considers awarding the bid to N&S Tractor for the purchase of one new 24-foot hydraulic folding disk and one new 20-foot hydraulic folding laser drag scraper for the Wastewater Treatment Plant Land Application Division in a not to exceed amount of \$191,300.

RECOMMENDATION

City Council - Adopt a motion:

A. Awarding the bid to N&S Tractor for the purchase of one new 24-foot hydraulic folding disk and one new 20-foot hydraulic folding laser drag scraper for a total amount not to exceed \$191,300; and,

B. Authorizing the City Manager or the Deputy City Manager to execute the necessary documents, the City Buyer to issue the Purchase Order(s), and approval of change orders not to exceed 10% of the total purchase price.

I.15. [23-803](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Authorizing the Purchase of One Street Sweeper for \$388,347.63 Through a Cooperative Purchasing Agreement with Sourcewell via M.M.E.(Municipal Maintenance Equipment)

REPORT IN BRIEF

Considers approving to waive the competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 to purchase a currently budgeted and Council approved fleet vehicle through the government procurement program Sourcewell.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code section 3.04.210 due to utilizing a cooperative purchase agreement through Sourcewell, a government procurement program; and,

B. Approving the purchase of one new Schwarze Model A9 Monsoon Sweeper in the amount of \$388,347.63 from M.M.E. through Sourcewell contract #093021-SWZ; and,

C. Authorizing the City Manager or Deputy City Manager to execute the necessary documents, the Finance Officer to make the necessary budget adjustments, the City Buyer to issue the Purchase Order, and approval of change orders not to exceed 10% of the total purchase price.

I.16. [23-770](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Approval of a Statement of Services with PrivITation Consulting Corp. in the not to Exceed Amount of \$82,600 for Replacement of the Johnson Controls HVAC Automation System for the Laboratory at the Wastewater Treatment Plant

REPORT IN BRIEF

Considers approving to waive the City's competitive bidding requirements and approving an agreement with PrivITation Consulting Corp. in the amount of \$82,600 for the HVAC automation system replacement project at the Wastewater Treatment Plant.

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 purchases necessary for standardization of particular types of equipment; and,

B. Approving the Statement of Services with PrivITation Consulting Corp., in the not to exceed amount of \$82,600 for replacement of the Johnson Controls HVAC Automation System at the Lab for the Wastewater Treatment Plant; and,

C. Authorizing the City Manager, the Deputy City Manager, or designee, to execute the necessary documents, and to approve change orders not to exceed 10% of the total contract.

I.17. [23-785](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Authorizing the Purchase of One Electric Forklift for \$44,699.99 Through a Cooperative Purchasing Agreement with Sourcewell via Cromer Material Handling

REPORT IN BRIEF

Considers approving to waive the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 to purchase a currently budgeted and Council approved fleet equipment through the government procurement program Sourcewell.

RECOMMENDATION

City Council - Adopt a motion:

- A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code section 3.04.210 to utilize a cooperative purchasing agreement through Sourcewell, a government procurement program; and,
- B. Approving the purchase of one new electric Doosan Forklift in the amount of \$44,699.99, plus applicable taxes, from Cromer Material Handling through Sourcewell contract #091520-DIV; and,
- C. Authorizing the City Manager or Deputy City Manager to execute the necessary documents, the Finance Officer to make the necessary budget adjustments, the City Buyer to issue the Purchase Order, and approval of change orders not to exceed 10% of the total purchase price.

I.18. [23-816](#)

SUBJECT: Second Reading and Final Adoption of an Ordinance Amending Section 10.28.230 "No Parking Zones;" and Section 10.28.380, "Stop Intersections Designated," of the Merced Municipal Code

REPORT IN BRIEF

Second reading and final adoption of Ordinance 2554 an Ordinance of the City Council of the City of Merced, California, amending section 10.28.230 "No Parking Zones;" and Section 10.28.380, "Stop Intersections Designated," of the Merced Municipal Code

RECOMMENDATION

City Council - Adopt a motion adopting **Ordinance 2554**, an Ordinance of the City Council of the City of Merced, California, amending section 10.28.230 "No Parking Zones;" and Section 10.28.380, "Stop Intersections Designated," of the Merced Municipal Code.

- I.19. [23-797](#) **SUBJECT:** Second Reading and Final Adoption of an Ordinance Amending Section 10.28.230 No Parking Zones and 10.32.056, “Passenger Loading Zones - Permanent”, of the Merced Municipal Code

REPORT IN BRIEF

Second reading and final adoption of an Ordinance of the City Council of the City of Merced, California, amending section 10.28.230 “No Parking Zones;” and 10.32.056, “Passenger Loading Zones - Permanent”, of the Merced Municipal Code

RECOMMENDATION

City Council - Adopt a motion adopting **Ordinance 2553**, an Ordinance of the City Council of the City of Merced, California, amending section 10.28.230 “No Parking Zones;” and 10.32.056, “Passenger Loading Zones - Permanent”, of the Merced Municipal Code.

- I.20. [23-799](#) **SUBJECT:** Second Reading and Final Adoption of an Ordinance Amending Chapters 20.08, 20.42, and 20.90 of the Merced Municipal Code to Revise Regulations Regarding Accessory Dwelling Units, Junior Accessory Dwelling Units and Tiny Homes on Wheels; and Second Reading and Final Adoption of an Ordinance Amending Chapter 20.56 of the Merced Municipal Code (Density Bonus) to Bring the Codes into Compliance with Current State Law and to Clarify Ambiguities in the Chapter

REPORT IN BRIEF

Second reading and final adoption of an ordinance that would modify the City’s requirements for Accessory Dwelling Units to meet state laws, Junior Accessory Dwelling Units, and Tiny Homes on Wheels; and second reading and final adoption of an ordinance amending the Density Bonus chapter to bring that code into compliance with current state law and to clarify ambiguities in the chapter.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Ordinance 2555**, An Ordinance of the City Council of the City of Merced, California, amending Chapters 20.08, 20.42, and 20.90 of the Merced Municipal Code to revise regulations regarding accessory

dwelling units, junior accessory dwelling units and tiny homes on wheels;
and,

B. Adopting **Ordinance 2556**, an Ordinance of the City Council of the City of Merced, California, amending Chapter 20.56, "Density Bonus," of the Merced Municipal.

J. REPORTS

J.1. [23-820](#)

SUBJECT: Election of Chair and Vice Chair, Adoption of Resolution of Approving Amended and Restated Bylaws, and Appointment of an Executive Director, General Counsel, and Secretary for the for the Merced Successor Agency

REPORT IN BRIEF

In order to function as the Successor Agency for the former Merced Redevelopment Agency, the governing board will need to elect a Chair and Vice Chair, adopt bylaws by Resolution, and appoint an Executive Director, General Counsel, and Secretary for the Merced Successor Agency.

RECOMMENDATION

City Council - Adopt a motion:

- A. Nominating and Electing a Chair; and,
- B. Nominating and Electing a Vice Chair; and,
- C. Approving Resolution Successor Agency **Resolution SA 2023-01**, A Resolution of the Successor Agency to the Redevelopment Agency of the City of Merced, Approving Amended and Restated Bylaws; and,
- D. Appointing an Executive Director in accordance with the Amended and Restated Bylaws; and,
- E. Appointing a General Council in accordance with the Amended and Restated Bylaws; and,
- F. Appointing a Secretary in accordance with the Amended and Restated Bylaws.

J.2. [23-561](#)

SUBJECT: Review and Discussion a Possible Ordinance to Reduce

Number of Nuisance Calls at Hotels and Motels

REPORT IN BRIEF

Review and discuss a potential ordinance to reduce number of crime related calls to hotels and motels.

RECOMMENDATION

Information only and possible staff direction on next steps.

J.3. [23-792](#)

SUBJECT: Report and 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 2022-23 and Authorizing Submittal of the CAPER to HUD

REPORT IN BRIEF

Review and approve Housing Division activities as reported in the Draft 2022 Consolidated Annual Performance and Evaluation Report (CAPER) and authorize its submission to HUD.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2023-75**, A Resolution of the City Council of the City of Merced, California, Approving the 2022-2023 Program Year Consolidated Annual Performance and Evaluation Report (CAPER); and,

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

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

J.4. [23-806](#)

SUBJECT: Review and Discuss Broadband for Unserved and Underserved Residents and Grant Funding Opportunities

REPORT IN BRIEF

Review and discuss broadband for unserved and underserved residents and grant funding opportunities.

RECOMMENDATION

Information only and possible Staff direction on revisions and/or next steps.

J.5. [23-808](#)

SUBJECT: Youth Citizenship Campaign Direction

REPORT IN BRIEF

Council to provide direction on development of a Youth Citizenship Campaign.

RECOMMENDATION

City Council - Provide direction for the development and implementation of a Youth Citizenship Campaign.

K. BUSINESS

K.1. [23-818](#)

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

REPORT IN BRIEF

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

RECOMMENDATION

City Council - Adopt a motion:

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

B. Adopting **Resolution 2023-76**, a Resolution of the City Council of the City of Merced, California, appointing Scott McBride as City Manager and Approving an Employment Agreement therefore including compensation and other terms and 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.

K.2. [23-800](#) **SUBJECT: Mayor Serratto's Request to Discuss a Downtown Arch**

REPORT IN BRIEF

Mayor Serratto's Request to discuss a Downtown Arch.

RECOMMENDATION

Provide direction to assign this project to a City Council Sub-Committee

K.3. [23-801](#) **SUBJECT: Council Member Boyle's Request to Discuss the Arts Districts**

REPORT IN BRIEF

Council Member Boyle's request to discuss the arts districts.

RECOMMENDATION

Provide direction to staff on next steps.

K.4. [23-744](#) **SUBJECT: Request to Add Item to Future Agenda**

REPORT IN BRIEF

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

K.5. [23-743](#) **SUBJECT: City Council Comments**

REPORT IN BRIEF

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

L. ADJOURNMENT