



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, October 2, 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 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 thiab tsis pub muaj tshaj 300 los lus los yog txawg dua. Thov qhia tias qhov twg hauv daim ntawv tswj koj xav tawm suab rau, piv txwv li, kev sab laj kaws, nqes # los sis kev sib tham ntawm ncauj lus. Koj cov tswv yim muab rau lub rooj sib tham thaum lub sij hawm tsim nyog. Tej ntaub ntawm txais tau tom qab 1 teev tav su mam muab rau cov Nom Tswv (City Council) thiab tso hauv cov ntaub ntawv teev tseg.

Koj muaj feem tso suab hauv xov tooj uas yog hu (209) 388-8688 ua ntej 1 teev tav su hnuv sib tham thiaj koj lub tswv yim muab tso hauv daim ntawv tswj. Tso suab hauv xov tooj tsis pub ntev tshaj (1) feeb. Thov qhia qhov twg hauv daim tswj tias koj xav tawm suab rau, piv txwv li, zej tsoom tawm suab #, khoom tso cai #, los sis kev sib tham ntawm ncauj lus. Cov suab kaws hauv xov tooj mam tso mloog thaum lub caij tsim nyog rau thaum sib tham. Yog koj xav tawm suab thaum sib tham, thov tso koj tus xov tooj, ib tus tib neeg ua hauj lwm mam li hu koj.

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

INDIVIDUALS WITH DISABILITIES

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

A. CLOSED SESSION ROLL CALL

B. CLOSED SESSION

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

B.1. [23-872](#)

SUBJECT: CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Stephanie Dietz; Employee Organizations: Merced Police Officers' Association (MPOA) and Merced Association of Police Sergeants (MAPS). AUTHORITY: Government Code Section 54957.6

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- B.2.** [23-873](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Stephanie Dietz; Employee Organizations: International Association of Fire Fighters, Local 1479. AUTHORITY: Government Code Section 54957.6
- B.3.** [23-874](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative: City Manager Stephanie Dietz; Unrepresented Management AUTHORITY: Government Code Section 54957.6
- B.4.** [23-875](#) **SUBJECT:** CONFERENCE WITH LABOR NEGOTIATORS -- Agency Designated Representative(s): City Manager Stephanie Dietz; 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.5.** [23-849](#) **SUBJECT:** PUBLIC EMPLOYEE APPOINTMENT - TITLE: City Attorney; AUTHORITY: Government Code 54957
- B.6.** [23-854](#) **SUBJECT:** CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Initiation of Litigation Pursuant to Government Code Section 54956.9 (d)(4): one (1) Potential Case

C. CALL TO ORDER

- C.1. Invocation - 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 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.** [23-843](#) **SUBJECT:** Proclamation - Hispanic Heritage Month

REPORT IN BRIEF

Received by Annissa Fragoso, President of the Hispanic Chamber of Commerce.

F.2. [23-844](#)

SUBJECT: Proclamation - Breast Cancer Awareness Month

REPORT IN BRIEF

Accepted by a representative from the Merced Fire IAFF Local 1479.

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. [23-733](#)

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. [23-847](#)

SUBJECT: Information Only Contracts for the Month of September 2023

REPORT IN BRIEF

Notification of awarded Non-Public Works contracts under \$37,000 and of Public Works contracts under \$84,338.

- I.3. [23-814](#) **SUBJECT:** Information Only - Site Plan Review Minutes of July 13, 2023

RECOMMENDATION

For information only.

- I.4. [23-813](#) **SUBJECT:** Information Only - Planning Commission Minutes of August 9, 2023

RECOMMENDATION

For information only.

- I.5. [23-848](#) **SUBJECT:** Approval of City Council/Public Financing and Economic Development/Parking Authority Meeting Minutes of February 21, 2023, August 21, 2023, and September 5, 2023

REPORT IN BRIEF

Official adoption of previously held meeting minutes.

RECOMMENDATION

City Council/Public Financing and Economic Development/Parking Authority/Successor Agency to the Redevelopment Agency - Adopt a motion approving the meeting minutes of February 21, 2023, August 21, 2023, and September 5, 2023.

- I.6. [23-788](#) **SUBJECT:** Approval of an Agreement for Services with Dudek for Environmental Services and a Deposit and Reimbursement Agreement with Gardner Ranch 2, LLC and Gardner Commercial LP, Relating to the Annexation of the Approximately 70 Acres of Land at the Northeast Corner of Yosemite Avenue and Gardner Avenue

REPORT IN BRIEF

Considers approving an agreement for services with Dudek, in the amount of \$202,820 to perform environmental services for the annexation of approximately 70 acres at the northeast corner of Yosemite Avenue and Gardner Avenue to the City of Merced and entering into a deposit and reimbursement agreement with Gardner Ranch 2, LLC and Gardner Commercial, LP, in the amount of \$223,102 to fund the Dudek contract and to reimburse for City staff time to

manage the contract.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving an Agreement for Services with Dudek, in the amount of \$202,820 to perform environmental services for the annexation of the University Vista project to the City of Merced; and,

B. Approving a Deposit and Reimbursement Agreement with Gardner Ranch 2, LLC, and Gardner Commercial LP, in the amount of \$223,102 to cover the cost of the consultant contract (\$202,820) and staff time (\$20,282) for the administration of the environmental review process and contract; and,

C. Approving an increase of revenue in the amount of \$208,820 to Fund 3000-Development Services, Developer Capital Fees account and appropriating the same to Fund 3000-Development Services, Professional Services account for payment to Environmental Science Associates; and,

D. Approving an increase in revenue in the amount of \$20,282 to Fund 3000-Development Services, Cost Recovery account; and,

E. Authorizing the City Manager or Deputy City Manager to execute the agreements.

I.7. [23-822](#)

SUBJECT: Approval of a Supplemental Appropriation from the Unencumbered, Unreserved Fund Balance of Fund 3002-Bell Station in the Amount of \$11,600 and Unencumbered, Unreserved Fund Balance of Fund 1000-General Fund in the Amount of \$38,400, for Mold and Asbestos Remediation, and Other Expenditures at the Bell Station Located at 415 W. 18th Street

REPORT IN BRIEF

Considers approving a Supplemental Appropriation from the unencumbered, unreserved fund balance of Fund 3002-Bell Station and unencumbered, unreserved fund balance of Fund 1000-General Fund in the amount of \$38,400 for a total of \$50,000, for Mold and Asbestos Remediation, and Other Expenditures at the Bell Station located at 415 W. 18th Street.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a supplemental appropriation from the unencumbered, unreserved fund balance of Fund 3002-Bell Station in the amount of \$11,600, for mold and asbestos remediation, and other expenditures at the Bell Station located at 415 W. 18th Street; and,

B. Approving a supplemental appropriation from the unencumbered, unreserved fund balance of Fund 1000-General Fund in the amount of \$38,400, transferring to Fund 3002-Bell Station and appropriating the same for mold and asbestos remediation, and other expenditures at the Bell Station located at 415 W 18th Street; and,

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

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

I.8. [23-793](#)

SUBJECT: Approval of a Supplemental Appropriation in Fund 4028-Cypress Terrace Maintenance District in the Amount of \$13,000 and Fund 4029-Las Brisas Maintenance District in the Amount of \$10,100 and Approval of an Agreement for Landscape Maintenance Services with Central Valley Lawnsapes, Inc., for Maintenance of Various Maintenance Districts, in an Annual Amount of \$361,560 for a Thirty-Three (33) Month Term Beginning October 3, 2023, Through June 30, 2026, with an Option to Extend the Agreement for Three (3) Additional One (1) Year Term(s)

REPORT IN BRIEF

Considers approving supplemental appropriations in Fund 4028-Cypress Terrace Maintenance District in the amount of \$13,000 and Fund 4029-Las Brisas Maintenance District in the amount of \$10,100, and approving a professional services agreement with Central Valley Lawnsapes, Inc., for maintenance services at various Maintenance Districts, including Quail Creek, West Creek Homes, Silverado, Oakmont #3, Northwood Village, Village Landing, Sunset West, Downtown, Ridgeview Meadows, Fahrens Park I, Mansionette, Cypress Terrace, Las Brisas, Paulson Place, Fahrens Park II, La Bella Vista, Davenport, Sequoia Hill, Sky Moss, Lowes, Yosemite Gateway, and Vista Del Sol.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a supplemental appropriation from the unreserved, unencumbered fund balance in Fund 4028-Cypress Terrace Maintenance District in the amount of \$13,000; and,
- B. Approving a supplemental appropriation from the unreserved, unencumbered fund balance in Fund 4029-Las Brisas Maintenance District in the amount of \$10,100; and,
- C. Approving a Services Agreement Landscape Maintenance with Central Valley Lawnsapes, Inc., in the annual amount of \$361,560, to provide landscape maintenance services at various Maintenance Districts for thirty-three months, with an option to renew for a maximum of (3) three additional one-year periods, effective October 3, 2023; and,
- D. Authorizing the City Manager or Deputy City Manager to sign the necessary documents and execute up to three (3) future 1-year contract extension amendments for a not-to-exceed limit of a 3% annual increase over the prior year expenditure.

I.9. [23-825](#)

SUBJECT: Award Bid to Razzari Ford for the Purchase of Two (2) New Crew Cab Pickups with Service Bodies for a Cost of \$61,982.40 each for the Parks and Streets Departments

REPORT IN BRIEF

Considers awarding the bid to Razzari Ford for the purchase of two new crew cab pickups with service bodies for the Parks Department and Streets Departments.

RECOMMENDATION

City Council - Adopt a motion:

- A. Awarding the bid to Razzari Ford for the supply of two new crew cab pickups with service bodies, for a cost of \$123,964.80; and,
- B. Authorizing the City Manager or Deputy City Manager to execute the necessary documents; and,
- C. Authorizing the Finance Officer to make the necessary budget adjustments; and,
- D. Authorizing the City Buyer to issue the Purchase Order(s), and

approval of change orders not to exceed 10% of the total purchase price.

I.10. [23-790](#)

SUBJECT: Approval to Accept and Appropriate \$24,973 in Grant Funds from the California Fire Foundation (CFF); and Approval to Use Pooled Cash to Cover the Appropriation Until Grant Funds are Reimbursed

REPORT IN BRIEF

Considers approving to accept and appropriate \$24,973 in grant funds from the California Fire Foundation (CFF) under their 2023 Statewide Climate-Related Wildfire & Disaster Prevention and Preparedness grant; and approving the use of pooled cash to cover the appropriation until grant funds are reimbursed.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting \$24,973 from California Fire Foundation's 2023 Statewide Climate-Related Wildfire & Disaster Prevention and Preparedness grant, increasing revenue and appropriating the same in Fund 1000-General Fund-Fire, Project GR240016; and,

B. Authorizing the use of pooled cash to cover the appropriation until grant funds are reimbursed; and,

C. Authorizing the Finance Officer to make the necessary budget adjustments; and,

D. Authorizing the City Manager or Deputy City Manager to execute all documents, including any amendments.

I.11. [23-851](#)

SUBJECT: Approval to Accept and Appropriate Grant Funds from the Department of Homeland Security, Federal Emergency Management Agency (FEMA) Fiscal Year 2022 Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the Amount of \$8,903,616

REPORT IN BRIEF

Considers approving to accept and appropriate Grant Funds from the Department of Homeland Security, Federal Emergency Management Agency (FEMA) Fiscal Year 2022 Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the Amount of \$8,903,616.

RECOMMENDATION

City Council - Adopt a motion:

- A. Accepting \$8,903,616 from SAFER Grant for Fire Department personnel and fringe benefits; and,
- B. Appropriating \$2,763,888 in Fiscal Year 2023-24 for personnel and fringe benefits in Fund 1000-General Fund-Fire, project GR240017 for the first year of the grant; and,
- C. Increasing the revenue budget in Fiscal Year 2023-24 for \$2,763,888 in Fund 1000-General Fund-Fire, project GR240017 for the first year of the grant; and,
- D. Authorizing the Finance Officer make the necessary budget adjustments; and,
- E. Authorizing the City Manager or Deputy City Manager to execute all necessary documents, including any amendments; and,
- F. Authorizing the use of pooled cash until grant funds are reimbursed.

I.12. [23-819](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirements and Authorizing the Purchase of Self-Contained Breathing Apparatus (SCBA) and Associated Equipment for the Fire Department Through Cooperative Purchasing Agreements with Sourcewell and LN Curtis and Sons, in an Amount not to Exceed \$927,144.46, Based Upon Standardization and the Proprietary Nature of the Equipment and Approval of Exhibit A of Memorandum of Understanding (MOU) Between the City of Merced and the City of Atwater

REPORT IN BRIEF

Considers approving to waive the City's competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 and approving the purchase of SCBA's and associated equipment in the amount not to exceed \$927,144.46, through the government procurement program Sourcewell. Also approves "Exhibit A" an amendment to the MOU table based upon actual disbursement.

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 purchases of SCBAs and associated equipment in an amount not to exceed \$927,144.46 from LN Curtis and Sons through Sourcewell contract #032620-LNC in Fiscal Year 2023/2024; and,

C. Approving "Exhibit A", an amendment to the MOU table based upon actual disbursement between the City of Merced and the City of Atwater; and,

D. Authorizing the City Manager or the Deputy City Manager, to execute the necessary documents or contracts that are approved as to form by the City Attorney; and,

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

I.13. [23-852](#)

SUBJECT: Approval to Waive the Competitive Bidding Requirement to Allow for the Purchase of Standardized Equipment and Approval of User Agreement from Cellebrite Inc. for a Total Amount of \$37,725.13

REPORT IN BRIEF

Considers approving to waive the competitive bidding requirement pursuant to Merced Municipal Code section 3.04.210 for purchases necessary for standardization of particular types of equipment. Also, the approval to purchase equipment from Cellebrite Inc. for Cellebrite Guardian premium annual subscription service and equipment for a total amount of \$37,725.13.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving to waive the competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code for standardization of equipment; and,

B. Approving the purchase of Cellebrite Guardian premium annual subscription service and equipment in the amount of \$37,725.13; and,

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

the necessary documents.

- I.14. [23-735](#) **SUBJECT:** Approval of Street Closure Request with the Use of City Owned Property Located at Bob Hart Square Submitted by Merced Main Street Association for the 2023 Annual Christmas Parade on December 2, 2023 From 10:00 A.M. Until 8:00 P.M.

REPORT IN BRIEF

Considers approving the use of City streets on December 2, 2023, for the Christmas Parade.

RECOMMENDATION

City Council - Adopt a motion approving the street closures of East Main Street, from Calimyrna Avenue to "G" Street, West Main Street, from "G" to "O" Streets, "O" Street from West Main Street to 20th Street including side streets, the city owned property known as Bob Hart Square as requested by Mike Waite of the Merced Main Street Association for the 2023 Christmas Parade on Saturday, December 2, 2023.

- I.15. [23-850](#) **SUBJECT:** Approval of Street Closure Request Submitted by Liza Servin for the 2023 Central California Band Review on November 11, 2023 from 5:00 A.M. Until 2:30 P.M.

REPORT IN BRIEF

Considers approving the use of City streets on November 11, 2023 for the Central California Band Review.

RECOMMENDATION

City Council - Adopt a motion approving the street closures of Parsons Avenue, from Merced Avenue to Dinkey Creek; Dinkey Creek, from Parsons Avenue to Watertown Drive; Watertown Drive, from Dinkey Creek to East Childs Avenue; and East Childs Avenue, from Coffee Street to Carol Avenue, as requested by Golden Valley High School Band Boosters Coordinator Liza Servin for the 2023 Central California Band Review scheduled Saturday, November 11, 2023. The street closures will be between 5:00 a.m. and 2:30 p.m., subject to the conditions of the administrative staff report.

- I.16. [23-853](#) **SUBJECT:** Approval of Street Closure Request for East Main Street, West Main Street, Canal Street, and "O" Street, the Use of Bob Hart Square, and Power Connections at Bob Hart Square, West Main Street

at Martin Luther King Jr Way, and West Main Street at "O" Street.
Submitted by John Cox with the County of Merced for the 2023
Veterans Day Parade on November 11, 2023, from 7:00 A.M. Until
7:00 P.M.

REPORT IN BRIEF

Considers approving the use of City streets on November 11, 2023, for the Veteran's Day Parade. The Street Closure Request includes East Main Street, West Main Street, Canal Street, and O Street. The use of Bob Hart Square, and power connections at Bob Hart Square, West Main Steet at Martin Luther King Jr Way, and West Main Street at "O" Street.

RECOMMENDATION

City Council - Adopt a motion approving the street closures of East Main Street, from "Calimyrna Avenue to G" Street; West Main Street, from "G" to Canal Streets; Canal Street from W. Main Street to West 18th Street; West 18th Street from Canal Street to "O" Street and "O" Street, from W. 18th Street to 20th Street, the use of Bob Hart Square, and power connections at Bob Hart Square, West Main Steet at Martin Luther King Jr Way, and West Main Street at "O" Street as requested by John Cox, Merced County Veterans Services for the 2023 Veterans Day Parade on Friday, November 11, 2023.

I.17. [23-802](#)

SUBJECT: Approval of a Supplemental Appropriation in the Amount of \$218,468 from the Unreserved, Unencumbered Fund Balance of Fund 2001-Measure C to Purchase Equipment for Seven (7) Police SUVs, Two (2) Police Trucks and Three (3) Unmarked Sedans and Approval to Waive the Competitive Bidding Requirement for the Purchase of Standardized Equipment from Rugged Depot

REPORT IN BRIEF

Considers approving a Supplemental Appropriation in the amount of \$218,468 from the unreserved, unencumbered fund balance of Fund 2001-Measure C to purchase equipment for seven (7) Police SUVs, two (2) Police Trucks and three (3) unmarked sedans. Also consider approval to waive competitive bidding requirements for the purchase of standardized equipment from Rugged Depot for \$79,982.67.

RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a Supplemental Appropriation in the amount of \$218,468 from the unreserved, unencumbered fund balance of Fund 2001-Measure C for the purchase of equipment for seven (7) Police SUVs, two (2) Police Trucks and three (3) unmarked sedans; and,
- B. Approving to waive the competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code for standardization of equipment from Rugged Depot for \$79,982.67; and,
- C. Authorizing the City Manager and Deputy City Manager to execute the necessary documents; and,
- D. Authorizing the Finance Officer to make the necessary budget adjustments.

J. PUBLIC HEARINGS

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

- J.1. [23-789](#) **SUBJECT: Public Hearing - Sign/Zoning Ordinance Amendment #23-04, Initiated by the City of Merced; This Application Involves Repealing Chapter 17.36 - Signs from the Merced Municipal Code and Replacing Chapter 20.62 - Signs in its Entirety with a Comprehensive Update to the Existing Sign Regulations**

REPORT IN BRIEF

This application involves repealing Chapter 17.36 - Signs from the Merced Municipal Code and replacing Chapter 20.62 - Signs in its entirety with a comprehensive update to the ordinance that would place all sign regulations in one chapter, bring the Sign Ordinance into compliance with recent court rulings, and make the sign requirements consistent throughout the City. The new ordinance would include new definitions, new regulations for sign area, temporary signs, digital/LED signs, signs in the public right-of-way, billboards, regional signs, freeway signs, and various other sign regulations. The proposed sign ordinance would categorize signs into four main types: permanent building signs, permanent freestanding signs, temporary building signs, and temporary freestanding signs. Each type of sign would be regulated by quantity, size, shape, type of illumination and location. Additionally, minor amendments to Chapter 20.90.020 - "Definitions" would be made to

bring this section into compliance with the definitions provided in Chapter 20.62.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting a Categorical Exemption for Environmental Review #23-27; and,

B. Introducing **Ordinance 2549**, an Ordinance of the City Council of the City of Merced, California, Amending Chapter 20.62 - "Signs," Chapter 20.90.020 "Definitions," and Repealing Chapter 17.36 - "Sign" of the Merced Municipal Code to Establish New Sign Regulations Within the City of Merced.

K. REPORTS

K.1. [23-871](#)

SUBJECT: Adoption of a Resolution for Calling a Special Election for March 5, 2024 for the Purpose of Placing a Ballot Measure Before the Voters to Renew the Existing Half Cent Sales Tax for Public Safety and Roads and Requesting the Merced County Board of Supervisors to Consolidate Said Election with the Statewide Primary Election Being Held on the Same Date

REPORT IN BRIEF

Considers adopting a Resolution Calling a March 5, 2024 Special Municipal Election for the purpose of placing a measure on the ballot regarding the renewal of a half-cent sales tax for public safety and roads and requesting the County Board of Supervisors to consolidate the City's election with the Statewide Primary Election being held on the same date.

RECOMMENDATION

City Council - Adopt a motion:

A. Adopting **Resolution 2023-73**, a Resolution of the City Council of the City of Merced, California, calling a Special Municipal Election to be held on March 5, 2024, for the Purpose of Submitting a Ballot Measure to renew the half cent sales tax for public safety and roads; and, requesting that the Board of Supervisors of the County of Merced, California provide for the consolidation of a Special Municipal Election and a Ballot Measure with the Statewide Primary Election to be held on March 5, 2024; and,

B. Approving the form and ballot question of the Citizen initiative Measure; and,

C. Directing the City Manager/City Clerk and the City Attorney's Office to prepare and execute documents appropriate to carry out the tasks necessary for the Special Municipal Election and to take actions related thereto.

K.2. [23-855](#) **SUBJECT: Merced Police Department Facility Usage**

REPORT IN BRIEF

Presentation depicting the facilities used by the Merced Police Department.

RECOMMENDATION

Information only.

K.3. [23-838](#) **SUBJECT: In-Lieu Fees and Regional Housing Needs Allocation (RHNA) Unit Production Plan Policy Amendments**

REPORT IN BRIEF

Presentation on In-Lieu Fees following City Council's guidance and possible amendments to the RHNA Unit Production Plan.

RECOMMENDATION

City Council - Consider the report and provide more defined direction on elements to include in future resolution to adopt in lieu fees.

L. BUSINESS

L.1. [23-869](#) **SUBJECT: City Council Re-Consideration Regarding the Re-Opening of the Commercial Truck Parking Lot Located at S. West Avenue and Stuart Drive and Increasing the Fine for Commercial Trucks Illegally Parked in Residential Districts**

REPORT IN BRIEF

Staff is seeking direction from the City Council concerning the re-opening of the commercial truck parking lot and raising the amount of the fine for commercial trucks illegally parking in residential areas from \$43.00 to \$150.00 per citation.

RECOMMENDATION

City Council - Provide direction to staff regarding the re-opening of the commercial truck parking lot and illegal commercial truck parking enforcement.

L.2. [23-796](#)

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.3. [23-795](#)

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