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, October 5, 2026 | **6:00 PM** | **City Council Chamber, 2nd Floor, Merced Civic Center, 678 W. 18th Street, Merced, CA 95340**

Regular Meeting at 6:00 PM

NOTICE TO PUBLIC

WELCOME TO THE MEETING OF THE MERCED CITY COUNCIL

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.gov or at the City Clerk's Office, 678 W. 18th Street, Merced, CA 95340. All public records relating to an open session item that are distributed to a majority of the Council will be available for public inspection at the City Clerk's Office during regular business hours. Spanish and Hmong translation is available at every regular meeting. Assisted hearing devices are available for meetings held in the Council Chamber.

TRANSLATION DISCLAIMER: The City of Merced offers automated translations of agenda materials as a convenience to the public. Translations are generated by software and may contain errors. The City does not guarantee the accuracy of translated content. If there is any difference between a translated version and the English version, the English version controls.

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

Members of the audience who wish to address the City Council may submit a Request to Speak in one of the following ways:

- Complete a green Request to Speak card available at the back of the Council Chamber and submit it to the Deputy City Clerk, preferably before the item is called and/or the meeting begins.
- Register using the kiosks located at the back of the Council Chambers, preferably before the item is called and/or the meeting begins.
- Scan the QR code corresponding to your preferred language (English, Hmong, or Spanish) and follow the instructions.
- Submit a Request to Speak online by visiting PublicComment.cityofmerced.gov.

Individuals participating virtually by phone must provide a valid phone number so staff can identify the caller during the meeting and must use the number they registered with to call in.

Comments may be emailed to cityclerk@cityofmerced.gov no later than 1 PM on the day of the meeting. Please specify on which portion of the agenda you are commenting, for example, Public Hearing item #, Consent item #, or Public Comments.

Material received before the deadline will be sent to the City Council, part of the record, and mentioned as part of the Written Petitions and Communications portion of the agenda. Any emails received by the 1PM deadline will be posted on the City's website at www.cityofmerced.gov/government/city-council/council-meetings. Any correspondence received after the 1PM deadline will be distributed to the City Council and retained for the official record.

To view the official live video broadcast of the City Council meeting, visit the City's YouTube channel. For convenience, the meeting may also be viewed through the City's website at cityofmerced.gov, on Comcast Public Access Channel 96, or on AT&T U-verse Channel 99.

A. CALL TO ORDER

A.1. Invocation - Joel Dorman, Summit Church

A.2. Pledge of Allegiance to the Flag

B. ROLL CALL

In accordance with Government Code 54952.3, it is hereby announced that the City Council sits either simultaneously or serially as the Parking Authority, the Public Financing and Economic Development Authority, and the Successor Agency to the Redevelopment Agency. City Council members receive a monthly stipend of $500.00 by Charter for sitting as the City Council; and the Mayor receives an additional $100.00 each month as a part of the adopted budget and Resolution 2024-78. The members of the Parking Authority, the Public Financing and Economic Development Authority, and the Successor Agency to the Redevelopment Agency receive no compensation.

C. CEREMONIAL MATTERS

C.1. 26-782

SUBJECT: Proclamation - Domestic Violence Prevention Awareness Month

REPORT IN BRIEF

Accepted by - Tamica Ingram Program Director at Valley Crisis Center.

C.2. 26-788

SUBJECT: Proclamation - Breast Cancer Awareness Month

REPORT IN BRIEF

Presented to a representative of the Merced Fire IAFF Local 1479.

D. WRITTEN PETITIONS AND COMMUNICATIONS

E. PUBLIC COMMENT

E.1. Members of the public who wish to speak on any matter not listed on the agenda may speak during this portion of the meeting and will be allotted 3 minutes. The Mayor may propose a further limit to the time available for all speakers at the discretion of the City Council, in order to accommodate as many speakers as possible. State law prohibits the City Council from acting at this meeting on any matter raised during the public comment period. Members of the public who wish to speak on a matter that is listed on the agenda will be called upon to speak during discussion of that item.

F. 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.

F.1. 26-773

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.

F.2. 26-813

SUBJECT: Information Only Contracts for the Month of September 2026

REPORT IN BRIEF

Notification of awarded Non-Public Works contracts under $41,000 and of Public Works contracts under $89,883.

F.3. 26-818

SUBJECT: Approval of the Second Amendment to City Manager Employment Agreement Providing an Additional Term of Three (3) Years

REPORT IN BRIEF

Considers the approval of the Second Amendment to the City Manager Employment Agreement providing an additional term of three (3) years.

RECOMMENDATION

City Council - Adopt a motion approving the Second Amendment to the City Manager Employment Agreement providing an additional term of three years.

F.4. 26-800

SUBJECT: Approval of Richards, Watson & Gershon Fifth Amendment to Legal Services Agreement

REPORT IN BRIEF
Considers the approval of Richards, Watson & Gershon Fifth Amendment to Legal Services Agreement.

RECOMMENDATION
City Council - Adopt a motion:

A. Approving a Fifth Amendment to Agreement for Legal Services with Richards, Watson & Gershon for additional compensation in an amount not to exceed $80,000; and,

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

F.5. 26-478

SUBJECT: Approval of a Five (5) Year Lease Agreement with the Merced County Arts Council Inc, with an Option to Extend for an Additional Five (5) Years

REPORT IN BRIEF
Considers approving a five-year lease agreement with the Merced County Arts Council.

RECOMMENDATION
City Council - Adopt a motion:

A. Approving the lease agreement between the City of Merced and the Merced County Arts Council; and,

B. Authorizing the City Manager to execute the necessary document.

F.6. 26-696

SUBJECT: Approval of Proposed Facility Use Agreement (Parking Agreement) Between the El Capitan Hotel Merced, LLC, and the City of Merced to Lease 59 Parking Spaces in the Ralph Shannon Parcade

REPORT IN BRIEF
Proposed Agreement to lease 59 parking space in the Ralph Shannon Parcade to the El Capitan Hotel Merced, LLC, at $2,520 per month and

$30,240 dollars per year.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Facility Use Agreement (Parking Agreement) with the El Capitan Hotel Merced, LLC; and,

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

F.7. 26-798

SUBJECT: Approval to Procure One (1) Cardiac Monitor and Related Accessories for the Fire Department and Utilize a Cooperative Purchasing Agreement (Sourcewell Contract #041823-STY), in an Amount not to Exceed $60,000

REPORT IN BRIEF

Considers approving the Fire Department's request to procure one (1) new LIFEPAK 35 (LP35) Cardiac Monitor and related accessories from Stryker for placement on Truck 51 utilizing Sourcewell Cooperative Purchasing Contract #041823-STY in an amount not to exceed $60,000 and waive the competitive bidding process pursuant to Merced Municipal Code Section 3.04.210.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving to waive the competitive bidding requirements as stated in Section 3.04.210 of the Merced Municipal Code due to cooperative purchasing; and,

B. Approving the use of Sourcewell Contract #041823-STY; and,

C. Authorizing the purchase of one (1) new cardiac monitor (LIFEPAK 35) and related accessories from Stryker for placement on Truck 51 in an amount not to exceed $60,000; and,

D. Authorizing issuance of the Purchase Order and authorizing the City Manager or designee to execute all necessary documents.

F.8. 26-720

SUBJECT: Approval of a Hay Brokerage Agreement with McLaughlin Hay Service, Inc., for Wastewater Treatment Plant Land Application Area Fodder Crops for an Initial Term Ending December 31, 2029, with an Option to Extend the Agreement for Two (2) Additional One (1)

Year Terms

REPORT IN BRIEF

Considers approving an agreement with McLaughlin Hay Service, Inc., to provide brokerage services for fodder crops produced on the Wastewater Treatment Plant (WWTP) Land Application Area (LAA). The broker will market and sell harvested hay and silage, deduct the agreed-upon brokerage fee of 4.4% of the sale proceeds, and remit the remaining proceeds to the City.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving an agreement with McLaughlin Hay Service, Inc., to provide brokerage services for fodder crops produced on the Wastewater Treatment Plant Land Application Area, with the option to extend the agreement for two (2) additional one (1) year terms; and,

B. Authorizing the City Manager to execute the necessary documents and future contract extensions.

F.9. 26-823

SUBJECT: Approval of an Amendment to the Existing Software License Agreement with Samsara through Carahsoft to Expand Fleet and Equipment Telematics Coverage from 116 to 469 City Fleet and Equipment

REPORT IN BRIEF

Consider amending the existing five-year Samsara software license agreement - originally approved by City Council on July 21, 2025, at a total value of $112,578 for 116 fleet assets - to expand GPS and telematic coverage from 116 units to 469 units (an addition of 353 vehicles and assets), waiving the competitive bidding requirements pursuant to Merced Municipal Code Section 3.04.210 for a cooperative purchase through Sourcewell, approving a new annual licensing cost of $75,824.12 beginning in FY26/27 (increasing from the current $22,258.08) with subsequent annual costs of $74,366.89 through FY2029/30 for a total contract-life investment of $298,925.79, and authorizing the City Manager to execute all necessary documents including future change orders not to exceed ten percent of the total purchase price, based on a one-year performance review demonstrating 67,258 hours of unproductive fleet idling consuming 48,861 gallons of fuel at a cost of $249,924 annually and a documented savings opportunity of $62,481 to $99,970 per year through platform-enabled idle-reduction policies. The amendment also incorporates permitting future hardware coverage, subject to the same

cooperative purchasing authority and change order limits established by this amendment. Additionally, the Samsara platform's automated reporting capabilities are currently generating approximately $24,000 annually in labor savings through automated California Air Resources Board (CARB) Clean Truck Check emission compliance reporting for heavy equipment, with further savings anticipated as reporting frequency increases from bi-annually to quarterly in 2027 and as fleet-wide expansion enables automated smog reporting for the majority of the City fleet currently completed manually.

RECOMMENDATION

City Council - Adopt a motion:

A. Waiving the City's competitive bidding requirement as permitted by Merced Municipal Code section 3.04.210 and authorizing the purchase to be made with a cooperative purchase agreement through Carahsoft via Sourcewell National Cooperative Purchasing Pricing; and,

B. Approving an amendment to the City's existing 5-year Software License Agreement with Samsara via Carahsoft through Sourcewell National Cooperative Purchasing contract #102924-SAM to expand the fleet coverage from 116 units to 469 units, with a new annual licensing cost of $75,824.12 beginning FY 2026/27 and $74,366.89 per year for FY 2027/28 through FY2029/30, for a total investment over the contract life not to exceed $298,925.79; and,

C. Approving future amendments to adjust the number of vehicles and assets with licensed software based on addition and removal of vehicles and equipment in the City's fleet - including additions resulting from new equipment purchases that exceed the hardware supplied under the current expansion - with change orders not to exceed 10% of the total purchase price; and,

D. Authorizing the City Manager to execute the necessary documents, including any future amendments required to add telematics coverage for newly acquired City fleet vehicles or equipment not covered under the current expansion quote.

F.10. 26-824

SUBJECT: Approval of an Agreement with National Meter & Automation, Inc., DBA Badger Meter, for Cloud-Based Advanced Metering Analytics (AMA) System for a Ten (10) Year Term Ending May 2, 2036

REPORT IN BRIEF

Considers approving the 10-year Agreement with National Meter & Automation, Inc., DBA Badger Meter, for the "Beacon" Cloud Based Meter Reading System and EyeOnWater customer engagement application.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving a 10-year Agreement with National Meter & Automation, Inc., DBA Badger Meter, for the Cloud Based Automatic Meter Reading System and Customer Engagement Application; and,

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

G. 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.

G.1. 26-595

SUBJECT: Public Hearing - Vacation #26-0002, Vacating the 55-Foot Wide Area of a Portion of Canal (L) Street Situated Between West Main (17th) Street and West 16th Street

REPORT IN BRIEF

Considers approving the vacation of an approximately 14,328-square-foot easement, a portion of the southern Canal (L) Street, generally located between West Main (17th) Street and West 16th Street.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2026-66**, A Resolution of the City Council of the City of Merced, California, ordering the vacation of the 55-foot-wide area of a portion of Canal "L" Street between Main "17th" Street and West 16th Street (Vacation #26-0002).

G.2. 26-598

SUBJECT: Public Hearing - Vacation #25-0001, Vacating the 20-Foot-Wide Easement at 400 West 7th Street

REPORT IN BRIEF

Considers approving the vacation of an approximately 1,145-square-foot easement at 400 West 7th Street, generally located on the south side of West 7th Street approximately 430 feet west of Martin Luther King Jr. Way.

RECOMMENDATION

City Council - Adopt a motion adopting **Resolution 2026-65**, a Resolution of the City Council of the City of Merced, California, ordering the vacation of the 20-foot-wide public utility easement (approximately 1,145 square feet) along a portion of vacated K Street south of 7th Street in the City of Merced (Vacation #25-0001).

H. ACTION ITEMS

H.1. 26-705

SUBJECT: Approval of the Professional Services Agreements with Interwest Consulting Group Inc., CSG Consultants Inc., and Bureau Veritas North American Inc. for Building Services Including, but not Limited to, Plan Checking and Inspection Services, for a Term of Two (2) Years with an Option to Extend for One (1) Additional Year, in an Amount not to Exceed Funds Available in the Approved FY 26-27 Budget

REPORT IN BRIEF

Considers approving Professional Services Agreements with three consultants for plan check, inspections, and other building division related services.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the contract for Professional Services with Interwest Consulting Group Inc., for two years term of services with extension option for one additional year term, in an amount not to exceed funds available in the approved budget; and,

B. Approving the contract for Professional Services with CSG Consultants Inc., for two years term of services with extension option for one additional year term, in an amount not to exceed funds available in the approved budget; and,

C. Approving the contract for Professional Services with Bureau Veritas North American Inc., for two years term of services with extension option for one additional year term, in an amount not to exceed funds available in the approved budget; and,

D. Authorizing the City Manager to execute the above agreements.

H.2. 26-746

SUBJECT: Approval of an Agreement for Professional Services with

Dokken Engineering, a California Corporation, for Project Approval, Environmental Documents (PA/ED), Plans, Specifications, and Estimates (PS&E) for the Highway 59 Phase 1 Widening (CP200064) and Highway 59 Bridges Over Black Rascal Creek (CP200065) Projects for a Total Amount not to Exceed $1,223,480.80

REPORT IN BRIEF

Staff requests authorization to waive the competitive bidding requirements and for the approval of a professional services agreement with Dokken Engineering, a California Corporation, for the PA/ED and PS&E for Highway 59 Widening Phase 1 and Highway 59 Black Rascal Bridge Projects.

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 Standardization; and,

B. Approving an agreement for professional services (environmental and engineering design services) with Dokken Engineering, a California Corporation, in the amount of $1,223,480.80; and,

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

H.3. 26-771

SUBJECT: Approval of Memorandum of Understanding Between the County of Merced and the City of Merced for Vegetation Maintenance of Bear Creek Within Merced City Limits from Crocker Dam to Campus Parkway

REPORT IN BRIEF

The County of Merced (County), on behalf of the Merced Stream Group, is undertaking vegetation maintenance activities along Bear Creek. Portions of Bear Creek located between Crocker Dam and Campus Parkway are within the City of Merced and have historically been maintained by the City.

The proposed Memorandum of Understanding (MOU) provides an opportunity for the City to participate in the County's vegetation maintenance project rather than undertaking a separate, stand-alone project. By coordinating the work with the County's larger project, the City can benefit from economies of scale, an expedited schedule, and potentially reduced project costs.

Under the proposed MOU, the County will perform the vegetation maintenance work, including environmental assessments and consulting services, for the portions of Bear Creek within the City limits. The City will reimburse the County for 50 percent of the actual project costs, not to exceed the estimated amount of $250,000, unless additional costs are approved in writing by the City.

Staff recommends approval of the MOU because coordinating the City's Bear Creek vegetation maintenance activities with the County's existing project provides an opportunity to achieve economies of scale, reduce duplication of effort, and expedite completion of vegetation maintenance within the City limits.

RECOMMENDATION

City Council - Adopt a motion:

A. Approving the Memorandum of Understanding (MOU) between the County of Merced and the City of Merced for vegetation maintenance and associated environmental services of Bear Creek within the City limits from Crocker Dam to Campus Parkway; and

B. Authorizing the City Manager, or designee, to execute the MOU and any documents necessary to implement the agreement.

H.4. 26-817

SUBJECT: Adopt Resolution No. 2026-64 Proclaiming the Threatened Existence of a Local Emergency Due to the Developing 2026-2027 El Niño Event

REPORT IN BRIEF

Considers adopting a Resolution proclaiming the threatened existence of a local emergency within the City of Merced due to the developing 2026-2027 El Niño event and the resulting threat of severe storms, flooding, and related impacts to persons, property, and public infrastructure.

RECOMMENDATION

City Council - Adopting **Resolution 2026-64**, A Resolution of the City Council of the City of Merced, California, Proclaiming the Threatened Existence of a Local Emergency Due to the Developing 2026-2027 El Niño Event.

H.5. 26-819

SUBJECT: Approval to Accept and Appropriate Grant Funds from the Department of Homeland Security Federal Emergency Agency (FEMA) Fiscal Year 2025 Assistance to Firefighters Grant (AFG)

Program in the Amount of $278,182 Approving a Supplemental Appropriation from the Unencumbered, Unreserved General Fund Balance in the Amount of $27,819 for the 10% Local Match Requirement, for a Total Project Cost of $306,001 for Hazardous Material Technician-Level Training of 18 Firefighters, Including Overtime and Backfill Costs

REPORT IN BRIEF

Considers accepting and appropriating federal grant funds from the Department of Homeland Security Federal Emergency Agency (FEMA) Fiscal Year 2025 Assistance to Firefighters Grant (AFG) Program in the amount of $278,182, along with a supplemental appropriation of $27,819 from the unencumbered, unreserved General Fund balance to satisfy the required 10% local cash match, for a total project cost of $306,001. Funds will support Hazardous Material Technician-Level training for 18 firefighters, including associated overtime and backfill costs, and the engagement of a qualified contractor to deliver the training. Approval is also requested to use pooled cash to cover expenditures until grant reimbursement is received from FEMA.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting the FY 2025 AFG in the amount of $278,182 in grant funds for future costs to be incurred for: personnel and contractual costs, to be recorded in Fund 1000-General Fund; and,

B. Approving a supplemental appropriation in the amount up to $27,819 from the unencumbered, unreserved Fund 1000-General Fund balance to satisfy the city's required 10% local cash match, as identified in the grant application; and,

C. Appropriating $216,001 to Fund 1000-General Fund for personnel costs, including overtime and backfill; and,

D. Appropriating $90,000 to Fund 1000-General Fund for contractual services, specifically the engagement of a qualified instructor to deliver Hazardous Material Technician-Level firefighter training; and

E. Authorizing the use of pooled cash to cover grant related expenditures until reimbursement; and,

F. Authorizing the City Manager to execute all documents, including any amendments.

I. BUSINESS

I.1. 26-814

SUBJECT: Annual Appointments to the Planning Commission (Districts 2)

REPORT IN BRIEF

Accept nominations to fill seats on the Planning Commission.

RECOMMENDATION

City Council - Adopt a motion:

A. Accepting nominations and appointing individuals to serve as members of the Planning Commission (District 2); or,

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

I.2. 26-774

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.

I.3. 26-775

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.

J. ADJOURNMENT